

MEMPHIS LIGHT, GAS & WATER DIVISION OFFICIAL MINUTES	
Meeting Time: December 3, 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 3:00p.m.

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

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; 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. Nick Newman, Vice President, Construction and Maintenance, was not present.

Commissioner Masson moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held November 19, 2009, that they be recorded as the official record, seconded by Commissioner Wishnia and unanimously carried.

The Secretary-Treasurer acknowledged receipt of Certified Copies of City Council Resolutions dated November 17, 2009, Items 13 through 16, approving items approved by the MLGW Board at its meeting held November 5, 2009. (See Minute File No. 1323).

GENERAL STATEMENTS FROM THE PUBLIC:

1. Craig Powers, MLGW employee, 419 Forest Hill Irene, addressed the Board regarding HR Policy 23-15.
2. Bill Hawkins, Asst. Business Manager, IBEW Local 1288, 4000 Clearpool Cr., addressed the Board regarding HR Policy 23-15.

COMMITTEE REPORT:

1. Human Resources Committee Update – Commissioner Brittenum

Steve Day presented the Grievance and Diversity Reports.

NEW BUSINESS:Election of Officers for a Two-Year Term (2010 and 2011)

It was moved by Commissioner Wishnia, seconded by Commissioner Masson and unanimously carried that Vice Chairman Cobbins shall serve as Chairman and Commissioner Brittenum shall serve as Vice Chairman of the Board of Light, Gas and Water Commissioners for a two-year term beginning January 1, 2010.

It was moved by Commissioner Wishnia, seconded by Commissioner Masson and unanimously carried that Vice Chairman Cobbins shall serve as Chairman of the Pension Board and the OPEB Committee for a two-year term beginning January 1, 2010.

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.

REGULAR AGENDA

1. Resolution approving MLGW Human Resources Policy No. 23-15, Standards of Business Conduct.

ITEM NO. 1 WAS DELAYED

CONSENT AGENDA

2. Resolution awarding Contract No. 11364, Horizontal Earth Bore Under Railroad, to Memphis Road Boring Company, Inc. in the funded amount of \$218,080.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

3. Resolution approving Change No. 3 to Contract No. 11112, Generator Preventative Maintenance Agreement, with Cummins Mid-South, LLC, with no increase in contract value. (This change renews the contract for the third of four renewal terms, January 21, 2010 to January 20, 2011, with no increase from the previous year).

APPROVED

4. Resolution approving Change No. 3 to Contract No. 11186, Environmental Abatement Services, with General Construction Services, Inc. in the funded amount of \$9,580,000.00. (This change renews the contract for the second, third and fourth renewal terms, December 10, 2009 to December 9, 2012, with no increase in rates over the three-year period).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

5. Resolution approving Change No. 2 to Contract No. 11148, Professional Engineering Services, with SSR Ellers, Inc. in the funded amount of \$171,800.00. (This change renews the contract for the second of four renewal terms, January 1, 2010 to December 31, 2010, with no increase in rates. It also includes the design of seismic upgrades at the Water Lab and Morton Pumping Station, customer service building at Hickory Hill, surveying building at Brunswick Service Center, roof design at Sheahan Pumping Station, emergency generator for the North Community Office, Lamar Community Office and Hickory Hill Service Center, the facilities master plan, and automated fuel management at the North Service Center).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

6. Resolution approving Change No. 2 to Contract No. 11229, Professional Engineering Services, with Allen and Hoshall Engineers, in the funded amount of \$109,300.00. (This change renews the contract for the second of four renewal terms, January 1, 2010 to December 31, 2010. It also includes the design of ethanol tanks at North Service Center and Central Shops, and the design of wash water recovery basin at Lichterman Pumping Station).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

7. Resolution approving Change No. 2 to Contract No. 11230, Professional Engineering Services, with Thompson Engineers, Inc. in the funded amount of \$37,000.00. (This change renews the contract for the second of four renewal terms, January 1, 2010 to December 31, 2010, with no increase in rates. It also covers the design of the odorize building at Airways Gate Station, design of ventilation system at Mallory Pumping Station, Hickory Hill Service Center, and the North Service Center).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

8. Resolution approving Change No. 2 to Contract No. 11231, Professional Engineering Services, with Branham and Lloyd, LLC, in the funded amount of \$56,000.00. (This change renews the contract for the second of four renewal terms, January 1, 2010 to December 31, 2010, with no increase in rates. It also includes the design of UPS Upgrade at Netters Business Center, Security Gate at North Service Center, and VAV re-heat boxes at Beale Street Landing Garage).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

9. Resolution rejecting proposals received for Contract No. 11382, Telephone Operator's Console.

APPROVED

10. Resolution awarding 36-month contract for office supplies to OfficeMax in an amount not to exceed \$1,468,120.41.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

11. Resolution approving payment of 2010 membership dues to the American Gas Association in the amount of \$49,039.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

12. Resolution approving employment of the Hunt Law Firm on an as-needed basis at agreed-upon hourly rates as follows:

Partners	\$230.00
Associates	\$185.00
Paralegals	\$105.00

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

13. Resolution approving employment of Leach, Johnson, Song and Gruchow for legal services on an as-needed basis at agreed-upon hourly rates as follows:

Partner	\$250.00
Associate	\$200.00
Paralegal	\$155.00

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

14. Resolution approving changes to the MLGW PPO Plan to comply with the requirements of the Mental Health Parity and Addiction Equity Act of 2008.

APPROVED

15. Resolution approving Position No. 03147, Computer Software Specialist I.

APPROVED

REGULAR AGENDA (Item 1)

It was moved by Commissioner Masson, seconded by Commissioner Wishnia and unanimously carried that Item No. 1 be delayed.

ROLL CALL CONSENT AGENDA (Items 2 through 15)

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

CONSENT AGENDA APPROVED

OTHER BUSINESS:

Vice Chairman Cobbins announced that the Flame & Spark Awards Ceremony will be held today at 4:00 p.m. in the Administration Building Auditorium.

There being no further business, the meeting was adjourned at 3:45 p.m.

SEE MINUTE FILE NO. 1324.

Secretary-Treasurer