

<b>MEMPHIS LIGHT, GAS &amp; WATER DIVISION OFFICIAL MINUTES</b>	
<b>Meeting Time:</b> October 15, 2009 at 3:00 P.M.	
<b>Meeting Location:</b> Board Room, Fifth Floor, Administration Building, Memphis, Tennessee	



The meeting was called to order by Chairman Evans at 3:15 p.m.

The Secretary-Treasurer called the roll. The following Board Members were present: V. Lynn Evans, Chairman; Darrell T. Cobbins, Vice Chairman; Dedrick Brittenum, Jr.; and Steven Wishnia. Rick Masson 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; Christopher Bieber, Vice President, Customer Care; Alonzo Weaver, Vice President, Engineering and Operations; Steve Day, Acting Vice President, Human Resources; and Linda Peppers, Vice President and Chief Technology Officer.

Commissioner Wishnia moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held October 1, 2009, that they be recorded as the official record, seconded by Vice Chairman Cobbins and unanimously carried.

The Secretary-Treasurer acknowledged receipt of Certified Copies of City Council Resolutions dated October 6, 2009, Items 16 through 22, approving items approved by the MLGW Board at its meeting held September 17, 2009. (See Minute File No. 1321).

**PRESENTATIONS:**

1. Customer Service Week Presentation – Patrice Robinson
2. United Way Presentation - Bryce Haugsdahl

**GENERAL STATEMENTS FROM THE PUBLIC:**

1. Fred Fields and Pastor Melvin Partee, 2241 Hunter Avenue, Hunter Avenue Missionary Baptist Church, addressed the Board regarding waiver of fee.
2. Arthur Wolff, 5445 Shady Grove Terrace, thanked the Board and Jerry Collins regarding concerns he had related to the Memphis water supply and the aquifer.
3. Bill Hawkins, Assistant Business Manager, IBEW Local 1288, 4000 Clearpool Circle, addressed the Board regarding SmartGrid and job cuts.

**COMMITTEE APPOINTMENT:**

Chairman Evans appointed Commissioner Wishnia to serve as Chair of the Finance Committee. During the recent Board retreat, the Board decided to add a Finance Committee.

**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 awarding Contract No. 11264, Behavioral Scoring, to Total Solutions, Inc. in the funded amount not to exceed \$200,000.00.

**ITEM #1 WAS DELETED**

2. Resolution awarding Contract No. 11330, Overhead and Underground Transformer Change Out, to Standard Electric Company, Inc. in the funded amount of \$2,146,412.00.

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

3. Resolution approving Change No. 9 to Contract No. 10705, Oracle Software License and Service Agreement, with Oracle, Inc. in the funded amount of \$672,715.39. (This covers the purchase of additional required licenses and the first year of support from Oracle to use the audit vault and data masking features of existing Oracle environments).

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

4. Resolution approving Change No. 4 to Contract No. 11009, MLGW Utility Payment Centers, with Fiserv in the funded amount of \$240,000.00. (This renews the contract for the fourth and final renewal term, October 3, 2009 to October 2, 2010, with no increase in rates).

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

5. Resolution rejecting bids received on Contract No. 11369, Construction of Sheahan Pumping Station Seismic and Non-Seismic Retrofit.

**APPROVED**

6. Resolution awarding contract for global navigation satellite system to ICM, Inc. in the amount of \$33,075.00.

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

7. Resolution awarding contract for energy conservation kits to AM Conservation Group, Inc. in the amount of \$41,020.00.

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

8. Resolution awarding contract for radio dispatch consoles to Motorola c/o Integrated Communications in the amount of \$63,355.50.

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

9. Resolution awarding contract for tapping machine and accessories to T. D. Williamson, Inc. in the amount of \$129,658.50.

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

10. Resolution awarding contract for substation capacitor banks to Utilicor in the amount of \$510,504.00.

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

11. Resolution awarding a three-year contract in the amount of \$5,141,569.00 and a one-year contract in the amount of \$227,700.00 for URD fittings to H D Supply, for a total amount of \$5,369,269.00.

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

12. Resolution approving the September 30, 2009 Quarterly Report of the Customer Appeal Committee.

**APPROVED**

13. Resolution approving the budgets for the Electric, Gas and Water Divisions for the 2010 Operation and Maintenance Expenses and the 2010 Capital Expenditures.

**APPROVED, AS AMENDED (SUBJECT TO CITY COUNCIL APPROVAL)**

14. Resolution requesting the Council of the City of Memphis to authorize and direct the issuance of Refunding Bonds Series 2009 and authorizing the President and the Secretary-Treasurer of MLGW to determine the feasibility of the issuance of Electric System Subordinate Revenue Refunding Bonds, Series 2009 to advance refund all or a portion of the Electric Series 2003A Subordinate Revenue Bonds, in principal amounts not exceeding \$600,000,000, at an interest rate not to exceed 5% (the "Refunding Bonds Series 2009") to produce net savings to the Division, and the details and content of any recommendation to the Memphis City Council concerning said advance refunding, and to take all the necessary steps for the consummation thereof.

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

**ROLL CALL CONSENT AGENDA, AS AMENDED**

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

**CONSENT AGENDA APPROVED, AS AMENDED**

**APPROVAL OF MINUTES OF ITEM 14 OF TODAY'S MEETING**

It was moved by Commissioner Wishnia, seconded by Commissioner Brittenum and unanimously carried that the minutes of Item 14 of today's agenda be and are hereby approved.

There being no further business, the meeting was adjourned at 4:10 p.m.

SEE MINUTE FILE NO. 1322.

Secretary-Treasurer