

City of Memphis



JIM STRICKLAND
MAYOR

TENNESSEE

March 17, 2020

The Honorable Chase Carlisle, Chairman
Personnel Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Carlisle:

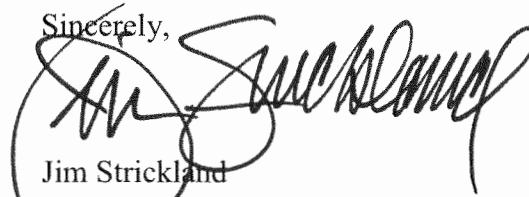
Subject to Council approval, I hereby recommend that:

James M. Harvey, Jr.

be appointed to the Blight Authority of Memphis with a term expiring December 15, 2021.

I have attached biographical information.

Sincerely,



Jim Strickland
Mayor

JSS/sss

Cc: Council Members



JIM STRICKLAND
MAYOR

March 17, 2020

The Honorable Chase Carlisle, Chairman
Personnel Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Carlisle:

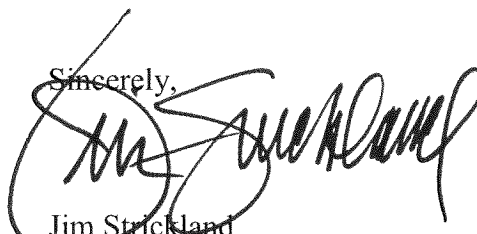
Subject to Council approval, I hereby recommend that:

Kathy Cowan

be reappointed to the Blight Authority of Memphis with a term expiring December 15, 2023.

I have attached biographical information.

Sincerely,



Jim Strickland
Mayor

JSS/sss

Cc: Council Members



JIM STRICKLAND
MAYOR

TENNESSEE

March 17, 2020

The Honorable Chase Carlisle, Chairman
Personnel Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Carlisle:

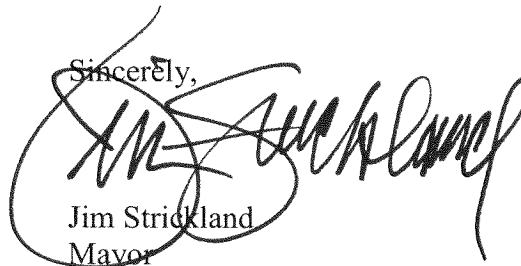
Subject to Council approval, I hereby recommend that:

James E. Kirkwood

be appointed to the Civilian Law Enforcement Review Board with a term expiring October 31, 2022.

I have attached biographical information.

Sincerely,



Jim Strickland
Mayor

JSS/sss

Cc: Council Members

City of Memphis



TENNESSEE

JIM STRICKLAND
MAYOR

July 28, 2020

The Honorable Chase Carlisle, Chairman
Personnel Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Carlisle:

Subject to Council approval, I hereby recommend that:

Albert Morris, Jr. M.D.

be appointed to the Civilian Law Enforcement Review Board with a term expiring June 03, 2022.

I have attached biographical information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Strickland", written over the typed name and title.

Jim Strickland
Mayor

JSS/sss

Cc: Council Members



JIM STRICKLAND
MAYOR

March 17, 2020

The Honorable Chase Carlisle, Chairman
Personnel Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Carlisle:

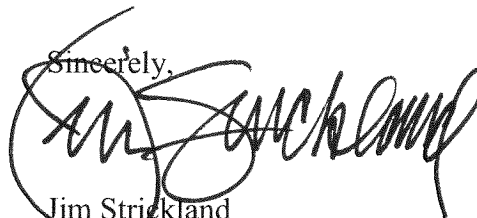
Subject to Council approval, I hereby recommend that:

Katie Shotts

be reappointed to the Health, Educational, and Housing Facility Board with a term expiring December 31, 2022.

I have attached biographical information.

Sincerely,

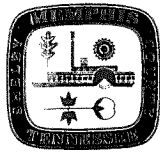


Jim Strickland
Mayor

JSS/sss

Cc: Council Members

City of Memphis



JIM STRICKLAND
MAYOR

TENNESSEE

March 17, 2020

The Honorable Chase Carlisle, Chairman
Personnel Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Carlisle:

Subject to Council approval, I hereby recommend that:

Edward H. Stephens, III

be appointed to the Memphis Area Transit Authority with a term expiring January 31, 2023.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Strickland".

Jim Strickland
Mayor

JSS/sss

Cc: Council Members



T161

Memphis City Council Summary Sheet

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

Resolution to transfer and/or appropriate funds for various CIP projects. **Request for same night minutes.**

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

Finance

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

N/A

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

N/A

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

This resolution authorizes the transfer of unspent allocated or appropriated funding from completed projects to current projects whereby expenditures are expected to be made in Fiscal Year 2021.



RESOLUTION

To transfer and/or appropriate funds for various CIP projects

WHEREAS, for the betterment of the community, it is the Administration's objective to complete new projects that are ready for construction and/or for continued improvement in a timely manner; and

WHEREAS new and existing projects that have completed their design phase are ready for construction and/or continued improvement; and

WHEREAS, in preparation for Fiscal Year-end 2020, the Administration has reviewed its Capital Improvement Program (CIP) spending and execution; and

WHEREAS several projects, which had previously been funded, have reached completion or are no longer priorities to move forward; and

WHEREAS various CIP projects retain unspent allocations or unencumbered appropriations that are sufficient and available for other uses;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2021 CIP Budget be amended as follows:

1. Transfer allocations and appropriations totaling **\$70,550** in Projects IS01071-Weights/Measures Billing SW and IS01079-MFD Tele/Radio Log Recorder to Project #IS01061-Oracle Release 12 Upgrade for **Information Technology** and appropriate same.
2. Transfer **\$50,000** remaining allocation in **Contract Construction** in Project #GA19100-FY19 Executive Coverline to Project #GA01030-X-Ray Machine-Animal Services for **Furniture/Fixtures/Equipment** and appropriate same.

3. Transfer allocations and appropriations totaling **\$400,000** from the projects listed below to Project #GA01029-Mud Island/Beale Street for **Contract Construction** and appropriate same.
 - a. GA01019 – Water Tax System – \$200,000
 - b. GA01008 – Mud Island Major Maintenance – \$87,401
 - c. GA18100 – FY18 Executive Coverline – \$73,770
 - d. GA19100 – FY19 Executive Coverline – \$36,000
 - e. FS02018 – Fire Station #63 – \$2,337
 - f. FS17101 – Fire Stations 24, 37, 59 Alterations – \$400
 - g. FS18105 – FY18 Station Improvements – \$92

4. Transfer allocations and appropriations totaling **\$962,530** from the prior year Capital Acquisition (CAQ) projects listed below to FY21 CAQ Projects GS0221A through GS0221I for **Vehicles CAP**.
 - a. GS0217C – \$340,705
 - b. GS0218B – \$192,067
 - c. GS0218F – \$111,556
 - d. GS0218C – \$84,980
 - e. GS0217D – \$79,166
 - f. GS0217A – \$47,458
 - g. GS0218D – \$20,006
 - h. GS0217H – \$19,160
 - i. GS0217G – \$17,094
 - j. GS0216D – \$14,208
 - k. GS0216A – \$12,365
 - l. GS0216G – \$12,228
 - m. GS0218G – \$4,928
 - n. GS0217F – \$2,391
 - o. GS0218H – \$2,154
 - p. GS0218E – \$2,064

AN ORDINANCE TO AMEND 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

WHEREAS, T.C.A. § 3-6-301(15) and (17), requires persons who communicate, directly or indirectly, with state government officials for the purpose of influencing action by the official for compensation, to register, each calendar year, with the Tennessee Ethics Commission; and

WHEREAS, regulations of lobbying activities help to promote local governmental transparency and thereby fosters public confidence in elected and appointed officers and government employees; and

WHEREAS, the Memphis City Council recognizes that First Amendment Rights must be safeguarded and endeavors to do so in all circumstances, including ensuring city government functions to serve the needs of all citizens; and

WHEREAS, since lobbying is a constitutional right, this ordinance is intended to both promote public confidence through transparency and respect individual rights; and

WHEREAS, establishing an online portal to require lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis will enhance a robust, inclusive and transparent public process; and

WHEREAS, in order to increase transparency regarding lobbyists, it is in the best interests of the City to make the information regarding lobbyists available to the public in more locatable places.

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 the Board of Ethics is required to establish an online portal to mandate paid lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis to help promote transparency within the City of Memphis.

BE IT FURTHER ORDAINED that CHAPTER 2, ARTICLE I, SECTION 2-10-10, SUBSECTION B shall be amended by adding the following language:

Chapter 2, Article I, Section 2-10-10, subsection B (9):

9. To establish an online portal to require lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis.

Section 1. Short Title

This Ordinance shall be known as “Regulation of Lobbying Activities”

Sections 2. Purpose

The purpose of “Regulation of Lobbying Activities” is to

A. Effectuate the people's right to monitor their government's work and thereby ensure that it functions to promote the general welfare;

B. Preserve the right of individuals, groups and entities to petition and influence their government and thereby advance their own interests.

Sections 3. Definitions

For purposes of this chapter, the following definitions shall apply.

(a) *City Official* means all full-time and part-time elected or appointed officers and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the city.

(b) *Client* means any person on whose behalf lobbying is conducted.

(c) *Contact* or *Contacting* means any direct or indirect communication with a City Official, undertaken by any means, oral, written or electronic, including, but not limited to, through an agent, associate or employee and undertaken in any context, including at a public meeting.

(d) *Compensation* or *Compensated* means any salary, fee, payment, reimbursement or other valuable consideration, or any combination thereof, whether received or to be received; however, "compensation" does not include the salary or reimbursement of an individual whose lobbying is incidental to that person's regular employment.

(e) *Lobbying* or *Lobbying Activity* means except as provided below, means any oral or written communication (including an electronic communication) to a City official, made directly or indirectly by any person in an effort to influence or persuade an official to favor or oppose, recommend or not recommend, vote for or against, or take or refrain from taking action on any legislation. The term "lobby or lobbying" does not include a communication:

- (1) Merely requesting information or inquiring about the facts or status of any municipal question, matter, or procedure, and not attempting to influence a City official;
- (2) Made by a public official or employee (including, but not limited to, an official or employee of the City of Memphis) acting in his or her official capacity;
- (3) Made in the course of, or in connection with the gathering, preparation or dissemination of news, information or commentary to the public, or in connection with a municipal question's possible effect upon or relevance to the media's right or ability to engage in such conduct;
- (4) Made by an employee(s) of a non-profit organization or business expressing concern(s) regarding certain legislation;
- (5) Made in a speech, article, publication, or other material that is distributed and made available to the public, or through radio, television, cable television, or any other medium of mass communication;
- (6) Made in writing as a petition for official action and required to be a public record pursuant to established City procedures;
- (7) Made in writing to provide information in response to an oral or written request by a City official for specific information, the content of which is compelled by law;

(8) Made in response to a public notice soliciting communications from the public and directed to the official specifically designated in the notice to receive such communications;

(9) Made on behalf of an individual with regard to that individual's employment or benefits;

(10) Made by a fact witness or expert witness at an official proceeding; or

(11) Made by a person solely on behalf of that individual or his or her relative.

(f) *Lobbyist* means any person who engages in lobbying, whether directly or through the acts of another for compensation. If an agent engages in lobbying for a principal, both the agent and the principal are lobbyists.

(g) *Lobbying firm* means a self-employed lobbyist, or a person that has one or more employees who are lobbyists on behalf of a client or clients other than that person.

Section 4. Registration as Lobbyist

A lobbyist shall register online annually with the Board of Ethics within fifteen (15) business days of becoming a lobbyist by submitting the online registration form, containing the form information, and attaching supporting documentation.

(a) The lobbyist's full name, business address and telephone number;

(b) The name, business address and telephone number of any individual or entity by whom the lobbyist is employed, retained or engaged for compensation to perform lobbying services in the city;

(c) The legislative or administrative action for the city as to which the lobbyist has been engaged;

(d) Include a copy of the lobbyist state mandated disclosure statements;

Section 5. File State Mandated Disclosure Statements

(a) A lobbyist shall file and attach state mandated disclosure statements to registration annually or at any time a lobbyist's state mandated disclosure statements are updated with the Tennessee Ethics Commission.

(b) Records pertaining to the registration and annual reports must be preserved by the lobbyist for inspection and audit by the City for a period of five years from the date of production.

Section 6. Prohibitions

It is unlawful for any person or entity to act as a lobbyist in the City without having registered in compliance with this chapter, or knowingly to employ a person or entity to serve as a lobbyist when such person is not registered pursuant to this chapter.

Section 7. Filing and Preservation of Reports.

- (a) The filings required by this chapter shall be filed under oath with the Board of Ethics and may be filed electronically using the online portal established by the Board of Ethics;
- (b) All reports and statements required under this chapter which are filed with the City Clerk shall be preserved pursuant to the city's records retention schedule, shall constitute part of the public records of his or her office, and shall be open to public inspection;
- (c) The board of ethics may charge a fee to cover the actual costs of processing such reports or amendments in an amount established by resolution;

Section 8. Enforcement.

- (a) 1st Violation – Warning.
- (b) 2nd Violation – A lobbyist will be banned from lobbying activities for a period not to exceed one (1) year.

SECTION 1: The City of Memphis Board of Ethics is hereby directed to take the necessary action to provide an online portal to require lobbyists to register annually and file their state mandated disclosure statements with the City of Memphis.

SECTION 2. Severability. The provision of this ordinance is hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts is held unconstitutional or void, the remainder of this ordinance shall continue in full force and effect.

SECTION 3. Effective date. This Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

Sponsors: Chase Carlisle
Worth Morgan

Patrice Robinson
Memphis City Council Chairwoman

A resolution encouraging the United States Congress to include and financially support public transit in future Coronavirus Relief legislation.

WHEREAS, on March 17, 2020, Mayor Jim Strickland issued a declaration of Emergency for the City of Memphis following Governor Bill Lee’s March 12, 2020 issuance of Executive Order No. 14 declaring a state of emergency in Tennessee to facilitate the treatment of COVID-19; and

WHEREAS, in addition to the immediate health implications, the COVID-19 outbreak will have long-lasting economic and social impacts for our citizens based on direct and indirect effects of illness, the preventive behaviors of people and the policies governments enacted to curtail the transmission of the coronavirus; and

WHEREAS, the COVID-19 pandemic continues to impact public health and has stunted economic growth with unprecedented business closures and job losses; and

WHEREAS, the US Department of Treasury through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) - Coronavirus Relief Fund, has provided payments to assist State, Local, and Tribal governments in navigating the impact of the COVID-19 outbreak; and

WHEREAS, this body is painfully aware that the need for relief far outweighs the \$113,647,218 in funds provided to the City of Memphis through the CARES Act; and

WHEREAS, public transportation has been greatly impacted by growing health concerns and the cost of protecting riders from COVID-19 exposure in this pandemic and many essential workers making a minimum wage rely upon Memphis Area Transit Authority (MATA) for reliable and safe public transportation to and from work; and

WHEREAS, the importance of adequately funding MATA and ensuring public transportation continues to connect our citizens to their homes, employment, and community is highlighted by complexities of the COVID-19 global pandemic; and

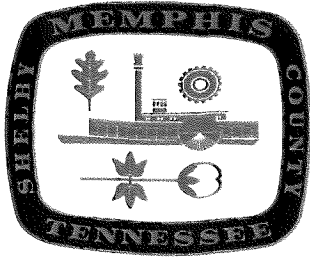
WHEREAS, the United States Congress is working to create additional aid for citizens, businesses, universities, governments, and communities in need, this body implores the United States Congress not to overlook the needed financial support for public transportation agencies across the country.

NOW, THEREFORE, BE IT RESOLVED that Memphis City Council encourages the United States Congress to include and financially support public transit in future Coronavirus Relief legislation.

Sponsor:
JB Smiley, Jr

Chairwoman
Patrice J. Robinson

T039



Memphis City Council Summary Sheet

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

Resolution to transfer, allocate and appropriate \$479,515.00 from FY21 Project Number PK03005 Leftwich Tennis Center Improvements, Contract Construction to Architecture and Engineering, FY21 Project Number PK03005, Leftwich Tennis Center Improvements.

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

Parks and Neighborhoods

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

(Not Applicable)

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

This will require a construction contract.

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

This will require an expenditure of \$479,515.00



***Resolution to transfer, allocate and appropriate funds for
Leftwich Tennis Center Improvements PK03005***

WHEREAS, the Council of the City of Memphis did include Leftwich Tennis Improvements CIP Project Number PK03005, as part of the Fiscal Year 2021 Capital Improvements Budget; and

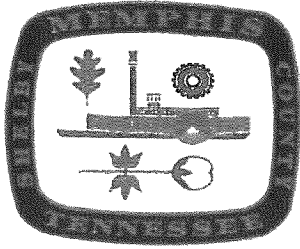
WHEREAS, the Council of the City of Memphis did provide carry-forward funds of \$2,430,158.00 in Fiscal Year 2021 CIP Project Number PK03005, Leftwich Tennis Center Improvements, Contract Construction, as part of the Fiscal Year 2021 Capital Improvements Budget; and

WHEREAS, the Administration requests that Council approve the transfer, allocation and appropriation of \$479,515.00 from Contract Construction to Architecture and Engineering in Fiscal Year 2021 CIP Project Number PK03005, Leftwich Tennis Improvements, in order to complete site design and engineering, architectural design, project management and construction administration.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that it hereby approves the transfer, allocation and appropriation of \$479,515.00 from Fiscal Year 2021 CIP Project Number PK03005, Leftwich Tennis Center Improvements, Contract Construction to Architecture and Engineering, Fiscal Year 2021 CIP Project Number PK03005, Leftwich Tennis Center Improvements funded by Capital Pay GO, chargeable to the Fiscal Year 2021 Capital Improvement Budget; with said appropriations being credited as follows:

Project Title:	Leftwich Tennis Center Improvements
Project Number:	PK03005
Amount:	\$479,515.00

8/4



Memphis City Council Summary Sheet

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

A resolution to accept grant funds from the U.S. Department of Homeland Security in the amount of One Hundred Eighty-Three Thousand Nine Hundred Sixty-Three Dollars and 64/100 (\$183,963.64) for personal protective equipment to prevent, prepare for, and respond to coronavirus.

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

The Division of Fire Services is awarded this grant and serves as the fiscal agent for the award.

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

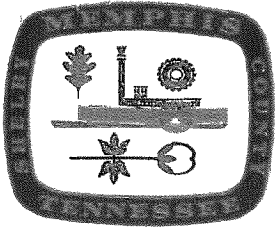
This item does not change an existing ordinance or resolutuion.

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

This is a new grant award pending Council approval.

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

Acceptance will require an amendment to the FY21 Operating Budget to appropriate the funds and requires a City match in the amount of \$18,396.36.



A resolution to accept and appropriate 2020 Assistance to Firefighters Grant Program – COVID-19 Supplemental (AFG-S) grant funds from the U.S. Department of Homeland Security for personal protective equipment to prevent, prepare for, and respond to coronavirus.

WHEREAS, The City of Memphis Division of Fire Services has been awarded grant funds in the amount of One Hundred Eighty-Three Thousand Nine Hundred Sixty-Three Dollars and 64/100 (\$183,963.64) from the U.S. Department of Homeland Security for personal protective equipment to prevent, prepare for, and respond to coronavirus with a City match of \$18,396.36; and

WHEREAS, These funds will be used to prevent, prepare for, and respond to coronavirus; and

WHEREAS, It is necessary to accept the grant funding and amend the FY21 Operating Budget to establish funds for the FY20 Assistance to Firefighters Grant Program – COVID-19 Supplemental; and

WHEREAS, It is necessary to allocate and appropriate One Hundred Eighty-Three Thousand Nine Hundred Sixty-Three Dollars and 64/100 (\$183,963.64) for the U.S. Department of Homeland Security grant project – FY2020 Assistance to Firefighters Grant Program – COVID-19 Supplemental.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the FY20 U.S. Department of Homeland Security Grant Project – Assistance to Firefighters Grant Program – COVID-19 Supplemental grant funds in the amount of One Hundred Eighty-Three Thousand Nine Hundred Sixty-Three Dollars and 64/100 (\$183,963.64) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the FY21 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the FY20 U.S. Department of Homeland Security grant project – FY20 Assistance to Firefighters Grant Program – COVID-19 Supplemental as follows:

Revenue	
Federal Grants	\$183,963.64

Expenses	
Equipment	\$183,963.64

City Council Renaming Commission Nominations

I. Council Nominations

1. Canale - **TBD**
2. Carlisle – **TBD**
3. Colvett – James Jim Gilliland
4. Easter-Thomas - **TBD**
5. Ford – Johnson E. Saulsberry, Jr.
6. Johnson – W. Shawn Lynch
7. Jones – Kenya Nicole Johnson
8. Logan – Elder Rosheay O. Ragland II
9. Morgan – Joe Lowry
10. Robinson – Thelma A. Crivens
11. Smiley – Ashton Alexander
12. Swearengen - Atty. Ossie Lewis
13. Warren – Sara L. Lewis

II. Engineering

1. **TBD**

III. Planning and Development

1. Josh Whitehead

A RESOLUTION OF THE MEMPHIS CITY COUNCIL TO SET THE NEEDED POLICE COMPLEMENT AT 2,800 OFFICERS AND REQUEST A PLAN FROM THE ADMINISTRATION WITH AN ESTIMATED FISCAL NOTE ATTACHED FOR THE HIRING OF AN ADDITIONAL 700 NET OFFICERS BY THE END OF 2023

WHEREAS, the Memphis City Council received on July 21, 2020 from Dr. Richard Janikowski and Dr. Phyllis Betts new analysis regarding the need to increase the police complement in Memphis, both Dr. Janikowski and Dr. Betts being experts in their respective fields of Criminology, Criminal Justice, Urban Affairs, Public Policy, Community Building, and Neighborhood Action; and

WHEREAS, the Memphis City Council accepts the presentation by Dr. Janikowski and Dr. Betts, and acknowledges that a police officer complement of 2,800 would be best suited to protect the citizens of Memphis; and

WHEREAS, the Memphis City Council recognizes the tremendous effort being put forth by an understaffed Memphis Police Department, and thank them for their remarkable service under difficult circumstances; and

WHEREAS, the Memphis City Council also acknowledges with deep regret that there is much more work to be done to ensure the liberty and safety of all Memphians, and that as of the writing of this resolution 146 Memphians, including 22 children, have been murdered this year, with 89% of those victims being African American, i.e., 130 out of 146; and

WHEREAS, the Memphis City Council has no desire to see more Memphians fall victim to preventable crimes; and

WHEREAS, the Memphis City Council understands that there are fiscal and logistical hurdles to hiring an additional 700 net officers and that in order to accomplish this goal an intentional commitment of time, energy, and resources will have to be planned and allocated.

NOW THEREFORE BE IT RESOLVED the Memphis City Council requests the Mayor of Memphis, Jim Strickland, and his administration, author and present a plan by October 6, 2020 that would increase the number of police officers employed by the City of Memphis to 2,800 by the end of 2023.

Sponsor:
Councilman Worth Morgan