

**Knoxville Utilities Board
Board Meeting
Minutes
Thursday, March 23, 2023 Noon**

Call to Order

The Knoxville Utilities Board met in regular session in the Larry A. Fleming Board Room at 445 S. Gay Street, on Thursday, March 23, 2023, pursuant to the public notice published in the January 7, 2023, edition of the *News Sentinel*. Chair Simpson-Brown called the meeting to order at 12:00 p.m.

Roll Call

Commissioners Present: Claudia Caballero, Ron Feinbaum, Cynthia Gibson, Kathy Hamilton, Celeste Herbert, Adrienne Simpson-Brown, and Tyvi Small.

Commissioners Absent: None

Approval of Minutes

Upon a motion by Commissioner Small and a second by Commissioner Herbert, the February 16, 2023 Board Meeting minutes were approved by a roll call vote. The following Commissioners voted "aye": Caballero, Feinbaum, Gibson, Hamilton, Herbert, Simpson-Brown, and Small. No Commissioner voted "nay".

Old Business

None.

New Business

Resolution 1474, A Resolution Authorizing and Approving the Disposal of a Parcel of Real Property of the Wastewater Division of Knoxville Utilities Board ("KUB") Located at 0 Stephenson Drive in Knoxville, Tennessee

President Gabriel Bolas recognized Daniel Kembel, Manager of Procurement and Storeroom, to present Resolution 1474 authorizing the sale or disposal of one parcel of real property owned by the Wastewater Division.

March 23, 2023

Upon a motion by Commissioner Herbert and a second by Commissioner Hamilton, Resolution 1474 (*Attachment 1*) was adopted by a roll call vote on first and final reading. The following Commissioners voted "aye": Caballero, Feinbaum, Gibson, Hamilton, Herbert, and Simpson-Brown. No Commissioner voted "nay". Commissioner Small abstained from voting.

President's Report

Community Advisory Panel Input

President Bolas reminded Commissioners that the Community Advisory Panel continues to meet regularly to provide input about programs and policies that affect our customers. He recognized Liz Hannah, Manager of Executive Services and Environmental Stewardship, to provide an update on input recently provided by the Panel.

FY23 Budget Update

President Bolas recognized Mark Walker, Senior Vice President and Chief Financial Officer, to provide an update on the FY23 budget performance.

Storm Response – March 3-5, 2023

President Bolas reminded Commissioners our area was significantly impacted by high wind and severe thunderstorms on Friday, March 3rd. He recognized Josh Johnson, Manager of System Operations, to provide an overview of the impacts and restoration efforts.

Employee Recognition

President Bolas recognized John Williams, Senior Vice President of Engineering and Construction, to recognize KUB employees Ed Moore and James Parrott who recently went above and beyond what's expected of them to assist our customers when they're in need.

Announcement

Chair Simpson-Brown advised the Board the April 20 financial session will focus on the details of the fiscal year 2024 budget. We will begin with a brief business meeting at 9:00 a.m. Public comments will be welcome before the meeting is adjourned. Following the conclusion of the business meeting, we will begin the budget workshop.

Other Business

None


March 23, 2023

Public Comment

None

Adjournment

There being nothing further to come before the Board, Chair Simpson-Brown declared the Board meeting adjourned at 1:00 p.m.



Tyvi Small, Vice Chair



Mark Walker, Board Secretary

Attachments

Attachment 1	Recommendation Letter and Resolution 1474 – A Resolution Authorizing and Approving the Disposal of a Parcel of Real Property of the Wastewater Division of Knoxville Utilities Board (“KUB”) Located at 0 Stephenson Drive in Knoxville, Tennessee	<u>Page(s)</u> 11889 – 11890
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March 17, 2023

Knoxville Utilities Board
445 S. Gay Street
Knoxville, Tennessee 37902-1109

Commissioners:

The March 23 Board meeting agenda includes one official action item requesting authorization for the sale or disposition of a parcel of surplus wastewater system property. An overview of the resolution is provided below.

This month's President's Report will include several updates, including input received from the Community Advisory Panel on certain topics.

Resolution 1474

Resolution 1474 authorizes and approves the disposal of a parcel of real property owned by the Wastewater Division of KUB that is not needed for the continued operation of the wastewater system or any other KUB system.

The 1.34-acre parcel is located at 0 Stephenson Drive in Knoxville, Tennessee, and is located adjacent to our Kuwahee Wastewater Treatment Plant on Neyland Drive. The State of Tennessee has requested KUB convey this parcel to the state on behalf of the University of Tennessee. The university intends to plant trees and create a vegetation screen along Stephenson Drive.

In accordance with KUB's Procurement Procedures, I have determined this real property to be surplus.

Pursuant to the City Charter, the Procurement Procedures, and the bond resolutions of the Wastewater Division, this real property may be sold or disposed of in a manner that it is in the best interest of KUB and the Wastewater Division.

A draft of Resolution 1474 is enclosed for your information. I recommend its adoption on first and final reading.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gabriel Bolas".

Gabriel J. Bolas II
President & CEO

RESOLUTION NO. 1474

A Resolution Authorizing and Approving the Disposal of a Parcel of Real Property of the Wastewater Division of Knoxville Utilities Board (“KUB”) Located at 0 Stephenson Drive in Knoxville, Tennessee

Whereas, the Wastewater Division of KUB holds title to certain real estate located at 0 Stephenson Drive, Knoxville, Tennessee, identified as Parcel 6.01 on Knox County Tax Map 108-K “A”, recorded in the Knox County Register of Deeds Office as Instrument No. 201203260052926, consisting of approximately 1.34 acres (the “Stephenson Property”), which is adjacent to KUB’s Kuwahee Wastewater Treatment Plant; and

Whereas, the University of Tennessee (“UT”) seeks to plant trees and create a vegetation screen along the Stephenson Property and the State of Tennessee on behalf of UT needs to acquire from KUB in fee simple absolute the Stephenson Property in order to manage, maintain, and upkeep the vegetation screen; and

Whereas, the Stephenson Property sought by the State of Tennessee is not useful and necessary for the continued operation of the Kuwahee Wastewater Treatment Plant or otherwise of the Wastewater System substantially as it now exists, and is not needed for use by any other KUB system; and

Whereas, pursuant to Section VII of the KUB Procurement Procedures previously adopted by the KUB Board of Commissioners (the “Board”), the President and Chief Executive Officer (“CEO”) of KUB has determined that the Stephenson Property sought by the State of Tennessee is no longer necessary and useful for the continued operation of the Wastewater System and is not needed by any other KUB system; and

Whereas, the bond resolutions for the KUB Wastewater Division authorize the disposal of property of the Wastewater System which the Board determines to be no longer necessary, material to or useful in the operation thereof; and

Whereas, in accordance with the City Charter and KUB’s Procurement Procedures and Procurement Guidelines, the sale or disposal of the Stephenson Property sought by the State of Tennessee, may occur in a manner that is in the best interest of KUB and the Wastewater Division.

Now, Therefore, Be It Hereby Resolved by the Board of Commissioners of the Knoxville Utilities Board:

Section 1. That the Stephenson Property, a 1.34 acre parcel adjacent to KUB's Kuwahee Wastewater Treatment Plant at 0 Stephenson Road, is not necessary, material to or useful in the continued safe, efficient, and economic operation of the KUB Wastewater System, substantially as it now exists, nor is the Stephenson Property needed by any other KUB system.

Section 2. That the President and CEO or the authorized designee of the President and CEO be, and hereby is, authorized and directed to sell or otherwise dispose of the Stephenson Property in a manner that is in the best interest of KUB and the Wastewater Division, and consistent with KUB's Procurement Procedures and state law, to execute all documents, including without limitation deeds, that are necessary and proper to sell or otherwise dispose of the Stephenson Property and to do all things that the President and CEO or the authorized designee of the President and CEO deems reasonable and necessary to effectuate such sale or disposal.

Section 3. That the proceeds of any sale shall be placed into the accounts of the Wastewater Division in accordance with the Wastewater System Bond Resolution.

Section 4. That this Resolution shall take effect upon its passage.

Adrienne Simpson-Brown/s
Adriene Simpson-Brown, Chair

Mark Walker/s
Mark Walker, Board Secretary

APPROVED ON 1st
& FINAL READING: 3-23-23
EFFECTIVE DATE: 3-23-23
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