

**MEMPHIS LIGHT, GAS & WATER DIVISION
OFFICIAL MINUTES****Meeting Time:** November 6, 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; 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; Alonzo Weaver, Vice President, Engineering and Operations; Carolyn Turman, Interim Vice President, Human Resources; and Linda Peppers, Vice President and Chief Technology Officer. Christopher Bieber, Vice President, Customer Care, 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 October 16, 2008, 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 21, 2008, Items 16 through 33, approving items approved by the MLGW Board at their meeting held October 2, 2008 (see Minute File No. 1310).

GENERAL STATEMENTS FROM THE PUBLIC: (None)

Happy Birthday wishes were extended to Vice Chairman Cobbins. His birthday is November 7.

The President and staff members briefed the Board on the following items: (see Minute File No. 1311 for handouts).

1. Residential Disconnect Exceptions Report – Clint Richardson
2. Office Supplies and Other Discount Contracts – John McCullough
3. Minimum Energy Efficiency Standards for Rental Properties – Jerry R. Collins, Jr.
 - Chairman Evans stated that the Governor’s Task Force will meet in Jackson, TN next Friday encouraging energy efficiency.
4. Review of Consent Agenda – Jerry R. Collins, Jr.
 - Jerry Collins advised the Board that the USGBC (Item No. 11) has a seven-member voluntary Board comprised of four white males and three white females. The MLGW Board expressed their concern regarding the diversity of the USGBC Board and a footnote was added to the resolution. The MLGW Board encourages a diverse governing body of any organization being considered to receive a grant. (Complete discussion is on tape in Minute File No. 1311).

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. 11259, Food Service, to April House Premier d/b/a Paulette’s Kitchen Table, with no contract value. (Two percent of annual gross sales over \$150,000.00 will be paid to MLGW in lieu of space and utility charges. Monies received from contract will be donated to the Plus-1 Program.)

APPROVED

2. Resolution awarding Contract No. 11293, Procurement Card Provider, to First Tennessee Bank, with no annual fee.

APPROVED

3. Resolution approving Change No. 4 to Contract No. 10948, Repair of Residential Gas Meters, with Tri-State Meter and Regulator Service in the funded amount of \$304,171.95. (This change renews the contract for the fourth and final renewal term, December 3, 2008 to December 2, 2009.)

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

4. Resolution approving Change No. 1 to Contract No. 11229, Professional Engineering Services, with Allen and Hoshall Engineers, in the amount of \$157,500.00. (This change increases the contract value until the end of the current term in the amount of \$26,500.00 and renews the contract for the first of four renewal terms, January 1, 2009 to December 31, 2009, in the amount of \$131,000.00.)

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

5. Resolution rescinding award of Contract No. 11282, Erosion Revetment Matting Installation, with Submar; rejecting all bids; and the contract be rebid.

APPROVED

6. Resolution rejecting bids received for valve maintenance repair.

APPROVED

7. Resolution awarding contract for Quest software to Insight Public Sector in the amount of \$92,666.67.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

8. Resolution awarding contract for virtual tape library system to Perspective, Inc. in the amount of \$247,823.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

9. Resolution awarding 12-month contract for bulk oil to Quality Petroleum, Inc. in the amount of \$91,800.00 (approximately).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

10. Resolution awarding contract for valve maintenance to System Valve Services, Inc. in a funded amount not to exceed \$25,000.00.

APPROVED

11. Resolution approving an agreement between MLGW and the U. S. Green Building Council (USGBC) Memphis Chapter in the amount of \$75,000.00 to fund a Leadership in Energy and Environmental Design (LEED) grant. (The MLGW Board approved this resolution subject to the addition of a footnote regarding their concerns as to the diversity of the USGBC Steering Committee. This seven member committee is currently made up of four white males and three white females.)

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

12. Resolution authorizing payments of in-lieu-of taxes (PILOT) to the City of Memphis and other cities in Shelby County for the Electric Division and the Gas Division.

APPROVED

13. Resolution authorizing payments of in-lieu-of taxes (PILOT) to the City of Memphis for the Water Division.

APPROVED

14. Resolution approving the September 30, 2008 Quarterly Report of the Customer Appeal Committee. (See Minute File No. 1311).

APPROVED

15. Resolution approving Position No. 00158, Substation Electrician; Position No. 00545, Utility Worker II; Position No. 01144, Helper; Position No. 01351, Helper; Position No. 03272, Utility Worker I; Position No. 05267, Utility Worker II; Position No. 05819, Utility Worker I; and Position No. 06156, Helper, Electric Distribution (Pre-Apprentice).

APPROVED

16. Resolution approving release of the following easements:

A 5-ft.-wide electric utility easement, located on the north side of State Line Road, approximately 3,963 feet west of the west line of Hacks Cross Road as measured along the north line of State Line Road, to David A. Pickler, Chairman, Joseph A. Clayton, Vice-Chairman, Ernest Chism, Anne J. Edmiston, Dr. Fred Johnson, Ron Lollar and Teresa Price as members of the Shelby County Board of Education or their successors in office/title for and in consideration of \$1.00; and

Portion of an 8-ft.-wide electric distribution utility easement, property addresses 3270 and 3310 Rast Road, to Jerry Dewayne Anderson and Ned Germany and wife Alicia Germany or their successors in title for and in consideration of \$1.00.

APPROVED

ROLL CALL AGENDA ITEMS

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

AGENDA APPROVED

OTHER BUSINESS:

Vice Chairman Cobbins expressed concern regarding the salary of the TVA CEO. Commissioner Brittenum supported his concern. A resolution will be presented at the next MLGW Board meeting (November 20, 2008) regarding this issue.

There being no further business, the meeting was adjourned at 2:55 p.m.

SEE MINUTE FILE NO. 1311.

Secretary-Treasurer