



# 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, December 1, 2021

8:30 AM

Board Room

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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.

**To Officially Communicate to the Board:** Any individual member or group of the general public desiring to address the Board orally on items of interest to the public that are within the subject matter jurisdiction of the Board, shall complete an **MLGW Board Speaker Card** to make such desire known to the Board Secretary. Such request to be heard should be marked with the date of the meeting; the agenda item number; if the comments are in support, opposition, or general as they relate to the item; the speaker's name and address; and if the speaker is representing someone else as a paid consultant. Paid lobbyists must complete the required disclosure of their client's name, phone number, and address. Statements shall not exceed three minutes unless additional time is granted by the Board Chair. When recognized, please proceed forward to the podium and state your name and address. The board and staff will not answer questions that are asked in this forum but written questions or a written statement may be provided to the Board Secretary for entry into the official record. If any Board member receives approval of the Board Chairman, that Board Member may address questions to the person providing the public statement.

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

**PLEDGE OF ALLEGIANCE:** Chairman Graves

**ROLL CALL:** Dana Jeanes

**APPROVALS:**

Approve Minutes of the Meeting of November 17, 2021.

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

Receipt of Certified Copies of City Council Resolutions, Items 20 through 35, dated November 16, 2021.

**PRESENTATIONS:**

(None)

**GENERAL STATEMENTS FROM THE PUBLIC:**

**PRESIDENT'S BRIEFING:**

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

(President's Briefing Continued on Page 4)

**CONSENT AGENDA**

(Items 1 through 8)

**CHIEF CUSTOMER OFFICER**

(None)

**CHIEF INFORMATION OFFICER**

1. Resolution awarding a three-year purchase order to Thomas Consultants, Inc. for Entrust certificate subscription renewals in the amount of \$61,572.82. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
2. Resolution awarding Contract No. 12257, Synergy to Thomas Consultants, Inc., in the funded amount of \$536,477.33. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
3. Resolution approving Change No. 1 to Contract No. 12202, Network Maintenance with ConvergeOne, Inc., in the funded amount of \$1,995,928.34. (This change is to renew the current contract for the first of four annual renewal terms for the period covering February 15, 2022 through February 14, 2023. In

addition, this change is to increase the current contract value for additional support services and price rate increases due to the Covid-19 Pandemic). (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**CHIEF PEOPLE OFFICER**

(None)

**COMMUNITY & EXTERNAL AFFAIRS**

(None)

**DESIGN CONSTRUCTION & DELIVERY**

(None)

**ENGINEERING & OPERATIONS**

4. Resolution approving renewal of Cooperative Agreement No. 5447 USGS/MLGW investigation of Water Resources, for the period of January 1, 2022 to December 31, 2023 stipulating that a sum of \$174,000.00 will be furnished by the Division and like sum will be furnished by United States Department of Interior Geological Survey. (Nick Newman) (REQUIRES CITY COUNCIL APPROVAL)

**PRESIDENT**

5. Resolution approving Change No. 2 to Contract No. 12122, Audit Assurance and Advisory Services with Banks, Finley, White & Company, in the funded amount of \$200,000.00. (This change is to renew the current contract for the second of four annual renewal terms for the period covering January 6, 2022 through January 5, 2023, with no increase in rates from the previous year.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**SVP, CFO & CAO, FINANCE**

6. Resolution adopting the following amendments to the Memphis Light, Gas and Water Division Retirement and Pension System, as amended and restated effective January 1, 2015: 1.) Article VI, Section 6.1 Normal Retirement Benefit, subparagraph (b)Minimum Benefit, shall be amended by the addition of new subsections (1)(iii) and 2(iii); 2.) Article VI, Section 6.3 Ordinary Disability Retirement Benefit, subparagraph (b)Minimum Benefit, shall be amended by the addition of new subsections (1)(iii) and 2(iii); 3.) Article VI, Section 6.4 Disability in Line of Duty Retirement Benefit, subparagraph (b)Minimum Benefit, shall be amended by the addition of new subsection (1)(iii) and 2(iii); and 4.) Article VIII, Section 8.5 Minimum Death Benefit shall be amended by the addition of new subsection (a)(3) and b(3). (Dana Jeanes) (REQUIRES CITY COUNCIL APPROVAL)

**SVP, CHIEF OPERATING OFFICER**

(None)

**SHARED SERVICES**

7. Resolution approving Change No. 5 to Contract No.11881, Tire and Tire Services with Goodyear Tire and Rubber Co., with no increase in the contract value. (This change is to extend the current contract for a one-year period covering January 1, 2022 through December 31, 2022 in the amount of \$929,280.64, which will be absorbed in the current contract value. The renewal reflects an overall 4.82% increase in rates from the previous year due to an increase in labor and raw material costs.) (Randy Orsby)

**VP & GENERAL COUNSEL**

8. Resolution awarding Contract No. 12306, Legal Research Services to West Publishing Corporation dba West, a Thomson Reuters business, in the funded amount of \$226,487.88. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**COMMITTEE REPORTS:**

Supplier Diversity Report - Third Quarter, 2021 - Dana Jeanes

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

2. Other - J. T. Young

**ADDITIONAL MEETINGS**

Audit Committee Meeting –  
Immediately Following the BOC Meeting - MLGW Board Room