

MEMPHIS LIGHT, GAS & WATER DIVISION OFFICIAL MINUTES	
Meeting Time: August 4, 2011 at 3:00 P.M.	
Meeting Location: Board Room, Fifth Floor, Administration Building, Memphis, Tennessee	



The meeting was called to order by Chairman Cobbins at 3:02 p.m.

The Pledge of Allegiance was recited.

The Acting Secretary-Treasurer called the roll. The following Board Members were present: Darrell T. Cobbins, Chairman; Dedrick Brittenum, Jr., Vice Chairman; V. Lynn Evans; Rick Masson; and Steven Wishnia.

The following staff members were present: Jerry R. Collins, Jr., President & CEO; Dana Jeanes, Acting Vice President, CFO and Secretary-Treasurer; Cheryl Patterson, Vice President and General Counsel; Alonzo Weaver, Vice President, Engineering and Operations; Von W. Goodloe, Vice President, Human Resources; and Lashell M. Vaughn, Vice President and Chief Technology Officer. Nick Newman, Vice President, Construction and Maintenance, and Christopher Bieber, Vice President, Customer Care, were not present.

Commissioner Evans moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held July 21, 2011, that they be recorded as the official record, seconded by Commissioner Masson and unanimously carried.

There were no City Council Acknowledgements or Updates.

GENERAL STATEMENTS FROM THE PUBLIC:

1. Bill Hawkins. Assistant Business Manager, IBEW Local 1288, 4000 Clearpool Circle, addressed the Board regarding Resolution 1, the recent J.D. Power &

Associates Survey and the healthcare issue.

2. John Farris, Attorney, 999 S. Shadygrove Road, addressed the Board regarding the health insurance issue.

COMMITTEE REPORTS:

1. Audit Committee Update - Commissioner Evans

Commissioner Evans stated that the Committee met on July 21, and reviewed the standard reports, but no actions were taken by the Committee.

2. Human Resources Committee Update - Commissioner Masson

Commissioner Masson stated that the Committee met today and reviewed the following reports: Safety, Grievances and Demographics.

SPECIAL PRESENTATIONS:

1. TGA Scholarship Presentation - Alonzo Weaver

Chairman Cobbins, President Collins and Brent Haywood presented Amber Strickland with the certificate of recognition for the scholarship.

2. United Way Check Presentation from Golf Tournament - Von Goodloe/Wally Kellett/David Vick/David Staggs

Chairman Cobbins, President Collins and David Staggs presented a check in the amount of \$6,000.00 to United Way.

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 Change No. 2 to Contract No. 11274, Emergency Aid Agreement, with Henkels and McCoy, Inc., in the funded amount of \$371,775.20. (This change covers payment for work performed due to the storm of April 4, 2011 in the amount of \$216,687.26 and the storm of April 27, 2011 in the amount of \$155,087.94).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

2. Resolution awarding contract for one self-propelled trenching machine to Ditch Witch Mid-South in the amount of \$72,890.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

3. Resolution authorizing MLGW to purchase unleaded and low sulfur diesel fuel for the Division from Petroleum Traders under City of Memphis Contract No. 28025, in an estimated amount not to exceed \$24,548,130.00, for the period October 1, 2011 through June 30, 2014.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

4. Resolution approving release of easement to Jeffrey Laine Kelley, property located on the southwest corner of South Third Street and Virginia Avenue, for the sum of \$1.00.

APPROVED

5. Resolution approving release of easement to Jeffrey Laine Kelley, property located on the west side of Third Street, 254' north of the north line of Iowa Avenue, for the sum of \$1.00.

APPROVED

6. Resolution approving release of easement to B & W Hotel, LLC, property located on the north side of E. H. Crump Boulevard, 238.8' (more or less) west of the west line of Third Street, for the sum of \$1.00.

APPROVED

7. Resolution ratifying approval after the fact of Purchase Order No. 142372 in the amount of \$49,990.00 and Purchase Order No. 142336 in the amount of \$49,500.00, for a total of \$99,490.00, both issued to APAC Tennessee, Inc., for #57 washed limestone.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

8. Resolution approving the June 30, 2011 Quarterly Report of the Customer Appeal Committee.

APPROVED

9. Resolution approving Change No. 1 to Contract No. 11378, Risk Management Broker, to Marsh, with no increase in contract value. (This change renews the stop-loss coverage for worker's compensation insurance for an additional term, September 1, 2011 through August 31, 2012, in the amount of \$161,140.00, said amount to be absorbed in the current contract value).

APPROVED

10. Resolution approving Change No. 1 to Contract No. 11412, Drug and Alcohol Collection Provider, with True Test Collection of Memphis, LLC, with no increase in contract value. (This change renews the contract for the first of four annual renewal terms, September 29, 2011 to September 28, 2012, with no increase from the previous year).

APPROVED

11. Resolution approving Position No. 02053, Utility Worker II.

APPROVED

12. Resolution approving revised MLGW Human Resources Policy No. 23-20, Data Security.

APPROVED

13. Resolution approving revised MLGW Human Resources Policy No. 23-29, Internet/Email Access.

APPROVED

14. Resolution approving Change No. 2 to Contract No. 10140, PDSFAST Software License, with Software Engineering of America, in the funded amount of \$23,768.00, for a new contract value of \$193,673.51. (This change renews annual software maintenance, license and support. The term of the annual maintenance covers the period October 1, 2011 to September 30, 2013, with no increase from the previous year).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

15. Resolution approving Change No. 2 to Contract No. 10171, Operating System Recovery Project, with NewEra Software, Inc., in the funded amount of \$6,426.00, for a new contract value of \$54,284.00. (This change renews annual software maintenance, license and support. The term of the annual maintenance covers the period September 1, 2011 to August 31, 2014, with no increase in rates from the previous year).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

16. Resolution approving Change No. 3 to Contract No. 11179, Business Software License and Related Service Agreement, with SAP America, Inc. in the funded amount of \$64,220.21. (This change renews annual software maintenance, licenses and support for Business Objects for the period November 4, 2011 to November 3, 2012 in the amount of \$31,813.21; renews annual software maintenance, licenses and support services for ACE LACSLink for the period December 22, 2011 to December 21, 2012 in the amount of \$1,214.00; and renews annual software maintenance, licenses and support for ACE DPV for the period October 6, 2011 to October 5, 2012, in the amount of \$31,193.00).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

17. Resolution rejecting bids received for Storage Area Network Switch Upgrade.

APPROVED

18. Resolution approving Change No. 4 to Contract No. 11186, Environmental Affairs and Crisis Management, with General Construction Services, in the funded amount of \$3,500,000.00. (This change covers additional work in order to comply with environmental regulations to include the following: storm water remediation of the

MLGW Service Center in the amount of \$750,000.00; lead and asbestos abatement of the Arlington LNG decommissioning project in the amount of \$575,000.00; PCB Capacitor Bank Removal Project in the amount of \$425,000.00; Substation #3 expansion remediation project approved by TDEC in the amount of \$1,500,000.00; and the lead abatement of the seismic retrofits substation transformers project in the amount of \$250,000.00).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

19. Resolution awarding contract to Bowe Bell and Howell for inserter machine maintenance agreement in the amount of \$58,005.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

20. Resolution showing support and commitment by the Board of Light, Gas and Water Commissioners to the development and implementation of nuclear energy within the Tennessee Valley by working with TVA, or any of its partners and affiliates, to assist in bringing additional nuclear energy capacity to the Tennessee Valley, and encouraging our County, State and Federal elected representatives to support such efforts.

APPROVED

AMENDMENT OF CONSENT AGENDA:

It was moved by Commissioner Evans, seconded by Commissioner Masson and unanimously carried that Item 20 be and is hereby added to the Consent Agenda.

APPROVAL OF CONSENT AGENDA, AS AMENDED (Items 1 through 20)

MOTION: Commissioner Masson
SECOND: Commissioner Wishnia

ROLL CALL:

AYE: Commissioner Masson
AYE: Commissioner Evans
AYE: Commissioner Wishnia
AYE: Vice Chairman Brittenum
AYE: Chairman Cobbins

CONSENT AGENDA APPROVED, AS AMENDED

APPROVAL OF SAME DAY MINUTES:

It was moved by Vice Chairman Brittenum, seconded by Commissioner Masson and unanimously carried that the minutes of Item 20 of today's agenda be and are hereby approved.

President Collins updated the Board on the summer reconnect program, stating that this is the second year for the program. Last year, 552 customers signed up and so far this year, 802 customers have signed up. Also, 250 air conditioners have been distributed.

There being no further business, the meeting was adjourned at 3:32 p.m.

SEE MINUTE FILE NO. 1344.

APPROVED WITHOUT INTERLINEATION

Chairman

**These Minutes Compiled by
Undersigned and are Correct.**

Acting Secretary-Treasurer