



# Board of Light, Gas and Water Commissioners

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

## Board Meeting

~ Minutes ~

Wednesday, February 2, 2022

8:30 AM

Board Room

### CALL TO ORDER AND OPENING REMARKS:

Chairman Graves

The meeting was called to order at 8:30 a.m.

Chairman Graves offered Dana Jeanes condolences in the loss of his mother, on behalf him himself and the Commissioners.

### 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	
Steven Wishnia	Board Member	Present	
Carlee McCullough	Board Member	Late	8:31 AM
Mitch Graves	Chairman	Present	
Leon Dickson	Vice-Chair	Present	

### APPROVALS:

**Motion To:** Approve Minutes of the Meeting of January 18, 2022.

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

### CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE:

Dana Jeanes

Receipt of Certified Copies of City Council Resolutions dated January 18, 2022, items 7 through 12. (See Minute File No. 1466.)

### PRESENTATIONS:

(None)

**GENERAL STATEMENTS FROM THE PUBLIC:**

(None)

**PRESIDENT'S BRIEFING:**

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

(President's Briefing Continued on Page 14)

The original of the resolutions and documents relating to each item is filed in the vault on 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 16)

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

**CHIEF CUSTOMER OFFICER**

(None)

**CHIEF INFORMATION OFFICER**

1. Resolution awarding Contract No. 12326, Dell Backup and NSX Replacement Servers to Dell Marketing LP, in the funded amount of \$199,748.16. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
2. Resolution approving Change No. 3 to Contract No. 11595, Telvent Maintenance Agreement with Schneider Electric Smart Grid Solutions, LLC (formerly Telvent USA, LLC), in the funded amount of \$43,609.00. (This change is to ratify and extend the ArcFM Viewer software license for a term of 60 days which includes 320 licenses in the amount of \$23,609.00. The short-term extension is needed due to a delay in the completion of the project to replace ArcFM Viewer with the MIMS Mobile implementation project. MLGW is requesting \$20,000.00 in contingency funds to extend for an additional 60 days for any unforeseen conditions. The extension term of the contract will cover the period of January 1, 2022 through April 30, 2022.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
3. Resolution approving Change No. 5 to Contract No. 12324, Express Suite Support Services with Intellium, Incorporated in the funded amount of \$17,237.40. (This change is to expand the current scope to purchase 60 Hand-Held Android software licenses, software maintenance and support services for a three-year term. The contract term will remain through October 31, 2024.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

4. Resolution approving Change No. 1 to Contract No. 12235, TIBCO Jaspersoft Reporting Software subscription with TIBCO Software, Inc., in the funded amount of \$162,294.94. (This change is to renew the existing software maintenance, license and support services for the period covering June 1, 2022 through May 31, 2027 in the amount of \$162,294.94.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**CHIEF PEOPLE OFFICER**

5. Resolution awarding Contract No. 12352, Smith Driving to Smith System, Inc. in the funded amount of \$300,000.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**COMMUNITY & EXTERNAL AFFAIRS**

(None)

**DESIGN CONSTRUCTION & DELIVERY**

(None)

**ENGINEERING & OPERATIONS**

6. Resolution approving Change No. 1 to Contract No. 12150, Mallory Wash Water Recovery with Chris-Hill Construction Company, LLC., to increase the current contract value in the amount of \$33,475.00. (This change is to expand the scope of the contract to furnish and install a flowable fill. The term of this contract will remain for the period covering September 1, 2020 through August 31, 2022.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
7. Resolution awarding Contract No. 12337, Palmer Distributed Process Control (DPC) Installation to Tri-State Armature & Electrical Work, Inc., in the funded amount of \$113,019.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
8. Resolution awarding Contract No. 12336, Morton Distributed Process Control (DPC) Installation to Tri-State Armature & Electrical Work, Inc., in the funded amount of \$347,723.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
9. Resolution awarding a purchase order to Automotive Tool Group for a vacuum priming system; in the amount of \$64,254.40. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
10. Resolution awarding a purchase order to Industrial Controls & Electrical, LLC., for distributed process control panels for Palmer Pumping Station; in the amount of \$197,658.28. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**PRESIDENT**

(None)

**SVP, CFO & CAO, FINANCE**

(None)

**SVP, CHIEF OPERATING OFFICER**

(None)

**SHARED SERVICES**

11. Resolution awarding a purchase order to AutoNation Ford Memphis, for ½-ton pickup trucks in the amount of \$2,036,521.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
12. Resolution awarding a purchase order to Rush Truck Centers of Tennessee for the purchase of a six-yard dump truck in the amount of \$101,367.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
13. Resolution awarding a purchase order to Enfinity Supply, LLC., for lamps in the amount of \$54,855.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
14. Resolution approving Change No. 4 to Contract No. 11947, Grounds Maintenance with Bean and Prince Contractors, Incorporated with no increase in the current contract value. (This change is to renew the current contract for the fourth and final annual renewal for the period covering May 12, 2022 through May 11, 2023 in the amount of \$450,309.87, which reflects a 3.5% increase in rates from the previous term due to increases in labor expenses; \$450,309.87 will be absorbed in the current contract value.) (Randy Orsby)

**VP & GENERAL COUNSEL**

15. Resolution approving Change No. 1 to Contract No. 11834, Legal Research Services with Lexis Nexis, a Division of Relix, Inc. in the funded amount of \$15,525.01. (This change is to ratify and increase the current contract value in the amount of \$15,525.01 to continue to make payments on the Legal Online Research Subscription. The term of the contract will remain from February 1, 2017 through January 31, 2022.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**Motion To:** "Add On" Item 16 to Consent Agenda

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS] – Add On Item 16 to Consent Agenda</b>
<b>MOVER:</b>	Leon Dickson, Vice Chair
<b>SECONDER:</b>	Steve Wishnia, Board Member
<b>AYES:</b>	Pohlman, Wishnia, McCullough, Graves, Dickson

16. Resolution requesting approval of a litigation settlement and authority to pay in the amount of \$80,000.00. (Cheryl Patterson) (REQUIRES CITY COUNCIL APPROVAL) (SAME DAY MINUTES REQUESTED)

**Motion To:** Approve Same Day Minutes - Item No. 16

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS] – Same Day Minutes – Item 16</b>
<b>MOVER:</b>	Steven Wishnia, Board Member
<b>SECONDER:</b>	Michael Pohlman, Board Member
<b>AYES:</b>	Pohlman, Wishnia, McCullough, Graves, Dickson

**PRESIDENT'S BRIEFING (Continued):****2. HR Policy #21-02 - Employment Status - Jackie Jones**

Ms. Jones made note that some of the revisions are minor such as deleting obsolete language and re-alphabetizing. In addition, she explained that employees that are in the probationary period may be granted up to five days leave for extenuating circumstances with documentation for the needed emergency.

**3. HR Policy #21-09 - Employment of MLGW Retirees - Jackie Jones**

Ms. Jones noted that the policy revisions delete dated wording and correct the department name. In addition, she discussed the revisions to the sections of the policy that addresses retirees that can be considered for part-time employment if termination is a year or greater.

**4. HR Policy #22-09 - Leave of Absence - Jackie Jones**

Ms. Jones summarized the changes in the policy which include re-alphabetizing, referencing additional policies, and correcting department names. The policy also adds language allowing probationary employees without paid time off, to be granted emergency leave up to five days if proper documentation is provided.

**5. Fourth Quarter 2021 Medical Report - Dana Jeanes**

Mr. Jeanes noted that the medical plan's per-employee-per-month (PEPM) is 7.24% more compared to 2020. Nationally, 2021 plan cost is expected to increase by 7.7%. The prescription plan's PEPM cost for drug utilization is 7.31% more compared to 2020. The National average for prescription medication is expected to increase by 7.3% in 2021.

The quarterly medical claim cost comparison table shows an increase compared to 2020. He informed the Board that the rebates are up compared to previous years. He pointed out the percentage of change in annual plan cost in 2021 compared to previous years. He reviewed the medical and prescription claim experience slide which includes retirees. He reviewed the enrollment history and the MLGW OAP versus medical trending for PPO's. He noted that the employees had received two premium holidays. The Division nor the employee were required to pay premiums.

*(President's Briefing Continued on Page 15)*

**COMMITTEE REPORTS:****Fourth Quarter 2021 HR Committee Report - Jackie Jones**

Ms. Jones gave the statistics for the grievances. She reported on the Division goals and where they stand versus 2020, pointing out that the medical recordables are down significantly. She reviewed the pie chart of the injury causation breakdown and noted the areas we will be focusing on for improvement. She added that she expects the ergonomics training will improve these numbers.

She noted that the preventable vehicle collisions are trending in the wrong direction and believes the Smith defensive driving contract will make a positive impact on those statistics. She added that so far this year there has been one pull off incident. There were a total of two in 2021.

Ms. Jones also reported on the employee turnover. She stated we are focused on evaluating the reasons employees that are valuable and contributing are leaving the company. There is concern when training is invested in new employees, and they leave the company. She added that the average time to fill positions is being looked at and we are working to improve in that area.

#### **6. State of MLGW - J. T. Young**

President Young opened his presentation with the message that MLGW remains very strong. He talked about various events from the "highlights" slide adding this "only scratches the surface". He provided numbers of comparison over the last several years demonstrating the growth in all three of the divisions. He shared good news noting the statistics for outage minutes are down vs. 2020. He also pointed out that the full-time employees' numbers are trending down as the goal was set.

He discussed the JD Power score adding that we are trending in the right direction, but still have work to do. Based on survey results, he pointed out that MLGW customers are paying some of the lowest winter bills over the last five out of ten years. He focused on the residential electric cost stating, "we know we are one of the lowest rates in the country". National comparisons reflect others paying about 20% more.

President Young reminded the Board of the six key focus areas rolled out in 2021. He discussed some of the infrastructure improvements which included 1) securing contracts with overhead and underground construction contractors to supplement our crews; 2) began work on an electric substation construction contract to support MLGW Way Forward projects; 3) secured consulting contracts with engineering firms to expedite water and electric projects; 4) secured consulting contracts with engineering firms to expedite water and electric projects; 5) working with second tree trimming contractor to increase crews to help with reduction of crews by the cycle trimming contractor; and 6) increased staffing in the Electrical Engineering Dept. to support increased demand in 5G work and pole attachment work.

He discussed the customer service improvements and stated we have received some positive feedback from the Builders with the new Builder Developer portal. He also highlighted a few of the major projects as well as the social responsibility events that MLGW has held to assist customers. In addition, he reviewed the good governance and compliance slide noting successes with some of those.

He covered important projects on the horizon as well as beyond 2022. He reiterated that MLGW remains strong. He thanked the MLGW team, customers, and Commissioners.

The Commissioners asked a few questions and discussed some of the highlights of the President's presentation.

**7. Other - J. T. Young**

President Young thanked the team that hosted the Power of Warmth event for the MLGW customers.

**ADJOURNMENT**

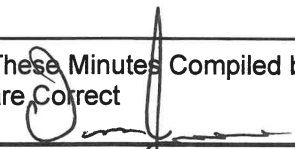
There being no further business, the meeting was adjourned at 9:51 a.m.

(See Minute File No. 1467.)

Approved Without Interlineation

  
Chairman

These Minutes Compiled by Undersigned and  
are Correct

  
Secretary-Treasurer