



Board of Light, Gas and Water Commissioners

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

Board Meeting ~ Minutes ~

Wednesday, March 20, 2024

8:30 AM

Board Room

CALL TO ORDER AND OPENING REMARKS:

Vice Chair Pohlman

PLEDGE OF ALLEGIANCE:

Vice Chair Pohlman

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	Remote	
James Lewellen	Advisory Board Member	Present	
John Butler	Advisory Board Member	Present	

APPROVALS:

Vice Chair Pohlman

Motion To: Approve Minutes from the Meeting of March 6, 2024.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Mitch Graves, Board Member
SECONDER:	Cheryl Pesce, Board Member
AYES:	Michael Pohlman, Cheryl Pesce, Carl Person, Mitch Graves
REMOTE:	Leon Dickson

Chairman Dickson attended remotely therefore he did not vote.

CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE:

Dana Jeanes

Receipt of Certified Copies of City Council Resolutions dated March 5, 2024, Items 12 through 16.

PRESENTATIONS:

(None)

GENERAL STATEMENT(S) FROM THE PUBLIC:

Chet Kibble, Sr. - 3229 Lakeview Road - Director of Memphis & Shelby County Lead Safe Collaborative - Mr. Kibble came before the Board to follow up on his comments made before the Board in December of 2023 and to voice his frustrations with MLGW Officials. In December 2023 after his appearance before the Board, Mr. Kibble was given a number to call to set up a meeting with Nick Newman. Mr. Kibble stated that a meeting was scheduled with Mr. Newman on January 4, 2024, at which time he provided Mr. Newman with some information and questions that need answers. Mr. Kibble stated that Mr. Newman has failed to respond to those questions. Mr. Kibble stated that he spoke with Mr. Newman on March 4, 2024, and Mr. Newman stated that the information has been turned over to Chandrika Winston. Mr. Kibble is a former employee of Memphis Light, Gas & Water, and he claims he was forced to retire due to his refusal to be silent about some of the company's practices. Mr. Kibble claims that he is now being retaliated against because of his past with MLGW. Mr. Kibble provided some additional background and history with these matters and MLGW. Mr. Kibble left the Board with a packet of information and the five (5) questions he wants answered.

Joe B. Kent - 5111 Flamingo - Mr. Kent came before the Board stating that he was in favor of expanding the Board, however, he is not any more due to recent events in the House of Representatives where House Bill 34 regarding the Landlord Tenant Act failed in the Commerce Committee chaired by Collierville's Representative Kevin Vaughn. Representative Kevin Vaughn stated that this bill does not have any impact to jobs in Tennessee. Mr. Kent asked the Board to hold up on voting to expand the Board until Representative Kevin Vaughn can figure it out. Mr. Kent stated that this Bill is needed to clean up the City of Memphis. Mr. Kent states that we do not have a partnership with Collierville and therefore he does not support the expansion of the MLGW Board to include two voting members that reside outside of Memphis City limits. Mr. Kent requested that the Board hold-off on voting to expand the Board at this time.

Glenda Hicks - 608 Gilleas - Co-founder of 21st Century Memphis or Bust - Ms. Hicks stated that she some information that she will present to President McGowen based on her last presentation before the Board regarding billing issues. Ms. Hicks stated that she does have a list of individuals, some that have not received a bill in over 12 months still. Ms. Hicks stated that MLGW has not created an atmosphere of excellence within our community and that is unacceptable. Ms. Hicks stated that she was unsure of whose billing program we were trying to mimic, but that we need to develop our own that suits our needs as a three-service utility company.

REGULAR AGENDA

(Item 1)

- 1. Resolution to approve adding two voting members to the Board of Commissioners that reside outside of the City of Memphis, but within Shelby County, Tennessee. (Doug McGowen) (REQUIRES CITY COUNCIL APPROVAL)

RESULT:	DELETED [4 TO 0]	Next: 4/17/2024 8:30 AM
MOVER:	Carl Person, Board Member	
SECONDER:	Mitch Graves, Board Member	
AYES:	Michael Pohlman, Cheryl Pesce, Carl Person, Mitch Graves	
REMOTE:	Leon Dickson	

Chairman Dickson attended remotely therefore he did not vote.

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 30)

CONSENT AGENDA

(Items 2 through 13)

RESULT:	APPROVED [4 TO 0]
MOVER:	Mitch Graves, Board Member
SECONDER:	Carl Person, Board Member
AYES:	Michael Pohlman, Cheryl Pesce, Carl Person, Mitch Graves
REMOTE:	Leon Dickson

Chairman Leon Dickson attended remotely therefore he did not vote.

Advisory Board Member Lewellen concurs with the vote.

Advisory Board Member Butler concurs with the vote.

VP of CUSTOMER EXPERIENCE and ENERGY SERVICES

(None)

CHIEF INFORMATION OFFICER

(None)

COMMUNITY & EXTERNAL AFFAIRS

(None)

DESIGN CONSTRUCTION & DELIVERY

(None)

ENGINEERING & OPERATIONS

2. Resolution to ratify payment for construction services on MLGW water distribution facilities to the Tennessee Department of Transportation (TDOT) in the funded amount of \$589,666.00. (Nick Newman) (REQUIRES CITY COUNCIL APPROVAL)
3. Resolution to ratify payment for construction services on MLGW gas distribution facilities to the Tennessee Department of Transportation in the funded amount of \$306,730.00. (Nick Newman) (REQUIRES CITY COUNCIL APPROVAL)
4. Resolution to ratify payment for construction services to electric distribution facilities to the Tennessee Department of Transportation (TDOT) in the funded amount of \$1,902,689.05. (Nick Newman) (REQUIRES CITY COUNCIL APPROVAL)
5. Resolution awarding a purchase order for backup power generators to Cummins Sales and Service in the amount of \$3,026,640.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
6. Resolution awarding Contract No. 12491, North Service Center and Expansion Sites: Environmental Site Investigation to Ensafe Inc., in the funded not-to-exceed amount of \$500,000.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
7. Resolution approving Change No. 3 to Contract No. 12238, Electric Substation Construction and Maintenance Services with RMS Energy Company, LLC to renew the current contract in the funded amount of \$10,000,000.00. (Randy Orsby) (REQUIRE CITY COUNCIL APPROVAL)
8. Resolution approving Change No. 3. Contract No.12187, Pole inspection with Osmose Utility Services, Incorporated, to ratify and renew the current contract, in the Funded Amount of \$3,000,000.00. (Randy Orsby) (REQUIRE CITY COUNCIL APPROVAL)

PRESIDENT

(None)

SVP, CFO & CAO, FINANCE

- 9. Resolution approving adding Stephanie Lawson-Degraffreed as additional authorized signatory on MLGW L G & W Federal Credit Union -Employee Special Fund Account. (Dana Jeanes)

SVP, CHIEF OPERATING OFFICER

(None)

SHARED SERVICES

- 10. Resolution approving Change No. 1 to Contract No. 12253, On-Call Consulting Services to Allen & Hoshall, Incorporated, to ratify and renew the current contract with no increase in the contract value. (Randy Orsby)

- 11. Resolution approving the rejection of bids received up to 4 o'clock p.m., Tuesday, September 12, 2023 for #2 triplex cable. (Randy Orsby)

- 12. Resolution approving Change No. 1 to Contract No. 12410 to On-Call Consulting Services with Smith Seckman Reid, Incorporated to ratify and renew the current contract in the funded amount of \$200,000.00. (Randy Orsby) (REQUIRE CITY COUNCIL APPROVAL)

- 13. Resolution awarding a purchase order for paper lead cable, 500 KCMIL to Universal Scaffold & Equipment in the amount of \$720,603.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

VP & GENERAL COUNSEL

(None)

CHIEF PEOPLE OFFICER

(None)

PRESIDENT'S BRIEFING

15. Other - Doug McGowen

President McGowen gave an update on the meter registers, delayed billing, tree trimming, and corporate citizenship and social responsibility.

President McGowen mentioned the issue that Ms. Glenda Hicks described earlier and stated that the root cause of the billing issues was that the registers were not recording usage despite the fact that utilities were flowing to the property. We had about 38,000 customers and 96,000 bills being impacted by this defective register. President McGowen stated that we have made significant progress on catching up that billing.

We are not caught up, but we are headed in that direction. President McGowen stated that we were able to get caught up human intervention and a lot of team members working very hard to make that happen. We have hired, we have done research, and we have acquired new registers on the water meters. President McGowen informed the Board that a new problem has been discovered with the billing system in that it will only allow you to estimate bills for 11 months. After that, it kicks them out as an exception needing human intervention. President McGowen stated that since we have discovered that issue we have fixed it so now we just need to get the registers fixed to get an actual reading.

President McGowen gave an update on tree trimming. President McGowen reported that as of March 15th we had completed 732 miles which is about 52.3% of the goal that we have this year which runs September 1 to August 31. President McGowen stated that if you count those days, we are at 53.6% of the days expended so we are essentially one percentage point off where we should be for the number of days and the number of miles trimmed. President McGowen noted the time off for the Christmas Holidays and the freezing temperatures in January. President McGowen is confident that we are going to make our goal for tree trimming this year.

President McGowen promised to report on the status of the Orange Mound Project where we are updating outdated infrastructure at the last Board Meeting, however, the staff in that area had been under the weather. President McGowen stated that he needs to get some additional data from the team.

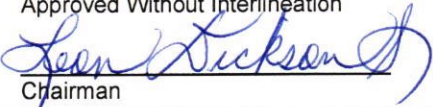
President McGowen informed the Board that Mayor Young put a call out to the downtown businesses to put a shine on Memphis as March Madness comes to town by doing their part to ensure cleanliness and safety. President McGowen stated that MLGW will hold another "Power Clean" in which we pick up trash and take ownership of a two-block area around the MLGW Administration Building. President McGowen also stated that we are going to leave the lights of our first and second floor on all night and all weekend to provide more ambient light to make people safer. Our Corporate Safety Department has integrated with the Memphis Police Department to develop a safety plan. We are making use of our cameras and patrol to ensure our parking garage and facilities remain safe. President McGowen reported that we have agreed to halt all construction we have going on downtown so that we are not blocking the street to allow traffic to flow freely over the weekend. President McGowen mentioned something fun we are doing for our employees is that we have asked them to show their team spirit by wearing their favorite team attire on Friday. President McGowen informed the Board that we have encouraged other corporate CEOs in Downtown to accept the mayor's challenge as well, and so far, 15 companies have stood up and agreed to take ownership of their block.

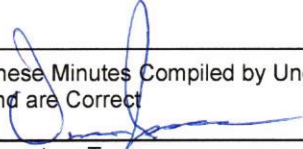
COMMITTEE REPORTS:

(None)

ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:22 a.m.

Approved Without Interlineation

Chairman

These Minutes Compiled by Undersigned
and are Correct

Secretary-Treasurer