

City of Memphis



MYRON LOWERY
Mayor Pro Tem

TENNESSEE

September 30, 2009

The Honorable Shea Flinn
Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Chloe K. Poag

be reappointed to the Civil Service Commission with a term expiring November 30, 2011.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink that reads "Myron Lowery". The signature is written in a cursive, flowing style.

Myron Lowery
Mayor Pro Tem

ML:rb

c: Council Members



CITY OF MEMPHIS

BIOGRAPHICAL INFORMATION
APPOINTMENT TO BOARD/COMMISSION

Civil Service Commission
BOARD/COMMISSION

Name: Chloee K. Poag Birthdate: 3-30-43

Business Address: _____ Phone: _____

Business/Profession: Clinical Psychologist (retired)
East High School - Memphis

Education: B.A. Wellesley College; M.S., Ph.D. Univ. of Memphis

Name of Spouse: G. Dan Poag Number of Children: 3

Home Address: 4275 Gwynne Rd Phone: (901) 685-6517

Resident of Shelby County: 51 years.

Professional Organization/Associations: American Psychological Assoc.

Other Organizations/Associations: Church of the Holy Communion -

Chair of Outreach Ministry; Beat the Odds, Inc;
Volunteer Memphis

Other Interest: working with children with developmental
disabilities

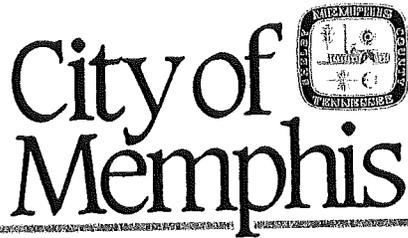
**CIVIL SERVICE COMMISSION
7 MEMBER BOARD
OATH OF OFFICE REQUIRED
3 Year Terms**

Members	Address	Term Expires
City		City
Bumpus, Edward A. M/B	<i>1796 Parkway Terrace Memphis, TN 38114 Res: 901-274-2835</i>	NOVEMBER 30, 2010
Horne, John D. *Chairperson <i>(Reappointed)</i>	<i>2363 Massey Road Memphis, TN 38119 Res: 901-683-9807 Bus: 901-685-9222</i>	NOVEMBER 30, 2011
McKeithen, Carnita F/B <i>(Replacing Barbara Holmes)</i>	<i>514 N. Second, Apt. 102 Memphis, TN 38105 Cell:901-230-1523 csmckeithen@gmail.com</i>	NOVEMBER 30, 2010
Poag, Chloe F/W <i>(Reappointed)</i>	<i>4275 Gwynne Rd. Memphis, TN 38117 Res: 685-6518</i>	NOVEMBER 30, 2011
Thomas, Gloria F/B <i>(Reappointed)</i>	<i>1733 Kendale Avenue Memphis, TN 38114 Res: 901.278.0234 Bus: 901.575.7114</i>	NOVEMBER 30, 2011
**Weinman, Bernie Vice Chairperson M/W <i>(Reappointed)</i>	<i>5185 Mary Starnes Dr. Memphis, TN 38117</i>	NOVEMBER 30, 2011

*** Chairperson**

****Vice Chairperson**

9/29/09



MYRON LOWERY
Mayor Pro Tem

September 18, 2009

The Honorable Shea Flinn
Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Doris F. Boyd

be reappointed to the Memphis & Shelby County Air Pollution Board with a term expiring August 29, 2013.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink that reads "Myron Lowery". The signature is written in a cursive, flowing style.

Myron Lowery
Mayor Pro Tem

ML:rb

c: Council Members

JK

Doris F. Boyd
213 Viking Drive West
Cordova, TN38018
(901) 947-8454 office or (901) 359-1996 mobile

Education

- Chemical Engineering, BS – Christian Brothers University-- Memphis, TN
- Biology, BS – Lane College-- Jackson, TN

Employment History

September 1, 2008 – Present

Director of Environmental & Safety Affairs -Recently promoted to this position with the Valero Memphis Refinery. Responsible for directing Process Safety Management, Occupational Health and Safety, General Safety, Security, and Environmental Affairs at the Memphis Refinery.

September 2005 – September 2008

Environmental Engineering Manager –Assumed this position when the Refinery was purchased by Valero Energy in 2005. Managed all environmental affairs at the Memphis Refinery. Direct reports included four (4) environmental engineers, one (1) environmental specialist and four (4) environmental technicians. Continued efforts with neighbors and share holders, a member of the Refinery Community Advisory Panel (CAP), directed environmental projects, enhanced relationship with local, state and federal regulators, assured environmental compliance. Secured applicable air and water construction and operating permits as needed.

November 2003 – September 2005

Senior Environmental Supervisor – Promoted to this position with Premcor in November 2003. Responsibilities included supervising a nine member staff to ensure the compliance of the refinery in all areas as well as the three terminals owned by the refinery (in Memphis, West Memphis, and Mississippi). Initiated cross-training of the different areas of environmental for all members of the Environmental Dept. Negotiating and improving relationships with regulators and helping to improve relationship with the community. Initiated training programs for all refinery personnel to ensure improved environmental awareness and responsibility of all refinery personnel.

March 2003 – November 2003

Environmental Engineer II – The Premcor Refining Group Inc.- Memphis Refinery (Premcor purchased the Williams Memphis Refinery in March 2003). Maintained same responsibilities as Senior Environmental Engineer with Williams Refining & Marketing.

June 2001 – March 2003

Senior Environmental Engineer – Williams Refining & Marketing L.L.C., Memphis, TN
Responsibilities are concentrated in the area of air compliance to include annual reporting (Tier II, Annual Emissions Inventory, Refinery MACT, West Memphis Title V Semi-Annual and Annual Certification, FormR), help to secure and review air permit applications and air permits, securing contractors for and overseeing regulated equipment performance testing, tank inspections, investigating exceedances/incidents, and making required written notification to regulating agencies. Also very active with the Williams CAP (Community Advisory Panel) in an effort to improve industry/community relations - attend monthly meetings, help to issue quarterly CAP Newsletter (organize articles, editing/proofreading) and participate in Adopt-A School activities and other community outreach projects.

1999 – June, 2001

Regulatory / Environmental Specialist - Penn Specialty Chemicals, Inc., Memphis, TN

Managed all Environmental requirements and issues; the only person in the department. Responsibilities included ensuring compliance with Air Permits, Water Permits (both POTW with the Memphis Shelby County Health Department and NPDES with Tennessee Department of Environment and Conservation) and Hazardous and Non-Hazardous Waste. Also responsible for training employees per regulations and completing monthly and annual reports; (DMR's, Tier II, Hazardous Waste, Emissions Inventory and Form R) Provide Environmental Leadership on various projects to include development of a more reliable pH system and containment systems for raw material storage tanks and hazardous waste tanks and cost reduction projects; Review and actively participate in environmental incidents onsite; Active in community relationships to include LEPC, DIER (Area Industry and Community Committee) Group, Douglass/Crump/Bungalow Community Block Club, ADOPT-A SCHOOL Program, and the Christmas Angel Tree Give-A-Way.

1996 – 1999

Process Engineer – POLYMEG Production Unit Great Lakes Chemicals, Inc., Memphis, TN

Responsibilities included meeting projected production and quality rates to meet sales and inventory needs/goals; Writing & updating departmental SOPs, optimization of bottlenecks in process, working with Maintenance Department on resolving equipment issues and upgrades; Supervision and training of staff operators.

1988 – 1996

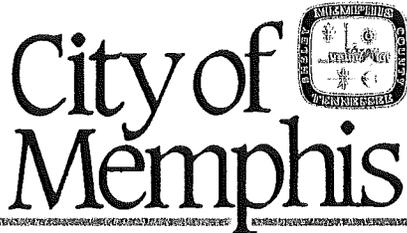
Research Engineer – Pilot Plant - QO Chemicals, Inc., Memphis, TN

Responsibilities included scaling up bench scale procedures to pilot scale, write SOPs and optimize at pilot scale, then scale up to production; Assisted in the implementation and development of Fine Chemicals Plant and continued to work with plant as needed on optimizations and with the start-up of new products; Conducted Environmental, Health and Safety Assessment with EHS Department of all new raw materials / chemicals to be handled at Pilot Plant; Conducted research for improved throughput for POLYMEG production unit and helped optimize entire flow process.

Prior to completing Engineering degree, worked as Senior Chemist in the Quality Control Laboratory at Quaker Oats Chemical Company and served as Interim Lab Supervisor during the illness of the supervisor for Great Lakes Chemical Corporation, both located at 3324 Chelsea Avenue, Memphis, TN.

Activities / Organizations

- Member of Alpha Kappa Alpha Sorority
- Editor of *The Missionary Messenger*, the official publication of the Women's Missionary Council of the Christian Methodist Episcopal Church with circulation throughout the United States, Africa and Haiti from 1999 to 2007
- Member of the Executive Committee of the Tennessee Chapter of the American Association of Blacks in Energy (ABBE)
- Lane College Alumni Association – National and Memphis Chapter



TENNESSEE

MYRON LOWERY
Mayor Pro Tem

September 18, 2009

The Honorable Shea Flinn
Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Karl Pensak

be reappointed to the Memphis & Shelby County Air Pollution Board with a term expiring August 29, 2013.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink that reads "Myron Lowery". The signature is written in a cursive, flowing style.

Myron Lowery
Mayor Pro Tem

ML:rb

c: Council Members

Air Pollution Control
Board/Commission

Division of County Government

NAME: Dr. Karl Pensak DATE OF BIRTH: 11/02/56
 BUSINESS ADDRESS: 1270 N. Graham, Memphis ZIP: 38122
 BUSINESS PHONE #: 416-6060 BUSINESS/PROFESSION Teacher
 EDUCATION: B.S., M.S., Ed.D. University of Memphis
 NAME OF SPOUSE: Patty Pensak # OF CHILDREN: _____
 HOME ADDRESS: 3412 Vernon Dr., Bartlett ZIP: 38135
 HOME PHONE #: 384-9963 SHELBY COUNTY RESIDENT FOR 40 YRS.

List any affiliation or ownership interest you have in any business, corporation, or partnership, and if such business contracts with or sells products or services to Shelby County Government

NA

List members of family, where they are employed, and whether or not their employer contracts with or sells products or services to Shelby County Government.

Patty Pensak, Brophy-Heineke + Associates Inc,
wetland consultants


 Signature
4/4/06
 Date

(For Office Use Only)

Attendance Record, if Applicable

OF MEETINGS

ATTENDED

ABSENT

DISPOSITION:

APPROVAL

RESOLUTION

ITEM # _____

Karl J. Pensak, Ed. D.
3412 Venson Drive
Bartlett, Tennessee 38135
(901) 384-9963 (Home)
(901) 277-2805 (Cell)
kpensak@midsouth.rr.com

Education

Graduate
May 1997

Doctor of Education
Instruction and Curriculum Leadership
University of Memphis

Graduate
August 1986

Masters of Science
Foundations of Education, with
Concentrations in Research Methods
and Statistics
Memphis State University

Graduate
May 1983

Bachelor of Education
Secondary Education: Major in Biology
Memphis State University

Graduate
June 1974

High School Diploma
Saint Francis Seminary (Cincinnati, Ohio)

Work Experience

Kingsbury High School
August 1990-Present

Instructor
Computer Integrated Manufacturing I-III
SACS Chairman, Science Department
Chairman, Facilitator for Local Site Based
Management Council, High Schools That
Works Evaluation Chairman, A.P. Biology,
Biology, Ecology, Chemistry, Mass-Media,
Computer Programming I and II, Physics
Highly Qualified Teaching Status (Biology
and Physics: No Child Left Behind)
Soccer-Volleyball-Tennis-Track Coach

Christian Brothers University
June 2000-August 2001

Adjunct Professor
Graduate Level
Educational Research, Contemporary Math
Methods for Secondary Education,
Contemporary Science Methods for
Secondary Education

University of Memphis
August 1997-2000

Adjunct Professor
Graduate and Undergraduate Level
Teaching/Schools in an Urban Setting
Foundations of American Education

Memphis City Schools
January 1997-2000

Textbook Selection Committee
A.P. Biology and Technology

University of Tennessee, Memphis
Summer 1996-Summer 1997

Demonstration Teacher
Core Instructional Teacher for
Summer Science Enrichment Program

**Tennessee State Department of
Education-Office of Conservation**
November 1994-February 1995

Solid Waste Task Force
Responsible for drafting and reviewing
state wide Solid Waste Curriculum
Framework

Memphis City Schools
March 1994

**New Vision High School Committee
Member**
Responsible for the creation of the Memphis
City Schools' vision and goal statements for
the Tennessee Two-Track Curriculum, and
developing Staff Development Action Plans
for Integrated Curriculum, Professional
Development, and Active Learning

Rhodes College
June 1993

Bio-Chemistry Instructor
Team teacher for Howard Hughes Medical
Institute Summer Science Program

Shelby County Health Department
March 1991

Instructional Designer
Responsible for self paced instructional
program to train new employees to operate
a CO monitor

Memphis City Schools
June 1990-November 1990

Curriculum Reviewer
Responsible for the review and revision of

the Chemistry and Physical Science
Curriculum Guides

Humes Deregulated Junior High
August 1989-June 1990

Science Teacher
Physical Science Teacher and
Administrative Computer Manager
responsible for the implementation and
operation of OSIRIS software

Memphis State University
Summer 1989

Graduate Assistant
Responsible for the scheduling of classes
and classrooms for the Department of
Education for the 1990 School year

**Tennessee State Department
of Education-Office of Computer
Education**
August 1984-June 1986

Computer Software Evaluator
Evaluation of administrative and
instructional computer software

Memphis State University
June 1983-June 1985

Graduate Assistant
Administrative assistant to the Dean of the
College of Education and research assistant
for the Bureau of Education Research and
Services

Tennessee Certifications
as of March 2000

Career Level II Teacher
Physics, Chemistry, Biology, Personal
Computing, Computer Productivity
Applications, BASIC Programming I and II,
Interactive Multimedia Design, Adventure
in Computing, Pascal programming,
FORTRAN programming, C++
programming, Computer Technology,
Diversified Technology I and II, Computer
Integrated Manufacturing

Personal Data

Born: November 2, 1956
Marital Status: Married with two children
Health: Excellent
Interests: The Environment, Computers
and coaching youth sports

**MEMPHIS AND SHELBY COUNTY
AIR POLLUTION CONTROL BOARD
9 MEMBER BOARD
NO OATH OF OFFICE REQUIRED
4 YEAR TERM**

Member	Address	Positions	Term Expires
City			City
Boyd, Doris F/B <i>(New Appointment)</i> <i>Replaces</i> <i>Joel Barnes</i>	213 Viking Drive West Cordova, TN 38018 Cell: 901.359.1996 Bus: 901.947.8454	INDUSTRY REPRESENTATIVE	AUGUST 29, 2013
Dr. Helen Broughton F/B	195 Southhill Memphis, TN 38019 Res: 901-396-2639 Bus: 901-333-5360 broughtonhr@aol.com	CITIZEN MEMBER	AUGUST 29, 2010
Dugard, Douglas B. Jr. <i>(Replacing Coop, Phil G.)</i> M/W	3050 Cross County Drive T Memphis, TN 38138 Res: 901-3753-4897 Wk: 901-729-5528	CITIZEN MEMBER	AUGUST 29, 2012
Yataco, Jose C., Dr. <i>(Replacing Freire, Amado X, MD)</i> M/W	1216 Misty Isle Drive Memphis, TN 38103 Res: 901-521-9330 Wk: 901-448-5757 joseyataco@hotmail.com	PHYSICIAN	AUGUST 29, 2012
Harvell, George R. M/W	Business Address: Memphis Environmental Center 2603 E. Corporate Center Dr. Memphis, TN 38132 901-345-1788 901-398-4719 Gharvell@velsicol.com Gharvell@midsouth.rr.com	MUNICIPALITIES (SUBURBAN) CITIZEN MEMBER	NOVEMBER 18, 2011
Lenschau, James <i>(Reappointment)</i>	65 LaVerne Lane Memphis, TN 38117 901-374-9693 jlenschau@martintate.com	ENVIRONMENTAL ATTORNEY	AUGUST 29, 2010
Pensak, Karl	3412 Venson Drive Bartlett, TN 38135 Res: 901-384-4463 Bus: 901-416-6060	ACADEMIA MEMBER	AUGUST 29, 2013
Cash, Robert <i>(Replacing Tsangarakis, Carol</i> F/W	UNAVAILABLE	PROFESSIONAL ENGINEER	AUGUST 29, 2012

Ware, Mary <i>(New Appointment)</i> <i>Replaces Felicia Reeves</i>	2110 Hickory Crest Dr. Memphis, TN 38119 Res: 901.756.5826 Cell: 901.496.4194	CITIZEN MEMBER	AUGUST 29, 2012
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*The Board shall consist of the following: **One professional engineer** knowledgeable in the field of air pollution control, **one physician** licensed to practice in Tennessee, **one attorney** licensed to practice law in Tennessee, **one member of academia**, **a representative of industry at large**, and such other **citizen members as may be appointed**, except that industry may have no more than two representatives.*

One member of the Board is to be appointed by the Executive Committee of the Memphis Area Association of Governments.

RESOLUTION

WHEREAS, the Council of the City of Memphis did include Fire Station #22, Project Number FS02010, as part of the FY2010 Capital Improvement Budget; and

WHEREAS, it is necessary to appropriate \$141,000.00 in Furniture Fixtures & Equipment for Fire Station #22, funded by G.O. Bonds-General, and

WHEREAS, it is necessary to appropriate \$85,000.00 in Information Technology for Fire Station #22, funded by G.O. Bonds-General.

NOW, THEREFORE BE IT RESOLVED, that there be and is hereby appropriated the sum of \$ 226,000.00 funded by G.O. Bonds General chargeable to the Fiscal Year 2010 Capital Improvement Budget and credited as follows:

Project Title:	Fire Station #22
Project Number:	FS02010
Amount	\$226,000.00

RESOLUTION

WHEREAS, the Council of the City of Memphis did include Fire Station #57, Project Number FS02014, as part of the FY2010 Capital Improvement Budget; and

WHEREAS, it is necessary to appropriate \$141,000.00 in Furniture Fixtures & Equipment for Fire Station #57, funded by G.O. Bonds-General, and

WHEREAS, it is necessary to appropriate \$85,000.00 in Information Technology for Fire Station #57, funded by G.O. Bonds-General.

NOW, THEREFORE BE IT RESOLVED, that there be and is hereby appropriated the sum of \$ 226,000.00 funded by G.O. Bonds General chargeable to the Fiscal Year 2010 Capital Improvement Budget and credited as follows:

Project Title:	Fire Station #57
Project Number:	FS02014
Amount	\$226,000.00

**CITY OF MEMPHIS
RESOLUTION AUTHORIZING AN EXTENSION TO
OPTION AGREEMENT WITH METAL MANAGEMENT MEMPHIS, LLC**

WHEREAS, Metal Management Memphis, LLC and the Memphis and Shelby County Port Commission entered into an Option Agreement dated August 15, 2008 providing that Metal Management Memphis, LLC would have an option for a period of one year to lease certain real property of the Memphis and Shelby County Port Commission as defined in said Agreement.

WHEREAS, Metal Management Memphis, LLC has requested the option be extended as shown herein below.

WHEREAS, said proposed extension is in the best interests of the Memphis and Shelby County Port Commission.

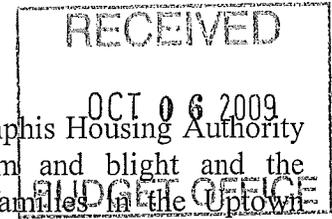
NOW, THEREFORE, BE IT RESOLVED by the City of Memphis, on recommendation of the Memphis and Shelby County Port Commission, that the Option Agreement with Metal Management Memphis, LLC be and hereby is extended as follows:

Metal Management Memphis, LLC shall pay to the Memphis and Shelby County Port Commission beginning August 15, 2009, \$6,671.00 per month and a like amount each month thereafter until the earlier of (i) August 15, 2011, or (ii) the failure of the parties to obtain a special use permit allowing Metal Management Memphis, LLC the uses provided for in the Option Agreement, or (iii) the exercise of this Option Agreement by Metal Management Memphis, LLC after which payment shall be made in accordance with the Option Agreement.

BE IT FURTHER RESOLVED, By the Council of the City of Memphis that the appropriate officials of the City of Memphis be hereby authorized to execute same.

BE IT FURTHER RESOLVED, That this action is subject to concurrence by Shelby County.

RESOLUTION



WHEREAS, in partnership with the City of Memphis, the Memphis Housing Authority (MHA) is continuing with the elimination and prevention of slum and blight and the development of affordable housing for low and moderate income families in the Uptown Memphis Redevelopment Area; and

WHEREAS, in February 2009 the Memphis City Council and the Shelby County Board of Commissioners voted to approve an amendment to the Community Redevelopment Plan for the Uptown Area; and

WHEREAS, the Community Redevelopment Plan for the Uptown Area includes activities such as, the acquisition of property in the redevelopment area, the construction and rehabilitation of affordable housing located in the Uptown area, the completion of engineering, flood control studies, and infrastructure improvement in the Uptown West area; and

WHEREAS, the final phase of development is ready to commence for the Community Redevelopment Plan for the Uptown Area, and as additional funds are necessary to complete the remaining redevelopment activities; and

WHEREAS, the Council approved the FY 2010 Capital Improvement Budget which includes an allocation of \$6,500,000 for the continued Uptown redevelopment, Project Number CD01079 to provide funding for the aforementioned redevelopment activities in the Uptown redevelopment area; and

WHEREAS, it is necessary to appropriate a total of \$6,500,000 funded by G.O. Bonds-General in the Uptown Redevelopment Project (Project Number CD01079) to complete all phases of construction, infrastructure, site preparation and related work for the Uptown redevelopment area; and

WHEREAS, the above funding will be encumbered in a Development Loan Agreement between the City of Memphis, Housing & Community Development and MHA and the Memphis Shelby County Community Redevelopment Agency (CRA), wherein MHA shall agree to repay the funds approved through this resolution and the CRA shall agree to provide revenues for repayment of interest and principal on such loan from the Uptown Redevelopment Trust Fund established for the Uptown Development Project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$6,500,000 funded by G.O. Bonds-General chargeable to the FY 2010 Capital Improvement Budget and credited as follows:

Project Title:	Uptown Redevelopment Phase 2
Project Number:	CD01079
Contract Construction:	\$6,500,000

CITY COUNCIL RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners at its meeting held October 1, 2009, approved an amendment to the Memphis Light, Gas and Water Division Retirement and Pension System, as amended and restated effective January 1, 2009 (the "Plan").

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that the Memphis Light, Gas and Water Division Retirement and Pension System, as amended and restated effective January 1, 2009 (the "Plan"), ARTICLE III, Section 3.2 *Contributions by the Division*, subparagraph (a) *Amount* shall be amended by deleting the current said Section 3.2(a) in its entirety, and substituting in place thereof the following Section 3.2(a):

3.2 Contributions by the Division.

(a) Amount. The Division shall contribute to the Fund such amounts as from time to time are estimated by the Actuary to be sufficient, on an actuarially sound basis, after taking into account Participant Contributions and earnings thereon, to provide Accrued Benefits under the Plan. Such Contributions shall be obligations of the Division, and the Board of Commissioners shall appropriate annually such amounts as are necessary to make such payments. Effective January 1, 2001, and until further determination by the Board of Commissioners with approval by the City Council, the Division's contribution shall be equal to 8% of the total Compensation, as defined under the Plan, of all active Participants. Notwithstanding anything in the foregoing to the contrary, for the 2009 Plan Year, as defined in Section 1.51 hereof, but solely for said 2009 Plan Year, the Division's contribution shall be 14.87% of total Compensation (or approximately \$22,400,925). Division contributions shall be determined and paid to the Fund as soon as practicable following each payroll period.

E X C E R P T
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
October 1, 2009

* * * * *

The Secretary-Treasurer stated that the Pension Board had approved and was recommending to the Board of Commissioners an amendment to the Memphis Light, Gas and Water Division Retirement and Pension System, as amended and restated effective January 1, 2009 (the "Plan").

It was moved by Commissioner Brittenum, seconded by Vice Chairman Cobbins and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the Memphis Light, Gas and Water Division Retirement and Pension System is hereby amended as follows:

ARTICLE III, Section 3.2 *Contributions by the Division*, subparagraph (a) *Amount*, shall be amended by deleting the current said Section 3.2(a) in its entirety, and substituting in place thereof the following Section 3.2(a):

3.2 Contributions by the Division.

(a) Amount. The Division shall contribute to the Fund such amounts as from time to time are estimated by the Actuary to be sufficient, on an actuarially sound basis, after taking into account Participant Contributions and earnings thereon, to provide Accrued Benefits under the Plan. Such Contributions shall be obligations of the Division, and the Board of Commissioners shall appropriate annually such amounts as are necessary to make such payments. Effective January 1, 2001, and until further determination by the Board of Commissioners with approval by the City Council, the Division's contribution shall be equal to 8% of the total Compensation, as defined under the Plan, of all active Participants. Notwithstanding anything in the foregoing to the contrary, for the 2009 Plan Year, as defined in Section 1.51 hereof, but solely for said 2009 Plan Year, the Division's contribution shall be 14.87% of total Compensation (or approximately \$22,400,925). Division contributions shall be determined and paid to the Fund as soon as practicable following each payroll period.

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 1st day of October, 2009 at which a quorum was present.


Secretary-Treasurer

Minutes Approved 10.1.09

CITY COUNCIL RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners at its meeting held October 1, 2009, approved a transfer in an amount not to exceed \$18,567,577.71 from the MLGW Common Fund to the MLGW OPEB Trust to meet the 2009 funding requirement.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that the transfer in an amount not to exceed \$18,567,577.71 from the MLGW Common Fund to the MLGW OPEB Trust to meet the 2009 funding requirement is hereby approved

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
October 1, 2009

The Secretary-Treasurer submitted for approval of the Board a transfer in an amount not to exceed \$18,567,577.71 from the Common Fund to the OPEB Trust to meet the 2009 funding requirement.

It was moved by **Commissioner Brittenum**, seconded by **Vice Chairman Cobbins**, and unanimously carried:

THAT, the transfer in an amount not to exceed \$18,567,577.71 from the Common Fund to the OPEB Trust is hereby approved; and further,

THAT, said transfer will be submitted to the Council of the City of Memphis for approval.

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 1st day of October, 2009, at which a quorum was present.


Secretary-Treasurer

Minutes Approved 10.1.09

RESOLUTION

WHEREAS, the Council of the City of Memphis approved the Motor Vehicle Inspection Station, CIP Project #PS01009, as part of the Public Services and Neighborhoods Fiscal Year 2009 Capital Improvement Budget; and

WHEREAS, four proposals were received on June 13, 2008 for Vehicle Emission Testing Equipment, said proposals were evaluated based on scoring criteria with the best complying proposal from Environmental Systems Product Holdings Incorporated (ESP) in the amount of \$798,330.00; and

WHEREAS, the Motor Vehicle Inspection Bureau; in order to provide more testing flexibility and to resolve reciprocity issues at the existing testing facilities, has the need to purchase three (3) additional vehicle and safety testing systems at a total cost of \$21,648.00; and

WHEREAS, it is necessary to appropriate \$819,978.00, funded by G.O. Bonds and Local Other CIP, from Project #PS01009 for the Motor Vehicle Inspection Station for the following:

Proposal Amount:	\$798,330.00
<u>Additional Equipment</u>	<u>\$ 21,648.00</u>
Total:	\$819,978.00

Funding Sources:	\$163,996.00 G.O. Bonds (20%)
	\$655,982.00 Local Other CIP (80%)
Total:	\$819,978.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated the amount of \$819,978.00, CIP Project Number PS01009, funded by G.O. Bonds and Local Other CIP for the Motor Vehicle Inspection station with said appropriation being credited as follows:

Project Title:	Motor Vehicle Inspection Station
CIP Project Number:	PS01009
Funding Sources:	\$163,996.00 G.O. Bonds
	\$655,982.00 Local Other CIP
Total:	\$819,978.00

RESOLUTION

WHEREAS, the City of Memphis Division of Planning and Development – Landmarks Commission has received grant funds in the amount of Forty Thousand Dollars (\$40,000.00) from the Tennessee Historical Commission; and

WHEREAS, these funds will be used to survey historic residential properties located in the City of Memphis built prior to 1965. This survey will fulfill requirements for identifying historic structures as required by the Certified Local Government Agreement; and

WHEREAS, it is necessary to provide matching funds in the amount of Twenty Six Thousand Six Hundred Sixty Six Dollars (\$26,666.00); and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2010 Operating Budget to establish funds for the Memphis Historic Properties Survey; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Forty Thousand Dollars (\$40,000.00) and matching funds in the amount Twenty Six Thousand Six Hundred Sixty Six Dollars (\$26,666.00) for the Memphis Historic Properties Survey.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Memphis Historic Properties Survey funds in the amount of Forty Thousand Dollars (\$40,000.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2010 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Memphis Historic Properties Survey Grant in the amount Sixty Six Thousand Six Hundred Sixty Six Dollars (\$66,666.00) as follows:

Revenue	
Tennessee Historical Commission	\$40,000.00
Operating Transfer In	<u>\$26,666.00</u>
TOTAL	\$66,666.00
Expense	
Miscellaneous Professional Services	<u>\$66,666.00</u>
TOTAL	\$66,666.00