

MEMPHIS LIGHT, GAS & WATER DIVISION OFFICIAL MINUTES	
Meeting Time: December 16, 2010 at 3:00 P.M.	
Meeting Location: Board Room, Fifth Floor, Administration Building, Memphis, Tennessee	



The meeting was called to order by Acting Chairman Brittenum at 3:03 p.m.

The Pledge of Allegiance was recited.

The Secretary-Treasurer called the roll. The following Board Members were present: Darrell T. Cobbins, Chairman; Dedrick Brittenum, Jr., Vice Chairman; Rick Masson; and Steven Wishnia. Commissioner Evans 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; Von W. Goodloe, 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 December 2, 2010, that they be recorded as the official record, seconded by Commissioner Masson and unanimously carried.

The Secretary-Treasurer acknowledged receipt of Certified Copy of City Council Resolution dated November 23, 2010, Item 32, and receipt of Certified Copies of City Council Resolutions dated December 7, 2010, Items 9 through 34. (See Minute File No.1335).

GENERAL STATEMENTS FROM THE PUBLIC:

1. Mr. Gautham Muratee, 3782 Leech Road, addressed the Board regarding billing issues.

2. Mr. Adam Nahmias, Attorney, 35 Union Avenue, Suite 300, addressed the Board on behalf of Grinder Building Corporation regarding award of Contract No. 11411 (Item No. 4). Mr. Nahmias distributed a handout to the Board. (See Minute File No. 1336).

3. Mr. Rick Bennett, 999 S. Shady Grove Road, Suite 500, addressed the Board on behalf of Walker and Associates, regarding a bid protest filed by Grinder Building Corporation related to Contract No. 11411 (Item No. 4).

4. Mr. J. D. Walker, Walker and Associates, 4070 Elk Grove Cove, addressed the Board regarding Contract No. 11411 (Item No. 4).

5. Mr. Rob Wallace completed a card but did not speak when called upon by the Acting Chairman.

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. 11414, Roof Maintenance, to B Four Plied, Inc., in the funded amount of \$143,780.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

2. Resolution approving Change No. 2 to Contract No. 11437, Emergency Aid Agreement, with Standard Electric Company, in the funded amount of \$2,731.80, for a new contract value of \$81,195.93. (This change covers payment for work performed as a result of the storm of October 26, 2010).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

3. Resolution awarding contract for backhoe loaders to Liles Brothers & Sons, in the amount of \$1,059,000.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

4. Resolution awarding Contract No. 11411, Construct Wastewater Recovery Basin, to Argo Construction Company, in the funded amount of \$2,198,025.00.

ITEM NO. 4 WAS HELD TO JANUARY 6, 2011

5. Resolution approving Change No. 6 to Contract No. 10580, Service Agreement, with Motorola, Inc., with no increase in contract value. (This change renews the contract for an additional one-year term, March 1, 2011 to February 28, 2012).

APPROVED

6. Resolution approving Change No. 3 to Contract No. 11320, Local Dial Tone Services, with Paetec, in the funded amount of \$142,350.00. (This change adds a T1 at Netters Business Center for an inbound fax server covering the period January 1, 2011 to March, 31, 2011, in the amount of \$1,950.00, and also renews the contract for the first of three renewal terms, April 1, 2011 to March 31, 2012, in the amount of \$140,400.00, with no increase in rates from the previous year).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

7. Resolution approving release of easement to MSMM – II Realty Investment Company, property located on the southwest corner of White Station Road and the Southern Railroad Right of Way, for the sum of \$1.00.

APPROVED

8. Resolution approving the revised Supplier Diversity Policy. (See Minute File No. 1336).

APPROVED

9. Resolution amending the 2011 Electric Schedule of Charges to add Section P. Pole and Conduit Use Fees, effective January 1, 2011. (See Minute File No. 1336).

APPROVED

10. Resolution amending the 2011 Electric, Gas and Water Service Policy to add Section 31, Terms and Conditions for Pole and Conduit Use, effective January 1, 2011. (See Minute file No. 1336).

APPROVED

11. Resolution approving Change No. 8 to Contract No. 10870, Provider Organization Coverage, with Health Choice, LLC, with no increase in contract value. (This change amends Change No. 7 to reflect a period not less than 60 days, not to exceed 12 months and includes the implementation of new financial terms effective January 1, 2011 to December 31, 2011).

APPROVED

12. Resolution approving payment of invoices to Access Controls Integration for the purchase and installation of equipment for the Electric Systems Operation Server Room Card Access and Close Circuit Television project as required by NERC, in the amount of \$27,977.51.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

13. Resolution approving revised MLGW Human Resources Policy No. 21-19, Residency. (See Minute File No. 1336).

APPROVED

14. Resolution approving Position No. 01192, Apprentice Lineman and Position No. 02016, Apprentice Lineman.

APPROVED

15. Resolution approving Change No. 1 to Contract No. 10927, Perpetual Licensing Agreement, with Group 1 Software, in the funded amount of \$92,657.00. (This change covers maintenance for the period April 1, 2011 to March 31, 2012, and maintenance subscription services for the period April 1, 2006 to March 31, 2011, due to the contract requirement that customers pay for the total period of non-maintenance and upgrades to receive current maintenance. This change also reflects a name change from Group 1 Software to Pitney Bowes Software, Inc.).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

16. Resolution approving Change No. 3 to Contract No. 11179, Business Objects Software License and Related Service Agreement, with SAP America, Inc., with no increase in contract value. (This change reflects a corporation name change from SAP America, Inc. to SAP Public Services, Inc.).

ITEM NO. 16 WAS DELETED

17. Resolution approving Change No. 1 to Contract No. 11363, Graphical User Interface Replacement Software, with Rocket Software, with no increase in contract value. (This change covers payment of annual support, licenses and maintenance fees for the graphical user interface solution for the period January 1, 2011 to December 31, 2011, in the amount of \$10,170.00).

APPROVED

AMENDMENT OF CONSENT AGENDA:

Without objection, it was moved by Commissioner Masson and seconded by Commissioner Wishnia that Item No. 16 be and is hereby deleted from the agenda.

It was moved by Commissioner Masson, seconded by Commissioner Wishnia and unanimously carried that Item No. 4 be held to the next Board meeting of January 6, 2011.

CONSENT AGENDA AMENDED**APPROVAL OF CONSENT AGENDA, AS AMENDED: (Items 1 through 3; 5 through 15; and Item 17):**

MOTION: Commissioner Wishnia
SECOND: Commissioner Masson

ROLL CALL:

AYES: Commissioner Masson
Commissioner Wishnia
Vice Chairman Brittenum (Acting Chairman)
Chairman Cobbins

CONSENT AGENDA APPROVED, AS AMENDED**APPROVAL OF SAME DAY MINUTES FOR ITEM NO 13:**

It was moved by Commissioner Wishnia, seconded by Commissioner Cobbins and unanimously carried that the Minutes for Item No. 13, HR Policy No. 21-19, Residency, be and are hereby approved.

Commissioner Wishnia congratulated Nick Newman for completing the St. Jude marathon in less than four hours.

There being no further business, the meeting was adjourned at 3:40 p.m.

SEE MINUTE FILE NO. 1336.

APPROVED WITHOUT INTERLINEATION

ACTING CHAIRMAN

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

Secretary-Treasurer