# MEMPHIS LIGHT, GAS & WATER DIVISION OFFICIAL MINUTES

Meeting Time: August 7, 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 Secretary-Treasurer called the roll. The following Board Members were present: V. Lynn Evans, Chairman; Darrell T. Cobbins, Vice Chairman; Rick Masson; and Dedrick Brittenum, Jr.

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; Armstead Ward, Vice President, Human Resources; Christopher Bieber, Vice President, Customer Care; and Linda Peppers, Vice President and Chief Technology Officer. Nick Newman, Vice President, Construction and Maintenance and Alonzo Weaver, Vice President, Engineering and Operations were not in attendance.

Commissioner Masson moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meetings held July 10, 2008, and July 24, 2008, that they be recorded as the official record, seconded by Commissioner Cobbins.

The Secretary-Treasurer acknowledged receipt of Certified Copies of City Council Resolutions dated July 1, 2008, Items 18 through 26, approving items approved by the Board at its meeting held June 19, 2008; Item 29, approving claims settlement(s) in the amount of \$218,995.91 (see Minute File No. 1306); and Item 30, appointment of Dedrick Brittenum, Jr. to the MLGW Board (see Minute File No. 1307). The Secretary-Treasurer also acknowledged

receipt of Certified Copies of City Council Resolutions dated July 15, 2008, Items 5 and 6, approving salaries of the Attorney, Level III, and the General Counsel, approved by the Board at its meeting held June 19, 2008 (see Minute File No. 1306); and Item 12, approving execution and delivery of not to exceed \$35,000,000 Gas System Revenue Anticipation Notes, approved by the Board at its meeting held March 6, 2008 (see Minute File No. 1303).

#### GENERAL STATEMENTS FROM THE PUBLIC:

- 1. Leandrew Collins, 723 Barrett Place
- 2. Cassandra Webster, Executive Director, Memphis Challenge
- 3. Marva Jones, participant in the Memphis Youth Leadership/MLGW Cohort Program
- 4. Frank James, participant in the Memphis Youth Leadership/MLGW Cohort Program
- 5. Secily Holmes, participant in the Memphis Youth Leadership/MLGW Cohort Program, read self-penned poem entitled *Water Works*
- 6. Larry Conway spoke for Edwin Conway, 1253 E. Parkway South/1763 Turtlehill Drive

The President and staff members briefed the Board on the following items: (see Minute File No. 1308 for handouts).

- 1. Chamber of Commerce Support <u>Bill Bullock/President & CEO John Moore/</u> Dexter Muller
- 2. Proposed Local Business Preference Ordinance <u>John McCullough/Jozelle</u> Booker
- 3. Financial Dashboard Dana Jeanes
- 4. Credit Policy Exceptions Report Clint Richardson
- 5. Review of Consent Agenda

#### **COMMITTEE REPORTS:** (See Minute File No. 1308 for handouts.)

- 1. Supplier Diversity Committee Commissioner Cobbins
  - a. Supplier Diversity Update 2<sup>nd</sup> Quarter 2008 <u>Kimberly Lehew</u>
- 2. HR Committee Commissioner Brittenum
  - a. Grievance Update 2<sup>nd</sup> Quarter 2008 <u>Armstead Ward</u>
  - b. Workers' Compensation Placement of Injured Employees Armstead Ward/Jerry R. Collins, Jr.
  - c. Disabled Employees Policy Armstead Ward/Jerry R. Collins, Jr.

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. 11282, Erosion Revetment Matting Installation, to Submar, Inc. in a funded amount not to exceed \$40,857.00.

## APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

2. Resolution awarding Contract No. 11286, Sheahan Pumping Station HVAC Upgrade, to CS3, Inc. in a funded amount not to exceed \$96,400.00

## APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

3. Resolution awarding Contract No. 11288, Lichterman Filter Media Replacement, to Grinder Building Corporation in a funded amount not to exceed \$292,950.00.

## APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

4. Resolution approving Change No. 6 to Contract No. 10923, Workers' Compensation Claims Administrator, with Brentwood Services in the amount of \$13,000.00, with no increase in fees. (This extends the current contract term effective September 1, 2008 to November 30, 2008.)

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

5. Resolution approving Change No. 7 to Contract No. 10924, Professional Investigating Services, with CDA, Inc. in the funded amount of \$130,870.00. (This extends the current contract for a 90-day period, October 1, 2008 to December 31, 2008.)

## APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

6. Resolution approving Change No. 2 to Contract No. 11071, Emergency Aid Agreement, with Davis H. Elliot Construction Company, Inc. in the funded amount of \$290,580.88. (This covers reimbursement of expenses for labor, equipment and meals resulting from the storm of February 5, 2008.)

## APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

7. Resolution approving Change No. 1 to Contract No. 11107, Electronic Bill Presentment and Payment Services, with Kubra Data Transfer, LTD, with no increase in contract amount. (This covers implementation of VISA and MasterCard as methods of payment, and a one-time implementation cost of \$5,800.00, plus monthly transaction fees for an estimated 7,000 transactions per month.)

#### **APPROVED**

8. Resolution approving Change No. 1 to Contract No. 11276, Emergency Storm Restoration, with City Utilities in the funded amount of \$90,790.22. (This covers emergency restoration expenses resulting from the storm of February 5, 2008.)

## APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

9. Resolution rejecting proposals received for Contract No. 11279, Third Party Administrator for Workers' Compensation, and rebid the contract.

#### **APPROVED**

10. Resolution rejecting bids received for Contract No. 11291, Professional Investigative Services, and rebid the contract.

## **APPROVED**

11. Resolution awarding contract for Nasco rain wear to Care Safety, LLC in the amount of \$35,457.44.

# APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

12. Resolution awarding contract for Scotsman ice machines and storage bins to Federal Equipment Dealers, Inc. in the amount of \$25,825.00.

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

13. Resolution awarding contract for wooden dead-end assemblies to HD Supply Utilities, LTD in the amount of \$41,000.00.

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

14. Resolution approving exercise of option to extend contract with Fullen Dock and Warehouse for an additional 12-month period for furnishing crushed limestone in the amount of \$709,000.00.

# APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

15. Resolution rescinding award of contract to Alexander Ford, Lincoln Mercury, Inc. approved by the Board on June 5, 2008, for furnishing one cab and chassis; rejecting the bids; and rebid the contract.

#### **APPROVED**

16. Resolution rescinding award of contract to Golden Circle Ford approved by the Board on April 17, 2008, for furnishing 24 trucks, and awarding contract to Crossroads Ford (acknowledging approval of same contract made to Crossroads Ford by the Council of the City of Memphis on May 20, 2008.)

#### **APPROVED**

17. Resolution approving Contract No. 00070401 between TVA and MLGW to support industrial recruitment, development and expansion of business and industry in the Memphis/Shelby County area, whereby MLGW will make payment to the Memphis Regional Chamber in the amount of \$80,000.00, and TVA will reimburse MLGW in the amount of \$40,000.00, provided that no part of this funding shall be used to oppose or promote ballot initiatives. (See Minute File No. 1308 for attachment).

## APPROVED (AMENDED) (SUBJECT TO CITY COUNCIL APPROVAL)

18. Resolution approving payment of 2008 annual membership dues to the Memphis Regional Chamber in the amount of \$25,000.00, provided that no part of this funding shall be used to oppose or promote ballot initiatives. (See Minute File No. 1308 for attachment).

#### **APPROVED (AMENDED)**

19. Resolution approving payment of annual subscription fee to the Drinking Water Research Program of the American Water Works Association Research Foundation in the amount of \$50,000.00, for year beginning May 1, 2008.

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

20. Resolution approving Position No. 00803, Crew Leader, Directional Drilling; Position No. 01006, Power Structures Engineer III; Position No. 01408, Utility Worker I; Position No. 02203, Test Technician Apprentice; Position No. 03093, Machine Operator, Directional Drilling; Position No. 03595, Helper; Position No. 04787, Distribution Design Engineer I; Position No. 05448, Power Structures Engineer I; Position No. 06241, Electronics Communication Technician; Position No. 06242, Electronics Communication Technician; and Position No. 06288, Drafter I.

#### **APPROVED**

21. Resolution approving W. R. No. C1J83250 in the amount of \$56,050.00 for facility locating equipment (This covers substitution of funds from the 2008 Electric Division Contingency Fund – General Plant (Line Item 18-4) to the 2008 Water Division Data Processing Equipment – Account 31013910 (Line Item 33-32).

#### **APPROVED**

## **ROLL CALL AGENDA ITEMS**

MOTION: Commissioner Masson SECOND: Vice Chairman Cobbins

AYES: Commissioner Masson, Commissioner Brittenum, Vice Chairman Cobbins

and Chairman Evans

# **AGENDA APPROVED**

## **OTHER BUSINESS**:

Chairman Evans announced that the Governor appointed a Task Force on Energy Policies for the State of Tennessee. The task force has been meeting throughout the state, and the August meeting will be held at MLGW on Friday, August 15, 9:00 a.m.–12:00 noon.

There being no further business, the meeting was adjourned.

SEE MINUTE FILE NO. 1308.

Secretary-Treasurer