

MEMPHIS LIGHT, GAS & WATER DIVISION OFFICIAL MINUTES	
Meeting Time: May 7, 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 at 3:10 p.m.

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: 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; Charmiane Claxton, Vice President, Human Resources; and Linda Peppers, Vice President and Chief Technology Officer. Jerry R. Collins, Jr., President and CEO, was not present.

Commissioner Wishnia moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held April 16, 2009, that they be recorded as the official record, seconded by Vice Chairman Cobbins and unanimously carried, with the exception of Items 8, 9 and 10, which are pending approval upon receipt of additional information from the Chamber.

The Secretary-Treasurer acknowledged receipt of Certified Copies of City Council Resolutions dated April 21, 2009, Items 17 through 23, approving items approved by the

MLGW Board at its meeting held April 2, 2009 (see Minute File No. 1316) and Items 29 and 30, approving items approved by the MLGW Board at its meeting held March 5, 2009 (see Minute File No. 1315).

GENERAL STATEMENTS FROM THE PUBLIC:

1. Bill Hawkins, Assistant Business Manager, IBEW Local 1288, 4000 Clearpool Circle, Memphis, TN, addressed the Board regarding Item No. 2 of today's agenda, and Personnel Policy No. 23-09.

2. Charmiane Claxton, VP, Human Resources, MLGW, 220 S. Main, Memphis, TN, addressed the Board with a rebuttal on items raised by Bill Hawkins.

COMMITTEE REPORTS:

1. Supplier Diversity Committee – Vice Chairman Cobbins

Vice Chairman Cobbins acknowledged and thanked Ms. Kimberly Lehew, former MLGW employee, for her contributions and service to the Supplier Diversity Program. Ms. Lehew served as the Supplier Diversity Coordinator. He updated the Board on changes to the contracting/bidding process, and advised that the external Supplier Diversity Advisory Council will meet Tuesday, May 12, at 11:30 a.m., and the internal Supplier Diversity Advisory Council will meet Friday, May 15, from 9:00 to 10:30 a.m., both meetings will be held in the Auditorium on the first floor of the MLGW Administration Building. He also advised that the 1996 Supplier Diversity Policy will be reviewed and there may be policy changes/amendments forthcoming for the Board to consider at a later date.

2. Human Resources Committee – Commissioner Brittenum

a. HR Committee Update – Charmiane Claxton

Ms. Claxton updated the Board on the diversity, grievance, and health and safety reports. She and Commissioner Brittenum advised the Board that a Residency Policy proposal will be forthcoming for the Board to consider at a later date.

3. Audit Update - Chairman Evans requested an audit update. Commissioner Masson advised that the Audit Committee will meet Thursday, May 21, at 12:00 noon to discuss the external audit.

1. a. Supplier Diversity Update – 1st Quarter 2009 – Jozelle Booker

Ms. Booker updated the Board on the Supplier Diversity numbers.

Commissioner Brittenum expressed his concern with the Supplier Diversity Policy, stating the policy was prepared in 1996 and it was time for a new diversity study to be

completed. Chairman Evans requested that Vice Chairman Cobbins work with President Collins to look at a supplier diversity study and report back to the Board the financial impact.

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.

CONSENT AGENDA

1. Resolution approving Contract No. 8122, Interlocal Agreement between MLGW and Shelby County Government on behalf of the Public Works Division for Fire Fee Billing and Related Services in Shelby County, Tennessee, for the collection of fire fees and other related services.

APPROVED

2. Resolution awarding Contract No. 11317, Professional Engineering Services-Electric, to Allen and Hoshall in the funded amount not to exceed \$1,250,000.00.

ITEM NO. 2 WAS DELETED FROM TODAY'S AGENDA

3. Resolution approving Change No. 5 to Contract No. 10977, Tires and Tire Service, with Southern Tire Mart, LLC, in the funded amount of \$254,781.14. (This change extends the current contract for approximately six months, June 12, 2009 to December 31, 2009, with no increase in rates to allow time to rebid the contract).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

4. Resolution approving Change No. 1 to Contract No. 11032, Pipeline Integrity Management ECDA Inspections, with GE Energy, PII North America, Inc. in the funded amount of \$349,200.00. (This change increases the contract value for overages that were not included in the original award and to complete inspections of the remaining miles as outlined in the contract).

ITEM NO. 4 WAS DELETED FROM TODAY'S AGENDA

5. Resolution approving Change No. 1 to Contract No. 11280, Aerial Patrol of Gas Transmission Right-of-Way, with Tennessee Helicopter Services, Inc. in the funded amount of \$30,660.00. (This change renews the contract for the first of four renewal terms, August 29, 2009 through August 28, 2010).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

6. Resolution awarding contract for autoclave laboratory steam sterilizer and installation to STERIS Corporation in the amount of \$31,883.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

7. Resolution awarding contract for software maintenance to Coleman Technologies, Inc. in the amount of \$36,206.60.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

8. Resolution awarding contract for hardware, software and services to Logicalis, Inc. in the amount of \$66,636.49.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

9. Resolution awarding contract for galvanized structural steel to V & S Schuler Engineering, Inc. in the amount of \$99,570.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

10. Resolution awarding contract for a pumping station network to Venture Technologies in the amount of \$128,620.55.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

11. Resolution renewing contract with Diamond International of Memphis, Inc. for the third and final 12-month period, July 5, 2009 to July 4, 2010, for cab and chassis vehicles in the amount of \$133,179.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

12. Resolution awarding contract for capacitor cans to H D Supply Utilities in the amount of \$151,560.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

13. Resolution amending Purchase Order No. 125143 with USAT Corporation for ruggedized laptop computers and accessories in the amount of \$192,394.00. (This amendment increases the award amount to cover purchases needed until the end of the contract term of June 2010).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

14. Resolution amending Purchase Order No. 127120 with Thomas Consultants, Inc. for personal and laptop computers in the amount of \$647,799.00. (This amendment increases the award amount to cover purchases needed until the end of the contract term of January 2010).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

15. Resolution amending Purchase Order No. 135613 with AZZ/Central Electric Manufacturing Company for metal-clad switchgear complex in the amount of \$35,752.00. (This amendment is due to a change to the original design which requires an overhead feed rather than an underground feed).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

16. Resolution approving payment of 2009 annual membership dues to American Public Power Association in the amount of \$92,313.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

17. Resolution approving Position No. 00157, Utility Worker II; Position No. 00904, Service Engineer I; Position No. 01850, Utility Worker II; Position No. 02502, Utility Worker II; Position No. 03238, Electric Meter Field Technician Apprentice; Position No. 03347, Electric Meter Field Technician Apprentice; Position No. 04669, Test Repairer Salvage; Position No. 05003, Distribution Design Engineer I; Position No. 05066, Customer Service Technician III; and Position No. 05508, Design Engineer I.

APPROVED

18. Resolution approving release of easement to Sunrise Apartments, LLC, a Tennessee limited liability company, or its successors in title, property located on the north side of Winchester Road, approximately 749 feet west of the west line of Airways Road as measured along the north line of Winchester Road, for and in consideration of \$1.00.

APPROVED

ROLL CALL CONSENT AGENDA

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

Commissioner Brittenum recused himself from Item 1.

CONSENT AGENDA APPROVED, AS MODIFIED

ROLL CALL ON APPROVAL OF MINUTES OF ITEM NO. 17 OF TODAY'S AGENDA

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

MINUTES OF ITEM NO. 17 OF TODAY'S AGENDA APPROVED

There being no further business, the meeting was adjourned at 3:47 p.m.

SEE MINUTE FILE NO. 1317.

Secretary-Treasurer