



Board of Light, Gas and Water Commissioners

220 S. Main Street

Memphis, TN 38103

www.mlgw.com

Board Meeting

~ Preliminary Agenda ~

Thursday, August 15, 2013

1:30 PM

Board Room

INFORMATION FOR THE BENEFIT OF THE PUBLIC:

Public Notice: Regular board meetings are held the first and third Thursdays of the month at MLGW's Administration Building unless otherwise noted in the public notice filing and website. The proposed agenda will be posted in the public section of the ground floor lobby of the Administration Building and on MLGW's website at least 48 hours before the Board meets. You may access the proposed Board agenda and all available documents related to the items linked from the agenda on the Internet at: www.mlgw.com. Large agreements, items related to Homeland Security or items received too late to post may not be viewable. You may view those documents in the Public Records Office prior to or after the Board meeting. By Board action, agenda items may be added, deleted or held for later consideration at a later board meeting.

Consent Agenda: Items shown under the Consent Agenda consists of items considered to be routine and non-controversial upon which the documentation provided to the Board is adequate to give sufficient information for approval without inquiry or discussion during the Board meeting. The use of the Consent Agenda is designed to minimize the time required for the handling of routine matters in order to permit additional time to be spent on more significant matters. The Chairman will call for approval on the Consent Agenda as a whole and the vote will be treated as a separate vote on each item. At the request of a Board member, the Chairman may move any item on the Consent Agenda to the Regular Agenda.

Regular Agenda: Item(s) to be individually considered for Board action.

Filed Items: The Board may be provided information which does not require Board approval or Board discussion but which is noted for the official record as having been supplied to the Board.

Resolutions: Generally, there are two types of resolutions subject to approval by the MLGW Board of Commissioners. Internal Board Resolutions are within the full authority of the Board and considered final upon the acceptance of the minutes of that board action. External Board Resolutions are subject to the approval of the City Council and are not considered final until the City Council accepts the minutes of their approval for such.

ADA: As a covered entity under Title II of the Americans with Disabilities Act, MLGW does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. To ensure availability, such request should be made 72 hours in advance by contacting Eric Conway at (901) 528-4486 during business hours.

To Officially Communicate to the Board: Any individual member or group of the general public desiring to address the Board orally on items of interest to the public that are within the subject matter jurisdiction of the Board, shall complete an **MLGW Board Speaker Card** to make such desire known to the Board Secretary. Such request to be heard should be marked with the date of the meeting; the agenda item number; if the comments are in support, opposition, or general as they relate to the item; the speaker's name and address; and if the speaker is representing someone else as a paid consultant. Paid lobbyists must complete the required disclosure of their client's name, phone number, and address. Statements shall not exceed three minutes unless additional time is granted by the Board Chair. When recognized, please proceed forward to the podium and state your name and address. The board and staff will not answer questions that are asked in this forum but written questions or a written statement may be provided to the Board Secretary for entry into the official record. If any Board member receives approval of the Board Chairman, that Board Member may address questions to the person providing the public statement.

CALL TO ORDER AND OPENING REMARKS: Chairman Wishnia

PLEDGE OF ALLEGIANCE: Chairman Wishnia

ROLL CALL: Dana Jeanes

APPROVALS:

Minutes of Meeting of August 1, 2013.

CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE: Dana Jeanes

Receipt of Certified Copies of the City Council Resolutions dated August 6, 2013, Items 8 through 18.

PRESENTATIONS:

(None)

GENERAL STATEMENTS FROM THE PUBLIC:

PRESIDENT'S BRIEFING:

1. Review of Consent Agenda - Jerry R. Collins, Jr.

(President's Briefing Continued on Page 5)

CONSENT AGENDA

CONSTRUCTION & MAINTENANCE DIVISION

1. Resolution awarding Contract No.11617, Beale Street Landing Garage Boiler Replacement to Air Technical Services, in the funded amount of \$60,100.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
2. Resolution awarding Contract No. 11605, Replace Leibert AC Unit in MLGW Administration Building Cafeteria to Air Technical Services, in the funded amount of \$71,275.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
3. Resolution approving Change No. 1 to Contract No. 11535 Pest Control, to Nu Era Pest Control, to renew the current contract in the funded amount of \$28,420.00. The new contract value is \$95,097.00. (This change is to renew the current contract for the first of four renewal terms covering the period November 1, 2013 to October 31, 2014 in the funding amount of \$28,420.00. This change also reflects no increase in rates from the previous year.) (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

4. Resolution awarding contracts to Stribling Equipment Company LLC, in the amount of \$69,550.00 for the purchase of a hydraulic backhoe loader and H & E Equipment Services in the amount of \$74,839.00 for the purchase of a crawler excavator, totaling \$144,389.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
5. Resolution awarding contract to Diamond International Trucks for the purchase of an EPRI (Electric Power Research Institute) Odyne PHEV (Plug-in Hybrid Electric Vehicle) aerial tower, in the amount of \$171,209.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

CUSTOMER CARE DIVISION

(None)

ENGINEERING & OPERATIONS DIVISION

6. Resolution awarding contracts to Telvent USA, LLC, in the amount of \$72,500.00, Utilicor, in the amount of \$6,606.00 and CG Automation Solutions USA, Inc., in the amount of \$3,022.50, totaling \$82,128.50, for purchase of remote terminal units. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
7. Resolution awarding Contract No. 11603, 2014 ECDA Inspection/Survey of Natural Gas Pipeline, to Southern Cross Pipeline Integrity Services, LLC., in the funded amount of \$198,500.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
8. Resolution approving payment of annual facility maintenance fee for public water systems, to Tennessee Department of Environment and Conservation, in the amount of \$124,017.95. (Alonzo Weaver) (REQUIRES CITY COUNCIL APPROVAL)

FINANCE DIVISION

9. Resolution awarding contract to Marmon Utility LLC, formerly Kerite, for medium voltage power cable, in the funded amount of \$523,461.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
10. Resolution requesting approval of a revised Procurement Complaint and Appeals Process to be approved and adopted as the official rules governing the procedures of Memphis Light, Gas and Division regarding procurement complaints and appeals. (Dana Jeanes)
11. Resolution approving actuarial funding to the Retirement and Pension System in the amount of \$30,705,469.00, for the 2013 Plan Year. (Dana Jeanes) (REQUIRES CITY COUNCIL APPROVAL)
12. Resolution approving the selection of Courage Credit Opportunities Fund III (distressed debt fund) to manage approximately \$10,000,000 for the benefit of

the MLGW OPEB Trust Fund, as part of a reallocation. (Dana Jeanes)
(REQUIRES CITY COUNCIL APPROVAL)

GENERAL COUNSEL DIVISION

13. Resolution approving and adopting the revised Rules of Procedure as the official rules governing the procedures of the meetings of the Board of Light, Gas and Water Commissioners. (Cheryl Patterson)
14. Resolution authorizing payment of approximately one-third of the costs of certain right of way stabilization and repair work completed by Valero MKS Logistics, L.L.C., along Nonconnah Creek, for the benefit of the three pipelines operated in the identified right of way by MLGW and Valero, and that MLGW enter into an Amendment to Agreements to Construct, Operate and Lease Pipeline with Valero, as successor in interest to Mid-America Pipeline Company and Williams Refining and Marketing, L.L.C. , providing for the funding of that one-third portion of the costs of the work through a \$24,853.81 reduction in the Initial Term Monthly Fees for the lease of the 20" Pipeline payable by Valero to MLGW under those certain Agreements to Construct, Operate and Lease Pipelines, dated March 6, 2001 and December 22, 1983, between MLGW and MAPL as amended and that certain Agreement to Construct, Operate and Lease Pipelines, dated March 6, 2001, between MLGW and Williams, as amended. The reduction in fee shall be for the period beginning October 1, 2013 and ending July 2016 for a total value of \$697,865.00. After the above-described reduction the Initial Term Monthly Fee to be received by MLGW for the 20" Pipeline shall be \$71,962. (Cheryl Patterson) (REQUIRES CITY COUNCIL APPROVAL)

HUMAN RESOURCES DIVISION

(None)

INFORMATION SERVICES DIVISION

15. Resolution approving Change No. 3 to Contract No. 11393, Network Maintenance, to Venture Technologies, Incorporated, to renew the current contract, in the funded amount of \$606,457.07. (This change renews the current contract for the third of four renewal terms covering the period October 15, 2013 through October 14, 2014 in the funded amount of \$606,457.07. This change reflects no increase in rates from the previous year.) (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
16. Resolution approving Change No. 2 to Contract No. 9716, Sysout Manager Software, with Software Engineering of America, to renew the current contract with no increase in contract value. (This change is to renew annual software maintenance and support services as well as license fees. The term of the software maintenance and support services is for a three year term covering the period October 1, 2013 to September 30, 2016 with no increase from the previous year in the funded amount of \$24,188.61 which will be absorbed in the current contract value. MLGW is requesting approval of continuous maintenance of the acquired system, which can only be performed by Software Engineering of America.) (Jozelle Booker)

PRESIDENT'S DIVISION

(None)

PRESIDENT'S BRIEFING (Continued):

2. NERC Update - Allan Long
3. Budget Update - 2nd Quarter 2013 - Roland McElrath
4. Other - Jerry R. Collins, Jr.

ADDITIONAL MEETINGS

12:00 p.m. - Supplier Diversity Committee Meeting - Room 511

12:30 p.m. - Human Resources Committee Meeting - Room 507