

Same Night Minutes of Item
20
of the Regular Meeting of the City Council
City of Memphis

April 7, 2020

After the meeting was opened for the transaction of business and a quorum was declared present, the Council considered the items on the agenda, including item **20** to wit:

20. RESOLUTION to transfer and appropriate construction funds in the amount of
Smiley \$463,347.00 for the John's Creek Channel Lining Repair Project number ST03212.
Chairman, This project is in Memphis City Council District 4 and Super District 9. (Request
Public Works same night minutes)
Committee

ACTION REQUESTED: Adopt the resolution

MOTION: Johnson

SECOND: Easter-Thomas

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan,
Morgan, Smiley, Swearengen, Warren and Robinson

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent:

APPROVED

Whereupon **Colvett** moved that the minutes for the foregoing item be approved on the date the matter was approved and **Canale** seconded the motion. The motion was called for a vote as follows:

ACTION REQUESTED: Adopt the resolution

MOTION: Colvett

SECOND: Canale

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan,
Morgan, Smiley, Swearengen, Warren and Robinson

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent:

APPROVED

Chairman: Date: 04/07/2020

Attest:

Deputy Comptroller/Council

**CITY OF MEMPHIS
NOTICE OF REGULAR MEETING
OF
THE MEMPHIS CITY COUNCIL
Tuesday, April 7, 2020, 3:30 p.m.**

Due to the declarations of a State of Emergency by the President of the United States, the Governor of Tennessee and the Mayor of Memphis relating to the Covid-19 Pandemic the Council has determined that is necessary that the meeting be conducted by electronic or other means of communication in order to protect the health, safety and welfare of the public, City employees, Council staff and Members of the Council.

THERE WILL BE NO PHYSICAL MEETING

Attached to this Notice of Meeting are instructions on how members of the public may electronically access the meeting and/or a recording of the meeting and how the public may provide written comments concerning any agenda item or any other matter prior to the meeting.

MINUTES

**TELEPHONIC MEETING OF MARCH 24, 2020 RECESSED MEETING TO
APRIL 7, 2020 MEETING OF THE CITY COUNCIL CITY OF MEMPHIS**

March 24, 2020

3:30 P.M. MEETING RECONVENED

After the meeting was re-opened for the transaction of business and a quorum was declared present, Councilman Colvett made a motion to adjourn the March 24, 2020 Council Meeting; this was seconded by Councilman Canale; without objection.

Chairwoman Robinson adjourned the March 24, 2020 Council Meeting being that there weren't any unfinished business; without objection.

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ADJOURNED MEETING AT 3:31 P.M.

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.



CHAIRMAN

Attest:



Deputy Comptroller/Council Records

MINUTES
TELEPHONIC MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

April 7, 2020

3:30 P.M. SCHEDULED SESSION

3:32 P.M. MEETING COMMENCED

ROLL CALL: J. Ford Canale, Chase Carlisle, Frank Colvett, Jr., Michalyn Easter-Thomas, Edmund Ford, Sr., Cheyenne Johnson, Martavius Jones, Rhonda Logan, Worth Morgan, JB Smiley, Jr., Jamita Swearngen, Jeff Warren and Chairwoman Patrice Robinson.

**THE MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with telephonic prayer by Rev. Dr. Rosalyn Nichols of Freedom’s Chapel Christian Church. Councilwoman Swearngen thanked Rev. Dr. Nichols for being the Chaplain of the Day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council’s deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

Approval of the Minutes of the regular meeting of March 24, 2020 with the following motion:

MOTION: Colvett
SECOND: Canale
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearngen, Warren and Chairwoman Robinson

APPROVED

- 1. RESOLUTION DESIGNATING APRIL 17, 2020 AS BLUE & GREEN DAY 901 AND RECOGNIZING THE MID-SOUTH TRANSPLANT FOUNDATION. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN LOGAN.**

MOTION: Logan
SECOND: Easter-Thomas
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearngen, Warren and Chairwoman Robinson

APPROVED

MLGW FISCAL CONSENT AGENDA – Items #2 - #16 may be acted upon by one motion:

2. **RESOLUTION APPROVING CHANGE NO. 22 TO CONTRACT NO. 10705, ORACLE SOFTWARE LICENSE AND SERVICE WITH ORACLE AMERICA CORPORATION, IN THE FUNDED AMOUNT OF \$3,215,805.60. (THIS CHANGE IS TO RENEW ANNUAL SOFTWARE MAINTENANCE, SUPPORT SERVICES, AND LICENSES FOR VARIOUS TECHNICAL SUPPORT SERVICES.)**

APPROVED

3. **RESOLUTION APPROVING POSITION NOS. 4674 AND 5689, COMPUTER SOFTWARE SPECIALIST 3 AND SALARIES FOR EACH POSITION OF \$96,026.**

APPROVED

4. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 11735, ONSITE COMPUTER AND TECHNICAL CLASSES WITH SOUTHWEST TENNESSEE COMMUNITY COLLEGE, IN THE FUNDED AMOUNT NOT-TO-EXCEED \$20,000.00. (THIS CHANGE IS TO EXTEND THE CURRENT CONTRACT FOR 8-MONTHS COVERING THE PERIOD APRIL 1, 2020 THROUGH DECEMBER 31, 2020, WITH NO INCREASE IN RATES FROM THE PREVIOUS RENEWAL. THIS EXTENSION IS TO ALLOW THE MLGW UNIVERSITY TO FACILITATE COMPUTER AND TECHNICAL CLASS TRAINING THROUGH MLGW AND NOT THROUGH A CONTRACTED VENDOR.)**

APPROVED

5. **RESOLUTION APPROVING THE AGREEMENT OF THE ON-GOING COMMITMENT TO LOCAL ECONOMIC AND COMMUNITY DEVELOPMENT WITH THE GREATER MEMPHIS CHAMBER, IN THE FUNDED AMOUNT OF \$175,000.00. (THIS AGREEMENT WILL BE FOR SERVICES TO BE RENDERED BY THE GREATER MEMPHIS CHAMBER FOR THE PERIOD SEPTEMBER 1, 2019 THROUGH AUGUST 31, 2020.)**

APPROVED

6. **RESOLUTION AWARDDING A PURCHASE ORDER TO YODER SALES AGENCY, INC. FOR SUBSTATION CAPACITOR SWITCHES, IN THE AMOUNT OF \$455,940.00.**

7. **RESOLUTION AWARDING A PURCHASE ORDER TO INDUSTRIAL SALES OF MEMPHIS FOR THE PURCHASE OF BUSHINGS, IN THE AMOUNT OF \$99,489.96.**

APPROVED

8. **RESOLUTION APPROVING PAYMENT OF AN INVOICE FROM THE AMERICAN PUBLIC GAS ASSOCIATION FOR THE 2020 ANNUAL MEMBERSHIP DUES IN THE AMOUNT OF \$57,300.00.**

APPROVED

9. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11872, SELF INSURED HEALTHCARE WITH CIGNA HEALTHCARE, IN THE ESTIMATED FUNDED AMOUNT OF \$52,172,147.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR A SECOND AND FINAL 12-MONTH RENEWAL OPTION COVERING THE PERIOD JANUARY 1, 2021 THROUGH DECEMBER 31, 2021, WITH NO INCREASE IN ADMINISTRATION FEES. THE DIVISION WILL PAY 75% OF THE EMPLOYEE'S ANNUAL PREMIUM IN THE ESTIMATED FUNDED AMOUNT OF \$39,129,110.25 AND MLGW EMPLOYEES/RETIRES WILL BE RESPONSIBLE FOR 25% OF THE ANNUAL PREMIUMS THROUGH PAYROLL DEDUCTION IN THE ESTIMATED AMOUNT OF \$13,043,036.75. THE PROJECTED AMOUNT TO BE FUNDED BY MLGW IS \$39,129,110.25, THE ACTUAL PAYMENTS FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021 WILL BE RECONCILED TO THE PROJECTED AMOUNT AND THE RESULTS REPORTED TO THE BOARD OF COMMISSIONERS AT THE END OF EACH TERM.)**

APPROVED

10. **RESOLUTION APPROVING CHANGE NO. 14 TO CONTRACT NO. 10793, PROFESSIONAL PORTFOLIO SOFTWARE WITH ADVENT SOFTWARE, INCORPORATED, IN THE FUNDED AMOUNT OF \$35,926.28. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR AN ADDITIONAL YEAR FOR THE PERIOD COVERING MAY 11, 2020 THROUGH MAY 10, 2021. THIS RENEWAL REFLECTS A 3% INCREASE FROM THE PREVIOUS YEAR DUE TO CONTINUED DEVELOPMENT OF THE PRODUCTS, AS WELL AS COST TO SUPPORT THOSE PRODUCTS. MLGW IS REQUESTING APPROVAL OF CONTINUOUS MAINTENANCE SUPPORT OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY ADVENT SOFTWARE, INCORPORATED.)**

APPROVED

11. **RESOLUTION APPROVING CHANGE NO. 14 TO CONTRACT NO. 11292, CASHIERING SYSTEM REPLACEMENT WITH SYSTEM INNOVATORS, IN THE FUNDED AMOUNT OF \$45,806.03. (THIS CHANGE IS TO RENEW ANNUAL HARDWARE, SOFTWARE MAINTENANCE, AND SUPPORT SERVICES FOR CREDITRON SOFTWARE AND OPEX HARDWARE (ITEM AGE EXPRESS) FOR**

THE PERIOD COVERING MAY 1, 2020 THROUGH APRIL 30, 2021 IN THE FUNDED AMOUNT OF \$45,806.03, WHICH REFLECTS A 2% INCREASE IN RATES FROM THE PREVIOUS RENEWAL. THE INCREASE IS TO IMPROVE PERFORMANCE OF THE SOFTWARE, UPDATES (BUG FIXES AND PATCHES), TRAINING AND RETAINING SUPPORT TECHNICIANS, AND DEVELOPING NEW FUNCTIONALITY. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEMS, WHICH CAN ONLY BE PERFORMED BY SYSTEM INNOVATORS AND THE THIRD-PARTY PROVIDERS.)

APPROVED

12. **RESOLUTION AWARDING A PURCHASE ORDER TO TAG TRUCK CENTER FOR THE PURCHASE OF CAB AND CHASSIS DUMP BODY TRUCKS, IN THE AMOUNT OF \$1,910,895.00.**

APPROVED

13. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11921, GENERAL PEST CONTROL AND TERMITE SERVICES WITH NU ERA PEST CONTROL, IN THE FUNDED AMOUNT OF \$38,240.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD NOVEMBER 1, 2020 THROUGH OCTOBER 31, 2021, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

APPROVED

14. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11894, GROUNDS MAINTENANCE - WELL LOTS WITH TURF DOCTORS L&LM, LLC, IN THE FUNDED AMOUNT OF \$69,441.40. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING MAY 17, 2020 THROUGH MAY 16, 2021, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. THIS CONTRACT COVERS MOWING SERVICES ON MLGW WELL LOTS AND FUTURE WELL LOTS (VACANT LOTS) IN MEMPHIS AND SHELBY COUNTY, TENNESSEE.)**

APPROVED

15. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11947, GROUNDS MAINTENANCE WITH BEAN AND PRINCE CONTRACTORS, INCORPORATED, IN THE FUNDED AMOUNT OF \$422,992.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SECOND OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING MAY 12, 2020 THROUGH MAY 11, 2021, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. MLGW LOCATIONS COVERED UNDER THIS CONTRACT ARE ELECTRIC SUBSTATIONS, WATER PUMPING STATIONS, GAS REGULATORS, ETC. IN ADDITION, THIS CHANGE IS**

TO EXPAND THE SCOPE OF WORK TO INCLUDE FIVE ADDITIONAL CUTS AT MLGW'S LNG PLANT-ARLINGTON.)

APPROVED

- 16. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11815, GROUNDS MAINTENANCE AND LANDSCAPING WITH LANDSCAPE WORKSHOP, IN THE FUNDED AMOUNT OF \$84,247.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FOURTH AND FINAL ANNUAL RENEWAL TERM FOR THE PERIOD COVERING MAY 3, 2020 THROUGH MAY 2, 2021, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. MLGW LOCATIONS COVERED UNDER THIS CONTRACT ARE 1) 220 SOUTH MAIN STREET; 2) 245 SOUTH MAIN STREET; 3) 1665 WHITTEN ROAD; 4) 4949 RALEIGH LAGRANGE ROAD; 5) 2425 COVINGTON PIKE; AND 6) A VACANT LOT SOUTH ON WHITTEN ROAD, SOUTH OF 1665 WHITTEN ROAD.)**

APPROVED

ROLL CALL MLGW FISCAL CONSENT ITEMS

MOTION: Morgan
 SECOND: Carlisle
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

APPROVED

- 17. **ORDINANCE AMENDING CHAPTER 21 OF THE CITY OF MEMPHIS, CODE OF ORDINANCES TO ADD A SECTION RELATED TO THE SPEED ENFORCEMENT PHOTOGRAPHIC SYSTEM, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5747 IS SPONSORED BY THE DIVISION OF ENGINEERING.**

(Councilwoman Easter-Thomas made a motion for a friendly amendment approving the Speed Enforcement Cameras for the “S” curve portion of Ordinance No. 5747 to go into effect immediately; and the School Zones portion to go into effect starting August 2020; without objection.)

MOTION: Smiley
 SECOND: Colvett
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

APPROVED

- 18. **RESOLUTION APPROVING A SECOND AMENDMENT TO LEASE AGREEMENT BETWEEN THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION AND JET INFRASTRUCTURE IA (MEMPHIS) LLC F/K/A WESPAC PIPELINES-MEMPHIS LLC**

F/K/A BUCKEYE AVIATION (MEMPHIS) LLC. JET INFRASTRUCTURE IS IN MEMPHIS CITY COUNCIL DISTRICT 4 AND SUPER DISTRICT 8 AND PORT COMMISSION IS IN COUNCIL DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY MEMPHIS AND SHELBY COUNTY PORT COMMISSION.

CONTRACT NO. CR-5326

MOTION: Jones
SECOND: Canale
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

APPROVED

FISCAL CONSENT AGENDA – Items #19 - #22 may be acted upon by one motion:

- 19. **RESOLUTION TRANSFERRING OWNERSHIP OF A 1934 PIRSCH PUMPER TO THE FIRE MUSEUM OF MEMPHIS. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES. (REQUEST FOR SAME NIGHT FISCAL CONSENT)**

APPROVED

- 20. **RESOLUTION TRANSFERRING AND APPROPRIATING CONSTRUCTION FUNDS IN THE AMOUNT OF \$463,347.00 FOR THE JOHN’S CREEK CHANNEL LINING REPAIR PROJECT NUMBER ST03212. THIS PROJECT IS IN MEMPHIS CITY COUNCIL DISTRICT 4 AND SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS DIVISION. (REQUEST FOR SAME NIGHT FISCAL CONSENT AND MINUTES)**

APPROVED

- 21. **RESOLUTION APPROVING THE SALE FOR CITY OWNED SURPLUS PROPERTY, IN THE AMOUNT OF \$2,000.00, ACQUIRED WITH FEDERAL FUNDS BY THE CITY OF MEMPHIS FOR THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT. THE PROPERTY IS LOCATED AT 944 TULLY STREET IN MEMPHIS, SHELBY COUNTY, TENNESSEE 38107 AND FURTHER DESCRIBED AS PARCEL #027004 00047. THE PROCEEDS FROM THIS SALE SHALL BE DEPOSITED INTO THE FEDERAL FUND; FUND 221 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM. THIS PROPERTY IS LOCATED IN DISTRICT 7, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY GENERAL SERVICES DIVISION. (REQUEST FOR SAME NIGHT FISCAL CONSENT)**

APPROVED

- 22. **RESOLUTION APPROVING THE SALE FOR CITY OWNED SURPLUS PROPERTY, IN THE AMOUNT OF \$500.00, ACQUIRED WITH FEDERAL FUNDS BY THE CITY OF MEMPHIS FOR THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT. THE PROPERTY IS LOCATED AT 949 WOODLAWN STREET IN MEMPHIS, SHELBY COUNTY, TENNESSEE 38107 AND FURTHER DESCRIBED AS PARCEL #027004 00050. THE PROCEEDS FROM THIS SALE SHALL BE DEPOSITED INTO A FEDERAL FUND; FUND 221 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM. THIS PROPERTY IS LOCATED IN DISTRICT 7, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY GENERAL SERVICES DIVISION. (REQUEST FOR SAME NIGHT FISCAL CONSENT)**

APPROVED

ROLL CALL FISCAL CONSENT ITEM

MOTION: Johnson
 SECOND: Easter-Thomas
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

APPROVED

(Special Item #1 – Chairman Colvett made a motion to approve same night minutes for Item #20 from tonight’s meeting)

MOTION: Colvett
 SECOND: Canale
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

APPROVED

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 OF
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INSTRUCTIONS OF STEPS TO VIEW THE APRIL 7, 2020 MEMPHIS CITY COUNCIL MEETING

Take notice, the Memphis City Council will meet on **Tuesday, April 7, 2020 at 1:15 p.m.** However, due to Coronavirus disease (COVID-19) health and safety concerns, the public is not permitted to attend the meeting in-person. Instead, the public is permitted to participate in the meeting in the following manner: (I) Electronically, via live-stream, (II) Radio, via 88.5 FM (WQOX), and (III) Electronically, via digital archive.

A. Electronically, via live-stream

To view the Tuesday, April 7, 2020 Memphis City Council meeting electronically, via live-stream, follow the steps below:

- (1) Access the internet,
- (2) Go to the Memphis City Council's "Watch Meetings Online" page at <https://www.memphistn.gov/cms/One.aspx?portalID=11150816&pageID=15334953>
- (3) At 1:15 p.m., click on the April 7, 2020 Memphis City Council meeting
- (4) Begin viewing the April 7, 2020 Memphis City Council meeting electronically via live-stream
- (5) Click on the April 7, 2020 "Agenda" tab to view the agenda documents

B. Radio, via 88.5 FM (WQOX)

To listen to the Tuesday, April 7, 2020 Memphis City Council meeting by radio, via 88.5 FM (WQOX), follow the steps below:

- (1) Access a radio with FM-capabilities,
- (2) At 3:30 p.m., turn the radio dial to 88.5 FM (WQOX),
- (3) Begin listening to the April 7, 2020 Memphis City Council meeting by radio via 88.5 FM (WQOX)

C. Electronically, via digital archive

To listen to the Tuesday, April 7, 2020 Memphis City Council meeting electronically, via digital archive, follow the steps below:

- (1) Access the internet **after** the April 7, 2020 Memphis City Council meeting,
- (2) Go to the Memphis City Council’s “Archived Videos” page at https://www.memphistn.gov/government/city_council/watch_public_meetings_online/city_council_archived_videos
- (3) Press play on the April 7, 2020 “City Council Full Meeting” tab
- (4) Begin viewing the April 7, 2020 Memphis City Council meeting electronically via digital archive
- (5) Click on the April 7, 2020 “Agenda” tab to view the agenda documents
- (6) Click on the April 7, 2020 “Minutes” tab to view the meeting minutes

Note: Public comments may be submitted to the Memphis City Council twenty-four (24) hours prior to the April 7, 2020 meeting. To submit your public comment, please email Patrice.robinson@memphistn.gov with your (a) full name, (b) full street address, (c) phone number, (d) agenda item, if applicable, and (e) comment. For more information, please call (901) 636-6786.

Thank you for your patience during this time. We look forward to continuing our work on your behalf as a thirteen-member council working to make Memphis a safe, healthy, and prosperous city for all!

With earnest appreciation,

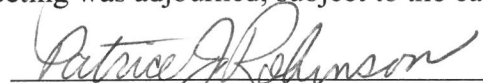


**Patrice Jordan Robinson
Chairwoman, Memphis City Council**

(Councilman Colvett made a motion to recess the meeting. This was seconded by Councilman Canale.)

RECESSED MEETING AT 4:21 P.M.

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.


CHAIRMAN

Attest:

Valerie C. Snipes
Deputy Comptroller/Council Records