



# Board of Light, Gas and Water Commissioners

220 S. Main Street  
Memphis, TN 38103

## Board Meeting

[www.mlgw.com](http://www.mlgw.com)

### ~ Preliminary Agenda ~

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Wednesday, April 21, 2021

8:30 AM

Zoom Electronic Meeting

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#### INFORMATION FOR THE BENEFIT OF THE PUBLIC:

**Public Notice:** Regular board meetings are held the first and third Wednesdays of the month at MLGW's Administration Building unless otherwise noted in the public notice filing and website. The proposed agenda will be posted in the public section of the ground floor lobby of the Administration Building and on MLGW's website at least 48 hours before the Board meets. You may access the proposed Board agenda and all available documents related to the items linked from the agenda on the Internet at: [www.mlgw.com](http://www.mlgw.com). Large agreements, items related to Homeland Security or items received too late to post may not be viewable. You may view those documents in the Public Records Office prior to or after the Board meeting. By Board action, agenda items may be added, deleted or held for later consideration at a later board meeting.

**Consent Agenda:** Items shown under the Consent Agenda consists of items considered to be routine and non-controversial upon which the documentation provided to the Board is adequate to give sufficient information for approval without inquiry or discussion during the Board meeting. The use of the Consent Agenda is designed to minimize the time required for the handling of routine matters in order to permit additional time to be spent on more significant matters. The Chairman will call for approval on the Consent Agenda as a whole and the vote will be treated as a separate vote on each item. At the request of a Board member, the Chairman may move any item on the Consent Agenda to the Regular Agenda.

**Regular Agenda:** Item(s) to be individually considered for Board action.

**Filed Items:** The Board may be provided information which does not require Board approval or Board discussion but which is noted for the official record as having been supplied to the Board.

**Resolutions:** Generally, there are two types of resolutions subject to approval by the MLGW Board of Commissioners. Internal Board Resolutions are within the full authority of the Board and considered final upon the acceptance of the minutes of that board action. External Board Resolutions are subject to the approval of the City Council and are not considered final until the City Council accepts the minutes of their approval for such.

**ADA:** As a covered entity under Title II of the Americans with Disabilities Act, MLGW does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. To ensure availability, such request should be made 72 hours in advance by contacting Linda Ford at (901) 528-4323 during business hours.

**CALL TO ORDER AND OPENING REMARKS:**Chairman Graves

*Our Meeting today is being conducted electronically in order to protect public safety and welfare and to prevent the spread of COVID-19 in Memphis and Shelby County. Board members will participate and vote without being present as permitted in Executive Order No. 78 issued by the Governor of the State of Tennessee on February 26, 2021. An audio recording of the Meeting will be available to the public within 48 hours through the MLGW website at [www.mlgw.com](http://www.mlgw.com) <<http://www.mlgw.com>>. Without objection from any Board member we will proceed with the published agenda.*

**PLEDGE OF ALLEGIANCE:**Chairman Graves**ROLL CALL:**Dana Jeanes**APPROVALS:**

Approve Minutes of the Meeting of April 7, 2021.

**CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE:**Dana Jeanes

Receipt of Certified Copies of City Council Resolutions dated April 6, 2021, Items 26 through 32 and Item 38.

**GENERAL STATEMENTS FROM THE PUBLIC:**

*Chairman Graves will read through submitted requests provided by Corporate Communications from [corpcomm@mlgw.org](mailto:corpcomm@mlgw.org).*

**PRESIDENT'S BRIEFING:**

1. Review of Consent Agenda - J. T. Young

(President's Briefing Continued on Page 6)

**CONSENT AGENDA**

(Items 1 through 26)

**CHIEF CUSTOMER OFFICER**

1. Resolution approving a policy to ensure compliance with Title VI of the Civil Rights Act of 1964, so that MLGW may participate in the TDEC Home Uplift Grant program and any future programs or activities receiving federal financial assistance for the benefit of MLGW ratepayers. (Jim West) (SAME DAY MINUTES REQUESTED)
2. Resolution ratifying and awarding Contract No.12249, ESource Membership Agreement through TVPPA to ESource Companies, LLC, in the funded amount of \$1,361,376.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**CHIEF INFORMATION OFFICER**

3. Resolution awarding a purchase order to Mythics, Inc., for Oracle Application license expansion, in the amount of \$257,689.38. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
4. Resolution awarding Contract No. 12295, Oracle Maintenance and Support 2021 to Mythics, Inc., in the funded amount of \$5,922,550.53. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**CHIEF PEOPLE OFFICER**

5. Resolution approving an annual salary in the amount of \$97,157.00 for IT Business Consultant, Position No. 07053. (Jackie Jones) (REQUIRES CITY COUNCIL APPROVAL)
6. Resolution amending resolutions dated October 6, 2005, December 17, 2009 and June 12, 2012 relating to reclassifications of positions, to include administrative promotions due employees who have met the required promotion qualifications, which require the President's approval only. (J. T. Young/Jackie Jones)
7. Resolution approving Change No. 3 to Contract No. 12096 (Formerly C2033), Hot Sticks Maintenance with Irby Tool and Safety, d/b/a Irby Company, in the funded not-to-exceed amount of \$41,000.00. (This change is to ratify and renew the current contract term for the required bi-annual cleaning cycle established by the federal government for the period covering March 2, 2021 through March 1, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**COMMUNITY & EXTERNAL AFFAIRS**

8. Resolution approving Change No. 1 to Contract No. 12291, MLGW Customer Utility Bill Folder/Inserter (Beale Street Landing) with Bell and Howell, LLC, in the funded amount of \$66,620.00. (This change is to renew the current contract for equipment and software maintenance for a four-year renewal term for the period covering August 14, 2021 through August 13, 2025. MLGW is requesting approval of continuous maintenance, which can only be performed by Bell and Howell, LLC.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**DESIGN CONSTRUCTION & DELIVERY**

9. Resolution approving Change No. 2 to Contract No. 12077, Line Clearance with Asplundh Tree Expert, LLC, with no increase in the contract value. (This change is to ratify and add a per diem rate to the current contract to increase staffing from outside of Memphis to assist with expenses for bringing outsource crews and employees to meet tree trimming goals. The per diem rate is effective as of March 1, 2021.) (Randy Orsby)

**ENGINEERING & OPERATIONS**

10. Resolution awarding a purchase order to Prime Controls for electric cabinets and spare parts, in the amount of \$295,413.61. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

11. Resolution awarding a purchase order to Brighter Days and Nites, Inc., for gas valve actuators, in the amount of \$63,713.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
12. Resolution approving payment of an invoice from U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration, for the 2021 Pipeline Safety User Fee, in the amount of \$71,989.56. (Nicholas Newman)
13. Resolution approving Change No. 3 to Contract No. 11682, Customer Care Center Back-Up Communications Plan with AT&T Business Systems, in the funded amount of \$434,645.70. (This change is to renew the current contract term for the second and final annual renewal term for the period covering August 16, 2021 through August 15, 2022. The contract value is increasing due to the demand for services caused by the COVID-19 pandemic. The old circuit was in the process of being replaced with a new circuit; however, the pandemic hit during the replacement process. The Customer Care Center (CCC) decided to postpone the switch over and keep the old circuit in addition to the new circuit. This increase is due to having to pay for both circuits, until the switch over can be completed.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
14. Resolution approving Change No. 1 to Contract No. 12104 for Overhead Water Storage Tank Painting Inspections to Mid-South Tank Consultants, with no increase in the contract value. (This change is to extend the contract for an additional eight-month term due to delays caused by the COVID-19 pandemic; the contract term will end on June 27, 2022.) (Randy Orsby)
15. Resolution approving Change No. 2 to Contract No. 12105, Overhead Water Storage Tank Painting for Capleville, Stonebridge, and Egypt Central with Currens Construction Services, LLC, in the funded amount of \$89,500.00. (This change is to expand the scope of the current contract to add additional funds to the contract value for the removal, disposal, installation, and replacement of the existing 36" riser at Capleville Water Storage Tank. Also, this change is to extend the contract for an additional eight-month term due to delays caused by the COVID-19 pandemic; the contract term will end on June 15, 2022.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
16. Resolution approving Change No. 17 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department, to authorize the annual fee payment in the funded amount of \$141,868.10. (This change is to authorize the annual payment in the funded amount of \$141,868.10, based on fiscal year 2020 data, covering January 1, 2020 through December 31, 2020, with an increase in meters from 255,558 to 257,942 from the previous year. This amount will be absorbed in the current contract value.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
17. Resolution approving Change No. 2 to Contract No. 11896, Internet Service Provider with Windstream Enterprise, in the funded amount of \$53,500.00. (This

change is to ratify, extend and upgrade Windstream internet service to one gigabit per second for MLGW internal DNS, Web, Email and E-business applications for the period covering March 18, 2020 through March 17, 2023. MLGW is requesting continuous service of the acquired system, which can only be performed by Windstream Enterprise.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

18. Resolution approving Change No. 2 to Contract No. 11852, Internet Service Provider with CenturyLink Business (formerly Level 3 Communications), in the funded amount of \$66,483.00. (This change is to ratify, extend and upgrade Centurylink/Lumen internet service to one gigabit per second (GBPS) to accommodate load from personnel working remotely and to support applications of Microsoft Office 365 Cloud service for the period covering March 16, 2020 through March 15, 2023. Due to the complexity and cost to configure dual Internet service provider routing protocol, MLGW is requesting approval of the acquired services which can only be performed by CenturyLink Business.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

#### **PRESIDENT**

(None)

#### **SVP, CFO & CAO, FINANCE**

19. Resolution approving Change No. 2 to Contract No. 12043, Property & Boiler Insurance with FM Global, based on approved rates, not-to-exceed \$2,194,313.00. (This change is to renew the current contract for the second of four annual renewal terms covering the period June 1, 2021 through May 31, 2022.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

#### **SVP, CHIEF OPERATING OFFICER**

(None)

#### **SHARED SERVICES**

20. Resolution awarding a purchase order to Scruggs Equipment Company, Inc., for the purchase of hydraulic front mounted truck winches, in the amount of \$103,800.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
21. Resolution awarding purchase orders for two-ton steel utility service bodies to Utility Equipment Service, Inc., in the amount of \$30,723.00 and Scruggs Equipment Company in the amount of \$450,882.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
22. Resolution awarding a purchase order to Summit Truck Group, for two-ton cab and crew cab and chassis, in the amount of \$1,501,163.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
23. Resolution awarding a thirty-six-month purchase order to Universal Scaffold and Equipment, for bare Aluminum Conductor Coated-Steel Reinforced (ACSR) 477 KCM, 18/1 strand pelican wire, in the amount of \$582,382.66. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

24. Resolution approving Change No. 5 to Contract No. 11841, Professional Engineering Services for Central Support Services with CCS Group, Incorporated, with no increase in the contract value. (This change is to extend the current contract for six months for the period covering May 17, 2021 through November 16, 2021.) (Randy Orsby)
25. Resolution approving Change No. 5 to Contract No. 11562 Professional Engineering Services for Central Support Services with Smith Seckman Reid, Incorporated (SSR), with no increase in the contract value. (This change is to extend the current contract for 12 months for the period covering July 1, 2021 through June 30, 2022, based on agreed upon rates, with no increase in the contract value.) (Randy Orsby)

**VP & GENERAL COUNSEL**

26. Resolution approving payment of \$150,000.00 for a litigation settlement. (Cheryl Patterson) (REQUIRES CITY COUNCIL APPROVAL)

**COMMITTEE REPORTS:**

First Quarter, 2021 Human Resources Committee Report - Jackie Jones

**PRESENTATIONS:**

Recognition of MLW Heroes – J. T. Young

- Ronnie Freeman and Amondro McDonald
- Maximo Machado and John Shannon

**PRESIDENT'S BRIEFING (Continued):**

2. Other - J. T. Young

**ADDITIONAL MEETINGS**

Pension Board Meeting –  
Immediately Following 8:30 a.m. Board Meeting - Zoom Electronic Meeting

OPEB Committee Meeting –  
Immediately Following Pension Board Meeting - Zoom Electronic Meeting