

**TRAVERSE CITY
LIGHT AND POWER BOARD**

Minutes of Regular Meeting
Held at 5:15 p.m., Commission Chambers, Governmental Center
Tuesday, May 14, 2019

Board Members -

Present: John Taylor, Elysha Davila, Ross Hammersley, Pat McGuire, Amy Shamroe, Tim Werner, Paul Heiberger

Absent:

Ex Officio Member -

Present: Marty Colburn, City Manager

Others: Tim Arends, Jeff Jocks, Daren Dixon, Scott Menhart, Karla Myers-Beman, Kelli Schroeder, Tony Chartrand, Jacob Hardy, Jennifer St. Amour

Item 2 on the Agenda being Disclosure of Recusal - None

Item 3 on the Agenda being Consent Calendar

Ross Hammersley requested items 3(f) and 3(h) be pulled from Consent Calendar.

Moved by McGuire, seconded by Shamroe, that the following actions, as recommended on the Consent Calendar portion of the Agenda, be approved as amended:

- a. Approval of Agenda.
- b. Approval of the minutes of the Regular Meeting of April 9, 2019 and Special Meeting of April 23, 2019.
- c. Receive and file minutes of the City Renewable Energy Ad Hoc meeting of April 5, 2019, FTTP Ad Hoc meeting of April 29, 2019 and HR Ad Hoc meeting of May 10th, 2019.
- d. Authorized a professional engineering services agreement for the Barlow Switch Station Project.
- e. Authorized a professional engineering services agreement for the Critical & Large Customer #3 Project.
- f. *Removed.*
- g. Approval of the amended Alcohol and Drug Testing Policy.
- h. *Removed.*
- i. Approval of an updated organizational chart and updated ACT Group Salary Ranges.
- j. Granted a private easement on utility owned property.

CARRIED unanimously.

Items Removed from the Consent Calendar

- a. Authorized the Executive Director to execute a Letter of Authorization with MPPA for renewable energy.

The following individuals addressed the Board:

Tim Arends, Executive Director
Karla Myers-Beman, Controller

Moved by Davila, seconded by Hammersley, that the Light & Power Board directs the Executive Director to execute the Energy Services Project Transaction Authorization with Michigan Public Power Agency for solar supply located in Shiawassee County, Michigan with Assembly Solar, LLC.

CARRIED unanimously.

- b. Approval of the City of Traverse City On-Peak Demand Reduction Program Policy.

The following individuals addressed the Board:

Tim Arends, Executive Director

Moved by Davila, seconded by Shamroe, that the Light & Power Board adopts the City On Peak Demand Reduction Policy, as amended, with an immediate effective date.

The following individuals from the Public addressed the Board:

David Petrove, 9988 Riley Rd., Interlochen, non-ratepayer

CARRIED unanimously.

Item 4 on the Agenda being Unfinished Business

- a. Consideration of an amended M-72 Power Purchase Agreement for Renewable Energy.

The following individuals addressed the Board:

Tim Arends, Executive Director

Moved by Shamroe, seconded by Hammersley, that the Light & Power Board directs the Executive Director to negotiate an amended contract with Heritage Sustainable Energy, LLC to incorporate an additional 2 MW of solar energy within the existing contract based on the price structure presented.

The following individuals from the Public addressed the Board:

David Petrove, 9988 Riley Rd., Interlochen, non-ratepayer
Merek Roman, 517 Third St., ratepayer

CARRIED. 6 Yes votes, 1 No vote - McGuire.

- b. Presentation of the Cedar Run Property Phase 1 Study by Gosling Czubak.

The following individuals addressed the Board:

Tim Arends, Executive Director

Klaus Heinert, P.L.A, Senior Project Manager, Gosling Czubak Engineering Sciences, Inc.

Don Conway, P.G., C.P.G., Senior Project Manager, Gosling Czubak Engineering Sciences, Inc.

NO MOTION.

- c. Consideration of amending the Gosling Czubak Consultant Agreement for Phase 2 services.

The following individuals addressed the Board:

Tim Arends, Executive Director

Moved by Heiberger, seconded by Shamroe, that the Board authorizes the Executive Director to execute an amendment to the Consultant Agreement for Phase Two Services provided by Gosling Czubak subject as to form by General Counsel.

CARRIED unanimously.

- d. Presentation of the Fiber to the Premise Business Plan.

The following individuals addressed the Board:

Scott Menhart, Manager of Telecom & Technology

Anthony Bednarczyk, Executive Engagement Leader, Fujitsu

Michael T. Riley, Director, Network Design & Integration LOB, Fujitsu

John J. Cafaro, Director, Vertical Markets

Keith Lerch, Sales Client Executive, Fujitsu

Tom DiFrisco, Solution Sales Manager, Fujitsu

NO MOTION.

- e. Consideration of a written attorney-client communication describing Traverse City Light & Power Department legal rights and responsibilities, which is exempt from disclosure by state statute. (Possible closed session-5 votes required)

Consensus of the Board was to decline entering into a closed session.

- f. Consideration of next steps for the Fiber to the Premise (FTTP) Project.

The following individuals addressed the Board:

Tim Arends, Executive Director

Moved by Shamroe, seconded by Heiberger, that the Light & Power Board hold a public hearing at its June 11th, 2019 Regular Meeting for consideration of the Cost-Benefit Analysis for the proposed TCL&P Fiber Project as presented by Fujitsu, and pursuant to the requirements of the Metro Act, Act 48 of 2002, and further direct staff to provide notice of the public hearing as required by law.

The following individuals from the Public addressed the Board:

Barb Willing, Grant Street, ratepayer
Jon Ann Willow, Interlochen, non-ratepayer
Marilyn Passmore, Director, Government Relations, Charter Communications Inc.

CARRIED unanimously.

Moved by Werner, seconded by Shamroe that the Light and Power Board direct staff to begin contract review with Fujitsu for construction, and operation and maintenance, of the TCL&P Fiber Project for Light and Power Board consideration, and possible approval, at a later meeting, as amended.

The following individuals from the Public addressed the Board:

Dennis Greenfelder, 12855 Meadowbrook Dr., non-ratepayer

CARRIED. 6 Yes votes, 1 No vote - McGuire.

Item 5 on the Agenda being New Business

- a. None.

Item 6 on the Agenda being Reports and Communications

- a. From Legal Counsel.
- b. From Staff.
 1. Executive Director's Annual Performance Evaluation.

The following individuals addressed the Board:

Kelli Schroeder, Manager of Human Resources & Communications

- c. From Board

Marty Colburn thanked Light and Power staff for the presentation of the budget at the Monday evening Commission meeting.

Item 7 on the Agenda being Public Comment

- a. General

The following individuals from the Public addressed the Board:

Chairman Taylor read a public comment on behalf of Russell Shindler.

A handwritten signature in black ink, appearing to read "Tim Arends". The signature is written in a cursive style with a large initial "T" and a stylized "A".

Tim Arends, Secretary
LIGHT AND POWER BOARD