



# Board of Light, Gas and Water Commissioners

220 S. Main Street  
Memphis, TN 38103  
www.mlgw.com

## Board Meeting

~ Minutes ~

Wednesday, November 2, 2022

8:30 AM

Board Room

### CALL TO ORDER AND OPENING REMARKS:

Chairman Graves

The meeting was called to order at 8:34 a.m.

Chairman Graves announced that Mayor Strickland has appointed Doug McGowen as the new MLGW President/CEO. His start date is to be determined.

Chairman Graves announced the power supply decision will be brought to the board at the November 16 board meeting.

### PLEDGE OF ALLEGIANCE:

Chairman Graves

The Pledge of Allegiance was recited.

### ROLL CALL:

Dana Jeanes

Attendee Name	Title	Status	Arrived
Michael Pohlman	Board Member	Present	
Cheryl Pesce	Board Member	Present	
Carl Person	Board Member	Present	
Mitch Graves	Chairman	Present	
Leon Dickson	Vice Chair	Absent	

### APPROVALS:

**Motion To:** Approve Minutes from the Meeting of October 26, 2022.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Pohlman, Board Member
<b>SECONDER:</b>	Cheryl Pesce, Board Member
<b>AYES:</b>	Michael Pohlman, Cheryl Pesce, Carl Person, Mitch Graves
<b>ABSENT:</b>	Leon Dickson

### CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE:

Dana Jeanes

No Resolutions to Acknowledge.

### PRESENTATIONS:

(None)

**GENERAL STATEMENT(S) FROM THE PUBLIC:**

1) Sarah Houston, 200 Wagner Place, addressed the board regarding the power supply upcoming decision and stated there is not enough input from rate payers on the decision. She acknowledged that the bids were released to the public and thanked MLGW for holding the two public meetings. She stated there were lots of encouraging voices for the board to not vote for the long-term agreement. She discussed "dangling carrots" and why MLGW should not accept a carrot. She expressed her concerns with the coal ash removal and how it has been handled. She is looking for more green power supply options and wants a partner that is invested. She looks forward to seeing the board on the 16th.

2) Dennis Lynch, 347 N. McClain, addressed the board. He noted that he served on the MLGW PSAT (Power Supply Advisory Team). He argues that the information that has come out to the public is not valid, and it is important for MLGW not to sign the long-term contract. He also discussed penalties within the contract, and he believes there are more benefits for TVA and not the customers. He stated the existing contract is "good enough" for now and thinks the Board and management should be happy with it. He discussed that he doesn't believe the inflation reduction act has been considered and MLGW and the City of Memphis should not approve the LTA.

3) Ward Archer, 335 Kenilworth, stated he is here to protect the aquifer. He is not in favor of leaving TVA; however, he is opposed to the LTA. He's studied TVA's debt and the never-ending contract. He believes the contract is all about TVA benefiting and not the customer. He sees the LTA as a "trap and not an opportunity". He request the BOC make the decision to stay with the 5-year contract.

4) Pearl Walker, 5378 Lach Lomand Rd., discussed a town hall meeting being held at the Whitehaven library this evening. She is opposed to MLGW signing the never-ending contract which locks customers into paying volatile fossil fuel prices and causes even more struggle in paying utility bills. She added that communities face high energy burdens because of poverty and a high percent of those fixed incomes go toward paying utility bills. She stated this is an opportunity to ease customers energy while promoting better opportunities for greener energy. She is requesting that the board say no to the never-ending contract.

5) Alden Schmidt, 986 Blythe St., stated she agrees with the people that spoke before her. She stated she is probably the youngest person in the group speaking today and that young people do not have a voice. She shared that most people in her age group are unaware of the decision the BOC are faced with. She is concerned for generations to come and if they will have clean air and water. She sees it as a privilege. She wants the BOC to make the decision to stay with the current TVA contract.

6) Carl Richards, 434 Meadvale St., thanked the board for the opportunity to speak. He is the current Chair of the local Sierra Club. He thanked the staff and board for going through the motions of investigating the power supply opportunities. He acknowledged it had been tedious and appreciated their efforts and time. He discussed the demographics of Memphis and how they differ from other areas of TN. He believes Memphis should have a more customized contract with TVA since MLGW is a much larger customer than the others and meet the needs of Memphis. He encouraged the board to go with the short-term contract and stated the LTA doesn't allow enough opportunity to take advantage of the Biden inflation reduction act.

7) Justin Pearson, 3831 Masterson St., is asking the board not to sign the "never ending contract"; keep the 5-year contract which allows ability for more time to investigate other options. He read a lengthy section of the proposed TVA LTA contract being offered. He noted auto-extensions of the LTA contract and expressed his opposition. He believes this is a trap and asked the BOC not to sign for the wellbeing of the City. He mentioned that Mr. Lyash announced he would not customize the contracted with MLGW, even though MLGW is a substantially sized customer. Mr. Pearson discussed the concern of 40% to 60% increase in bills and managing fixed incomes. He believes MLGW needs to take this as an opportunity to negotiate

8) Dianna Naik, 1090 River Isle Drive, addressed the board expressing her concern related to power outages. She stated she has lived on Mud Island since 2008 and has never experienced so many outages. She asked about underground services and wondered if Mud Island has been removed from the hospital grid. She has served as a board member on community boards and is representing the organization also today. They are interested in knowing what has changed and how can this be resolved. She works from home and cannot work without power. Interim Chief Utility Officer, Alonzo Weaver, noted that we are aware that the service on Mud Island has had some issues. He has asked the reliability department to investigate the history of that service and shared the stats with the board of various circuits. He assured Ms. Naik this is being addressed. Chairman Graves asked for an update in a couple of months.

Chairman Graves read through a list of customer's names (below) that have e-mailed MLGW through Corporate Communications, all of which are Mud Island residents and are dissatisfied with the reliability of the electricity and asking for the issue to be corrected.

Tiffany G. Mowers - 82 Island Place  
Andrew Todd Belt 1250 Fleets Harbor Dr.  
Don Dickerson - no address given "Harbor Town"  
Patsy Wicks - 1425 Island Town Dr.  
Nancy Lawhead - 61 River Mist Lane  
Shuritheran Chinniah - 1097 River Isle Dr.

Marcus Pugh - 1053 Island Place East  
HarborView Homeowners Assoc. - 995 River Isle Cove  
Natalie Breeden - 1296 Island Harbor Dr.  
Genna M. Lutz Diworth - 1000 River Landing Drive

## **PRESIDENT'S BRIEFING:**

1. Review Consent Agenda - Alonzo Weaver  
(President's Briefing Continued on Page 129)

The original of the resolutions and documents relating to each item is filed in the vault of the fifth floor of the MLGW Administration Building, 220 South Main. The original documents shall control in the event of any conflict between the description and these minutes and the original documents.

## **CONSENT AGENDA**

(Items 1 through 27)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Pohlman, Board Member
<b>SECONDER:</b>	Carl Person, Board Member
<b>AYES:</b>	Michael Pohlman, Cheryl Pesce, Carl Person, Mitch Graves
<b>ABSENT:</b>	Leon Dickson

### ***VP of CUSTOMER EXPERIENCE and ENERGY SERVICES***

1. Resolution approving Change No. 15 to Contract No. 10765, Private Label Service Agreement with Utility Consumer Analytics, Inc., (formerly Aclara Technologies, LLC.) in the funded amount of \$500,000.00. (This change is to extend the current contract for an additional 18-months covering the period January 1, 2023 through June 30, 2024) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

### ***CHIEF INFORMATION OFFICER***

2. Resolution approving Change No. 5 to Contract No. 12009, Professional Information Services (IS) Support Services with VACO Memphis, LLC., in the funded amount of \$1,827,280.00. (This change is to extend the current contract for a one-year period covering January 1, 2023 through December 31, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
3. Resolution approving Change No. 5 to Contract No. 12007, Professional Information Services (IS) Support Services with Stragistics Technology, Incorporated in the funded amount of \$1,856,280.00. (This change is to extend the current contract for a one-year period covering January 1, 2023 through December 31, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
4. Resolution approving Change No. 5 to Contract No. 12010, Professional Information Services (IS) Support Services with Nextech Solutions, LLC., in the funded amount of \$1,781,089.60. (This change is to extend the current contract for a one-year period

covering January 1, 2023 through December 31, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

5. Resolution approving Change No. 5 to Contract No. 12008, Professional Information Services (IS) Support Services with CTD Staffing, LLC., in the funded amount of \$1,881,560.00. (This change is to extend the current contract for a one-year period covering January 1, 2023 through December 31, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
6. Resolution approving Change No. 5 to Contract No. 12012, Professional Information Services (IS) Support Services with Cook Systems International, Incorporated in the funded amount of \$1,836,782.00. (This change is to extend the current contract for a one-year period covering January 1, 2023 through December 31, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
7. Resolution approving Change No. 5 to Contract No. 12011, Professional Information Services (IS) Support Services with Conch Technologies, Incorporated in the funded amount of \$1,933,480.00. (This change is to extend the current contract for a one-year period covering January 1, 2023 through December 31, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
8. Resolution approving Change No. 5 to Contract No. 11951, Professional Information Services (IS) Support Services with Ciber - an HTC Global Company; in the funded amount of \$1,887,488.00. (This change is to extend the current contract for a one-year period covering January 1, 2023 through December 31, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**CHIEF PEOPLE OFFICER**

9. Resolution to amend Purchase Order Number 7014321 to Tyndale Company, Inc., for flame-resistant clothing for an additional amount of \$575,000.00. (This amendment is to increase the contract value to cover the Division's needs through June 30, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
10. Resolution to approve revisions to MLGW Human Resource Policy Number 23-11, Political Activity. (Alonzo Weaver/Jackie Jones)
11. Resolution to approve revisions to MLGW Human Resource Policy Number 23-01, Tardiness and Failure to Report to Work. (Alonzo Weaver/Jackie Jones)
12. Resolution to approve revisions to MLGW Human Resource Policy Number 22-20, The Use of Division Facilities for Outside Activities. (Alonzo Weaver/Jackie Jones)
13. Resolution to approve revisions to MLGW Human Resource Policy Number 22- 14, Workers' Compensation Program (Occupational Injury/Illness). (Alonzo Weaver/Jackie Jones)
14. Resolution to approve revisions to MLGW Human Resource Policy Number 23-32, Employee Inspections and Searches. (Alonzo Weaver/Jackie Jones)

**COMMUNITY & EXTERNAL AFFAIRS**

(None)

**DESIGN CONSTRUCTION & DELIVERY**

15. Resolution awarding Contract No. 12397, Emergency Storm Restoration (solicited under Contract No. 12370) to William E. Groves Construction, LLC., dba Groves Electrical Services based on agreed upon rates. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
16. Resolution awarding Contract No. 12396, Emergency Storm Restoration (solicited under Contract No. 12370) to Irby Construction Company based on agreed upon rates. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
17. Resolution awarding Contract No. 12395, Emergency Storm Restoration (solicited under Contract No. 12370) to Gray's Power Supply based on agreed upon rates. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
18. Resolution awarding Contract No. 12394, Emergency Storm Restoration (solicited under Contract No. 12370) to Collective Strategic Resources, LLC., based on agreed upon rates. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
19. Resolution awarding Contract No. 12393, Emergency Storm Restoration (solicited under Contract No. 12370) to Standard Electric Company, Inc., based on agreed upon rates. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
20. Resolution awarding Contract No. 12392, Emergency Storm Restoration (solicited under Contract No. 12370) to Service Electric Company based on agreed upon rates. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
21. Resolution awarding Contract No. 12391, Emergency Storm Restoration (solicited under Contract No. 12370) to Henkels & McCoy, Inc., based on agreed upon rates. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
22. Resolution awarding Contract No. 12370, Emergency Storm Restoration to Davis H. Elliot Construction Company, Incorporated based on agreed upon rates. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**ENGINEERING & OPERATIONS**

23. Resolution awarding Contract No. 12385 (solicited under Contract No.12302), Substation Engineering Services (Transmission) to Allen & Hoshall, Incorporated in the funded not-to-exceed amount of \$300,000.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
24. Resolution approving Change No. 2 to Contract No. 12191, Professional Engineering Services for Gas Engineering and Operations with Mid-South Engineering Consultants, LLC., in the funded amount of \$150,000.00. (This change is to renew the current contract for the second of four annual renewal terms for the period covering December 30, 2022 through December 29, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**PRESIDENT**

(None)

**SVP, CFO & CAO, FINANCE**

25. Resolution approving Change No. 19 to Contract No. 11292, Cashiering System Replacement with System Innovators to renew the current contract in the funded amount of \$83,945.36. (This renewal is for the period covering January 1, 2023 through December 31, 2023) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**SVP, CHIEF OPERATING OFFICER**

26. Resolution approving Change No. 3 to Contract No. 12218, Power Supply Consultant with GDS Associates, Incorporated to change the current contract in the funded amount of \$50,000.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**SHARED SERVICES**

(None)

**VP & GENERAL COUNSEL**

27. Resolution to approve revisions to the MLGW Human Resources Ethics Policy. (Allan Long/Cheryl Patterson)

**PRESIDENT'S BRIEFING (Continued):****2. Other - Alonzo Weaver**

Interim Chief Utility Officer, Alonzo Weaver, informed the Board that the budget was presented at the City Council Committee meeting yesterday and everything seemed to go well. He included that Timothy Davis presented a summary of what he had covered at the previous Committee meeting related to customer services and gave the CC an opportunity to ask questions.

**COMMITTEE REPORTS:**

(None)

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:25 a.m.

(See Minute File No. 1476.)

Approved/Without Interlineation



Chairman

These Minutes Compiled by Undersigned and  
are Correct

Secretary-Treasurer