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**Board Meeting Agenda  
Thursday, September 21, 2017  
Noon**

**Call to Order**

**Roll Call**

**Approval of Minutes**

**Official Action**

Resolution 1370 - Authorizing the transfer of Knoxville Utilities Board's Right, Title and Interest in Real Property Along Clifton Road, Sanderson Road and Chillicothe Street to the City of Knoxville

**President's Report**

**Public Comments**

**Adjournment**



Knoxville Utilities Board

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September 15, 2017

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

Commissioners:

KUB owns and operates an electric substation located off Clifton Road in addition to electric transmission power lines crossing multiple vacant parcels of property along Clifton Road, Sanderson Road, and Chillicothe Street.

KUB recently approached the City of Knoxville regarding a potential transfer of the vacant parcels to the City for future public use, while reserving the necessary utility easements. KUB does not have a need for the vacant parcels and would save the cost of having to maintain the properties.

The City Charter, KUB's Procurement Procedures, and Electric System bond resolutions authorize the disposition of any real property of the electric system, which the KUB Board has determined to be no longer useful and necessary for the operation of the system. After consultation with Staff, I have determined the vacant parcels of property are not useful or necessary for the continued operation of the electric system and are not needed by any other KUB system, except for the necessary utility easements which will be retained by KUB.

Resolution 1370, which is attached for your information, authorizes the transfer of KUB's right, title, and interest in certain real properties along Clifton Road, Sanderson Road, and Chillicothe Street to the City. I recommend adoption of Resolution 1370 on first and final reading.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Mintha E. Roach'.

Mintha E. Roach  
President and Chief Executive Officer

**RESOLUTION NO. 1370****A Resolution Authorizing the transfer of Knoxville Utilities Board's Right, Title and Interest in Real Property Along Clifton Road, Sanderson Road and Chillicothe Street to the City of Knoxville**

**Whereas**, the City of Knoxville ("City") acting by and through its Knoxville Utilities Board ("KUB") holds title to certain real estate along Clifton Road, Sanderson Road, and Chillicothe Street in Knoxville, Tennessee (the "Clifton Road Properties"), more particularly described as follows:

<b>Knox County Parcel Assessor's Parcel #</b>	<b>City of Knoxville Ward 23 Lot and Block #</b>
093ED001	Lot Nos. 209 and 210 in Block No. 13
093ED037	Lot Nos. 295, 296, 297, 298, 299 and 300 in Block No. 21
093EH001	Lot Nos. 385, 386, 387, 388, 389 and 390 in Block No. 29
093EH042	Lot Nos. 475, 476, 477, 478, 479 and 480 in Block No. 37
093EH041	Lot Nos. 556, 557, 558, 559, 560 and 561 in Block No. 44
093LB001	Lot Nos. 626, 627, 628, 629, 630 and 631 in Block No. 50
093LB012	Lot Nos. 683, 684, 685, 686, 687 and 688 in Block No. 56
093LB011	Lot Nos. 712, 713 and 714 in Block No. 60
093LC001	Lot Nos. 704, 705 and 706 in Block No. 59

**Whereas**, KUB owns and operates electrical lines and related facilities across the Clifton Road Properties and only requires utility easements across those properties; and

**Whereas**, subject to these restrictions, the City seeks to acquire from KUB all of KUB's right, title and interest in the Clifton Road Properties (the "Surplus Property") for use by the City for a public purpose; and

**Whereas**, KUB pursuant to Article XI, Sections 1106(D) and (T) of the Charter of the City of Knoxville and Section VII of the KUB Procurement Procedures, has the authority, subject to the applicable provisions of any bonds or contracts, to transfer title of real property or any interest in such property in connection with the operation of its utility systems; and

**Whereas**, pursuant to T.C.A. § 12-9-110, public advertising and competitive bidding is not required for the transfer of the Surplus Property where it will be used for a public purpose; and

**Whereas**, the Surplus Property is not useful and necessary for the continued operation of KUB's systems substantially as they now exist, with the exception that KUB will retain easements for its utility lines and facilities across the Surplus Property; and

**Whereas**, pursuant to Section VII of the KUB Procurement Procedures, the President and CEO has determined that the Surplus Property is not needed by any KUB utility system; and

**Whereas**, the bond resolutions for KUB's Electric Division authorize the disposal of property of the Electric Division, which the KUB Board of Commissioners (the "Board") has determined to be no longer necessary and useful in the operation thereof.

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

**Section 1.** That the Surplus Property is not useful and necessary to the continued safe, efficient and economic operation of the KUB electric system, with the exception that KUB will retain easements for its utility lines and facilities across the Surplus Property, nor is the Surplus Property needed for the operation of any other KUB system, and the revenues of the KUB electric system will not be reduced by its transfer.

**Section 2.** That it is in the best interest of KUB and the Electric Division to transfer the Surplus Property to the City of Knoxville.

**Section 3.** That the terms and conditions of the transfer, namely that the Surplus Property will be used for a public purpose, and that KUB will retain utility easements for its lines and other facilities across the Surplus Property, are fair, reasonable and appropriate.

**Section 4.** That the President and Chief Executive Officer or her authorized designee be, and hereby is, authorized and directed to transfer all of KUB's right, title and interest in the Surplus Property to the City in a manner consistent with KUB's Procurement Procedures and the City Charter, to execute a deed for the transfer of KUB's interest in the Surplus Property and to do all things that the President and CEO or her designee deems reasonable and necessary to effectuate such transfer.

**Section 5.** That this Resolution shall take effect upon its passage.

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Celeste Herbert, Chair

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Mark Walker, Board Secretary

APPROVED ON 1<sup>st</sup>  
& FINAL READING: \_\_\_\_\_  
EFFECTIVE DATE: \_\_\_\_\_  
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**Knoxville Utilities Board  
Board Meeting  
Minutes  
Thursday, August 17, 2017, 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, August 17, 2017, pursuant to the public notice published in the January 7, 2017, edition of the *News Sentinel*. Chair Herbert called the meeting to order at 12:00 p.m.

**Roll Call**

Commissioners Present: Jerry Askew, Kathy Hamilton, Celeste Herbert, Sara Pinnell, Tyvi Small, Nikitia Thompson, and John Worden

Commissioners Absent: None

**Approval of Minutes**

The Minutes of the June 15, 2017, Board Meeting were approved as distributed upon a motion by Commissioner Askew and seconded by Commissioner Small.

**Old Business**

None

**New Business**

**Resolution 1369, A Resolution Authorizing the transfer of Property of the Knoxville Utilities Board Located on Woodson Drive to an Adjacent Property Owner**

President Roach advised Commissioners that KUB has a piece of property on Woodson Drive that was purchased as part of the South Loop project. Now that the pipeline is complete, KUB has determined that it no longer needs the property for its natural gas system or other systems. KUB has been approached by an adjacent property owner who is interested in acquiring the property. She recognized Gabriel Bolas, Chief Engineer and Senior Vice President, to discuss the proposed transfer request.

August 17, 2017

President Roach recommended adoption of Resolution 1369 on first and final reading. Her written recommendation is included in Attachment 1.

Upon a motion by Commissioner Thompson and a second by Commissioner Pinnell, Resolution 1369 (*Attachment 1*) was adopted by a roll call vote on second and final reading. The following Commissioners voted “aye”: Askew, Hamilton, Herbert, Pinnell, Small, Thompson, and Worden. No Commissioner voted “nay”.

## **President’s Report**

### **Human Resources Strategy Investing in People**

President Roach reminded Commissioners that KUB staff spends a lot of time talking with the Board about how KUB cares for our utility assets – pipes and wires – through the Century II program. It’s important for the Board to know that we are also investing in our most important asset – our workforce. She recognized Susan Edwards, Chief Administrative Officer and Senior Vice President, to talk about how our Human Resources function is helping to support our mission so we can better serve our customers.

### **Mark B. Whitaker Water Plant Disinfection Conversion**

President Roach reminded Commissioners that KUB is in the process of changing the disinfection process of our treatment plants. She recognized Chris Thomas, Acting Manager of Plant Operations, to report on our successes at the Mark B. Whitaker Water Plant.

### **TeenWork Mentor Program**

President Roach advised Commissioners that the 2017 TeenWork program had wrapped up and recognized Leslye Hartsell, Manager of Communications and Community Relations, to provide an overview of the role of mentors in the program.

## **Other Business**

### **Nominating Committee**

Commissioner Thompson announced that the Nominating Committee met today to begin this year’s process for nominating candidates for the Commissioner term that begins January 1, 2018. She also announced that the application has been available on KUB’s website, and the deadline for applications is 5:00 p.m. on Thursday, September 14. Knoxville’s City Charter requires that five or more candidates will be nominated at the October meeting for transmittal to the Mayor for final selection.

August 17, 2017

**Adjournment**

There being nothing further to come before the Board, Chair Herbert declared the meeting adjourned at 1:10 p.m.

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Celeste Herbert, Chair

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Mark Walker, Board Secretary

**Attachments**

Attachment 1	Recommendation Letter and Resolution 1369, A Resolution Authorizing the transfer of Property of the Knoxville Utilities Board Located on Woodson Drive to an Adjacent Property Owner	<b><u>Page(s)</u></b> 8977 – 8979
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Knoxville Utilities Board

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August 11, 2017

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

Commissioners:

KUB owns approximately 0.51 acres of land on Woodson Drive. The property was purchased for the construction of the South Loop Natural Gas Pipeline. With the pipeline complete and a permanent utility easement recorded, KUB no longer needs the property for the operation of its natural gas system or other systems. KUB has been approached by an adjacent property owner who is interested in acquiring the property, subject to KUB's utility easement for the South Loop Natural Gas Pipeline that crosses the property.

State law and bond resolutions authorize the disposition of any real property of KUB which the Board has determined to be no longer useful and necessary for its operations. After consultation with Staff, I have determined that the 0.51 acres is not useful and necessary for KUB's continued operation of its systems, with the exception that KUB will retain an easement for utility lines that cross the property.

Through Resolution 1369, which is attached for your information, the Board will approve the transfer of KUB's Woodson Drive property to an adjacent property owner. I recommend adoption of Resolution 1369.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Mintha E. Roach'.

Mintha E. Roach  
President and CEO

## **RESOLUTION NO. 1369**

### **A Resolution Authorizing the Transfer of Property of the Knoxville Utilities Board Located on Woodson Drive to an Adjacent Property Owner**

**Whereas**, the Knoxville Utilities Board (“KUB”) holds title to certain real estate, located at Woodson Drive, Knoxville, Tennessee, and being all of CLT Map 122-K, Group A, Parcel 1.01 recorded in the Knox County Register of Deed’s Office at Instrument No. 201409150015599, consisting of approximately 0.51 acres of land; and

**Whereas**, the adjacent property owner seeks to acquire from KUB the Property, (the “Surplus Property), and

**Whereas**, KUB, pursuant to Article XI, sections 1106(D) and (T) of the Charter of the City of Knoxville and Section VII of the KUB Procurement Procedures, has the authority, subject to the applicable provisions of any bonds or contracts, to transfer title of real property or any right or interest in such property in connection with the operation of its systems; and

**Whereas**, pursuant to Section VII of KUB’s Procurement Procedures, public advertising and competitive bidding are not required for the transfer of the Surplus Property where the value of the property in its current condition is negligible and KUB determines it is in its best interest to transfer the property to adjacent property owner; and

**Whereas**, the Surplus Property is not useful and necessary for the continued operation of KUB’s systems substantially as they now exist, with the exception that KUB will retain easements for current and future utility lines and facilities, across the Surplus Property; and

**Whereas**, pursuant to Section VII of the KUB Procurement Procedures, the President and CEO has determined that the Surplus Property is not needed by any of KUB’s systems; and

**Whereas**, the bond resolutions for KUB authorize the disposal of KUB property which the KUB Board of Commissioners (the “Board”) determines to be no longer necessary and useful in the operation thereof.

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

**Section 1.** That the Surplus Property is not useful and necessary to the continued safe, efficient and economic operation of any of KUB's systems.

**Section 2.** That it is in the best interest of KUB to transfer the Surplus Property to the adjacent property owner.

**Section 3.** That the President and Chief Executive Officer or her authorized designee be, and hereby is, authorized and directed to transfer the Surplus Property in a manner consistent with KUB's Procurement Procedures and state law, to execute a deed of the transfer of the Surplus Property and to do all things that the President and CEO or her designee deems reasonable and necessary to effectuate such transfer.

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

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Celeste Herbert, Chair

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Mark Walker, Board Secretary

APPROVED ON 1<sup>st</sup>  
& FINAL READING: 8-17-17  
EFFECTIVE DATE: 8-17-17  
MINUTE BOOK 39 PAGE 8978-8979

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