

MEMPHIS LIGHT, GAS & WATER DIVISION OFFICIAL MINUTES	
Meeting Time: July 2, 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 3:05 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 and Steven Wishnia. Dedrick Brittenum, Jr. 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; Alonzo Weaver, Vice President, Engineering and Operations; and Steve Day, Acting Vice President, Human Resources. Christopher Bieber, Vice President, Customer Care, and Linda Peppers, Vice President and Chief Technology Officer, were not present.

Commissioner Wishnia moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held June 18, 2009, 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 June 16, 2009, approving Items 9 through 17, dropping Item 18, which were approved by the MLGW Board at its meeting held June 4, 2009; and Item 19,

authorizing that the payments by MLGW for in-lieu-of taxes to the City of Memphis for fiscal year 2010 shall be the amount calculated by MLGW under the formula for the Electric Division and the Gas Division (see Minute File No. 1318).

GENERAL STATEMENTS FROM THE PUBLIC:

1. Bill Hawkins, Assistant Business Manager, IBEW Local 1288, 4000 Clearpool Circle, Memphis, TN, addressed the Board regarding medical costs and the proposed transmission contract.

2. J. D. Cox, President, IBEW Local 1288, 4000 Clearpool Circle, Memphis, TN, addressed the Board regarding medical costs and the proposed transmission contract.

3. Jeffrey Higgs, 4021 Baskel Drive, Memphis, TN, addressed the Board regarding economic development incentives.

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.

The Board reviewed the Consent Agenda. This review was deferred from the 1:30 p.m. President's Briefing to the 3:00 p.m. Board meeting.

CONSENT AGENDA

1. Resolution awarding Contract No. 11318, McCord Pumping Station Boiler Replacement, to Quality Mechanical Contractor, Inc. in the funded amount of \$105,886.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

2. Resolution awarding Contract No. 11346, ESO/UPS Battery Replacement, to Electronic Power Systems, Inc. in the funded amount of \$27,410.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

3. Resolution approving Change No. 4 to Contract No. 11109, Systems Furniture, with Corporate Express, with no increase in contract value. (This changes the name from Corporate Express to Staples Contract and Commercial, Inc.).

APPROVED

4. Resolution approving Change No. 3 to Contract No. 11178, Internet Services, with Paetec Business Services in the funded amount of \$22,330.00. (This change is to upgrade the existing system's bandwidth from 10Mb/s to 20Mb/s Metro Ethernet).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

5. Resolution approving Change No. 1 to Contract No. 11281, Maintaining MLGW Archival Documents, with Vital Records Control, Inc. in the funded amount of \$28,269.00. (This change renews the contract for the first of four renewal terms, July 14, 2009 through July 13, 2010, with no increase in cost).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

6. Resolution rejecting bids received for Contract No. 11317, Professional Engineering Services-Electric, and rebid the contract.

APPROVED

7. Resolution renewing contract, Purchase Order No. 135584, with Mercury Instruments, Inc., for the period December 17, 2009 to December 18, 2010, for electronic volume correcting devices in the amount of \$224,900.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

8. Resolution awarding contract for molecular sieve material to Hengye USA in the amount of \$45,850.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

9. Resolution approving revision to MLGW Human Resources Policy No. 21-02, Employment Status; Policy No. 21-06, MLGW Cooperative Education (Co-op) Program; and Policy No. 26-01, Overtime Compensation/Compensatory Time Off.

APPROVED, AS AMENDED

10. Resolution approving Position No. 00271, Senior Procurement Specialist; Position No. 01219, Apprentice Lineman; Position No. 01531, Senior Procurement Specialist; Position No. 02475, Apprentice Lineman; Position No. 02584, Apprentice Lineman; Position No. 03497, Apprentice Lineman; Position No. 04713, Drafter 1 Substation & Transmission Engineering; Position No. 04996, Accountant 3; Position No. 05136, Accountant 2; and Position No. 05450, Credit Counselor.

APPROVED

11. Resolution approving the employment of Stinson, Morrison, Hecker LLP for legal services on an as-needed basis at the following agreed-upon hourly rates:

Partner	\$360.00
Associates	\$285.00

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

12. Resolution approving full and final settlement of all claims by the City of Memphis and Joseph Lee, III in an amount up to \$426,422.33.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

13. Resolution approving a contract between Memphis Light, Gas and Water, Nashville Electric Service and GDS Associates, Inc. for professional consulting services for NERC registration requirements, \$44,100.00 as a cost to MLGW, for a total amount not to exceed \$88,200.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

14. Resolution approving release of the following easements:

Properties located on the northeast corner of Peabody Avenue and Lemaster Street, released to Grace St. Luke's Episcopal Church, or its successors in title, for the sum of \$1.00 each.

Property located on the north side of Farrow Road, west of the west line of Ridgewood Road, released to Kirk McGuire, or his successors in title, for the sum of \$1.00.

APPROVED

ROLL CALL CONSENT AGENDA

MOTION: Commissioner Masson

SECOND: Commissioner Wishnia

AYES: Commissioner Wishnia, Commissioner Masson, Vice Chairman Cobbins and Chairman Evans

CONSENT AGENDA APPROVED, AS AMENDED

OTHER BUSINESS:

Chairman Evans requested an update on the policy revision regarding contracting and the use of contractors. Cheryl Patterson, General Counsel, advised the Board that she has drafted the suggested language and it has been forwarded to the HR Policy Committee. Once the HR Policy Committee reviews it, it will be presented to the Board for approval.

There being no further business, the meeting was adjourned at 3:58 p.m.

SEE MINUTE FILE NO. 1319.

Secretary-Treasurer