



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, November 17, 2020, 3:30 p.m.

Conducted by Electronic/Telephonic Means

Official Recording of Meeting will be available on
City Council's Website

https://www.memphistn.gov/government/city_council

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (November 3, 2020)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS (None)

COMMUNITY ORGANIZATION SPOTLIGHT (None)

PUBLIC HEARING

1. RESOLUTION approving a planned development located at the SW corner of S Third Street and Gilbert Avenue and NE corner of S Third Street and Lucerne Place; containing +/-1.686 acres in the Commercial Mixed Use – 1 (CMU-1) and Residential Urban – 3 (RU-3) Districts.

Colvett
Chairman,
Planning &
Zoning
Committee

Case No. PD 20-11

Applicant: Pyramid Used Cars, Inc – Brian Bowman

Farris Bobango Branan PLC – Homer Branan – Representative

Request: Motor vehicle sales and service planned development

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

DIVISION OF PLANNING AND DEVELOPMENT

2.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit located at 590 East Raines Road, containing 0.26 acre in the Commercial Mixed Use – 1 District. This resolution is sponsored by the Office of Planning and Development. (Held from 10/6; 10/20; 11/03)

Case No. SUP 20-07

Applicant: Negotiable Taxes, Inc.
David Bray of the Bray Firm – Representative

Request: Special use permit for vehicle sales

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

3.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit located at 5050 Summer Avenue, containing +/-0.7 acres in the Commercial Mixed Use – 3 (CMU-3) District. This resolution is sponsored by the Office of Planning and Development. (Held from 11/03)

Case No. SUP 20-09

Applicant: Jaromirski Bruno/Rafat Khmous
McCaskill and Associates, Inc. – Representative

Request: To allow a commercial surface parking lot for a period not to exceed fifteen (15) years

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

4.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit located at parts of 4704 Yale Road, containing 1.7 acres in the Commercial Mixed Use – 2 District. This resolution is sponsored by the Office of Planning and Development. (Held from 11/03)

Case No. SUP 20-10

Applicant: Estacado Interests
Devan Pharis of Estacado Interests – Representative

Request: 1) A special use permit for a convenience store with gas sales
2) The amendment of the Raleigh Plaza Shopping Center General Plan to remove the prohibition of “filling stations”

OPD recommendation: REJECTION
LUCB recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

5.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit located at parts of 3372 Austin Peay Highway, containing 67 acres (whole parcel) in the Commercial Mixed Use – 2 District. This resolution is sponsored by the Office of Planning and Development. (Held from 11/03)

Case No. SUP 20-13

Applicant: City of Memphis
Mary Claire Borys of the Division of HCD – Representative

Request: To permit vehicle service

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

6.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a street and alley closure located at the east-west public alley, known as Barboro Alley, located North of Gayoso Avenue between Wagner Place and Front Street; containing +/-2,640 square feet in the Central Business (CBD) and Cotton Row Historic Overlay (H) Districts. This resolution is sponsored by the Office of Planning and Development.

Case No. SAC 20-20

Applicant: 99-105 S Front Street, LLC
Michael J. Fahy, Prime Development Group – Representative

Request: Close and vacate the right-of-way of an east-west public alley known as Barboro Alley

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE- THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATION FROM OPD

NOTATION from the Land Use Control Board that the following case was heard and recommendation made requesting a date of public hearing:

7. A. Case No. PD 20-08 – NORRIS AND HERNANDO PD

Located on the Southeast corner of Norris Road and Hernando Road; containing 7 acres in the Residential – 6 District.

Applicant: Norris Express, LLC
John Behnke of Spire Enterprises – Representative

Request: Permit a convenience store with gas sales

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: December 1, 2020

ENGINEERING DIVISION

8. RESOLUTION approving the engineering plans for CHICK-FIL-A #4615 (SUMMER AVENUE)

Contract No. CR-5343

Resolution approves the engineering plans located at 4649 Summer Avenue, approximately 463 linear feet east of the North Perkins and Summer Avenue intersection in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept Liberty Mutual Insurance Performance Bond No. 016227460 in the amount of \$98,000.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION approving the final plat for STONE CREEK PD, PHASE 2 (PD 06-345cc)

Contract No. CR-5344

Resolution approves the final plat located approximately 850 linear feet east of the Grand Pines Drive / Holmes Road intersection in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept Evolve Bank & Letter of Credit No. 550731 in the amount of \$200,200.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

10. RESOLUTION approving the final plat for OAKS EDGE PD (PD 99-366 formerly PD 93-366 & PD 90-304)

Contract No. CR-5345

Resolution approves the final plat located at 4266 Haverhill Road, northwest corner lot in the Haverhill Road and Cherry Road intersection in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept Travelers Casualty & Surety Company Performance Bond No. 107317859 in the amount of \$190,300.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION approving the final plat for ONE BEALE, PHASE 3 (PD 18-10)

Contract No. CR-5346

Resolution approves the final plat located at the northwest corner lot of South Front Street and Dr. M.L. King Jr. Avenue in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept Fidelity and Deposit Company Performance Bond No. 9367653 in the amount of \$71,700.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

12. RESOLUTION approving the final plat for HOLMES/TCHULAHOMA PD, PHASE 6 (PD 98-301CC)

Contract No. CR-5347

Resolution approves the final plat located on the northeast corner lot of the Tchulahoma Road Tchulatech Drive east to Meltech Boulevard/Cove and north to Holmes Road in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept Federal Insurance Company Performance Bond No. K09617127 in the amount of \$293,000.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

13. RESOLUTION approving the BUCKINGHAM FARMS PD, PARCEL J, Sewer Improvements, Case No. PD 16-15CO and authorizing release of the refundable bond.

(Contract No. CR-5279)

Resolution approves accepting the public improvements located on the north side of East Shelby Drive at Meadowvale Drive, in the City of Memphis, Tennessee. Resolution also authorizes the release of the Landmark Bank Letter of Credit No. 12006762 in the amount of \$122,100.00 held as security for the standard improvement contract.

ACTION REQUESTED: Adopt the resolution



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FISCAL CONSENT AGENDA

(NONE)



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MLGW FISCAL CONSENT

14. RESOLUTION approving Change No. 1 to Contract No. 11793, Over-the-Phone Language Interpreter Service with Universe Technical Translation, Incorporated. (This change is to increase the current contract in the estimated funded amount of \$90,000.00 due to increases in use by various areas at the Division, the increase in call volume and the community offices' COVID-19 Restrictions.)
15. RESOLUTION approving Change No. 1 to Contract No. 12121, Identity Manager Support with Concensus Consulting, LLC d/b/a Concensus Technologies, in the funded amount of \$30,000.00. (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering November 1, 2020 through October 31, 2021 with no increase in rates from the initial term.)
16. RESOLUTION approving Change No. 4 to Contract No. 11462, Electronic Board Agenda Solution with Granicus (formerly Accela, Incorporated) in the funded amount of \$37,216.37. (This change is to ratify and renew the current contract for annual software maintenance, fees, and support services for the period covering November 1, 2020 through October 31, 2021.)
17. RESOLUTION awarding a purchase order to Thomas Consultants, Inc., for Netbackup software licenses in the funded amount of \$116,766.58.
18. RESOLUTION approving Change No. 3 to Contract No. 12009, Professional IS (Information Services) Support Services with VACO Memphis, LLC, in the funded amount of \$937,432.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering January 1, 2021 through December 31, 2021 in the funded amount of \$1,487,432.00; of which \$550,000.00 will be absorbed in the current contract value, with no increase in rates from the previous year.)
19. RESOLUTION approving Change No. 3 to Contract No. 12007, Professional IS (Information Services) Support Services with Stragistics Technology, Incorporated, in the funded amount of \$1,179,716.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering January 1, 2021 through December 31, 2021 in the funded amount

of \$1,329,716.00; of which \$150,000.00 will be absorbed in the current contract value, with no increase in rates from the previous year.)

20. RESOLUTION approving Change No. 3 to Contract No. 12010, Professional IS (Information Services) Support Services with Nextech Solutions, LLC, in the funded amount of \$1,214,744.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering January 1, 2021 through December 31, 2021 in the funded amount of \$1,789,744.00; of which \$575,000.00 will be absorbed in the current contract value, with no increase in rates from the previous year.)
21. RESOLUTION approving Change No. 3 to Contract No. 12008, Professional IS (Information Services) Support Services with CTD Staffing, LLC, in the funded amount of \$964,488.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering January 1, 2021 through December 31, 2021, of which \$400,000.00 will be absorbed in the current contract value, with no increase in rates from the previous year.)
22. RESOLUTION approving Change No. 3 to Contract No. 12012, Professional IS (Information Services) Support Services with Cook Systems International, Incorporated, in the funded amount of \$1,056,816.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering January 1, 2021 through December 31, 2021 in the funded amount of \$1,356,816.00; of which \$300,000.00 will be absorbed in the current contract value, with no increase in rates from the previous year.)
23. RESOLUTION approving Change No. 3 to Contract No. 12011, Professional IS (Information Services) Support Services with Conch Technologies, Incorporated, in the funded amount of \$1,174,780.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering January 1, 2021 through December 31, 2021 in the funded amount of \$1,574,760.00; of which \$399,980.00 will be absorbed in the current contract value, with no increase in rates from the previous year.)
24. RESOLUTION approving Change No. 3 to Contract No. 11951, Professional IS (Information Services) Support Services with Ciber - an HTC Global Company, in the funded amount of \$1,350,688.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering January 1, 2021 through December 31, 2021 in the funded amount of \$1,650,688.00; of which \$300,000.00 will be absorbed in the current contract value, with no increase in rates from the previous year.)
25. RESOLUTION awarding a purchase order to Border States Industries, Inc., for high voltage capacitors in the funded amount of \$120,954.00.
26. RESOLUTION awarding Contract No. 12164, Shaw #5 Transformer Installation, to Consolidated Electrical Services, Inc., in the funded amount of \$72,000.00.
27. RESOLUTION awarding Contract No. 12193, Grounds Maintenance and Landscaping Service, to Rotolo Consultants, Inc., in the funded amount of \$81,224.35.



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REGULAR AGENDA

GENERAL ORDINANCES– THIRD AND FINAL READING

28. **ORDINANCE** amending Chapter 2, Article I, Section 2-10-10, Subsection B, to require the Board of Ethics to establish an online portal to require Lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis, up for **T H I R D** and **F I N A L** reading. Ordinance No. 5752 is sponsored by Councilman Morgan and Councilman Carlisle. (Held from 6/16;7/7;7/21; 9/1: 9/15; 10/6; 10/20; 11/03)

Canale
Chairman,
Government
Affairs &
Annexation
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

29. **ORDINANCE** amending and restating Chapter 25 of the City of Memphis, Code of Ordinances Governing the City Pension System, up for **T H I R D** and **F I N A L** reading. Ordinance No. 5763 is sponsored by the Administration. (Held from 10/20;11/03)

Carlisle
Chairman,
Personnel
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

30. **ORDINANCE** amending Chapter 12 of the City of Memphis Code of Ordinances, so as to update the Code of Ordinances related to sidewalks, up for **T H I R D** and **F I N A L** reading. Ordinance No. 5764 is sponsored by Councilwoman Easter-Thomas.

Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General
Services Committee

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION

31. RESOLUTION approving the 2021 Budget of the Memphis Light, Gas and Water Division for operation and maintenance expenses and capital expenditures. This resolution is sponsored by MLGW Division.

Morgan
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEMS

32. SELECTION of the 2021 Council Chairman.

33. SELECTION of the 2021 Council Vice Chairman.

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT