

MEMPHIS LIGHT, GAS & WATER DIVISION OFFICIAL MINUTES	
Meeting Time: August 19, 2010 at 3:00 P.M.	
Meeting Location: Board Room, Fifth Floor, Administration Building, Memphis, Tennessee	



The meeting was called to order by Chairman Cobbins at 3:27 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; V. Lynn Evans; 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; Von W. Goodloe, Vice President, Human Resources; and Linda Peppers, Vice President and Chief Technology Officer. Nick Newman, Vice President, Construction and Maintenance, was not present.

Councilwoman Barbara Swearngen Ware was present.

Commissioner Evans moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held August 5, 2010, that they be recorded as the official record, seconded by Commissioner Masson and unanimously carried.

The Secretary-Treasurer acknowledged receipt of Certified Copies of City Council Resolutions dated August 10, 2010, Items 22 through 26, approving items approved by

the MLGW Board at its meeting held July 15, 2010 (see Minute File No. 1331); Item 27, approval of a claims settlement in the amount of \$77,500.00 (see Minute File No. 1331); and Item 34, Utility Assistance Program Amendment (see Minute File No. 1332).

GENERAL STATEMENTS FROM THE PUBLIC:

1. Wanda Walker, 2706 Drury Way Lane #4, Memphis, TN, 38128, addressed the Board regarding the seating capacity at the MLGW Summer Avenue office.
2. Gina Gruhn, 100 Parsons Park Drive, New Jersey, addressed the Board on behalf of Medco.
3. Steve Fitzpatrick, 1640 Century Center Parkway, addressed the Board on behalf of Accredo, a Medco company.
4. Bill Hawkins, Assistant Business Manager, IBEW Local 1288, 4000 Clearpool Circle, addressed the Board regarding mileage reimbursement and travel reimbursement policies.

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.

Discussion of the agenda was held. Commissioner Wishnia disclosed that he serves on the Board of Methodist LeBonheur Healthcare.

REGULAR AGENDA

1. Resolution awarding Contract No. 11406, Managed Prescription Drug Program, to Express Scripts in the funded amount of \$53,500,000.00.

FAILED

Item No. 1 Revised:

1. Resolution awarding Contract No. 11406, Managed Prescription Drug Program, to Medco Health in the funded amount of \$53,869,000.00

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

CONSENT AGENDA

2. Resolution awarding Contract No. E9979, Energy Smart, to Batchelor's Improvements in the funded amount not to exceed \$375,000.00.

ITEM #2 HELD

3. Resolution awarding Contract No. 11424, Certified Laboratory for Drug Testing, to Advanced Toxicology Network in the funded amount of \$24,000.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

4. Resolution awarding Contract No. 11427, Audiolog Recorders Upgrade, to Carolina Recording System in the funded amount of \$448,651.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

5. Resolution awarding Contract No. 11443, Tire and Tire Repair Service, to Southern Tire Mart, LLC, in the funded amount of \$532,546.40.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

6. Resolution awarding Contract No. 11459, LCPtracker Software, to LCPtracker, Inc. in the funded amount of \$59,935.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

REGULAR AGENDA

7. Resolution approving Change No. 8 to Contract No. 11028, Security Services, with CDA, Inc. in the funded amount of \$651,409.78. (This covers a 90-day extension, October 1, 2010 to December 31, 2010, with no increase in rates, contingent upon CDA's acceptance of the terms and conditions under the current contract).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

CONSENT AGENDA (Continued)

8. Resolution rejecting proposals received on Contract No. 11365, Arlington LNG Decommission, and the contract be re-bid.

APPROVED

9. Resolution awarding contract for Trane chiller R'newal to Trane in the amount of \$52,362.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

10. Resolution awarding contract for Microsoft software licenses to Dell Marketing LP in the amount of \$117,769.23.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

11. Resolution awarding contract for remote terminal units to Telvent USA Corporation in the amount of \$177,250.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

12. Resolution awarding contract for switchgear to Stuart C. Irby in the amount of \$224,636.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

13. Resolution awarding contract for reclosers to G & W Electric Company c/o Power Connections, Inc. in the amount of \$239,550.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

14. Resolution awarding contract for smart switches and controls to Stuart C. Irby in the amount of \$436,200.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

15. Resolution approving actuarial funding to the Retirement and Pension System in the amount of \$27,381,023.00 for the 2010 Plan Year.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

16. Resolution approving funding to the OPEB Trust Fund in the amount of \$18,754,059.43 for the 2010 funding requirement.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

17. Resolution approving a Lease Agreement between MLGW and Belz Investco GP for property located at 5791 Summer Trees, covering a 10-year term, not to exceed \$2,731,253.48.

ITEM #17 HELD

18. Resolution approving the June 30, 2010 Quarterly Report of the Customer Appeal Committee.

APPROVED

19. Resolution approving Position No. 01625, Utility Worker II; Position No. 04313, Customer Accounts Processor; and Position No. 05683, Computer Software Specialist I.

APPROVED

MOTION TO APPROVE ITEM #1 (Express Scripts):

MOTION: Vice Chairman Brittenum
SECOND: None

MOTION FAILED FOR LACK OF A SECOND**ROLL CALL TO APPROVE REVISED ITEM #1 (Medco Health):**

MOTION: Commissioner Wishnia
SECOND: Commissioner Evans

Commissioner Evans requested that staff provide a revised Resolution No.1; therefore, the action on the motion was deferred until later in the meeting. (See Page 85).

MOTION TO RESCIND THE ACTION PREVIOUSLY TAKEN BY THE BOARD RELATED TO IMPERIAL SECURITY:

It was moved by Commissioner Wishnia, seconded by Commissioner Masson to rescind the action previously taken by the Board related to Imperial Security. Commissioners Masson and Wishnia voted yes. Commissioners Evans, Cobbins and Brittenum voted no.

MOTION FAILED**MOTION TO HOLD ITEM #17 (Lease Agreement with Belz Investco GP):**

It was moved by Commissioner Evans, seconded by Commissioner Masson to hold Item #17 for two weeks to meeting of 9.02.10. Commissioners Masson, Evans and Cobbins voted yes; Commissioner Wishnia opposed; and Vice Chairman Brittenum passed.

MOTION PASSED**MOTION TO HOLD ITEM #2 (Batchelor's Improvements):**

It was moved by Commissioner Masson, seconded by Commissioner Evans and unanimously carried that Item #2 be held.

MOTION PASSED

ROLL CALL CONSENT AGENDA (ITEMS 3 THROUGH 6; ITEMS 8 THROUGH 16; AND ITEMS 18 AND 19):

MOTION: Commissioner Evans
SECOND: Commissioner Masson

(Original motion included Item #7 as part of the Consent Agenda. Commissioner Evans amended her Motion to remove Item #7 from the vote. Item #7 was voted on separately).

AYES: Commissioner Masson
Commissioner Evans
Commissioner Wishnia
Vice Chairman Brittenum
Chairman Cobbins

CONSENT AGENDA APPROVED, AS AMENDED

MOTION TO MOVE ITEM #7 (CDA) TO THE REGULAR AGENDA:

It was moved by Commissioner Masson, seconded by Commissioner Wishnia and unanimously carried that Item #7 be and is hereby moved from the Consent Agenda to the Regular Agenda.

MOTION PASSED

ROLL CALL ON REVISED ITEM #1 (Medco Health) DEFERRED FROM PAGE 84:

AYES: Commissioner Masson
Commissioner Evans
Commissioner Wishnia
Vice Chairman Brittenum
Chairman Cobbins

REVISED ITEM #1 APPROVED

ROLL CALL TO APPROVE ITEM #7 (CDA):

MOTION: Commissioner Masson
SECOND: Commissioner Evans

Vice Chairman Brittenum moved to amend, but withdrew his motion.

AYES: Commissioner Masson
 Commissioner Evans
 Chairman Cobbins
 NAYS: Commissioner Wishnia
 PASS: Vice Chairman Brittenum

ITEM #7 APPROVED

OTHER BUSINESS:

Chairman Cobbins announced that a Special Called Board Meeting will be held on Monday, August 23, 2010, at 8:30 a.m. in the Board room to discuss the healthcare contract and to answer questions from the Board. For the benefit of the vendors, Vice Chairman Brittenum stated he would be interested in hearing their presentations to include information on return on investment in the wellness programs.

There being no further business, the meeting was adjourned at 4:42 p.m.

SEE MINUTE FILE NO. 1332.

<p>APPROVED WITHOUT INTERLINEATION</p> <p>_____</p> <p>CHAIRMAN</p>

<p>These Minutes Compiled by Undersigned and are Correct.</p> <p>_____</p> <p>Secretary-Treasurer</p>
