



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, December 15, 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 (December 1, 2020)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. PRESENTATION of the 2020 Memphis City Council Humanitarian Award.
2. RESOLUTION recognizing Jennifer Oswalt for her excellent stewardship of the Downtown Memphis Commission. This resolution is sponsored by Councilman Carlisle.

ACTION REQUESTED: Adopt the resolution

COMMUNITY ORGANIZATION SPOTLIGHT (None)

PUBLIC HEARING (None)

DIVISION OF PLANNING AND DEVELOPMENT

3.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit located at part of 2939 South Third Street and part of 2920 New Horn Lake Road, containing 7 acres in the Employment and Heavy Industrial District. This resolution is sponsored by the Office of Planning and Development. (Held from 10/20;12/01)

Case No. SUP 20-12

Applicant: Abdallah Ayesh
Tim Dagastino of W. H. Porter Consultants, PLLC – Representative

Request: Special use permit for a truck stop and gas pumps

LUCB recommendation: REJECTION

OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE- THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCES- FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

4. **SUBSTITUTE ORDINANCE** amending Title 3, Chapter 16 in the City of Memphis, Code of Ordinances, City Employee Occupational Health Program, establishing an updated Occupational Safety and Health Program Plan, up for **S E C O N D** reading. Ordinance No. 5765 is sponsored by Human Resources Division.

Carlisle
Chairman,
Personnel
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

5. **ORDINANCE** amending Chapter 2, Section 2-22-7 of the City of Memphis, Code of Ordinances to modify Engineering Administration Fees, up for **S E C O N D** reading. Ordinance No. 5766 is sponsored by Engineering Division.

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

ACTION REQUESTED: Adopt the ordinance on Second reading

6. **ORDINANCE** amending Title 11, Section 11-16-21 of the City of Memphis, Code of Ordinances to reduce the default City Speed Limit to 25 mph, up for **S E C O N D** reading. Ordinance No. 5767 is sponsored by Engineering Division.

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

ACTION REQUESTED: Adopt the ordinance on Second reading

7. **ORDINANCE** establishing the City Council meeting dates for 2021, up for **S E C O N D** reading. Ordinance No. 5768 is sponsored by Chairwoman Robinson.

Robinson
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATION FROM OPD (None)

ENGINEERING DIVISION

8. RESOLUTION approving the engineering plans of CAROLINA TERRACE SUBDIVISION.

Case No. S 19-17
Contract No. CR-5348

Resolution approves the engineering plans located at 27 W. Carolina on the south side of W. Carolina west of the Florida Street 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 Landmark Bank Letter of Credit No. 2008060 in the amount of \$39,000.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION approving the engineering plans of CONWOOD SNUFF REDEVELOPMENT (BOA CASE #20-03).

Contract No. CR-5349

Resolution approves the engineering plans located on Front Street- northwest corner of the intersection of Keel Avenue and North Front Street 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 Arch Insurance Performance Bond No. SU 1169726 in the amount of \$87,000.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

10. RESOLUTION approving final plat of FIRESTONE AUTO COMPLETE (10001 US-64).

Case No. PD 15-322
Contract No. CR-5350

Resolution approves the final plat located at 10001 US Hwy 64 (Stage Road), east of the Houston Levee Road intersection on the south side of US Hwy 64 (Stage 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 Travelers Casualty and Surety Company Performance Bond No. 107269479 in the amount of \$78,100.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION approving engineering plans of MEMPHIS RISE ACADEMY TRAFFIC SIGNAL (RALEIGH-LAGRANGE ROAD @ WILFONG ROAD).

Contract No. CR-5351

Resolution approves the engineering plans located at the intersection of Raleigh-LaGrange Road and Wilfong 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 Performance Bond No. 30103633 in the amount of \$347,900.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

12. RESOLUTION approving the final plat of PORTER-LEATH ACADEMY 3 (ORANGE MOUND), SKYVUE SHOPPING CENTER.

Case No. Z 86-126

Contract No. CR-5352

Resolution approves the final plat located at 2881 Park Avenue, southwest corner lot in the Park Avenue and Haynes Street 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 Performance Bond No. 107076502 in the amount of \$77,600.00 on behalf of the City of Memphis.

ACTION REQUESTED: Adopt the resolution



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FISCAL CONSENT AGENDA

(NONE)



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MLGW FISCAL CONSENT

13. RESOLUTION awarding Contract No. 12230, Exceleron Pre-Pay to Exceleron Software, LLC, in the funded amount of \$1,920,000.00.
14. RESOLUTION awarding Contract No. 12236, Meter Support Maintenance to Honeywell, in the funded amount of \$5,253,180.00. **(Request for same night minutes)**
15. RESOLUTION approving Change No. 8 to Contract No. 10927, Perpetual Licensing Agreement with Pitney Bowes Software, Incorporated, in the funded amount of \$148,082.41. (This change is to renew the current contract for software maintenance, license and support services for the period covering September 1, 2020 through August 31, 2025, which reflects a 2% increase in pricing. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by Pitney Bowes Software, Incorporated.) **(Request for same night minutes)**
16. RESOLUTION awarding Contract No.12154, Surveying Services to Ollar Surveying Company, LLC, in the funded amount of \$135,425.00.
17. RESOLUTION approving Change No. 3 to Contract No. 12016, Armored Car Service with Brinks, Incorporated to provide daily pick-up of cash receipts at all MLGW community offices in the funded amount of \$30,000.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering February 16, 2021 through February 15, 2022.)
18. RESOLUTION approving Change No. 2 to Contract No. 11801, Prescription Benefits Management with Express Scripts in the funded amount of \$6,018,625.00. (This change is to extend the current contract for a three month term for the period covering January 1, 2021 through March 31, 2021. This extension is needed to allow implementation time for a new prescription drug program to be put in place for MLGW employees, retirees and dependents.) **(Request for same night minutes)**
19. RESOLUTION awarding Contract No.12162, Prescription Benefits Management to CVS in the funded amount of \$59,587,000.00. **(Request for same night minutes)**



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REGULAR AGENDA

20.
Carlisle
Chairman,
Personnel
Committee

APPOINTMENTS

CIVILIAN LAW ENFORCEMENT REVIEW BOARD

Appointment

Willie Ward, Jr.

MEMPHIS ANIMAL SHELTER ADVISORY BOARD

Appointment

Jennifer Karnes, DVM

MEMPHIS HOUSING AUTHORITY

Appointment

Shawna Engel

MEMPHIS LANDMARKS COMMISSION

Appointment

Raymond Browning Gill IV

MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD

Reappointment

Raymond Browning Gill IV

GENERAL ORDINANCES– THIRD AND FINAL READING

21. **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; 11/17; 12/01)

Carlisle
Chairman,
Personnel
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

22. **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. (Held from 11/17;12/01)

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

23. **RESOLUTION** appropriating \$360,000.00 funded by G.O. Bonds General in CIP Project #GA03007, Fixed Route Buses, to fund the purchase of fixed-route buses as part of the Fiscal Year 2021 Capital Improvement Budget. This resolution is sponsored by MATA.

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

ACTION REQUESTED: Adopt the resolution

24. **RESOLUTION** appropriating \$50,000.00 funded by G.O. Bonds General in CIP Project #GA03011, Paratransit Buses, to fund the local share for purchasing paratransit buses as part of the Fiscal Year 2021 Capital Improvement Budget. This resolution is sponsored by MATA.

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

ACTION REQUESTED: Adopt the resolution

25. **RESOLUTION** appropriating \$50,000.00 funded by G.O. Bonds General in CIP Project #GA03022, Advanced Public Transportation Systems, to fund the local share for purchasing advanced public transportation systems as part of the Fiscal Year 2021 Capital Improvement Budget. This resolution is sponsored by MATA.

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

ACTION REQUESTED: Adopt the resolution

Committee

26. RESOLUTION transferring, allocating and appropriating FY21 CIP funds in the amount of \$250,000.00 by G.O. Bonds for MATA CIP Project #GA03023 Operations/Maintenance to CIP Project #GA03027, Central Station Project. This resolution is sponsored by MATA.

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

ACTION REQUESTED: Adopt the resolution

27. RESOLUTION appropriating \$50,000.00 funded by G.O. Bonds General in CIP Project #GA03024, Rail Facility Improvements, to fund the local share for rail facility improvements as part of the Fiscal Year 2021 Capital Improvement Budget. This resolution is sponsored by MATA.

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

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION appropriating \$50,000.00 funded by G.O. Bonds General in CIP Project #GA03025, Bus Facility Improvements, to fund the local share for bus facility improvements as part of the Fiscal Year 2021 Capital Improvement Budget. This resolution is sponsored by MATA.

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

ACTION REQUESTED: Adopt the resolution

29. RESOLUTION appropriating \$165,000.00 funded by G.O. Bonds General in CIP Project #GA03026, Rail Vehicles, to fund the local share for purchasing rail vehicles as part of the Fiscal Year 2021 Capital Improvement Budget. This resolution is sponsored by MATA.

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

ACTION REQUESTED: Adopt the resolution

30. RESOLUTION appropriating \$1,159,840.00 funded by G.O. Bonds General in CIP Project #GA03028, Midtown Area Connector, to fund the local share for the development of a new Bus Rapid Transit line connecting downtown with the University of Memphis as part of the Fiscal Year 2021 Capital Improvement Budget. This resolution is sponsored by MATA.

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

ACTION REQUESTED: Adopt the resolution

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 TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

31. RESOLUTION to provide funding for the Clean Pathways Initiative Program – Contract #358965 – Lifeline to Success and Contract #358975 – Freedom From Unnecessary Negatives (FFUN), Extension two (2). This resolution is sponsored by Public Works Division.

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

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS

32. RESOLUTION to create and fund an Anti-Violent Crime Task Force for the City of Memphis. This resolution is sponsored by Councilman Warren. (Held from 12/01)

Swarengen
Chairman,
Public Safety &
Homeland
Security Committee

ACTION REQUESTED: Adopt the resolution

33. RESOLUTION accepting the Public Safety Task Force Committee recommendations for recruiting, hiring, training and retaining Public Safety Officers. This resolution is sponsored by Public Safety Task Force. **(Request for same night minutes)**

Swarengen
Chairman,
Public Safety &
Homeland
Security Committee

ACTION REQUESTED: Adopt the resolution

34. RESOLUTION adjusting the FY21 Operating Budget to spend restricted funds, received in FY20, in the amount of \$120,000.00 for Memphis Animal Services. This resolution is sponsored by Memphis Animal Services.

Easter-Thomas
Chairman,

Public Services,
Youth Initiatives,
Libraries &
Neighborhoods Committee

ACTION REQUESTED: Adopt the resolution

35. RESOLUTION thanking Chairwoman Patrice Robinson for her service and leadership as the 2020 Memphis City Council Chairman. This resolution is sponsored by Chairman-Elect Frank Colvett, Jr.

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT