



# 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, August 21, 2024

8:30 AM

Board Room

**CALL TO ORDER AND OPENING REMARKS:**

**Vice Chair Pohlman**

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

**PLEDGE OF ALLEGIANCE:**

**Vice Chair Pohlman**

The Pledge of Allegiance was recited.

**ROLL CALL:**

**Dana Jeanes**

Attendee Name	Title	Status	Arrived
Michael Pohlman	Vice Chairman	Present	
Cheryl Pesce	Board Member	Present	
Carl Person	Board Member	Present	
Mitch Graves	Board Member	Present	
Leon Dickson	Chairman	Absent	
James Lewellen	Advisory Board Member	Present	
John Butler	Advisory Board Member	Absent	

**APPROVALS:**

**Vice Chair Pohlman**

**Motion To:** Approve Minutes from the Meeting of August 7, 2024.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mitch Graves, 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**

(None)

**PRESENTATIONS:**

(None)

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

Aaron Lewis - 3820 Treasure Hill Cove - Mr. Lewis commented on the recent Q & A MLGW held. Mr. Lewis stated that for a municipal administration administrator to call out the name of citizen at a public meeting is distasteful and disrespectful at the least and at the most it is highly insidious. Mr. Lewis stated that calling out only one person has an isolating effect. Mr. Lewis stated that he has come to understand the social dynamics of abuse and that it happens in isolation. Mr. Lewis stated that he and members of his nuclear family have experienced abuse by recent happenings and actions and decisions made by previous municipal administration. Mr. Lewis stated that the will of people was carried out in a hateful, evil way, not a racist way, but hateful. Mr. Lewis stated that he does not identify as a victim and that he will not allow himself to be put in a position where he knows victimization happens.

Paul Klein - 1841 Black Bear Circle East - Co-Chair Climate Reality Projects Memphis Chapter - Mr. Klein stated that MLGW's very first logo proudly stated "Public Service Publicly Owned". However, Mr. Klein stated that the public was the last to know about a deal with Elon Musk to build the world's largest supercomputer here in a marginalized front line community and become MLGW's largest electric customer. Mr. Klein stated that two months after the announcement, Elon Musk announced that they are already operating using 17 gas powered aero derivative turbines mounted on trailers that are spewing climate changing emissions into our community's air without any permits due to the legal loophole that they are on trailers and temporary. Mr. Klein stated that Elon Musk's operation is being cooled by our aquifer water trucked in from Mississippi and will soon come from MLGW. Mr. Klein continued to discuss various businesses that Mr. Musk has in Texas and environmental violations that were assessed to those businesses. Mr. Klein urged the Board and MLGW to get all of Mr. Musk's promises in writing.

Christine Fox - 244 N. McNeil - Ms. Fox appeared before the Board to urge them to use the power that they have to slow this process. Ms. Fox stated that this deal has been done in secrecy. Ms. Fox stated that it is wrong to ignore the customers. Ms. Fox stated that the customers and residents of Memphis are asking you to listen to their concerns.

Dennis Lynch - 247 N. McLean - Mr. Lynch stated that he is wearing a green shirt for two reasons, one because of the environment, and two because he needed green eye shades. Mr. Lynch stated that accountants wear green eye shades. Mr. Lynch stated that he is not an accountant, but stated that we need to be looking at the dollars as well as the environmental issues. Mr. Lynch discussed the AI market and express concerns with us building 150 megawatt sub-station when they haven't even proven that they need the 50 megawatts that they have available to them. Mr. Lynch asked that they prove they actually need it before we build it. Mr. Lynch asked that MLGW get electric bucket trucks. Mr. Lynch stated that this would be a great investment and encouraged the Board to move forward with this

Kimberly Davis - 1753 Berwind Road - Ms. Davis thanked MLGW for the co-hosting the public meeting. Ms. Davis stated that the meeting did answer some questions, but there are still additional questions that need to be answered. Ms. Davis urged the Board to use the power they have to bring all the players to the table so that all the questions

may be answered. Ms. Davis stated that the community has concerns about the air quality and how this facility will affect that as well as concerns about the water and want to make sure there will be a commitment to use greywater. Ms. Davis states that she is here representing the citizens of Southwest Memphis and she wanted to let the Board know that every decision they make regarding this project affects those citizens especially their health and mental state. Ms. Davis stated that she is for industry and progress but she feels we should do it in the safest way possible.

Joe B. Kent - 5111 Flamingo - Mr. Kent thanked President McGowen and the MLGW Board for their monthly financial transparency. Mr. Kent believes this is a good example for the City of Memphis as a needed practice to follow. Mr. Kent commented on the Mid-Year Review. Mr. Kent appreciated the Board's compliments of his activism and that he makes the Board better, but to be better the Board must vote how he asks them to vote. Mr. Kent states that he is concerned about the \$180 million excess funds. Mr. Kent proposed a plan to send \$100 million of those funds to the City for a Public Transit Fund. Mr. Kent stated that these are public funds and by sending them back to the City for this purpose would greatly benefit the public.

Councilwoman Pearl Walker - 125 N. Main - Representing District 3 - Co-Chair of the Memphis City Council MLGW Committee, DCJ Chair of NAACP, and Civic Engagement for SACE (Southern Alliance of Clean Energy) - Councilwoman Pearl Walker stated that she made a request of President McGowen for a public session regarding xAI. Councilwoman Walker thanked President McGowen for obliging so quickly. Councilwoman Walker thanked everyone who helped. Councilwoman Walker thanked Commissioner Pesce for attending the session and Commissioner Person for joining virtually. Councilwoman Walker stated that the recording of the session is still online for those who wish to view it as it does include some good information. Councilwoman Walker stated that the session was very well organized. Councilwoman Walker stated that she is here to say thank you and let's continue to ask the real questions. Councilwoman Walker would like for this to be a good and safe deal for Memphis. Councilwoman Walker stated that "You have not because you ask not" and suggested that we ask them to assist and support our clean energy blueprint as we move forward in the future.

Glenda Hicks - 608 Gilleas - 21st Century Memphis or Bust Co-Founder - Ms. Hicks appeared before the Board addressing Commissioner Graves' question at the last Board Meeting regarding why terminated employees continue to come before the Board to try and get their job back. Ms. Hicks stated that this brought back memories as she is a retiree from MLGW and that she can tell you personally that the procedures that are in place are not in the best interest of those who grieve. Ms. Hicks suggested there is a silo mentality. Ms. Hicks stated that fairness and equity do not exist. Ms. Hicks stated that there are cliques especially in management and friends do what friends ask them to do. Ms. Hicks believes that it is these employees' right to appear before the Board when they feel as if they have been treated unfairly. Ms. Hicks asked the Board to reconsider their stance and hear those individuals.

**Review Consent Agenda – President Doug McGowen**

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.

(President’s Briefing Continued on Page 102)

**CONSENT AGENDA**

(Items 1 through 14)

**Motion To:** Approve Consent Agenda Items 1 through 14.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mitch Graves, 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

James Lewellen - Concur

John Butler - Absent

Vice Chair Pohlman, Commissioner Graves and Commissioner Person asked about buying direct from manufacturers instead of using a third party vendor. Commissioner Person asked that we look into that.

Vice Chair Pohlman and Commissioner Graves asked about the Konica Minolta Contract renewal and the number of copiers needed and if it would be worth investing in scanners versus copiers. President McGowen and Ursula Madden, VP of Corporate Communications, responded.

**PRESIDENT**

(None)

**SVP, CHIEF OPERATING OFFICER**

(None)

**VP ELECTRIC ENGINEERING & OPERATIONS**

1. Resolution approving Change No. 1 to Contract No. 12346, MLGW Utility Relocations for Street Improvement Project (Electric) with Allen & Hoshall, Incorporated to ratify and renew the current contract with no increase in the contract value. (Randy Orsby) .

2. Resolution approving a second, one-year option to renew purchase order number 7032425 to Siemens Industry, Inc., purchase order number 7032426 to ABB Inc., and purchase order number 7032427 to Mitsubishi Electric Power Products, Inc. for medium voltage power circuit breakers. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
3. Resolution approving Change No. 1 to Contract No. 12446 (solicited under Contract No. 12407), Environmental Abatement Services with Northwest Contracting Services, Inc. to increase the current contract in the funded amount of \$1,500,000.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**VP WATER & GAS ENGINEERING & OPERATIONS**

4. Resolution approving Change No. 1 to Contract No. 12403 (solicited under Contract No. 12346), MLGW Utility Relocations for Street Improvement Project (Water) with Allen & Hoshall, Incorporated to ratify and renew the current contract with no increase in the contract value. (Randy Orsby)
5. Resolution approving Change No. 1 to Contract No. 12402 (solicited under Contract No. 12346), MLGW Utility Relocations for Street Improvement Project (Gas) with Allen & Hoshall, Incorporated to ratify and renew the current contract with no increase in the contract value. (Randy Orsby)

**SVP, CFO & CAO, FINANCE**

(None)

**VP & CIO**

6. Resolution awarding Contract No. 12531 (solicited under Contract No. C2729), RedHat Enterprise Service License and Support Subscription to TechnoLogyx, Inc. in the funded amount of \$209,246.60. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**VP SHARED SERVICES**

7. Resolution awarding purchase order for transformers N-75KVA to MVA Power Inc. in the amount of \$166,230.72. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
8. Resolution awarding purchase order for steel poles to Brighter Days and Nites in the amount of \$243,326.25.(Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
9. Resolution awarding purchase order for cable 3/C to Universal Scaffold and Equipment in the amount of \$1,017,333.00.(Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
10. Resolution awarding purchase order to Automotive Tool Group for conduit polyvinyl chloride (PVC) 5" in the amount of \$495,000.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

11. Resolution awarding Contract No. 12532 (solicited under Contract No. C2716), Video Management and Hardware Maintenance to Converjint Technologies in the funded amount of \$350,000.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
12. Resolution approving Change No. 1 to Contract No. 12107, Elevator Maintenance with United Elevator Services, LLC to increase the current contract in the funded amount of \$42,950.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
13. Resolution awarding Contract No. 12523 (formerly C2740), Fire Alarm Notification Device Upgrade to Johnson Controls in the funded not-to-exceed amount of \$243,486.24.(Randy Orsby)(REQUIRES CITY COUNCIL APPROVAL)

**VP CUSTOMER EXPERIENCE & ENERGY SERVICES**

(None)

**VP CORPORATE COMMUNICATIONS**

14. Resolution awarding Contract No. 12533 (solicited under Contract No. C2688), Division Copier Fleet to Konica Minolta Business Solutions U.S.A, Inc. in the funded not-to-exceed amount of \$617,489.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**VP & GENERAL COUNSEL**

(None)

**VP & CPO PEOPLE SERVICES**

(None)

**COMMITTEE REPORTS:****Q3 Human Resource Committee Report - Jacqueline Jones**

Mrs. Jackie Jones presented to the Board our newest member of management, Joseph Enriquez. Mrs. Jones thanked Tim Bishop and Jason Dunavant for holding down the fort of safety over the last few months as well as Chandrika for assisting even though she moved into a new position. Mr. Enriquez gave an overview of his experience and thanked everyone for the opportunity. Mrs. Jones mentioned a reception to welcome Mr. Enriquez tomorrow at the training center.

Mrs. Jackie Jones along with Catherine Garrett and Rose Mary Brooks provided a presentation regarding boot camps and internship/co-op opportunities that were offered this summer.

Ms. Catherine Garrett presented information regarding the Automotive and Utility Construction Boot Camps that were offered this summer. Ms. Garrett stated that we had 31 students enrolled in our boot camps, 15 in Utility Construction and 16 in

Automotive. The participants in the boot camps received compensation. Ms. Garrett reported that we had nine students that passed both the physical and technical placement test. Ms. Garrett stated that going forward they plan to stay in touch with these students, encourage dual enrollment courses as well as increasing the compensation.

Ms. Rose Mary Brooks, Talent Acquisition Coordinator, provided the Board with an overview of the Intern/Co-op Program. Ms. Brooks reported that we had 893 applicants for the program and we placed 21 students, 2 majoring in Accounting, 2 in Corporate Communications, 6 in Engineering, 1 in Human Resources, 6 in Information Systems, and 4 in Mechanic. Ms. Brooks described the various activities the Interns/Co-op Student participated in while working at MLGW. Ms. Brooks informed the Board that through this Intern/Co-op Program we hired two full-time employees, and we have made five contingent offers once they have earned their degree. Ms. Brooks reported that they plan to increase the number of participants next year. The following Intern/Co-op Students spoke to the Board describing what they did at MLGW as well as their experience: Brittany Moore, Adam Moore, and Darius Hamilton.

Mrs. Jackie Jones thanked Catherine Garrett and Rose Mary Brooks and their teams for pulling all this together. Ms. Jones thanked Chief McGowen for being supportive of these programs.

Commissioner Graves asked about plans to expand programs. Mrs. Jones responded.

Commissioner Pesce shared how wonderful she thought these programs are and what a difference it is going to make in our community.

### **PRESIDENT'S BRIEFING CONT'D**

#### **Other - Doug McGowen**

President McGowen spoke on the boot camps and intern/co-op programs. President McGowen thanked everyone that helped get those programs started and making them successful. President McGowen agreed with Commissioner Pesce that these are wonderful programs for our community.

President McGowen welcomed Joseph Enriguez and thanked those that help down the fort.

President McGowen also thanked Councilwoman Pearl Walker as she did a great job navigating us through the questions and keeping us on track.

President McGowen stated that he would like to give an update on Supplier Diversity as well as tree trimming and the results it is having on reliability at the September 4, 2024 MLGW Board of Commissioners Meeting.

Dana Jeanes provided the Board with an update and overview of the issuance of the 2024 Electric Division Bond. Mr. Jeanes reported that he hopes to have the bond rating this afternoon, and that he would share that information with the Board once he receives it. Mr. Jeanes stated that we will go to the Market on August 28, 2024, and we will close on September 6, 2024. Mr. Jeanes stated that this Bond was approved as part of the 2024 Budget.

President McGowen reported to the Board that Jackie Jones, Vice President and Chief People Officer, has taken a new position with another company. President McGowen gave an overview of the many accomplishments and strides made under Mrs. Jones' leadership. President McGowen named several goals that were accomplished and programs created by Mrs. Jones and her team. President McGowen stated that Mrs. Jones is a trusted partner to leadership. President McGowen thanked her husband Chris for allowing Ms. Jones to put so much time into MLGW and holding down the fort while she did so.

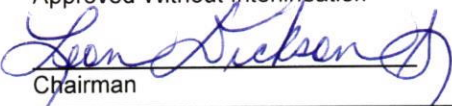
Mrs. Jackie Jones thanked her husband Chris for joining her today. Mrs. Jones stated that when she started at MLGW her Friend, Roger, told her that this is the best kept secret in Shelby County. Mrs. Jones agreed with her friend that MLGW is the best kept secret. Mrs. Jones stated that she will be going to work for Amplified Cell Technologies. Ms. Jones reported that this is a joint venture of four companies coming together to make battery cells that will be unique to battery packs. Mrs. Jones stated that they had a ground breaking ceremony about a month ago and plan to build a two million square foot facility and hire two thousand employees. Mrs. Jones thanked the Board Members for their oversight and support over the years helping us become better leaders and make some significant impacts on the business. Mrs. Jones gave a huge thank you and shout-out to Commissioner Pesce who chaired the Human Resources Committee. Mrs. Jones stated that Commissioners Pesce's support pushed us to look for better ways to help out internal and external customers. You help us to build a stronger, more impactful Human Resource and Safety Organization. Mrs. Jones thanked all the Board Members and they City Council. Mrs. Jones thanked President McGowen for trusting her and all of her team to set a vision for your organization and giving us the autonomy to do our jobs. Mr. Jones stated that President McGowen keeps the team focused on the important things that matter, supports us when we need it, lets us know when we mess us up, and always has our backs when things don't work out. Mrs. Jones thanked the SLC and the EC for your partnership with HR and Compensation. Mrs. Jones thanked Paulette her trusted Assistant. Mrs. Jones also thanked the HR and Safety Teams for embracing her vision, executing against it, and allowing her to be their leader. Mrs. Jones stated they did great and made a huge impact.

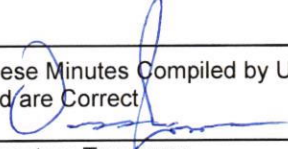
Commissioner Pesce, Commissioner Graves, Commissioner Person, Advisory Board Member James Lewellen, Vice Chairman Pohlman all expressed their sincere appreciate for Mrs. Jones for all that she accomplished during her time at MLGW and wished her well.



**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:57 a.m. (See Minute File No. 1497)

Approved Without Interlineation  
  
Chairman

These Minutes Compiled by Undersigned  
and are Correct  
  
Secretary-Treasurer