



# Board of Light, Gas and Water Commissioners

220 S. Main Street  
Memphis, TN 38103  
[www.mlgw.com](http://www.mlgw.com)

## Board Meeting

~ Minutes ~

Wednesday, September 16, 2020

8:30 AM

Zoom Electronic Meeting

### CALL TO ORDER AND OPENING REMARKS:

Chairwoman McCullough

Chairwoman McCullough called the meeting to order at 8:32 a.m.

### PLEDGE OF ALLEGIANCE:

Chairwoman McCullough

The Pledge of Allegiance was recited.

Attendee Name	Title	Status	Arrived
Carlee McCullough	Chairwoman	Present	
Mitch Graves	Vice Chair	Present	
Leon Dickson	Board Member	Present	
Mike Pohlman	Board Member	Present	
Steve Wishnia	Board Member	Present	

Advisory Board Members -

Kevin Young - Present

Dwain Kicklighter - Present

Several Executive Council members participated in the meeting; however, no roll call was taken for them.

### ROLL CALL:

Dana Jeanes

### APPROVALS:

**Motion To:** Approve Minutes of the Meeting of September 2, 2020.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steven Wishnia, Board Member
<b>SECONDER:</b>	Leon Dickson, Board Member
<b>AYES:</b>	Pohlman, Wishnia, McCullough, Graves, Dickson

### CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE: Dana Jeanes

Receipt of Certified Copies of City Council Resolutions dated September 1, 2020, Items 12 through 15 and Item 30. (See Minute File No. 1452.)

### PRESENTATIONS:

(None)

**GENERAL STATEMENTS FROM THE PUBLIC:**

The following sent e-mails to the Corporate Communications designated e-mail address to address the Board. Each e-mail expressed concerns about disconnecting customers and asking that MLGW give customers more time.

- 1) Rebekah Gienapp, 1369 Agnes Place, Memphis
- 2) Sara C. Oaks, 73 Viking Cove, Cordova
- 3) Carolyn and Blake Burr, 2972 Millers Pond Drive, Memphis

Jim West, VP & Chief Customer Officer read the e-mails. Each e-mail was related to the suspension of disconnects and why MLGW has started back at this time. The question was also asked as to why MLGW cannot forgive past due payments for those that were affected by COVID19. He stated it was a difficult decision to make and noted MLGW takes disconnecting customers very serious. He added every effort is being made to assist customers with extended payment plan options, educating customers with various assistance programs and making adjustments by only requiring that customers pay 15% of the past due balance where other utility companies are requiring the full balance. He noted that due to State and Federal laws, MLGW cannot forgive past due balances.

**PRESIDENT'S BRIEFING:**

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

(President's Briefing Continued on Page 99)

**CONSENT AGENDA**

(Items 1 through 16)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Steven Wishnia, Board Member
<b>SECONDER:</b>	Leon Dickson, Board Member
<b>AYES:</b>	Pohlman, Wishnia, McCullough, Graves, Dickson

**CHIEF CUSTOMER OFFICER**

(None)

**CHIEF INFORMATION OFFICER**

1. Resolution approving Change No. 1 to Contract No. 12069, ArcFM Viewer Replacement with SSP Innovations, with no increase in the contract value. (This change is to revise the five-year maintenance schedule from the period July 1, 2020 through June 30, 2025 to the period of November 1, 2020 through October 31, 2025 due to change in the implementation of this project. The cost associated with the five-year maintenance was included in the initial contract term.) (Randy Orsby)
2. Resolution approving Change No. 8 to Contract No. 11004, Human Resources and Payroll System, with Cognizant Technology Solutions U.S. Corporation (formerly KBACE Technologies, Incorporated), with no increase in the contract value. (This

change is to renew annual maintenance and support services for the HR Kube for the period covering June 1, 2021 through May 31, 2023 in the funded amount of \$12,174.86. In addition, this change is also to renew annual maintenance and support services for the Payroll Benefits Kube covering the period November 1, 2020 through October 31, 2023, in the funded amount of \$68,676.95, which reflects a 5% increase from the previous renewal. The 5% increase in the licensing and maintenance is due to the inclusion of new capabilities and continuous features and improvements in the KBX tool. The total funded amount for this renewal is \$80,851.81, which will be absorbed in the current contract value.) (Randy Orsby)

**CHIEF INTERNAL AUDITING OFFICER**

3. Resolution approving Change No. 1 to Contract No. 12122, Audit Assurance and Advisory Services with Banks, Finley, White & Company, in the funded amount not-to-exceed \$200,000.00. (This change is to renew the current contract for the first of four annual renewal terms for the period covering January 6, 2021 through January 5, 2022, with no increase in rates from the previous year.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**CHIEF PEOPLE OFFICER**

(None)

**COMMUNITY & EXTERNAL AFFAIRS**

4. Resolution requesting the Board to authorize payment of up to \$200,000.00, to be designated solely for utility bill assistance, to the MIFA Community Cares Fund. The Tennessee Valley Authority (TVA) has created a COVID Community Care Fund providing matching grant funds from TVA to be distributed to one or more local 501(c)(3) organizations to meet needs in the community during the evolving crisis. (J. T. Young)

**DESIGN CONSTRUCTION & DELIVERY**

5. Resolution approving a six month extension of Purchase Order Numbers 157003 with APAC-Tennessee, Inc. and 157004 with Lehman-Roberts Company for asphalt until March 31, 2021 or until new purchase orders have been executed. (Randy Orsby)

**ENGINEERING & OPERATIONS**

6. Resolution approving Change No. 4 to Contract No. 11865, Electric Design for Tennessee Department of Transportation (TDOT) with Allen & Hoshall, with no increase in the contract value. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering November 21, 2020 through November 20, 2021. Under Chapter-86 statute for utility relocations, TDOT will reimburse MLGW for 100% of the engineering consultant costs related to eligible projects.) (Randy Orsby)
7. Resolution approving Change No. 4 to Contract No. 11866, Gas Design for Tennessee Department of Transportation (TDOT) with Allen & Hoshall, with no increase in the contract value. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering November 21, 2020 through November 20, 2021. Under Chapter-86 statute for utility relocations, TDOT will reimburse MLGW for 100% of the engineering consultant costs related to eligible projects.) (Randy Orsby)

8. Resolution approving Change No. 4 to Contract No. 11868, Water Design for Tennessee Department of Transportation (TDOT) with Allen & Hoshall, with no increase in the contract value. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering November 21, 2020 through November 20, 2021 with no increase in the contract value.) (Randy Orsby)
9. Resolution approving payment of an invoice from the American Public Power Association for the 2020 Annual Membership dues in the amount of \$132,138.37. (Nick Newman) (REQUIRES CITY COUNCIL APPROVAL)
10. Resolution awarding a purchase order to LightSpeed Technologies, Inc. for multiprotocol label switching (MPLS) network expansion equipment, in the amount of \$273,084.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
11. Resolution approving Change No. 1 to Contract No. 12108, EDI Data Transfer with Energy Services Group, LLC, in the funded not-to-exceed amount of \$79,149.85. (This change is to extend the current maintenance agreement covering the period of November 21, 2020 through December 31, 2024 in the funded amount of \$71,949.85. In addition, this change is to include contingency funds to cover data file overages in the amount of \$7,200.00 for a total not-to-exceed amount of \$79,149.85. This extension is needed to provide software maintenance for the Electronic Data Interchange.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
12. Resolution approving a purchase order to Enfinity Supply, LLC for valve actuators, in the amount of \$79,539.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
13. Resolution awarding Contract No. 12143, Nokia/MPLS Maintenance Services to Lightspeed Technologies, Inc., in the funded amount of \$472,555.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**PRESIDENT**

(None)

**SVP, CFO & CAO, FINANCE**

(None)

**SVP, CHIEF OPERATING OFFICER**

(None)

**SHARED SERVICES**

14. Resolution awarding Contract No. 12197, System Furniture to Staples Contract & Commercial LLC, in the funded amount of \$1,016,297.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
15. Resolution approving Change No. 3 to Contract No. 11928, Mobile Document (On-Site) Shredding Services with Vital Records Control, Incorporated, in the funded amount of \$23,953.00. (This change is to renew the current contract for the third of four annual renewal terms covering the period January 4, 2021 through January 3, 2022, with no increase in rates from the previous year.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

16. Resolution awarding a purchase order to Environmental Products Group via the Sourcewell Public Utility Contract No. 122017-FSC, for the purchase of a truck mounted vacuum excavator, in the amount of \$440,412.12. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**VP & GENERAL COUNSEL**

(None)

**REGULAR AGENDA – ITEM 17**

Alonzo Weaver reviewed his presentation explaining the solicitation and selection for the RFP. The Board, SLC members and representatives of GDS answered questions. Discussions were somewhat lengthy after which, Chairwoman McCullough moved to approve the item with modifications to the resolution suggested by Commissioner Wishnia. Commissioner Dickson seconded with other Commissioners abstaining.

More discussions took place and Chairwoman McCullough withdrew her motion. The item was then tabled keeping the revisions to the resolution. It was agreed the Commissioners would be provided additional information prior to the Special Called September 24 Board Meeting.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS] – Item 17</b>
<b>MOVER:</b>	Steven Wishnia, Board Member
<b>SECONDER:</b>	Mitch Graves, Vice Chair
<b>AYES:</b>	Pohlman, Wishnia, McCullough, Graves, Dickson

Item No. 17 - Resolution awarding a contract for a power supply consultant to GDS Associates in the not-to-exceed amount of \$520,000.00. (Alonzo Weaver/JT Young)

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

2. Healthcare Report, Second Quarter, 2020 - Loretta Poindexter – (This report was moved to the October 7 Board Meeting.)
3. Compliance Report - Allan Long- (This report was moved to the October 7 Board Meeting.)
4. Other - J. T. Young

President Young gave a brief update on the COVID numbers for MLGW employees. He also informed the Board that MLGW resumed disconnects on Monday. Jim West provided the Board with the number of disconnects and reconnects. Commissioner Pohlman inquired about the small business disconnects and those that may not be able to return. President Young acknowledged the crews that worked on the underground fire and commended them on their hard work.


**COMMITTEE REPORTS:**

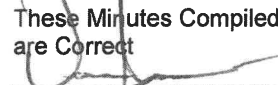
(None)

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:07 a.m.

(See Minute File No. 1453.)

Approved Without Interlineation  
Signed by:  
  
Chairwoman

These Minutes Compiled by Undersigned and  
are Correct  
  
Secretary/Treasurer