

<p>MEMPHIS LIGHT, GAS & WATER DIVISION OFFICIAL MINUTES</p>	
--	---

Meeting Time: March 5, 2009 at 3:00 P.M.

Meeting Location: Board Room, Fifth Floor,
Administration Building, Memphis, Tennessee

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; Darrell T. Cobbins, Vice Chairman; Rick Masson; Dedrick Brittenum, Jr.; and Steven Wishnia.

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; Christopher Bieber, Vice President, Customer Care; Alonzo Weaver, Vice President, Engineering and Operations; Charmiane Claxton, Vice President, Human Resources; and Linda Peppers, Vice President and Chief Technology Officer. Nick Newman, Vice President, Construction and Maintenance, was not present.

Commissioner Masson moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held February 19, 2009, that they be recorded as the official record, seconded by Commissioner Wishnia and unanimously carried.

The Secretary-Treasurer acknowledged receipt of Certified Copies of City Council Resolutions dated February 17, 2009, Items 15 through 24, approving items approved by the MLGW Board at its meeting held February 5, 2009 (see Minute File No. 1314); and receipt of Certified Copies of City Council Ordinances No. 5291, Relating to Settlement Agreements

Under Workers' Compensation Laws and No. 5292, Providing for Minimum Energy Efficiency in Rental Property, approved by the MLGW Board at its meeting held November 20, 2008 (see Minute File No. 1311).

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. 11277, Emergency Generator for Shaw Generator Installation, to Tri-State Armature & Electrical Works, Inc. in the funded amount of \$1,673,647.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

2. Resolution amending the October 16, 2008 resolution relating to Contract No. 10336, EMS/SCADA, with GE Energy Management Services to reflect that the number of the Change referred to therein is Change No. 8 and that the total Contract amount is \$6,380,053.00.

APPROVED

3. Resolution approving Change No. 2 to Contract No. 10929, Licensing Agreement between MLGW and E-Source, Inc. in the funded amount of \$171,100.00. (This change renews the contract for the term May 1, 2009 to April 30, 2010).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

4. 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 extends the current contract for a one-year term, April 1, 2009 to March 31, 2010).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

5. Resolution approving Change No. 3 to Contract No. 11078, Professional Claims Adjusting Service, with Horton and Associates of Memphis in the funded amount of \$160,000.00. (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)

- 6. Resolution approving Change No. 1 to Contract No. 11159, UPS/PDU Maintenance, with Liebert Global Services c/o Computer Environment, with no increase in contract value. (This changes the name to Emerson Network Power Liebert).

APPROVED

- 7. Resolution approving Change No. 3 to Contract No. 11187, Flexible Spending Account Administrator, with Fringe Benefits Management Company in the funded amount of \$10,000.00, for a new contract value of \$46,651.99. (This change renews the contract for the second and final renewal term, May 1, 2009 through April 30, 2010).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

- 8. Resolution approving Change No. 2 to Contract No. 11261, Commercial Auto Insurance, with Pete Mitchell & Associates, Inc. in the funded amount of \$12,500.00, for a new contract value of \$189,859.00. (This change is to pay an endorsement for adding vehicles for the emergency response resulting from the ice storm in Mayfield, Kentucky and adds contingency funding for future emergency response needs).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

- 9. Resolution awarding contract for VMWare replication equipment and services to Logicalis, Inc. in the amount of \$156,731.55.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

- 10. Resolution awarding 36-month contract for biodiesel fuel to Petroleum Traders Corporation in the amount of \$711,225.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

- 11. Resolution awarding 60-month contracts for URD primary cable, as follows:

The Kerite Company.....	\$13,851,612.50
Universal Scaffolding.....	<u>16,908,760.00</u>
Total.....	<u>\$30,760,372.50</u>

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

- 12. Resolution approving payment of 2009 annual membership dues to Tennessee One-Call System, Inc. in the amount of \$83,440.35.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

- 13. Resolution approving employment of Gene Palermo, Ph.D for consulting expert-witness services on an as-needed basis at the hourly rate of \$175.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

14. Resolution approving Amendment No. 12 to resolution approved by the Board on July 7, 2005, listing those persons authorized to sign and/or countersign Division and Pension System checks:

By **deleting** Carolyn Turman from the list and by **adding** Charmiane Claxton to the list of persons authorized to sign or countersign MLGW Common Account checks (First TN – MLGW Common Account No. 00-0090239).

By **deleting** Carolyn Turman from the list and by **adding** Charmiane Claxton to the list of persons authorized to sign or countersign Customer Deposit checks (First TN – MLGW Customer Deposit Account No. 00-0090352).

By **deleting** W. R. Gardiner from the list and by **adding** William S. Crawford to the list of persons authorized to countersign but not sign Retirement and Pension General Fund checks (First TN – MLGW Retirement and Pension General Fund Account No. 00-0090328).

By **deleting** Kevin Douglas from the list and by **adding** Clinton Richardson to the list of persons authorized to sign or countersign Project MAX Account checks (Tri-State – MLGW Project Max Account No. 018-202-8).

APPROVED

15. Resolution approving Position No. 00259, Gas Fitter Apprentice; Position No. 01720, Apprentice Lineman; Position No. 01833, Energy Technician; Position No. 02432, Energy Technician; Position No. 02549, Project Engineer I; Position No. 05001, Line Foreman; Position No. 05847, Energy Technician; Position No. 05998, Drafter I; and Position No. 06150, Helper, Electric Distribution (Pre-Apprentice).

APPROVED

16. Resolution approving sale of property to the State of Tennessee, located on the southwest corner of Millington-Arlington Road and Donnell Road, for the sum of \$1,450.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

17. Resolution approving Contract of Sale for the purchase of property from Westco Development #12, LLC, located on the northwest corner of Shelby Drive and Mendenhall Road, for a proposed substation for the sum of \$650,000.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

ROLL CALL CONSENT AGENDA

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

Commissioners Brittenum and Wishnia recused themselves from Item 4 of today's agenda.

CONSENT AGENDA APPROVED

There being no further business, the meeting was adjourned at 3:05 p.m.

SEE MINUTE FILE NO. 1315.

Secretary-Treasurer