

<p>MEMPHIS LIGHT, GAS & WATER DIVISION OFFICIAL MINUTES</p>	
<p>Meeting Time: February 19, 2009 at 3:00 P.M.</p>	
<p>Meeting Location: Board Room, Fifth Floor, Administration Building, Memphis, Tennessee</p>	



The meeting was called to order by Chairman Evans.

The Secretary-Treasurer called the roll. The following Board Members were present: V. Lynn Evans, Chairman; Rick Masson; Dedrick Brittenum, Jr.; and Steven Wishnia. Darrell T. Cobbins, Vice Chairman, was not present.

The following staff members were present: Jerry R. Collins, Jr., President and CEO; John McCullough, Vice President, CFO and Secretary-Treasurer; Cheryl Patterson, Vice President and General Counsel; Nick Newman, Vice President, Construction and Maintenance; Christopher Bieber, Vice President, Customer Care; Alonzo Weaver, Vice President, Engineering and Operations; and Charmiane Claxton, Vice President, Human Resources. Linda Peppers, Vice President and Chief Technology Officer, was not present.

Barbara Swearngen Ware, City Council Member, was present.

The Secretary-Treasurer acknowledged receipt of Certified Copies of City Council Resolutions dated February 3, 2009, approving Item 13 and Items 16 through 18, and dropping Items 14 and 15, all approved by the MLGW Board at its meeting held January 22, 2009; and Items 19, 20 and 31, giving contract authority to the VP/General Counsel for claims settlements. (See Minute File No. 1313).

Commissioner Masson moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held February 5, 2009, that

they be recorded as the official record, seconded by Commissioner Wishnia and unanimously carried.

SPECIAL PRESENTATIONS:

1. United Way Check Presentation – Nick Newman/Tjuania Redmond/Bart Stobner
A check was presented to Mr. Harry Shaw of United Way in the amount of \$781,808.33 which exceeded MLGW's goal of \$775,000.00.
2. Business Owners and Managers Association (BOMA) – Robert Johnston
Mr. Roy Moore, Federal Express, presented the BOMA award.

GENERAL STATEMENTS FROM THE PUBLIC: None

The original of the resolutions and documents relating to each item is filed in the vault on 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 in these minutes and the original documents.

1. Resolution awarding Contract No. 11320, Local Dial Tone Services, to Paetec in the funded amount of \$192,000.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

2. Resolution approving Contract No. 11339, Interlocal Agreement between MLGW and the Memphis Housing Authority, for a Services Loan for Utility Installation for Legends Park Planned Redevelopment in an estimated amount of \$1,435,000.00.

APPROVED, AS AMENDED (SUBJECT TO CITY COUNCIL APPROVAL)

3. Resolution authorizing the Secretary-Treasurer to correct the record of Board of Light, Gas and Water Commissioners' meeting held October 16, 2008, to read Change No. 8 to Contract No. 10336, EMS/SCADA System, with GE Energy Management Services, and the new contract amount to read \$6,380,053.00.

ITEM NO. 3 WAS DELETED

4. Resolution approving a change to Amendment J, Contract No. 10629, Memorandum of Understanding with Memphis Electric Health and Welfare Plan and Trust (NECA-IBEW) and the Memphis Retirement Plan and Trust. (This amendment is effective March 18, 2009 to July 31, 2009 and raises hourly wage rates for a journeyman lineman from \$23.85 to \$30.61, Grade 13, Step 4, which will be automatically adjusted annually).

APPROVED

5. Resolution approving Change No. 2 to Contract No. 10990, Master Agreement for Services, with Equifax Information Services, LLC, in the funded amount of \$150,000.00. (This change extends the current contract for an additional term, March 26, 2009 to March 25, 2010, to allow time to finalize the RFP bid process for a new contract and to develop strategy and structure for new collections management).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

6. Resolution approving Change No. 7 to Contract No. 11013, Line Clearance, with Blume Tree Services, with no increase in contract value. (This change extends the current contract for the period May 1, 2009 to August 1, 2009).

APPROVED

7. Resolution approving Change No. 7 to Contract No. 11020, Janitorial Services, with Kimco Corporation in the funded amount of \$935,108.00. (This change renews the contract for the fourth and final renewal term, February 20, 2009 to February 19, 2010, which includes the required City of Memphis Living Wage Ordinance 3% pay rate increase and the resumption of full-service janitorial services at MLGW facilities. The impact of this change is an increase of approximately 41.6% or \$288,319.50 over last year's award amount. This change supersedes Change No. 6 approved by the Board on January 22, 2009).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

8. Resolution approving Change No. 5 to Contract No. 11028, Security Services, with CDA, Inc. in the funded amount of \$3,308,717.20. (This change renews the current contract for the fourth and final term, April 1, 2009 to March 31, 2010, which includes a 3% increase in personnel rates, a decreased number of hours for the unarmed officers, an increase in number of hours for the unarmed construction personnel and the addition of a lead dispatcher position).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

9. Resolution approving Change No. 4 to Contract No. 11040, Surveying Services, with Ollar Surveying Company, with no increase in contract value. (This changes the name from Ollar Surveying Company to Benchmark-Ollar Surveying).

APPROVED

10. Resolution approving Change No. 4 to Contract No. 11061, Wireless Telephone Services, with AT&T Mobility in the funded amount of \$330,000.00. (This change renews the contract for the third of four renewal terms, April 1, 2009 to March 31, 2010).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

11. Resolution approving Change No. 3 to Contract No. 11072, MLGW Employee Assistance Program, with Methodist Healthcare, Inc. in the funded amount of \$28,500.00. (This change extends the current contract for a one-year term, April 1, 2009 to March 31, 2010).

ITEM NO. 11 WAS DELETED

12. Resolution approving Change No. 3 to Contract No. 11193, Janitorial Services, with Kimco Corporation in the funded amount of \$212,936.00. (This change renews the contract for the second of four renewal terms, February 28, 2009 to March 1, 2010, which includes the required City of Memphis Living Wage Ordinance 3% pay rate increase and the resumption of full-service janitorial services at MLGW facilities. The impact of this change is an increase of approximately 71.1% or \$90,654.81 over last year's award amount. This change supersedes Change No. 2 approved by the Board on January 22, 2009).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

13. Resolution approving Amendment No. 1 to Contract No. 11237, Interlocal Agreement between MLGW and Memphis Housing Authority for a Services Loan for Utility Installation for the Lamar Terrace/University Place Planned Redevelopment, providing for a reduction in the estimated cost from \$4,500,000.00 to \$2,600,000.00 as a result of redesign and a reduction of the semi-annual installment payments from \$500,000.00 to \$200,000.00.

APPROVED, AS AMENDED (SUBJECT TO CITY COUNCIL APPROVAL)

14. Resolution awarding contract for a substation battery to Saft America, Inc. c/o HV Sales Company in the amount of \$28,253.00. (Jozelle Booker)

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

15. Resolution awarding contract for Trane Chiller R'newal to Trane in the amount of \$43,339.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

16. Resolution awarding 24-month contracts for instrument transformers as follows:

HD Supply Utilities.....	\$66,516.00
Utilicor.....	38,354.50
GEC/Durham.....	92,747.10
Total.....	<u>\$197,617.60</u>

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

17. Resolution awarding 12-month contract for sodium hexametaphosphate to Breentag Mid-South in the amount of \$624,960.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

18. Resolution awarding 24-month contract for electric meter pedestals and sockets to HD Supply Utilities in the amount of \$823,646.91.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

19. Resolution accepting offer from Hutcherson Metals, Inc. for sale of scrap iron material in the amount of \$93,300.00.

APPROVED

20. Resolution accepting offer from Hutcherson Metals, Inc. for sale of scrap aluminum material in the amount of \$107,350.00.

APPROVED

21. Resolution accepting offer from TOTALL Metal Recycling for sale of scrap copper material in the amount of \$392,948.00.

APPROVED

22. Resolution approving payment of 2009 annual membership dues to Tennessee Valley Public Power Association in the amount of \$51,296.41.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

23. Resolution approving payment of annual pipeline safety inspection fee to the Tennessee Regulatory Authority in the amount of \$78,000.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

24. Resolution approving Position No. 00340, Utility Worker II; Position No. 00673, Supervisor, Credit; Position No. 01213, Utility Worker I; Position No. 01335, Section Supervisor, Credit; Position No. 01553, Electric Meter Shop Technician Apprentice; Position No. 01797, Section Supervisor, Credit; Position No. 01850, Helper; Position No. 03182, Section Supervisor, Credit; Position No. 03219, Electric Meter Field Technician Apprentice; Position No. 03394, Commercial Marketing Rep; Position No. 04305, Section Supervisor, Credit; Position No. 04900, Section Supervisor, Credit; Position No. 05206, Utility Worker I; Position No. 05222, Utility Worker I; and Position No. 05463, Section Supervisor, Credit Operations.

APPROVED

25. Resolution approving release of various easements as follows:

Property located at 48 East Chickasaw Parkway, Memphis, TN, 38111, to Edward L. Simpson and wife, Susan H. Simpson, or their successors in title, for the sum of \$1.00 each.

Property located at the southeast corner of Bella Springs Cove to Cool Springs, Inc., a Tennessee corporation, or its successors in title, for the sum of \$1.00.

APPROVED

ROLL CALL CONSENT AGENDA

MOTION: Commissioner Brittenum
SECOND: Commissioner Masson
AYES: Commissioner Masson, Commissioner Brittenum, Commissioner Wishnia,
and Chairman Evans

CONSENT AGENDA APPROVED, AS AMENDED

ROLL CALL ON APPROVAL OF MINUTES OF ITEMS 2 AND 13 OF TODAY'S MEETING

MOTION: Commissioner Wishnia
SECOND: Commissioner Masson
AYES: Commissioner Masson, Commissioner Brittenum, Commissioner Wishnia,
and Chairman Evans

MINUTES OF ITEMS 2 AND 13 OF TODAY'S MEETING APPROVED

There being no further business, the meeting was adjourned at 4:35 p.m.

SEE MINUTE FILE NO. 1314.

Secretary-Treasurer