



RESOLUTION approving the Engineering plans for:
Conwood II Development (2024)
and accepting Bond as security

WHEREAS, **Conwood II, LLC.**, is the Developer of a certain property within the present limits of the City of Memphis, and located at northwest corner of Saffarans Avenue and Front Street, in Memphis, Tennessee.

and

WHEREAS, the developer desires to develop the property reflected on the engineering plans;

and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Conwood II, LLC.**, and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, attached improvement contract replaces Resolution **CR#5389 (EXPIRED)**.

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Conwood II Development (2024)** are hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and transferring security from expired **CR#5419**, and accepting the **Cash Bond** in the amount of **\$166,200.00**, as project security.



RESOLUTION accepting public improvements for:
Lucky Self-Storage - 325 G.E. Patterson Avenue [CR#5412]
and releasing Bond

WHEREAS, **C & M Builders Inc.**, is the Developer of a certain property in the present limits of the City of Memphis, located at 325 G.E. Patterson Avenue, in Memphis, Tennessee.

and

WHEREAS, the developer desires to develop the property reflected on the engineering plans; and
WHEREAS, all of the public improvements, required by the Standard Improvement Contract for the project, are completed;

and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Lucky Self-Storage - 325 G.E. Patterson Avenue [CR#5412]** and the completion of the public improvements therein, are and the same, are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the Berkley Insurance Company **Performance Bond No. 0247406** in the amount of \$75,000.00, held as project security, is hereby ordered released.



RESOLUTION approving the final plat for:
Woodland Hills II PD, Phase 15, Part of Area 7 [CR#5411]
and accepting Bond as security

WHEREAS, **Coastal Fuels, Inc.**, is the Developer of a certain property in the present limits of Shelby County, as indicated on the plat and located at the southwest quadrant of Trinity Road and Woodland Lake Drive intersection in Shelby County, Tennessee

and

WHEREAS, all of the public improvements, required by the Standard Improvement Contract for the project, are completed;

and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Woodland Hills II PD, Phase 15, Part of Area 7 (County) [CR#5411]** and the completion of the public improvements therein, are and the same, are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the **Financial Federal Letter of Credit No. 260A** in the amount of **\$181,900.00**, held as project security, is hereby ordered released.



RESOLUTION accepting public improvements for:
**Holmes and Mineral Wells PD, 1st Amendment,
Parcels A1 and C Phase 17 [CR-5387]**
and releasing Bond held as security

WHEREAS, **Scannell Properties (#506, LLC., #577, LLC., and #578, LLC.)**, are the Developers of certain properties within the present limits of the City of Memphis, located at 6324, 6325 and 6386 Global Drive in Memphis, Tennessee, as shown on the plat entitled **Holmes and Mineral Wells PD, 1st Amendment, Parcels A1 and C Phase 17 [CR-5387]**

and

WHEREAS, all of the public improvements, required by the Standard Improvement Contract for the project, are completed;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Holmes and Mineral Wells PD, 1st Amendment, Parcels A1 and C Phase 17 [CR-5387]**, and the completion of the public improvements therein, are and the same, are hereby accepted by the City.

BE IT FURTHER RESOLVED, that **the Ohio Casualty Insurance Company Performance Bond** in the amount of **\$230,000.00**, held as security, is **hereby ordered released..**

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving the annual salary for the Vice President of Corporate Communications in the amount of \$200,000.00.

2. Additional Information

Section 2-20-5(B) of the Memphis Code of Ordinances provides that the salary of executive management employees over \$180,000.00 be approved by the City Council in advance of employment.

RESOLUTION

WHEREAS, the Board of Memphis Light, Gas & Water Commissioners at their meeting of February 7, 2024, approved an annual salary in the amount of \$200,000.00 for the Vice President of Corporate Communications; and

WHEREAS, Section 2-20-5(B) of the Memphis Code of Ordinances provides that the salary of executive management employees over \$180,000.00 be approved by the City Council in advance of employment.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that the above identified salary is hereby approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 7, 2024

The President & CEO recommended to the Board of Memphis Light, Gas & Water Commissioners an annual salary in the amount of \$200,000.00 for the Vice President of Corporate Communications.

NOW THEREFORE BE IT RESOLVED by the Board of Memphis Light, Gas & Water Commissioners:

THAT, subject to the consent and approval of the City Council of the City of Memphis, an annual salary in the amount of \$200,000.00 for the Vice President of Corporate Communications is hereby approved.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a ~~regular - special~~ meeting held on 7th day of February, 2024, at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding Contract No. 12432. Right-of-Way Mowing, to Enlightenment Inc. d.b.a. APS Facility Maintenance, in the Funded Amount of \$2,034,340.00.

2. Additional Information

The project scope is to furnish all supervision, labor, transportation, material, equipment, tools, and supplies as required to perform grass mowing on MLGW's Electric Transmission Line Right-of-Way on an as-needed basis in Memphis and Shelby County, Tennessee. The term of the contract is for 60 months.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of February 7, 2024, awarded Contract No. 12432, Right-of-Way Mowing to Enlightenment Inc. dba APS Facility Maintenance in the funded amount of \$2,034,340.00 and is now recommending to the Council of the City of Memphis that it approve said award as approved; and

WHEREAS, the project scope is to furnish all supervision, labor, transportation, material, equipment, tools, and supplies as required to perform grass mowing on MLGW's Electric Transmission Line Right-of-Way on an as-needed basis in Memphis and Shelby County, Tennessee; and

WHEREAS, the Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on August 28, 2023. MLGW solicited seven (7) companies and held a mandatory Bidders Orientation meeting on September 12, 2023. Three (3) bids were received on October 11, 2023. The lowest and best bid was received from Enlightenment Inc. dba APS Facility Maintenance in the amount of \$1,849,400.00. MLGW is requesting contingency funds for unforeseen circumstances and additional once-a-year cuts in the amount of \$184,940.00. The total funded award amount is \$2,034,340.00. The term of this contract is for 60 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12432, Right-of-Way Mowing to Enlightenment Inc. dba APS Facility Maintenance in the funded amount of \$2,034,340.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 7, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas, and Water Commissioners that it award Contract No. 12432, Right-of-Way Mowing to Enlightenment Inc. dba APS Facility Maintenance in the funded amount of \$2,034,340.00.

The project scope is to furnish all supervision, labor, transportation, material, equipment, tools, and supplies as required to perform grass mowing on MLGW's Electric Transmission Line Right-of-Way on an as-needed basis in Memphis and Shelby County, Tennessee.


The Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on August 28, 2023. MLGW solicited seven (7) companies and held a mandatory Bidders Orientation meeting on September 12, 2023. Three (3) bids were received on October 11, 2023. The lowest and best bid was received from Enlightenment Inc. dba APS Facility Maintenance in the amount of \$1,849,400.00. MLGW is requesting contingency funds for unforeseen circumstances and additional once-a-year cuts in the amount of \$184,940.00. The total funded award amount is \$2,034,340.00. The term of this contract is for 60 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of the award of Contract No. 12432, Right-of-Way Mowing to Enlightenment Inc. dba APS Facility Maintenance in the funded amount of \$2,034,340.00 as outlined in the foregoing preamble, is approved and further,

THAT, the President or his designated representative is authorized to execute the Award.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 7th day of February 2024, at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding a thirty-six month purchase order to Harcros Chemicals, Incorporated for the purchase of sodium hexametaphosphate, in the amount of \$2,052,750.00.

2. Additional Information

A thirty-six month purchase order will be issued for sodium hexametaphosphate which is needed for MLGW's eleven water treatment facilities. The sodium hexametaphosphate is needed for lead and copper control protection for MLGW's water distribution system. The sodium hexametaphosphate is needed to comply with the Tennessee Department of Environmental and Conservation (TDEC) which requires a corrosion control inhibitor be added to potable water.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of February 7, 2024 approved a thirty-six month blanket purchase order for the purchase of sodium hexametaphosphate and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2024 fiscal year budget and subsequent budget years as approved; and

WHEREAS, a thirty-six month blanket purchase order will be issued for sodium hexametaphosphate which is needed for MLGW's eleven water treatment facilities. The sodium hexametaphosphate is needed for lead and copper control protection for MLGW's water distribution system. The sodium hexametaphosphate is needed to comply with the Tennessee Department of Environmental and Conservation (TDEC) which requires a corrosion control inhibitor be added to potable water; and

WHEREAS, bids were opened on November 29, 2023. Notice to Bidders was advertised. Seven bids were solicited, and two bids were received with the lowest and best complying bidder being the firm of Harcros Chemicals Incorporated. This award complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of sodium hexametaphosphate from Harcros Chemicals Incorporated in the sum of \$684,250.00 chargeable to the MLGW 2024 fiscal year budget and the remaining balance of \$1,368,500.00 chargeable to subsequent budget years as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 7, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a thirty-six month blanket purchase order to Harcros Chemicals Incorporated for the purchase of sodium hexametaphosphate in the amount of \$2,052,750.00.

A thirty-six month blanket purchase order will be issued for sodium hexametaphosphate which is needed for MLGW's eleven water treatment facilities. The sodium hexametaphosphate is needed for lead and copper control protection for MLGW's water distribution system. The sodium hexametaphosphate is needed to comply with the Tennessee Department of Environmental and Conservation (TDEC) which requires a corrosion control inhibitor be added to potable water.

Bids were opened on November 29, 2023. Notice to Bidders was advertised. Seven bids were solicited, and two bids were received with the lowest and best complying bidder being the firm of Harcros Chemicals Incorporated. This award complies with all applicable laws and policies.

The 2024 budgeted amount for Water Plant Maintenance and Supply is \$3,001,100.00; the amount spent to date is \$99,048.27; leaving a balance available of \$2,902,051.73 to be spent; of which \$684,250.00 will be spent on this purchase order in 2024; leaving a balance of \$2,217,801.73 after award; the balance of \$1,368,500.00 to be charged to subsequent budget years as approved; and

NOW, THEREFORE, BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, award a thirty-six month blanket purchase order to Harcros Chemicals Incorporated is approved for furnishing:

1,275,000 lbs., approximately – Sodium Hexametaphosphate furnished in accordance with MLGW Specifications dated October 2, 2023, delivered as released by MLGW representative;

Totaling \$2,052,750.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm for the first year with a 5% increase for years two and three; delivery as requested; terms net 30 days.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - ~~special~~ meeting held on 7th day of February, 2024 at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving Change No. 20 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount \$141, 512.25.

2. Additional Information

The project scope is to implement a comprehensive aquifer protection program as mandated by local ordinance and regulations promulgated by the Shelby County Groundwater Quality Control Board. Joint funding is provided by MLGW and the incorporated towns of Bartlett, Collierville, Germantown, and Millington. The contract award was selected using the sole source process. The annual fee assessed to MLGW is based on an adjusted number of meter connections and the current per meter charge.

This change is to authorize the annual payment in the funded amount of \$141,512.25 based on Fiscal Year 2022 data. This payment request complies with all applicable laws and policies. The new contract value is \$2,387,130.90.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of February 7, 2024 approved Change No. 20 to Contract No. 9955, Partial Funding of Pollution Control, Ground Water Quality Control Program with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$141,512.25, and is now recommending to the Council of the City of Memphis that it approve said payment as funded in the 2024 budget; and

WHEREAS, the project scope is to implement a comprehensive aquifer protection program as mandated by local ordinance and regulations promulgated by the Shelby County Groundwater Quality Control Board. Joint funding is provided by MLGW and the incorporated towns of Bartlett, Collierville, Germantown, and Millington. The contract award was selected using the sole source process. The annual fee assessed to MLGW is based on an adjusted number of meter connections and the current per meter charge; and

WHEREAS, this change is to authorize the annual payment in the funded amount of \$141,512.25 based on Fiscal Year 2022 data. This payment request complies with all applicable laws and policies. The new contract value is \$2,387,130.90; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved Change No. 20 to Contract No. 9955, Partial Funding of Pollution Control, Ground Water Quality Control Program with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$141,512.25 chargeable to the 2024 budget as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 7, 2024

The Manager of Procurement and Contracts has recommended to the Board of Light, Gas and Water Commissioners that it award the approval of Change No. 20 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$141,512.25.

The project scope is to implement a comprehensive aquifer protection program as mandated by local ordinance and regulations promulgated by the Shelby County Groundwater Quality Control Board. Joint funding is provided by MLGW and the incorporated towns of Bartlett, Collierville, Germantown, and Millington. The contract award was selected using the sole source process. The annual fee assessed to MLGW is based on an adjusted number of meter connections and the current per meter charge.

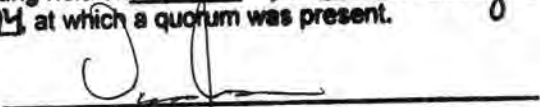
This change is to authorize the annual payment in the funded amount of \$141,512.25 based on Fiscal Year 2022 data. This payment request complies with all applicable laws and policies. The new contract value is \$2,387,130.90.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, the approval of Change No. 20 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to request payment in the funded amount of \$141,512.25, as outlined in the above preamble is approved; and further,

That the President or his designated representative is authorized to execute Payment.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 7th day of February 2024 at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving Change No. 2 to Contract No. 11292, Cashiering System Replacement with System Innovators to renew the current contract in the funded amount of \$51,034.61.

2. Additional Information

The project scope is to upgrade the existing Cashiering System with new technology at all MLGW Community Offices as well as provide annual hardware, software maintenance, and support services. The Creditron Software and Opex Hardware are used to process customer mailed payments received via the U.S. Postal Service in one (1) central system for efficiency.

This change is to renew annual hardware, software maintenance, and support services for the Creditron Software and Opex Hardware (Item Age Express) for the period covering May 1, 2024 through April 30, 2025 in the amount of \$51,034.61. MLGW is requesting continuous maintenance of the acquired systems, which can only be performed by System Innovators and the third-party providers. The new contract value is \$1,920,020.66.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting on February 7, 2024 approved Change No. 22 to Contract No. 11292, Cashiering System Replacement with System Innovators to renew the current contract in the funded amount of \$51,034.61, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to upgrade the existing Cashiering System with new technology at all MLGW Community Offices as well as provide annual hardware, software maintenance, and support services. The Creditron Software and Opex Hardware are used to process customer mailed payments received via the U.S. Postal Service in one (1) central system for efficiency. The contract award was selected using the single source process; and

WHEREAS, this change is to renew annual hardware, software maintenance, and support services for the Creditron Software and Opex Hardware (Item Age Express) for the period covering May 1, 2024 through April 30, 2025 in the amount of \$51,034.61, which reflects a negotiated 3.16% increase in rates from the previous renewal term. MLGW is requesting continuous maintenance of the acquired systems, which can only be performed by System Innovators and the third-party providers. This single source renewal complies with all applicable laws and policies. The new contract value is \$1,920,020.66; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 22 to Contract No. 11292, Cashiering System Replacement with System Innovators to renew the current contract in the funded amount of \$51,034.61 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 7, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 22 to Contract No. 11292, Cashiering System Replacement with System Innovators to renew the current contract in the funded amount of \$51,034.61.

The project scope is to upgrade the existing Cashiering System with new technology at all MLGW Community Offices as well as provide annual hardware, software maintenance, and support services. The Creditron Software and Opex Hardware are used to process customer mailed payments received via the U.S. Postal Service in one (1) central system for efficiency. The contract award was selected using the single source process.

This change is to renew annual hardware, software maintenance, and support services for the Creditron Software and Opex Hardware (Item Age Express) for the period covering May 1, 2024 through April 30, 2025 in the amount of \$51,034.61, which reflects a negotiated 3.16% increase in rates from the previous renewal term. MLGW is requesting continuous maintenance of the acquired systems, which can only be performed by System Innovators and the third-party providers. This single source renewal complies with all applicable laws and policies. The new contract value is \$1,920,020.66.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 22 to Contract No. 11292, Cashiering System Replacement with System Innovators to renew the current contract in the funded amount of \$51,034.61, as outlined in the above preamble, is approved; and further.

THAT, the President, or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 7th day of February 2024, at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving the ratification of purchase order number 7009932 to Howard Industries, Inc., for single phase pole type distribution transformers for an additional amount of \$224,318.64.

2. Additional Information

On October 3, 2018, the Board of Light, Gas and Water Commissioners approved a sixty-month blanket purchase order for the purchase of single-phase pole type distribution transformers in the amount of \$8,607,128.03. The recommendation taken to the Board was to award a percentage of the pole type distribution transformers to Howard Industries, in the amount of \$5,960,038.36 and Utility Sales Agency DBA ERMCO in the amount of \$2,647,089.67. The single-phase pole type distribution transformers are needed to provide electric service to residential customers. ERMCO sent a letter via certified mail in August 2022, that effective in 2023, they would cancel their contract and no longer furnish MLGW with transformers. An amount of \$1,551,241.00 was spent with ERMCO for transformers which leaves a balance of \$1,095,848.67. Due to the cancellation of the ERMCO contract, Howard had to furnish more transformers than initially anticipated, which resulted in an overage of \$224,318.64. We are seeking approval to ratify the transfer of the remaining balance of \$1,095,848.67 from ERMCO to Howard Industries purchase order number 7009932.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of February 7, 2024 approved ratification of purchase order number 7009932 for single phase pole type distribution transformers and is now recommending to the Council of the City of Memphis that it approves said ratification as approved in the 2024 fiscal year budget; and

WHEREAS, on October 3, 2018, the Board of Light, Gas and Water Commissioners approved a sixty-month blanket purchase order for the purchase of single-phase pole type distribution transformers in the amount of \$8,607,128.03. The recommendation taken to the Board was to award a percentage of the pole type distribution transformers to Howard Industries, in the amount of \$5,960,038.36 and Utility Sales Agency DBA ERMCO in the amount of \$2,647,089.67. The single-phase pole type distribution transformers are needed to provide electric service to residential customers. ERMCO sent a letter via certified mail in August 2022, that effective in 2023, they would cancel their contract and no longer furnish MLGW with transformers. An amount of \$1,551,241.00 was spent with ERMCO for transformers which leaves a balance of \$1,095,848.67. Due to the cancellation of the ERMCO contract, Howard had to furnish more transformers than we initially anticipated, which resulted in an overage of \$224,318.64. We are seeking approval to ratify the transfer of the remaining balance of \$1,095,848.67 from ERMCO to Howard Industries purchase order number 7009932. The transformer industry has experienced unprecedented increases mainly due to higher raw material demand, production backlogs, and labor constraints. All existing terms and conditions will remain the same. This ratification complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved ratification of purchase order number 7009932 to Howard Industries, Inc. in the amount of \$224,318.64 chargeable to MLGW 2024 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 7, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it approve the ratification of blanket purchase order number 7009932 to Howard Industries, Inc. for single phase pole type distribution transformers for an additional amount of \$224,318.64.

On October 3, 2018, the Board of Light, Gas and Water Commissioners approved a sixty-month blanket purchase order for the purchase of single-phase pole type distribution transformers in the amount of \$8,607,128.03. The recommendation taken to the Board was to award a percentage of the pole type distribution transformers to Howard Industries, in the amount of \$5,960,038.36 and Utility Sales Agency DBA ERMCO in the amount of \$2,647,089.67. The single-phase pole type distribution transformers are needed to provide electric service to residential customers. ERMCO sent a letter via certified mail in August 2022, that effective in 2023, they would cancel their contract and no longer furnish MLGW with transformers. An amount of \$1,551,241.00 was spent with ERMCO for transformers which leaves a balance of \$1,095,848.67. Due to the cancellation of the ERMCO contract, Howard had to furnish more transformers than we initially anticipated, which resulted in an overage of \$224,318.64. We are seeking approval to ratify the transfer of the remaining balance of \$1,095,848.67 from ERMCO to Howard Industries purchase order number 7009932. The transformer industry has experienced unprecedented increases

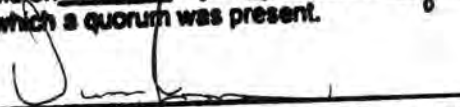
mainly due to higher raw material demand, production backlogs, and labor constraints. All existing terms and conditions will remain the same. This ratification complies with all applicable laws and policies.

The 2024 budgeted amount for Previously Capitalized Items is \$11,000,000.00; the amount spent-to-date is \$237,163.00; leaving a balance of \$10,762,837.00; of which \$224,318.64 will be spent in 2024; leaving a balance of \$10,538,518.36 after award; and

NOW, THEREFORE, BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, approves the ratification of purchase order number 7009932 with Howard Industries, Inc. for single phase pole type distribution transformers as outlined in the foregoing preamble.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular ~~regular~~ special meeting held on 7th day of February 2024, at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding purchase order number 1793579, to Brighter Days and Nites, Inc., in the amount of \$513,700.00 for arresters.

2. Additional Information

The arresters are used to protect critical electrical infrastructure. This purchase will ensure maintenance of adequate inventory.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of February 7, 2024 approved the purchase of arresters and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2024 fiscal year budget; and

WHEREAS, the arresters are needed to ensure we maintain adequate inventory and will be issued to crews as they are needed for planned jobs throughout Shelby County, Tennessee; and

WHEREAS, bids were opened on October 18, 2023. Notice to Bidders was advertised. Sixteen bids were solicited, and six bids were received with the lowest and best complying bidder being the firm of Brighter Days and Nites, Inc. This award complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of arresters from Brighter Days and Nites, Inc. in the amount of \$513,700.00 chargeable to the MLGW 2024 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 7, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it award a purchase order to Brighter Days and Nites, Inc. for arresters in the amount of \$513,700.00.

The arresters are needed to ensure we maintain adequate inventory and will be issued to crews as they are needed for planned jobs throughout Shelby County, Tennessee.

Bids were opened on October 18, 2023. Notice to Bidders was advertised. Sixteen bids were solicited, and six bids were received with the lowest and best complying bidder being the firm of Brighter Days and Nites, Inc. This award complies with all applicable laws and policies.

The 2024 budgeted amount for Substation is \$25,096,000.00; the amount spent-to-date is \$784,966.06; leaving a balance available of \$24,311,033.94; of which \$513,700.00 will be spent on this purchase order; leaving a balance of \$23,797,333.94 after award; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, award of a purchase order to Brighter Days and Nites, Inc. is approved for furnishing:

300 – Arrester surge 10 KV station type MOV; station class metal oxide, 8.4 KV MCOV rating, 65 KA minimum pressure-relief current rating, base mounted by three bolts at 120 degrees on a 10" bolt circle housing shall be ANSI-70 gray. Arrester to be made in accordance with the latest edition of ANSI/IEEE standard C62.11.

300 – Arrester surge 18 KV station type MOV; station class metal oxide, 15.3 KV MCOV rating, 60 KA minimum pressure-relief current rating base mounted by three


bolts at 120 degrees on a 10" bolt circle. If outdoor porcelain housed, housing shall be ANSI-70 gray. Arrester to be made in accordance with the latest edition of ANSI/IEEE standard C62.11.

100 – Arrester Surge 96 KV station type; station class metal oxide, 76 - 78 KV MCOV rating, 60 KA minimum pressure-relief current rating, ANSI-70 gray porcelain housing for outdoor service, base mounted by three bolts at 120 degrees on a 10" bolt circle. Arrester to be made in accordance with the latest edition of ANSI/IEEE standard C62.11.

100 – Arrester Surge 132 KV station type MOV; station class metal oxide, 106-107 KV MCOV rating, 60 KA minimum pressure-relief current rating. If outdoor porcelain housed, housing shall be ANSI-70 gray. Service base mounted by three bolts at 120 degrees on a 10" bolt circle arrester to be made in accordance with the latest edition of ANSI/IEEE standard C62.11.

Totaling \$513,700.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; delivery in 20-22 weeks; terms net 15 days.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 7th day of February 2024, at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding a twelve-month purchase order number 1793574 for control cable to Automotive Tool Group in the amount of \$767,566.00.

2. Additional Information

The four types of control cable are needed to replenish inventory to ensure we have adequate material to meet demand for upcoming jobs.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of February 7, 2024 approved a twelve-month blanket purchase order for control cable with an option to extend for up to two, twelve-month periods and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2024 fiscal year budget and subsequent budget years as approved: and

WHEREAS, the four types of control cable are needed to replenish inventory to ensure we have adequate material to meet demand for upcoming jobs; and

WHEREAS, bids were opened on October 18, 2023. Notice to Bidders was advertised. Seventeen bids were solicited, and five bids were received with the lowest and best complying bidder being the firm of Automotive Tool Group. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of control cable from Automotive Tool Group for the amount of \$383,783.00 chargeable to the MLGW 2024 fiscal year budget and the remaining balance of \$383,783.00 chargeable to subsequent budget year as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 7, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it award a twelve-month blanket purchase order for control cable with an option to extend for up to two, twelve-month periods to Automotive Tool Group in the amount of \$767,566.00.

The four types of control cable are needed to replenish inventory to ensure we have adequate material to meet demand for upcoming jobs.

Bids were opened on October 18, 2023. Notice to Bidders was advertised. Seventeen bids were solicited, and five bids were received with the lowest and best complying bidder being the firm of Automotive Tool Group. This award complies with all applicable laws and policies.

The 2024 budgeted amount for Substation is \$25,096,000.00; the amount spent-to-date is \$5,608,407.04; leaving a balance available of \$19,487,592.96; of which \$383,783.00 will be spent on this purchase order in 2024; leaving a balance of \$19,103,809.96 available after award; the remaining balance of \$383,783.00 to be spent in subsequent budget year as approved; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, award a twelve-month blanket purchase order to Automotive Tool Group is approved for furnishing:

50,000 ft., approximately – Cable, 5/C #9 CU, 600 volt, substation control cable;

50,000 ft., approximately – Cable, 9/C #9 CU, 600 volt substation control cable;

50,000 ft., approximately – Cable, 19/C #9 CU, 600 volt substation control cable;

14,000 ft., approximately - Cable, 12/C #14 CU, 600 volt substation control cable.

Totaling \$767,566.00; f.o.b. Memphis, Tennessee, our dock, transportation prepaid; said prices are subject to escalation / de-escalation based on CME Comex for cooper; delivery in 18 weeks after receipt of order; terms net 15 days.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - ~~special~~ meeting held on 7th day of February 2024, at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving the ratification of purchase order number 7016472 to Howard Industries, Inc., for single phase pad mount distribution transformers for an additional amount of \$3,783,970.64.

2. Additional Information

On October 10, 2019, the Board of Light, Gas and Water Commissioners approved a five-year blanket purchase order for single and three phase pad mount distribution transformers in the amount of \$18,231,196.41. The recommendation taken to the Board was to award a percentage of the various transformers to Howard Industries, Inc. in the amount of \$7,759,707.36, Utility Sales Agency DBA ERMCO in the amount of \$7,964,329.45, and Universal Scaffolding and Equipment, LLC in the amount of \$2,507,159.60. The single and three phase pad mount distribution transformers are needed to provide efficient transmission of electricity to customers. ERMCO sent a letter via certified mail in August 2022, that effective in 2023, they would cancel their contract and no longer furnish MLGW with transformers. An amount of \$4,883,743.82 was spent with ERMCO for pad mount distribution transformers which leaves a balance of \$3,080,585.63. Due to the cancellation of the ERMCO contract, Howard Industries, Inc. had to furnish more transformers than we initially anticipated, which resulted in an overage of \$3,783,970.64. To cover the overage we transferred the remaining balance of \$3,080,585.63 from ERMCO, to Howard purchase order number 7016472. We are seeking approval to ratify the transfer and overage of \$703,385.01. This contract ends on January 2, 2025.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of February 7, 2024 approved ratification of purchase order number 7016472 for single and three phase pad mount distribution transformers and is now recommending to the Council of the City of Memphis that it approves said ratification as approved in the 2024 fiscal year budget; and

WHEREAS, on October 10, 2019, the Board of Light, Gas and Water Commissioners approved a five-year blanket purchase order for single and three phase pad mount distribution transformers in the amount of \$18,231,196.41. The recommendation taken to the Board was to award a percentage of the various transformers to Howard Industries, Inc. in the amount of \$7,759,707.36, Utility Sales Agency DBA ERMCO in the amount of \$7,964,329.45, and Universal Scaffolding and Equipment, LLC in the amount of \$2,507,159.60. The single and three phase pad mount distribution transformers are needed to provide efficient transmission of electricity to customers. ERMCO sent a letter via certified mail in August 2022, that effective in 2023, they would cancel their contract and no longer furnish MLGW with transformers. An amount of \$4,883,743.82 was spent with ERMCO for pad mount distribution transformers which leaves a balance of \$3,080,585.63. Due to the cancellation of the ERMCO contract, Howard Industries, Inc. had to furnish more transformers than we initially anticipated, which resulted in an overage of \$3,783,970.64. To cover the overage we transferred the remaining balance of \$3,080,585.63 from ERMCO, to Howard purchase order number 7016472. We are seeking approval to ratify the transfer and ratify the overage of \$703,385.01. The transformer industry has experienced unprecedented increases mainly due to higher raw material demand,

production backlogs, and labor constraints. This contract ends on January 2, 2025. All existing terms and conditions will remain the same. This ratification complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved ratification of purchase order number 7016472 to Howard Industries, Inc. in the amount of \$3,080,585.63 chargeable to the MLGW 2024 fiscal year budget and remaining balance of \$703,385.01 chargeable to subsequent budget year as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 7, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it approve the ratification of blanket purchase order number 7016472 to Howard Industries, Inc. for single and three phase pad mount distribution transformers for an additional amount of \$3,783,970.64.

On October 10, 2019, the Board of Light, Gas and Water Commissioners approved a five-year blanket purchase order for single and three phase pad mount distribution transformers in the amount of \$18,231,196.41. The recommendation taken to the Board was to award a percentage of the various transformers to Howard Industries, Inc. in the amount of \$7,759,707.36, Utility Sales Agency DBA ERMCO in the amount of \$7,964,329.45, and Universal Scaffolding and Equipment, LLC in the amount of \$2,507,159.60. The single and three phase pad mount distribution transformers are needed to provide efficient transmission of electricity to customers. ERMCO sent a letter via certified mail in August 2022, that effective in 2023, they would cancel their contract and no longer furnish MLGW with transformers. An amount of \$4,883,743.82 was spent with ERMCO for pad mount distribution transformers which leaves a balance of \$3,080,585.63. Due to the cancellation of the ERMCO contract, Howard Industries, Inc. had to furnish more transformers than we initially anticipated, which resulted in an overage of \$3,783,970.64. To cover the overage we transferred the remaining

balance of \$3,080,585.63 from ERMCO, to Howard purchase order number 7016472. We are seeking approval to ratify the transfer and overage of \$703,385.01. The transformer industry has experienced unprecedented increases mainly due to higher raw material demand, production backlogs, and labor constraints. This contract ends on January 2, 2025. All existing terms and conditions will remain the same. This ratification complies with all applicable laws and policies.

The 2024 budgeted amount for Previously Capitalized Items is \$11,000,000.00; the amount spent to date is \$237,163.00; leaving a balance available of \$10,762,837.00; of which \$3,080,585.63 will be spent in 2024; leaving a balance of \$7,682,251.37 after award; the remaining balance of \$703,385.01 to be spent in subsequent budget year as approved; and

NOW, THEREFORE, BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, approves the ratification of purchase order number 7016472 with Howard Industries, Inc. for single and three phase pad mount distribution transformers as outlined in the foregoing preamble.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 7th day of February 2024, at which a quorum was present.


SVP, CFO & CAO Secretary - Treasurer

ORDINANCE TO ESTABLISH MEMPHIS CITY COUNCIL MEETING DATES FOR 2024

WHEREAS, Referendum Ordinance 4274, approved by the citizens of Memphis on November 8, 1994, amended the Council’s meeting dates to the first and third Tuesdays of each month; and

WHEREAS the Council wishes to approve the 2024 meeting dates.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council will conduct its regular meetings on the following Tuesdays of each month:

January 9	January 23
February 6	February 20
March 5	March 19
April 9	April 23
May 7	May 21
June 4	June 25
July 9	July 23
August 6	August 20
September 10	September 24
October 1	October 15
November 12	November 26
December 3	December 17

Sponsor:
JB Smiley, Jr., Chairman

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE II, SECTION 2-19 OF THE CODE OF ORDINANCES OF THE CITY OF MEMPHIS, TO CREATE HEALTH BENEFITS FOR ELECTED OFFICIALS.

WHEREAS, the City Council adopted Ordinance 5219, establishing the authority of the Council to create, appoint, and regulate City Council Staff; and

WHEREAS, Article 27, Section 190.1 of the Charter of the City of Memphis, gives the City Council the authority by Ordinance to create a hospitalization plan for officers and employees of the City of Memphis; and

WHEREAS, the Council has determined that the creation of a broader hospitalization plan for elected officials should be implemented; and

WHEREAS, pursuant to this established authority, the City Council desires to create a program to provide health benefits for elected officials in the legislative division.

SECTION 1. NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MEMPHIS that the Code of Ordinances for the City of Memphis, Tennessee Chapter 2, Article II, Section 2-19, is hereby amended by adding a new section with the following language, which shall read as follows:

Section 2-19. – Council Staff Positions

- (f) The Director of Personnel shall create a program and structure to provide medical, vision, dental, and other health benefits to Elected Officials in the Legislative Division upon completion of two full terms in office:
 - a. The Director of Personnel shall determine how the program will be administered to provide the same medical, vision, and dental benefits afforded city employees under the mayor's jurisdiction for all qualified elected officials dating back to January 1, 2015.
 - b. Qualified Elected Officials will be required to submit financial contributions equal to that of city employees under the mayor's jurisdiction for medical dental, and vision benefits to maintain coverage.
 - c. Elected officials who leave office before completing two full terms or elected officials who are removed from office for malfeasance or misconduct will not be included.

SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 3. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that this Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

SPONSOR:
MARTAVIUS JONES

CHAIRMAN
MARTAVIUS JONES