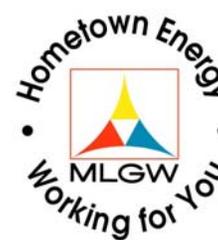


**MEMPHIS LIGHT, GAS & WATER DIVISION  
OFFICIAL MINUTES**

**Meeting Time:** April 3, 2008 at 1:30 P.M.

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



The meeting was called to order by Chairman Evans. The Chairman highlighted this week's events involving the 40<sup>th</sup> anniversary of Dr. Martin Luther King's death and the University of Memphis Tigers' appearance in the NCAA Final Four.

The Secretary-Treasurer called the roll. The following Board Members were present: V. Lynn Evans, Chairman; William L. Taylor, Vice Chairman; Rick Masson; and Darrell T. Cobbins. Commissioner Nick Clark was not present. Rick Masson left the meeting prior to the vote on the Consent Agenda.

The following staff members were present: Jerry R. Collins, Jr., President and CEO; John McCullough, Vice President, CFO and Secretary-Treasurer; Charlotte Knight Griffin, Acting 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 Armstead Ward, Vice President, Human Resources. Linda Peppers, Vice President and Chief Technology Officer, was not present.

Vice Chairman Taylor moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held March 20, 2008, that they be recorded as the official record, seconded by Commissioner Masson and unanimously carried.

The Secretary-Treasurer acknowledged receipt of Certified Copies of City Council Resolutions dated March 18, 2008, Items 9 through 17, approving items approved by the MLGW Board at its meeting held March 6, 2008 (see Minute File No. 1303); and Item 26, approved by the MLGW Board at its meeting held February 7, 2008 (see Minute File No. 1302).

The President and staff members briefed the Board on the following items: (see Minute File No. 1304 for handouts).

1. Sanitary Survey – Memphis Water System – Jerry R. Collins, Jr. (Mr. Collins introduced the team of MLGW employees).
2. Update of Electric Division Refinancing – John McCullough
3. Grievance Update – Armstead Ward

**GENERAL STATEMENTS FROM THE PUBLIC:**

1. Bill Hawkins, Asst. Business Manager, IBEW Local 1288, 4000 Clearpool Cr., Memphis, TN

**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. 11250, Waste Management Services, to Pollution Control Industries in the funded amount of \$200,000.00.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

2. Resolution awarding Contract No. 11258, Grounds Maintenance, to Bean and Prince Contractors, Inc. in the funded amount of \$601,523.17.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

3. Resolution awarding Contract No. 11273, Replace North Dock Package HVAC Unit, to Gipson Mechanical in the funded amount of \$25,847.00.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

4. Resolution approving Amendments H, I, and J to Contract No. 10629, Memorandum of Understanding, with Memphis Electric Health and Welfare Plan and Trust (NECA-IBEW) and the Memphis Retirement Plan and Trust. (These amendments cover pay scale changes for employees from IBEW Local 474.)

**APPROVED**

5. Resolution approving Change No. 4 to Contract No. 10968, Elevator Upgrades, with Kone, Inc. in the funded amount of \$27,946.92. (This renews the contract for the fourth renewal term, July 1, 2008 to June 30, 2009, with a 4% increase in maintenance and hourly rates.)

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

6. Resolution approving Change No. 5 to Contract No. 11020, Janitorial Services, with Kimco Corporation in the funded amount of \$646,788.50. (This renews the contract for the third renewal term, February 21, 2008 to February 20, 2009, and amends the contract to comply with the Living Wage Ordinance of the City of Memphis.)

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

7. Resolution approving Change No. 1 to Contract No. 11071, Emergency Aid Agreement, with Davis H. Elliot Construction Company, Inc. in the funded amount of \$96,819.10. (This covers reimbursement of expenses for labor, equipment and meals due to the storm of January 29, 2008.)

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

8. Resolution approving Change No. 2 to Contract No. 11075, Community Office Pay Stations, with Info Touch Technologies. (This changes the name from Info Touch Technologies to TIO Networks Corporation.)

**APPROVED**

9. Resolution approving Change No. 2 to Contract No. 11178, Internet Service Provider II, with PAETEC in the funded amount of \$52,200.00. (This renews the contract for the first renewal term, May 7, 2008 to May 6, 2011, at \$17,400.00 annually).

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

10. Resolution approving Change No. 1 to Contract No. 11193, Janitorial Services, with Kimco Corporation, Inc. in the funded amount of \$122,240.22. (This renews the contract for the first renewal term, March 1, 2008 to February 28, 2009, with a rate increase of approximately 2.5%. This also amends the contract to comply with the Living Wage Ordinance of the City of Memphis.)

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

11. Resolution rejecting bid received for Contract No. 11259, Food Service and Vending, and the contract be rebid.

**APPROVED**

12. Resolution awarding 24-month contract for meter covers to Vincent Sales, Inc. in the amount of \$33,000.00.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

13. Resolution awarding contract for aluminum trench shields to ICM of Memphis in the amount of \$45,976.01.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

14. Resolution awarding contract for Sonet Multiplexers to General Electric Company in the amount of \$49,950.00.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

15. Resolution awarding contract for battery-powered tools to Stuart C. Irby in the amount of \$27,176.50.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

16. Resolution awarding contract for pneumatic underground piercing tools to Vermeer Sales and Service, Inc. in the amount of \$43,990.00.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

17. Resolution awarding contract for maintenance renewal of Symantec Bindview Control for Windows to Coleman Technologies, Inc. in the amount of \$38,199.02.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

18. Resolution awarding contract for Anthracite and Sand Filter Media to Guthrie Sales and Service Company, Inc. in the amount of \$41,457.00.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

19. Resolution awarding contract for rental of two 127-ft. aerial lifts, including delivery and pickup charges, to Global Rental Company in the amount of \$41,300.00.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

- 20. Resolution amending Purchase Order No. 130050 with HD Supply, Inc. in the amount of \$73,566.25 and Purchase Order No. 130051 with The Durham Company in the amount of \$10,086.00 for electric meter sockets and pedestals, for a total amended amount of \$83,652.25. This covers additional funds needed to meet 2008 demands.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

- 21. Resolution awarding contract for paper-lead cable as follows:

The Okonite Company.....	\$393,537.76
Prysmian Cables & Systems.....	<u>916,349.16</u>
Total.....	\$1,309,886.92

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

- 22. Resolution awarding 36-month contract for asphalt as follows:

Lehman Roberts.....	\$660,000.00
APAC-Tennessee.....	75,750.00
Standard Construction Company.....	<u>71,165.00</u>
Total.....	\$806,915.00

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

- 23. Resolution amending the MLGW Credit Policy to allow a reduction in the maximum deposit amount from \$700.00 to \$500.00 for residential customers.

**APPROVED**

- 24. Resolution approving Position No. 04836, Cable Splicer Helper (Pre-Apprentice).

**APPROVED**

- 25. Resolution approving the employment of Nixon Peabody LLP on an as-needed basis at the following agreed-upon hourly rates:

Partners	-	\$590.00 - \$625.00
Associates	-	\$420.00 - \$520.00

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

26. Resolution authorizing the execution and delivery of not to exceed \$100,000,000 Electric System Subordinate Revenue Refunding Notes Series 2008 on behalf of the Light, Gas and Water Division of the City of Memphis, to currently refund all or a part of the City's outstanding Series 2003B Bonds and to pay the costs of issuance and sale of the Series 2008 Notes.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

27. Resolution approving Wetlands Credits Purchase Agreement between MLGW and the Wolf River Mitigation Bank, LLC for the purchase of 2.5 credits of wetlands in the amount of \$62,500.00.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

28. Resolution approving release of the following easements to Methodist Healthcare-Memphis Hospitals, or their successors in title, for the sum of \$1.00 each:

Property located on the east side of Germantown Road, opposite North Street in Germantown, TN

Property located on the east side of Germantown Road, approximately 320 feet north of the north line of Dogwood Road

Property located on the east side of Germantown Road, opposite the intersection of North Street, Germantown, TN

**APPROVED**

29. Resolution approving Change No. 5 to Contract No. 11013, Line Clearance, with Blume Tree Services, with no increase in contract value. (This renews the contract for the third renewal term, May 1, 2008 to April 30, 2009.)

**APPROVED**

**ROLL CALL AGENDA ITEMS**

MOTION: Commissioner Cobbins  
 SECOND: Vice Chairman Taylor  
 AYES: Commissioner Cobbins, Vice Chairman Taylor and Chairman Evans

**AGENDA APPROVED**

**OTHER BUSINESS**

Happy Birthday wishes were extended to Chairman Evans. Her birthday is April 4.

There being no further business, the meeting was adjourned.

SEE MINUTE FILE NO. 1304.

Secretary-Treasurer