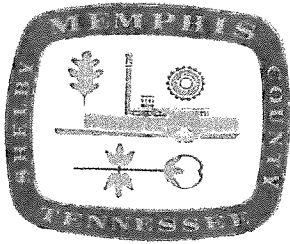


CITY OF MEMPHIS
COUNCIL EXECUTIVE SESSION
 Tuesday , June 2, 2020, 9:00 a.m.

SUPPORTING DOCUMENTS

ITEM #	DESCRIPTION	PAGE #
1	Resolution for approval of Fiscal Year 2020 4 th Quarter Budget Adjustments. Same Night Minutes Requested	1
2	Resolution authorizing the issuance, sale, and payment for Interfund Loan Capital Outlay Notes for the Solid Waste Fund. Same Night Minutes Requested	4
3	Resolution directing the Treasurer to prepare the tax bills. Same Night Minutes Requested	8
4	Resolution to approve the FY 21 budget for the Downtown Memphis Commission and affirm the assessment of \$0.65 per 100.00 of assessed value. Same Night Minutes Requested	10
5	Ordinance amending the Memphis Code of Ordinance Relative to Requirements for Persons to wear facial coverings or masks while present in businesses and public places within the City of Memphis during public health emergencies	19
6	Resolution approving proposed Consolidated Plan FY21 Annual Action Plan and appropriating Federal Entitlement funds to the FY2021 Housing and Community Development Budget. Same Night Minutes Requested	22
7	Resolution for the Memphis Fire Department to accept and appropriate funds from CARES Act Provider Relief Fund through US Department of Health and Human Services in the amount of \$453,410.38. This funding is for prevention, preparation and response to coronavirus. Same Night Minutes Requested	25
8	Resolution for the Memphis Police Department to accept and appropriate grant funds in the amount of \$2,523,880.00 from the US Department of Justice for the FY2020 Coronavirus Emergency Supplemental Funding Program. Same Night Minutes Requested	27
9	Resolution to transfer and appropriate construction funds in the amount of \$143,784.00, to repair the city-owned lake in the Chickasaw Gardens neighborhood and repair a 60' section of failing concrete-lined channel in Cypress Creek. Same Night Minutes Requested	29
10	Resolution appropriating \$10,000,000.00 in Contract Construction funded by Go Bonds-General in CoMEM Phase II, CIP Project number GS010325, to fund construction of City of Memphis Municipal Complex CoMEM Phase II at the former Walter Simmons location	31

11	Resolution appropriating contract construction funds in the amount of \$45,000 funded by GO Bonds for STP Group 5 Resurfacing, CIP #PW01254. This project provides for street repaving under the Surface Transportation Program.	33
12	Resolution to transfer and appropriate \$1,845,813.00 construction funds to repair the Watkins Street and McLean Street Bridges over the Wolf River.	35
13	Discussion on Speed Humps Program	37
14	Update on PILOTs	38
15	Resolution encouraging private employers to provide paid sick leave to their employees, and urging Tennessee Governor Bill Lee and the Tennessee General Assembly to repeal statues that prevent local bodies from requiring private employers to provide paid sick leave to their employees	39
16	Ordinance of the City of Memphis Regulating Lobbying	40



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This is a Resolution for approval of Fiscal Year 2020 4th Quarter Budget Adjustments.

REQUEST SAME NIGHT MINUTES.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Finance Division

3. State whether this is a change to an existing ordinance or resolution, if applicable.

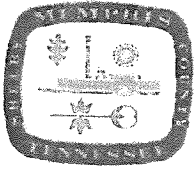
This item requires an amendment to the current funding budget for the City.

4. State whether this requires a new contract, or amends an existing contract, if applicable.

This item does not require a new contract or amend an existing contract.

5. State whether this requires an expenditure of funds/requires a budget amendment.

This item will require a budget amendment for Fiscal Year 2020.



Fiscal Year 2020 4th Quarter Budget Adjustment Resolution

WHEREAS, the Finance Division continuously monitors the City's financial performance and its anticipated spending relative to its adopted and amended budget for all funds; and

WHEREAS, in conjunction with the Finance Division, each Division of City Government periodically reviews its current revenues, expenditures, and projected outcomes for their respective Division, as well as other Operating Funds which are not a part of the General Fund; and

WHEREAS, based on the third quarter review and in light of the current pandemic which has greatly modified the current revenue projections for the City; and

WHEREAS, it is necessary to amend the Fiscal Year 2020 Operating Budget for the General Fund and the Healthcare Fund to approve transfers between the funds, the transfer of revenues from the Sales Tax Referendum Special Revenue Fund to the General Fund, the use of federal funding from the Coronavirus Relief Fund as outlined in the Guidance as set forth in section 601(d) of the Social Security Act, as added by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), and anticipated use of the Unassigned Fund Balance of the General Fund; and

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the Fiscal Year 2020 budgets be amended in accordance with Tennessee Constitution Article 2 § 24, TCA § 9-1-116, Municipal Budget Law of 1982 as follows:

General Fund

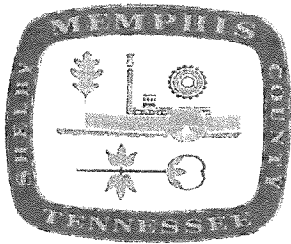
- Transfer Out of \$3,000,000 to the Healthcare Internal Service Fund to ensure sufficient funds to cover all remaining claims for FY20 and to ensure a positive fund balance at the close of year-end fiscal year 2020 transactional activity.
- Transfer In of funds in the amount of \$9,000,000 from the Sales Tax Referendum Special Revenue Fund to the General Fund to offset the impact on the General Fund for the healthcare cost of police and fire personnel.
- Use of CARES Act funding in the estimated amount of \$9,000,000 to offset the cost of budgeted expenditures for public safety and other identified employees for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency in accordance with the federal guidelines provided by section 601(d) of the Social Security Act as added by Section 5001 of the CARES Act.
- Use of Unassigned Fund Balance estimated at \$8,00,000 or as needed to close Fiscal Year 2020 with a balanced budget in accordance with TCA § 9-1-116.

Healthcare Internal Service Fund

- Transfer In of \$3,000,000 from the General Fund to ensure sufficient funds to cover all remaining claims for FY20 and to ensure a positive fund balance at the close of year-end fiscal year 2020 transactional activity.

Sales Tax Referendum Special Revenue Fund

- Transfer Out of funds in the amount of \$9,000,000 to the General Fund to offset the impact on the General Fund for the healthcare cost of police and fire personnel.



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This is a Resolution authorizing the issuance, sale, and payment of Interfund Loan Capital Outlay Notes for the Solid Waste Fund.

Request Same Night Minutes

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Finance Division

3. State whether this is a change to an existing ordinance or resolution, if applicable.

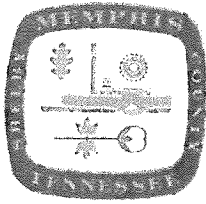
This item does not require a change to an existing ordinance or resolution.

4. State whether this requires a new contract, or amends an existing contract, if applicable.

This item does not require a new contract or amend an existing contract.

5. State whether this requires an expenditure of funds/requires a budget amendment.

This item will create a payable for the Solid Waste Fund and an equal amount receivable for the General Fund.



Resolution Authorizing the Issuance, Sale, and Payment of Interfund Loan Capital Outlay Notes for Solid Waste Fund

WHEREAS, Ordinance 5707 of the Home Rule Charter, created Chapter 15, establishing a Solid Waste Division as a division of city government and established a Director of Solid Waste; and

WHEREAS, pursuant to the Memphis Code of Ordinances, the Division of Solid Waste maintains jurisdiction over residential and commercial solid waste collection, transportation, and disposal; and

WHEREAS, the services provided by the Solid Waste Division are critical to the citizens of Memphis and warrant revision and adequate funding; and

WHEREAS, as part of the restructure of the Solid Waste Division, by Ordinance No. 5739, Memphis City Council approved on December 17, 2019, the amended change to the solid waste fees for the collection and disposal of solid waste effective January 1, 2020; and

WHEREAS, the restructure of the Solid Waste Division included the issuance of an Interfund Loan from the General Fund to the Solid Waste Fund; and

WHEREAS, the City Council of Memphis Tennessee has determined that it is necessary and desirable to provide funds for public works project(s); and

WHEREAS, the Governing Body has determined that the Projects will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV, and VI of Title 9, Chapter 21, Tennessee Code Annotated, local governments in Tennessee are authorized to finance the cost of the Project(s) through the issuance and sale of interest bearing capital outlay notes with a maturity of up to three years upon the approval of the Comptroller of the Treasury or Comptroller's Designee; and

WHEREAS, under the provisions of §9-21-408 of Title 9 Chapter 21, Tennessee Code Annotated, Local Governments in Tennessee are authorized to make Interfund loans in accordance with procedures for issuance of notes in § 9-21-604 of Title 9 Chapter 21 Tennessee Code Annotated.

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of the Project(s);

NOW THEREFORE, BE IT RESOLVED, by the City Council of Memphis, Tennessee, as follows:

Section 1. That, for the purpose of providing funds to finance the cost of the Project(s) in and for the Local Government, the Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this resolution, and upon approval of the Comptroller of the Treasury or

Comptroller's Designee, to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed Seven Million Five Hundred Thousand Dollars (\$7,500,000) (the "Notes") from the General Fund to the Solid Waste Fund upon approval of the Comptroller of the Treasury or Comptroller's Designee pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated "Solid Waste Interfund Loan Capital Outlay Notes, Series 2020", shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination (s) as agreed upon by the legislative governing body; shall be sold at not less than 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed zero percent (0%) per annum, and in no event, shall the rate exceed the legal limit provided by law.

Section 2. That, the Notes shall mature not later than three (3) years after the date of issuance and that the Notes and any extension or renewal notes shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the Governing Body to be at least nine (9) years. Provided, however, that each year [or *fiscal year after the fiscal year of issue*] the Notes are outstanding, one-ninth (1/9) of the original principal amount of the Notes shall mature without renewal but subject to prior redemption.

Section 3. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium, or, if sold at par, with or without a premium of not exceeding one percent (1%) of the principal amount.

Section 4. That, the Notes shall be direct general obligations of the Local Government, for which the punctual payment of the principal and interest on the notes, the full faith and credit of the Local Government is irrevocably pledged and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal of and interest on the Notes. The Governing Body of the Local Government hereby authorizes the levy and collection of a special tax on all taxable property of the Local government over and above all other taxes authorized by the Local government to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for that purpose.

Section 5. That, the Notes shall be executed in the name of the Local Government and bear the manual signature of the chief executive officer (Mayor) of the Local Government and the manual signature of the Comptroller as attestation with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the Comptroller of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the Concentration Account of the Local Government and shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Notes remains outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. Each Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument of transfer

satisfactory to the Local Government duly executed by the registered owner of the registered owner's duly authorized attorney. Upon the transfer of any such Note, the Local Government shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered Notes. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date of the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Section 7. That, the Notes shall be in substantially the form authorized by the Comptroller of the Treasury or Comptroller's Designee and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

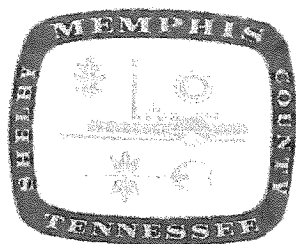
Section 8. The Notes shall not be sold until receipt of the Comptroller of the Treasury or Comptroller's Designee's written approval for the sale of the Notes.

Section 9. That the Notes may be designated as qualified tax-exempt obligations for the purpose of Section 265(b) (3) of the Internal Revenue Code of 1986.

Section 10. That, after the sale of the Notes, and for each year that any of the notes are outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the Comptroller of the Treasury or Comptroller's Designee (the "Director".) The budget shall be kept balanced during the life of the notes. The annual budget shall be submitted to the Director immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Comptroller of the Treasury or Comptroller's Designee in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes".) If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Comptroller of the Treasury or Comptroller's Designee.

Section 12. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this Second day of June 2020.



Memphis City Council Summary Sheet

- This Resolution is to direct the City Treasurer to prepare tax bills for various utilities and carriers.
- Initiating Party: Finance Division.
- This Resolution allows billing to utilities and carriers based on the last certified assessment.
- This Resolution does not require a new contract or modification to an existing contract.
- No expenditure is required by this Resolution.

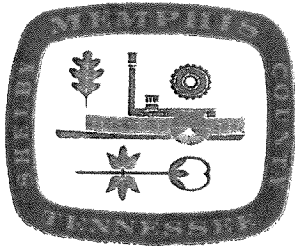
RESOLUTION

WHEREAS, the assessment made on various Utilities and Carriers by the Office of State Assessed Properties for the year 2020 will not be received by the city until about January 2021; and

WHEREAS, it is necessary that the City Treasurer prepare tax bills for these Utilities Carriers in order that the 2020 taxes of those taxpayers can be collected during the collection dates for the other Ad Valorem taxes; and

WHEREAS, it is necessary for the 2019 certified assessment to be used as a tentative assessment for the purposes mentioned above.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis, that the City Treasurer be and is hereby directed to prepare tax bills for the various Utilities and Carriers utilizing the last certified assessment and that upon receipt of the certified 2020 assessment of the Office of State Assessed Properties or its successor the Treasurer be and is hereby directed and authorized to bill the said taxpayers for an increase in the 2020 assessment over the 2019 assessment, or make appropriate adjustments therein; and that he/she be further directed and authorized to refund any amounts paid by said taxpayer in excess of their certified 2020 Office of State Assessed Properties assessment.



Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)** Resolution to approve the FY21 budget for the Downtown Memphis Commission and affirm the assessment of \$0.65 per \$100 of assessed value.
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**
Not applicable.
- 3. State whether this is a change to an existing ordinance or resolution, if applicable. No change**
- 4. State whether this requires a new contract, or amends an existing contract, if applicable. Not applicable.**
- 5. State whether this requires an expenditure of funds/requires a budget amendment. No city funds are required.**

RESOLUTION

WHEREAS, the Memphis City Council authorized the Downtown Memphis Commission to manage the Central Business Improvement District in 1997, and to determine annually the costs and expenses necessary to be funded by special assessment; and

WHEREAS, the Downtown Memphis Commission submitted their FY2021 Budget in the amount of \$4,704,900 for approval by the Memphis City Council; and

WHEREAS, full Council approval is also needed for the Downtown Memphis Commission budget; and

WHEREAS, the Council affirms that the assessment rate approved by Council in 1997, of \$0.65 per \$100 of assessed value, was used to determine the revenues listed below.

NOW, THEREFORE, BE IT RESOLVED by the Memphis City Council that the FY2021 Budget for the Downtown Memphis Commission be and is hereby approved.

DOWNTOWN MEMPHIS COMMISSION BUDGET

	FY2021	FY2020
Safety & Hospitality	\$ 1,798,337	\$ 1,521,850
Beautification: Clean, Green & Main St Mall	\$ 1,282,415	\$ 1,300,948
Development, Diversity & Community Planning	\$ 924,673	\$ 844,637
Events, Activation, Sponsorship & Community Engagement	\$ 699,475	\$ 722,491
	<u>\$ 4,704,900</u>	<u>\$ 4,389,926</u>



Memorandum

TO: Memphis City Council
FROM: Jennifer K Oswald, President
DATE: May 26, 2020
RE: Downtown Memphis Commission FY 2021 Operating Budget

1. The Downtown Memphis Commission (DMC) is the organization charged with:
 - Advancing Memphis and Shelby County by making Downtown Memphis a better place to work, live, invest and visit
 - Attracting more people to Memphis and Shelby County with a vibrant Downtown that is densely developed, authentic, mixed-use, walkable, clean, safe and fun
 - Increasing property values Downtown, thereby increasing the City's revenue
2. **Thank you for your consideration of approval of our FY2021 budget.** As you review, please note that **no City funds**, property tax or otherwise, are being requested.

Highlights include:

- We are budgeting a flat assessment revenue for FY21.
- The FY21 budget reflects a shift of funds from planning efforts towards MWBE outreach, capacity building, and Equal Business Opportunity compliance.
- We are continuing funding the Hospitality Hub and Work Local program, which employs people experiencing homelessness. This work is in partnership with the City and County and helps to create solutions to address street-level homelessness while also addressing cleanliness.
- Our programs continue to support and encourage local entrepreneurs, MWBE, and small businesses to fill vacant properties through our incentives.
- In the last year, we expanded our Blue Suede Brigade Hospitality & Safety officers, our efforts to improve the cleanliness and beautification of Downtown and the Main Street Mall. We will continue these efforts funded by transfers in from related entities.

We respectfully request the City Commission's approval of the FY 2021 operating budget so that we can continue to make Downtown better for the benefit of the whole City. The population and property values of Downtown continue to grow. Thank you very much for your consideration and your continued partnership.

**Downtown Memphis Commission (DMC)
Budget Overview**

	FY2021 Budget	FY2020 Projected Actuals	Variance	%
Income				
CBID Assessment	3,783,000	3,796,761	(13,761)	0%
Operations and Interest Income	45,000	53,318	(8,318)	-16%
Transfers In from Related Entities	876,900	539,846	337,054	62%
Total Income	4,704,900	4,389,925	314,975	7%
Expenses				
Wages & Salaries	2,204,112	2,064,491	139,621	7%
Employee Benefits	581,788	520,895	60,893	12%
Other Personnel Expenses	25,650	24,450	1,200	5%
Dues & Subscriptions	18,820	27,769	(8,949)	-32%
Insurance & Office Expenses	384,283	348,483	35,800	10%
Conferences & Travel	17,000	33,028	(16,028)	-49%
Business Development	188,800	31,300	157,500	503% Increase efforts with Hospitality Hub/Work Local/Fund Police Shift
Professional Fees	219,960	266,344	(46,384)	-17% Audit, IT, Blight Legal, Design Assistance
Event Production/Sponsorship	290,000	290,000	-	0%
Planning & Development	120,000	175,281	(55,281)	-32%
Improvements	230,000	176,879	53,121	30% Shift from Public Realm Projects to Hub/Police efforts in 2020
Depreciation Expense	424,487	431,005	(6,518)	-2%
Total Expenses	4,704,900	4,389,925	314,975	7%
Transfers Out	-	-	-	
Net Income	-	-	-	

DOWNTOWN MEMPHIS COMMISSION FY21 OPERATING BUDGET

DOWNTOWN MEMPHIS COMMISSION



DEVELOPING DOWNTOWN FOR A BETTER MEMPHIS AND SHELBY COUNTY

DMC: PROVIDING VALUE FOR OUR BUSINESS IMPROVEMENT DISTRICT

Guided by City
& County
Board Appointees

Key Business Improvement District (BID) Work:

- Safer/Cleaner/More Welcoming streets and neighborhoods
- Added vibrancy & amenities to attract and engage residents, workers, and visitors
- Reduced blight and increased property values
- Marketing & promotion to support positive community messaging & Downtown Memphis as a top destination for business, residency, and tourism

All while using no City/County tax dollars

“WELCOME TO MEMPHIS” STRATEGY



SAFETY

ANCILLARY SUPPORT OF
MPD AND HOSPITALITY
INDUSTRY
38%



CLEAN & GREEN

MAINTENANCE, LITTER
REMOVAL, LANDSCAPING &
ANTI-BLIGHT WORK
30%



COMMUNITY BUILDING

PROGRAMS TO PROMOTE GROWTH,
INCREASE MWBE CAPACITY &
ENCOURAGE ADAPTIVE REUSE
17%



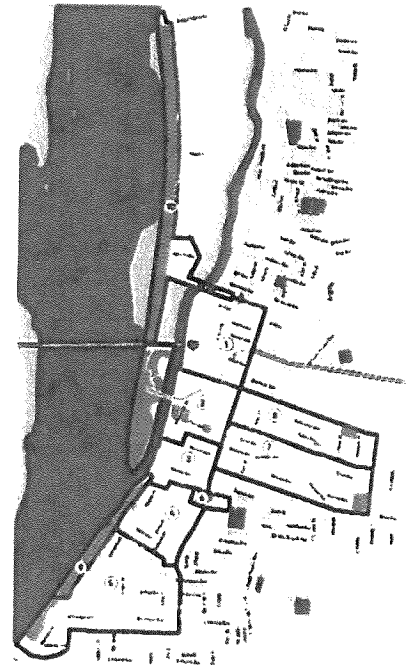
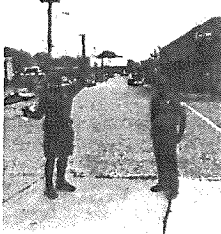
ACTIVATION

INCLUSIVE & OPEN
PROGRAMMING, MARKETING
& COMMUNITY SUPPORT
15%

SAFETY/HOSPITALITY

PROVIDING SUPPORT TO MPD/BUSINESS COMMUNITY & HOSPITALITY INDUSTRY

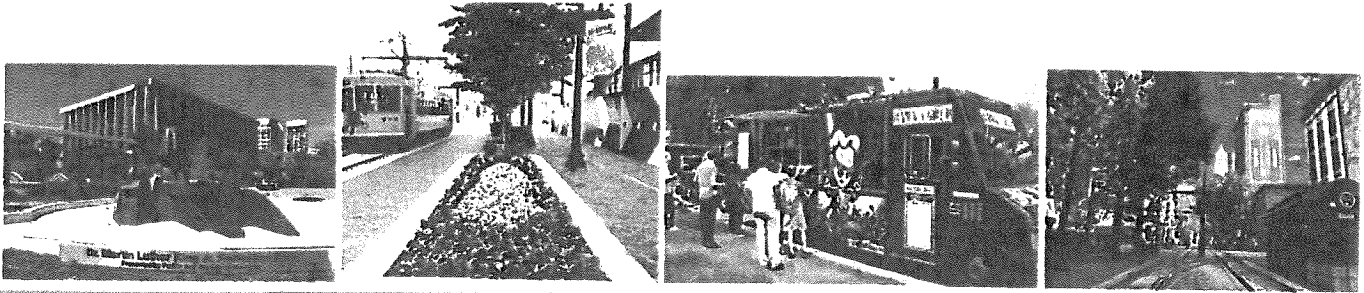
- TEAM - 36 Blue Suede Brigade members
- COVERAGE AREA - Entire CBID, including Beale Street and Riverfront
- COVERAGE HOURS - 15+ hours per day
- HOSPITALITY/SAFETY - 500K visitor interactions tracked
- HOSPITALITY/SAFETY - 4K business service calls answered
- HOSPITALITY/SAFETY - 28K visitor maps distributed
- HOSPITALITY/SAFETY - Provided training for City-wide volunteers during COVID-19



CLEAN & GREEN

CREATING OUR CITY'S BEST FRONT DOOR EXPERIENCE

- **CLEANING** – provided regular cleaning/power washing of alleys throughout the core of Downtown
- **GREENING** – maintained regular weeding, planting, and greenery service for Main Street Mall
- **TRASH/DEBRIS REMOVAL** – removed 88,000lbs trash from Main Street Mall
- **TRASH/DEBRIS REMOVAL** – partnered with Hospitality Hub/Work Local program to clear outstanding trash/debris removal requests throughout the CBID
- **TRASH/DEBRIS REMOVAL** – partnered with Keep America Beautiful to add 70 pole-mounted cigarette receptacle along Main Street



Ordinance No. ...

Ordinance Amending the Memphis Code of Ordinance Relative to Requirements for Persons to wear facial coverings or masks while present in businesses and public places within the City of Memphis during public health emergencies

WHEREAS, pursuant to Article 40 Section 353 of the Memphis City Charter, the City Council shall have the power to pass any ordinance not in conflict with the Constitution or laws of the United States, or of the State of Tennessee; and

WHEREAS, the Memphis City Council recognizes that there are times of great public health emergencies, such as with the Corona Virus Disease 2019, in which measures must be taken to ensure the safety of the citizens of Memphis; and

WHEREAS, the Council finds that during times of public health emergencies caused by the person-to-person spread of contagious, infectious, or perilous air borne disease, protective measures must be in place; and

WHEREAS, the Council finds that wearing facial coverings or masks in public places within the City of Memphis will stop the spread of air borne disease.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that the findings and recitations set out in the preamble to this ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

BE IT FURTHER ORDAINED that face coverings or masks shall be required in public places within the City of Memphis during public health emergencies and/or recognized epidemics or pandemics to prevent the spread of contagious air borne diseases.

BE IT FURTHER ORDAINED that the various sections of this ordinance shall be enacted and become Section 16-11 (b) of the Code of Ordinances:

Section 1. **SHORT TITLE**

This Ordinance shall be known as the "Mask Ordinance."

Section 2. **DEFINITIONS**

The following words and phrases when used in this ordinance shall have the meanings as set out herein:

- 1) "Face covering" or "mask" means a device made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose and mouth to impede the spread of saliva or other fluids during speaking, coughing, sneezing or other intentional or involuntary

action. Medical grade masks are not required. A face covering may be a factory-made mask or a homemade mask made from scarves, bandanas, sweatshirts, towels, etc.

- 2) "Public place" means any place other than an individual's residence, private property, or personal vehicle in which an individual interacts with persons other than members of his or her household.
- 3) "Vulnerable individuals" mean elderly person(s) or individual(s) with serious underlying health conditions, including high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune system is compromised such as by chemotherapy for cancer and other conditions requiring such therapy.

Section 3. Face coverings or masks shall be worn at all times by all persons over the age of two (2) years who can medically tolerate doing so when in a public place within the City of Memphis during public health emergencies and/or recognized epidemics or pandemics to prevent the spread of contagious air borne diseases. Parents and guardians shall be responsible for ensuring proper masking of children over the age of two (2) years when in public places while also ensuring that the face coverings or mask does not pose a choking hazard for children older than two (2) and can be safely worn without obstructing a child's ability to breathe.

Section 4. Exceptions:

- 1) Face coverings or masks are not required to be worn over the face during individual outdoor exercise, but must be worn when encountering and interacting with groups of people in a public place.
- 2) Children two (2) years of age and under are not required to wear a face covering or mask as face coverings or masks may pose a risk of choking, strangulation, or suffocation to infants and young toddlers. Carriers and strollers with coverings that allow the child to breathe comfortably are alternatives for infants and young toddlers. Parents and guardians shall exercise judgement and avoid bringing children not wearing face coverings or masks into public places, especially where contact with vulnerable individuals is expected.
- 3) Patients in examination rooms of medical or dental offices, clinics, hospitals, or where there is a necessity to examine or treat the mouth or nasal area, subject to the direction of the medical or dental professionals in charge of the medical or dental office, clinic, or hospital.
- 4) When wearing a face covering or mask poses a greater mental or physical health, safety or security risk such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance.

Section 5. Business owners, managers and supervisors shall ensure that employees, customers, clients and/or visitors observe the requirement for face coverings or masks while at the place of business.

Section 6. Reusable face coverings or masks must remain clean and sanitary via regular washing and daily disinfecting.

Section 7. To the extent that this ordinance is in conflict with other ordinances of the City of Memphis, this ordinance shall supersede the others until the conflicting ordinance is amended or repealed.

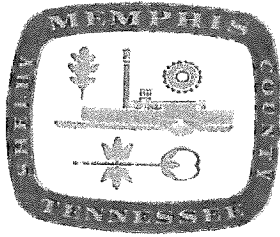
Section 8. The provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

Section 9. The present language in Section 16-11 of the Code of Ordinances shall be re-designated as subsection (a). For the sake of clarity this amendment shall be added to Municode as Section 9-8-4(b).

Section 10. This Ordinance shall take effect from and after the date it shall have been passed by the City Council, signed by the Chair 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: Dr. Jeff Warren
Michalyn Easter-Thomas

Patrice J. Robinson
Chairwoman



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This is a Resolution approving proposed Consolidated Plan FY21 Annual Action Plan and appropriating Federal Entitlement funds to the FY2021 Housing and Community Development Budget.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Housing and Community Development

3. State whether this is a change to an existing ordinance or resolution, if applicable.

This item does not require a change to an existing ordinance.

4. State whether this requires a new contract, or amends an existing contract, if applicable.

This item does not require a new contract or amend an existing contract.

5. State whether this requires an expenditure of funds/requires a budget amendment.

This item does not require an expenditure of funds or a budget amendment.

**RESOLUTION APPROVING PROPOSED CONSOLIDATED PLAN
FY 2021 ANNUAL ACTION PLAN
AND APPROPRIATING FEDERAL ENTITLEMENT FUNDS TO THE FY 2021
HOUSING AND COMMUNITY DEVELOPMENT BUDGET**

WHEREAS, the purpose of the City of Memphis' Consolidated Plan for Housing and Community Development is to foster the development of viable urban neighborhoods which include decent housing for everyone, a suitable living environment, and expanded economic opportunities, especially for low and moderate income citizens; and

WHEREAS, specific projects and activities within the Consolidated Plan FY 2021 Annual Action Plan address the needs of low and moderate income persons through goals, objectives, priorities, and strategies for housing, community and public services, assistance for the homeless and special needs populations, neighborhood, economic and community development; and

WHEREAS, projects and activities proposed to be implemented in the Consolidated Plan FY 2021 Annual Action Plan will draw upon and augment the resources of the public, private, and nonprofit sectors to meet low and moderate income needs in the community; and

WHEREAS, the plan contains a description of anticipated federal, state, and local housing resources for FY 2021, including Community Development Block Grant (CDBG) funds received under Title I of the Housing and Community Development Act of 1974, HOME funds received under Title II of the National Affordable Housing Act of 1990, Emergency Solutions Grant (ESG) funds authorized under the HEARTH Act of 2009, and Housing Opportunities for Person With AIDS (HOPWA) funds, as shown in the following tables:

Estimated FY 2021 Funds to be received from HUD

Program Name	Estimated Funds	Percent of Total
CDBG Program	\$6,751,893.00	47%
Projected CDBG Program Income	\$603,924.00	4%
Section 108 Loan Repayment Program Income	\$750,000.00	5%
HOME Program	\$2,013,486.00	14%
Projected HOME Program Income	\$50,000.00	1%
ESG Program	\$584,065.00	4%
HOPWA	\$3,500,637.00	25%
TOTAL	\$14,254,005.00	100%

;and

WHEREAS, the plan identifies and describes the following priority areas of projects and activities to be implemented in FY 2021 by the federal entitlement funds received from the U.S Department of Housing and Urban Development (HUD):

FY 2021 Priority Areas

Priority Need Category	Proposed Expenditures	Percentages
Housing	\$4,240,262.00	30%
Homeless	\$892,760.00	6%
Special Needs	\$3,511,118.00	25%
Neighborhood, Economic & Community Development	\$3,585,567.00	25%
General Administration & Planning	\$2,024,298.00	14%
TOTAL	\$14,254,005.00	100%

and,

WHEREAS, the Consolidated Plan FY 2021 Annual Action Plan includes and was developed within a framework of a citizen participation plan, requiring consultation with citizens and other social service and housing agencies; and

WHEREAS, the Consolidated Plan FY 2021 Annual Action Plan is available for a 30-day public review and comment period beginning April 13, 2020, and ending May 12, 2020, and must be submitted to HUD on or before May 15, 2020 for approval; and

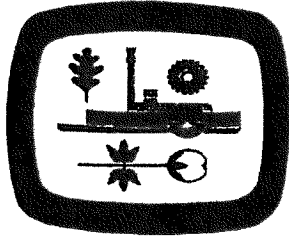
WHEREAS, the CDBG entitlement, estimated program income, the HOME, ESG, and HOPWA entitlement grants must be appropriated in the FY 2021 Operating Budget for HCD.

NOW, THEREFORE, BE IT RESOLVED that the Council and the City of Memphis hereby adopts and approves the proposed Consolidated Plan FY 2021 Annual Action Plan.

BE IT FURTHER RESOLVED that there be and is hereby accepted and appropriated the amount of **\$14,254,005.00** by federal resources for FY 2021, including Community Development Block Grant (CDBG) funds, Projected Program Income from CDBG and HOME, HOME Program funds, Emergency Solutions Grant (ESG) funds, and Housing Opportunities for Person With AIDS (HOPWA) chargeable to the FY 2021 Operating Budget and credited as follows:

Program Name	Estimated Funds	Percent of Total
CDBG Program	\$6,751,893.00	47%
Projected CDBG Program Income	\$603,924.00	4%
Section 108 Loan Repayment Program Income	\$750,000.00	5%
HOME Program	\$2,013,486.00	14%
Projected HOME Program Income	\$50,000.00	1%
ESG Program	\$584,065.00	4%
HOPWA	\$3,500,637.00	25%
TOTAL	\$14,254,005.00	100%

BE IT FURTHER RESOLVED that the Mayor and the Director of HCD are authorized to prepare and execute the necessary documents in connection with the proposed FY 2021 Consolidated Plan Annual Action Plan to apply for and accept funding which the City is entitled to receive from HUD.



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This resolution supports accepting and appropriating funds from CARES Act Provider Relief Fund through US Department of Health and Human Services in the amount of \$453,410.38,. This funding is for prevention, preparation and response to coronavirus.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

The Fire Division is the initiating party of this resolution.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

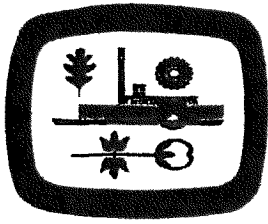
This is the original resolution.

4. State whether this requires a new contract, or amends an existing contract, if applicable.

The resolution does not require a new contract or amend an existing contract.

5. State whether this requires an expenditure of funds/requires a budget amendment.

The resolution does require a budget to be established and an expenditure of federal funds in the amount of \$453,410.38.



A resolution to accept funding in the amount of Four Hundred Fifty-Three Thousand Four Hundred Ten Dollars and 38/100 (\$453,410.38) from CARES Act Provider Relief Fund through US Department of Health and Human Services (HHS).

WHEREAS, The City of Memphis Division of Fire Services has received funds in the amount of Four Hundred Fifty-Three Thousand Four Hundred Ten Dollars and 38/100 (\$453,410.38) from the CARES Act Provider Relief Fund through US Department of Health and Human Services; and

WHEREAS, These funds will be used for the prevention, preparation and response to coronavirus; and

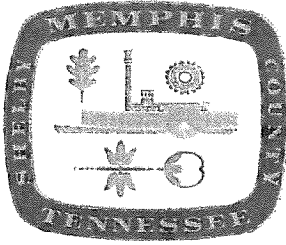
WHEREAS, It is necessary to accept the funding and amend the Fiscal Year 2020 operating budget to establish funds for Fire Services; and

WHEREAS, It is necessary to appropriate the fund in the amount of Four Hundred Fifty-Three Thousand Four Hundred Ten Dollars and 38/100 (\$453,410.38) for Fire Services; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the CARES Act Provider Relief funds in the amount of Four Hundred Fifty-Three Thousand Four Hundred Ten Dollars and 38/100 (\$453,410.38) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2020 operating budget be and is hereby amended by appropriating the Expenditures and Revenues for the CARES Act Provider Relief funds in the amount of Four Hundred Fifty-Three Thousand Four Hundred Ten Dollars and 38/100 (\$453,410.38) as follows:

Revenue	
Federal Grants	\$453,410.38
Expenses	
Full-Time Salaries	\$247,527.24
City Shop Charges	\$205,883.14



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

A Resolution to accept and appropriate grant funds in the amount of Two Million Five Hundred Twenty Three Thousand Eight Hundred Eighty dollars (\$2,523,880.00) from the U. S. Department of Justice.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

The Division of Police Services is initiating this Resolution.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

This is not a change to an existing ordinance.

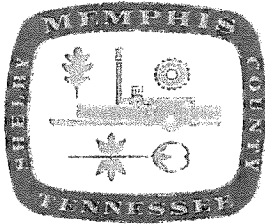
4. State whether this requires a new contract, or amends an existing contract, if applicable.

This Resolution requires a contract between the U.S. Department of Justice and the City of Memphis.

5. State whether this requires an expenditure of funds/requires a budget amendment.

This Resolution requires an expenditure of funds and a budget amendment.

City Council Resolution Template – 8-28-12



A Resolution to accept grant funds in the amount of Two Million Five Hundred Twenty Three Thousand Eight Hundred Eighty Dollars from the U.S. Department of Justice.

WHEREAS, the City of Memphis Division of Police Services has been awarded grant funds in the amount of Two Million Five Hundred Twenty Three Thousand Eight Hundred Eighty Dollars (\$2,523,880.00) from the U.S. Department of Justice for the Federal FY2020 Coronavirus Emergency Supplemental Funding (CESF) Program; and

WHEREAS, these funds will be used by the City of Memphis to enhance law enforcement response to the COVID-19 environment; and

WHEREAS, it is necessary to accept and amend the FY2020 Operating Budget to establish funds for the Federal FY2020 Coronavirus Emergency Supplemental Funding (CESF) Program; and

WHEREAS, it is necessary to appropriate the Federal FY2020 grant funds in the amount of Two Million Five Hundred Twenty Three Thousand Eight Hundred Eighty Dollars (\$2,523,880.00) to be accepted by the City of Memphis.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the U.S. Department of Justice grant funding in the amount of Two Million Five Hundred Twenty Three Thousand Eight Hundred Eighty Dollars (\$2,523,880.00) be accepted by the City of Memphis.

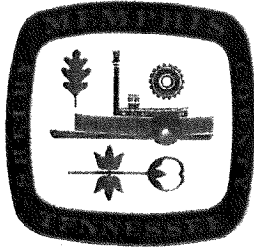
BE IT FURTHER RESOLVED, that the Fiscal Year 2020 Operating Budget be and is hereby amended by appropriating the Revenues and Expenditures for the Federal FY2020 Coronavirus Emergency Supplemental Funding (CESF) Program in the amount of Two Million Five Hundred Twenty Three Thousand Eight Hundred Eighty Dollars (\$2,523,880.00) as follows:

REVENUES

U.S. Department of Justice	<u>\$2,523,880.00</u>
Total	\$2,523,880.00

EXPENDITURES

Full-time Salaries	\$1,068,013.00
Equipment	\$ 792,000.00
Supplies	\$ 599,600.00
Training	<u>\$ 64,267.00</u>
Total	\$2,523,880.00



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

Resolution to transfer and appropriate construction funds to repair the city-owned lake in the Chickasaw Gardens neighborhood and repair a 60' section of failing concrete-lined channel in Cypress Creek. This project is in City Council District 5 and Super District 9.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Public Works at the recommendation of the Engineering Department.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

There is no change to an existing ordinance or resolution.

4. State whether this requires a new contract, or amends an existing contract, if applicable.

This requires a new construction contract with Encor, LLC. The bid opening for this project was February 5, 2020 and Encor's bid was \$130,680. The total contract amount (including 10% contingency of \$13,068) is \$143,748.

5. State whether this requires an expenditure of funds/requires a budget amendment.

This requires a budget amendment and expenditure of funds.



RESOLUTION

This is a resolution to transfer and appropriate construction funds to repair the city-owned lake in the Chickasaw Gardens neighborhood and repair a 60' section of failing concrete-lined channel in Cypress Creek

WHEREAS, the Council of the City of Memphis approved Design-ST Coverline, project number ST02001, as part of the Public Works Fiscal Year 2020 Capital Improvement Budget; and

WHEREAS, bids were received on February 5, 2020 to repair the city-owned lake in the Chickasaw Gardens and repair a 60' section of failing concrete-lined channel in Cypress Creek with the lowest complying bid being \$130,680.00 submitted by Encor, LLC; and

WHEREAS, it is necessary to transfer a construction allocation of \$143,748.00 funded by Capital Pay Go in Design-ST Coverline, project number ST02001 to Chickasaw Gardens Lake Repair, project number ST02012; and

WHEREAS, it is necessary to appropriate \$143,748.00 funded by Capital Pay Go in Chickasaw Gardens Lake Repair, project number ST02012 as follows:

Contract Amount	\$130,680.00
Project Contingencies	<u>\$ 13,068.00</u>
Total Amount	\$143,748.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2020 Capital Improvement Budget be and is hereby amended by transferring a construction allocation of \$143,748.00 funded by Capital Pay Go in Design-ST Coverline, project number ST02001 to Chickasaw Gardens Lake Repair, project number ST02012; and

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$143,748.00 funded by Capital Pay Go chargeable to the FY 2020 Capital Improvement Budget and credited as follows:

Project Title	Chickasaw Gardens Lake Repair
Project Number	ST02012
Total Amount	\$143,748.00

Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

A resolution appropriating \$10,000,000 in Contract Construction funded by G O Bonds – General in CoMEM Phase II, CIP Project number GS01032, to fund construction of City of Memphis Municipal Complex CoMEM Phase II.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

General Services

3. State whether this is a change to an existing ordinance or resolution, if applicable.

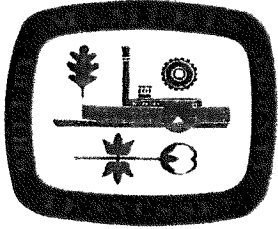
Does not change an existing ordinance or resolution

4. State whether this requires a new contract, or amends an existing contract, if applicable.

Requires a new contract

5. State whether this requires an expenditure of funds/requires a budget amendment.

A budget amendment is needed to appropriate contract construction funds.



A Resolution appropriating FY 2020 funds for construction of City of Memphis Municipal Complex CoMEM Phase II at the former Walter Simmons location.

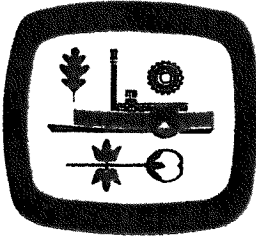
WHEREAS, the Council of the City of Memphis did include \$10,000,000 for CoMEM Phase II CIP Project GS01032, as part of the FY 2020 Capital Improvement Program budget; and

WHEREAS, this \$10,000,000 will initiate the construction of CoMEM Phase II - GS/Fire (Fleet Maintenance, Fueling Station and Fire Apparatus) at the former Walter Simmons location; and

WHEREAS, it is necessary to appropriate a sum of \$10,000,000 in Contract Construction funded by G O Bonds – General in CoMEM Phase II, CIP Project number GS01032.

NOW, THEREFORE, BE IT RESOLVED that there be and is hereby appropriated the sum of \$10,000,000 in Contract Construction funded by G O Bonds – General in CoMEM Phase II, CIP Project number GS01032 and credited as follows:

Project Title:	CoMem Phase II
Project Number:	GS01032
Amount:	\$10,000,000



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

Resolution appropriating contract construction funds in the amount of \$45,000 funded by GO Bonds. This project provides for street repaving under the Surface Transportation Program. This project includes all City Council Districts and all City Council Super Districts.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Initiated by the Public Works Division and is being administered by the Engineering.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

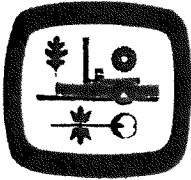
This resolution appropriates \$45,000 to PW01254 STP Repaving Project Group 5 to amend the construction contract #35399 with Lehman Roberts Company.

4. State whether this requires a new contract, or amends an existing contract, if applicable.

This requires ^{an} amendment to the existing contract.

5. State whether this requires an expenditure of funds/requires a budget amendment.

The resolution requires an expenditure of funds.



RESOLUTION

This resolution is an additive change order (*additional funds request*) to an existing construction contract to appropriate additional construction funds for street repaving.

WHEREAS, the Council of the City of Memphis approved STP Grp 5 Resurfacing, project number PW01254 as part of the Public Works Fiscal Year 2020 Capital Improvement Budget; and

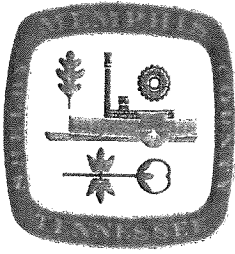
WHEREAS, there currently exist a contract that Council approved appropriation via resolution (*CIP #PW01254*) awarding a construction contract to Lehman Roberts. (*Contract #35399*) on November 19, 2019 for street repaving; and

WHEREAS, it is necessary to extend said contract for additional funds for street repaving under the Surface Transportation Program; and

WHEREAS, it is necessary to appropriate \$45,000 funded by GO Bonds in STP Grp 5 Resurfacing, project number PW01254 for street repaving under the Surface Transportation Program; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the Fiscal Year 2020 Capital Improvement Budget be and is hereby amended by appropriating the total amount of \$45,000 funded by GO Bonds for Contract Construction in STP Grp 5 Resurfacing, project number PW01254, for street repaving under the Surface Transportation Program chargeable to the Fiscal Year 2020 Capital Improvement Budget and credited as follows:

Project Title:	STP Grp 5 Resurfacing
Project Number:	PW01254
Amount:	\$45,000.00



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

Resolution to transfer and appropriate construction funds to repair the Watkins Street and McLean Street Bridges over the Wolf River. Project will include City Council Districts 1 and 7 and City Council Superdistrict 8

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Public Works at the recommendation of the Engineering Department.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

NA

4. State whether this requires a new contract, or amends an existing contract, if applicable.

This requires a new construction contract with Chris Hill Construction.

5. State whether this requires an expenditure of funds/requires a budget amendment.

This requires an expenditure of funds and budget amendment.



RESOLUTION

This is a resolution to transfer and appropriate construction funds to repair the Watkins Street and McLean Street bridges over the Wolf River.

WHEREAS, the Council of the City of Memphis approved Bridges Repair Coverline, project number PW20400 and Bridge Repair, project number PW02001, as part of the Public Works Fiscal Year 2020 Capital Improvement Budget; and

WHEREAS, bids were received on April 1, 2020 to repair the Watkins Street and McLean Street bridges over Wolf River with the lowest complying bid being \$1,709,868.00 submitted by Chris Hill Construction; and

WHEREAS, it is necessary to transfer construction allocations of \$1,045,813 in Bridge Repair, project number PW02001 and \$800,000.00 in Bridge Repair Coverline, project number PW20400 (*total amount of \$1,845,813.00*) funded by GO Bonds to PW Bridge Repairs III, project number PW01283 to repair the Watkins Street and McLean Street bridges over the Wolf River; and

WHEREAS, it is necessary to appropriate a total sum of \$1,845,813.00 funded by GO Bonds in PW Bridge Repairs III, project number PW01283 as follows:

Contract Amount	\$1,709,868.00
Project Contingencies	<u>\$135,945.00</u>
Total Amount	\$1,845,813.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2020 Capital Improvement Budget be and is hereby amended by transferring construction allocations of \$1,045,813.00 in Bridge Repair, project number PW02001 and \$800,000.00 in Bridge Repair Coverline, project number PW20400 (*total amount of \$1,845,813.00*) funded by GO Bonds to PW Bridge Repairs III, project number PW01283 to repair the Watkins Street and McLean Street bridges over the Wolf River; and

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the total sum of \$1,845,813.00 funded by GO Bonds chargeable to the FY 2020 Capital Improvement Budget and credited as follows:

Project Title	PW Bridge Repairs III
Project Number	PW01283
Total Amount	\$1,845,813.00

**NO DOCUMENTS FOR THIS ITEM WERE AVAILABLE AT
THE TIME THE MEETING SCHEDULE WAS RELEASED**

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