

Ordinance No. 5752

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

ORDINANCE NO. 5759

ORDINANCE TO AMEND CHAPTERS 2 AND 12 OF THE CITY OF MEMPHIS, CODE OF ORDINANCES, SO AS TO UPDATE THE CODE OF ORDINANCES RELATED TO STREET, PARK, AND PLACE NAMES

WHEREAS, the process for naming and renaming streets and other thoroughfares within the City of Memphis has been established by Chapters 2 and 12 of the City of Memphis Code of Ordinances; and

WHEREAS, the Memphis City Council possesses naming powers when the City acquires any street or other thoroughfare by purchase or dedication, per Section 12-16-2 of the City of Memphis Code of Ordinances; and

WHEREAS, the Land Use Control Board possesses renaming powers when applications are submitted, per Section 2-50-6 and Section 12-16-2 of the City of Memphis Code of Ordinances, as well as Section 9.10 of the Memphis and Shelby County Unified Development Code; and

WHEREAS, under *Tennessee Code Annotated*, Section 7-86-127, “unless expressly provided otherwise by law, the authority to name public and private roads and streets, including roads and streets located within residential developments, and to assign property numbers relating to the roads and streets, is exclusively vested in the legislative bodies of . . . municipalities within their incorporated boundaries”; and

WHEREAS, in addition to public streets, Chapter 12 applies to the “use of parks” and other “public places” belonging to the City of Memphis; and

WHEREAS, it is in the interests of the City of Memphis to amend Chapters 2 and 12 of the City of Memphis Code of Ordinances, so as to provide the Memphis City Council with renaming powers related to street, park, and place names within the City of Memphis.

NOW THEREFORE BE IT RESOLVED, (Additions underlined in bold italics and deletions identified with strikethrough)

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Section 2-50-6 (B) of the City of Memphis Code of Ordinances is hereby amended and replaced to read as follows:

(B) The recommendation to the respective legislative bodies of zoning studies and regulations, the mapping and revision of zoning districts, special permits, planned unit developments, and regulations for the subdivision of land, recommendation as to subdivisions proposed thereunder, street and alley closings ~~and street name changes~~, shall be vested in the Memphis and Shelby County Land Use Control Board as created by this chapter; **street name change powers shall be vested in the Memphis City Council with regard to City of Memphis streets and other thoroughfares, including streets and other thoroughfares within residential**

developments. Any conflicts with the Memphis and Shelby County Unified Development Code shall be made in favor of this section.

SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Section 12-16-2 of the City of Memphis Code of Ordinances is hereby amended and replaced to read as follows:

When the city shall acquire any street or other thoroughfare by purchase or dedication, the city engineer shall file with the director of public works his or her recommendation of a suitable name of such street or thoroughfare. It shall be the duty of the city council to select a suitable name of for such new street. ~~The official name adopted for a street or other public thoroughfare shall not be changed except in accordance with Chapter 9.10 of the Memphis and Shelby County Unified Development Code.~~ Furthermore, the Memphis City Council may change the official name adopted for City of Memphis streets and other thoroughfares, including streets and other thoroughfares within residential developments, by ordinance duly passed. Any conflicts with the Memphis and Shelby County Unified Development Code shall be made in favor of this section.

SECTION 3. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Section 12-16-6 of the City of Memphis Code of Ordinances is hereby amended and replaced to read as follows:

A map of the city showing streets, alleys, avenues, boulevards, lanes, places, parkways, and other thoroughfares, and the official names assigned to each, prepared under the supervision of the city engineer, authenticated by him or her, shall be published, from time to time. All streets, avenues, alleys, lanes, boulevards, parkways, places, and other thoroughfares in the city shall be known by the name allocated to each on this official map, and such later additions and changes as may be provided ~~in accordance with chapter 9.10 of the Memphis and Shelby Unified Development Code.~~ by the Memphis City Council. Any conflicts with the Memphis and Shelby County Unified Development Code shall be made in favor of this section.

SECTION 4. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 12-68, Public Buildings and Property Use Regulations, is hereby re-titled to read as follows:

Public Buildings, ~~and~~ Property Use Regulations, and Names.

SECTION 5. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Section 12-68-5 (A) of the City of Memphis Code of Ordinances is hereby amended and replaced to read as follows:

(A) It is the purpose of this chapter to detail the process for naming and renaming public place/property names not outlined in sections of the Memphis Municipal Code specifically concerning (i.) streets, and (ii.) parks, and to prevent interference with normal use of public property by the general public and to prohibit only such use which will unduly interfere with the normal use of public property by other members of the public with an equal right to access it.

SECTION 6. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 12-68 of the City of Memphis Code of Ordinances is hereby amended to include Section 12-68-6, which shall be titled and read as follows:

12-68-6. – Method of naming and renaming.

When the city shall acquire property for use by the general public, by purchase, condemnation, or dedication, it shall be the duty of the Memphis City Council to select a suitable name for such new public place/property. Furthermore, the Memphis City Council may change the official name adopted for existing City of Memphis public places/property, by ordinance duly passed. Any conflicts with the Memphis and Shelby County Unified Development Code shall be made in favor of this section.

SECTION 7. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 12-84, Park and Parkway Regulations, is hereby re-titled to read as follows:

Park, ~~and~~ Parkway Regulations, **and Names.**

SECTION 8. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 12-84 of the City of Memphis Code of Ordinances is hereby amended to include Section 12-84-22, which shall be titled and read as follows:

12-84-22. – Method of naming and renaming.

When the city shall acquire any public parks and other public recreational areas, for use by the general public, by purchase, condemnation, or dedication, it shall be the duty of the Memphis City Council to select a suitable name for such new public park and other public recreational area. Furthermore, the Memphis City Council may change the official name adopted for existing City of Memphis parks and other recreational areas, by ordinance duly passed. Any conflicts with the Memphis and Shelby County Unified Development Code shall be made in favor of this section.

Sponsor:
Councilwoman Michalyn Easter-Thomas

Ordinance No. 5760

AN ORDINANCE TO AMEND CHAPTER 30, ARTICLE III OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, BY AMENDING THE LAST PARAGRAPH IN SECTION 30-39, AS IT NOW APPEARS, AND SUBSTITUTING A NEW PARAGRAPH OF SECTION 30-39, TO REQUIRE PERSONS ELIGIBLE FOR THE POLICE RESERVE PROGRAM BE REVIEWED BY INTERNAL AUDIT ANNUALLY AND SHALL REQUIRE DOCUMENTATION OF THE NUMBER OF DUTY HOURS WORKED ANNUALLY.

Be it ordained by the Council of the City of Memphis, that Chapter 30, Article III of the Code of Ordinances, City of Memphis, be and the same is hereby amended as follows:

SECTION I. That the last paragraph of Section 30-39 (b) of the Code of Ordinances, City of Memphis, which in this present form reads:

“b. Persons eligible for membership shall be not less than 21 years nor more than 45 years of age and shall be citizens of the United States, residents of Shelby County, Tennessee, and of excellent character and reputation. They shall be in excellent physical condition, mentally stable, and suffer from no ailment or disability which would limit or prevent engaging in strenuous exercise or the use of firearms. Restrictions and regulations as to age and physical condition may be waived only in the discretion of the director in those cases involving special qualification, abilities and aptitude in the best interest of the police services division.”

Be deleted and stricken and a new last paragraph of Section 30-39 be substituted in lieu thereof as follows:

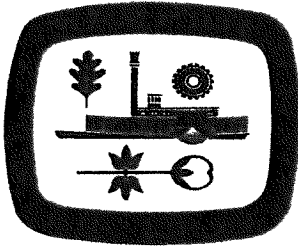
“b. Persons eligible for membership shall be not less than 21 years nor more than 45 years of age and shall be citizens of the United States, residents of Shelby County, Tennessee, and of excellent character and reputation. They shall be in excellent physical condition, mentally stable, and suffer from no ailment or disability which would limit or prevent engaging in strenuous exercise or the use of firearms. Restrictions and regulations as to age and physical condition may be waived only in the discretion and written approval of both the Director of the Memphis Police Department and the Director of Human Resources in those cases involving special qualification, abilities and aptitude in the best interest of the police services division. Persons eligible for this program shall be reviewed by internal audit annually and persons eligible shall require documentation of the number of duty hours worked annually.”

Section 2. Be it further ordained, that the provision of this ordinance is hereby declared to be several, and if any of its section, provisions, sentences, phrases or parts be held unconstitutional or void, the remainder of this ordinance shall continue in full force and effect, it being the legislative intent now hereby declared that his ordinance would have been passed, even if such unconstitutional or ovoid matter had not been included herein.

Section 3. B it further ordained, that this ordinance take effect January 1st, 2021 and shall have been passed by the Council, signed by the chairman of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and becomes effective as otherwise provided by law.

Sponsors: Chase Carlisle

Patrice J. Robinson
Chairwoman



City Council Item Routing Sheet

Division: City Council **Committee:** Budget **Hearing Date:** August 4, 2020

- Ordinance Resolution Grant Acceptance
 Budget Amendment Commendation Other: [Click here to enter text.](#)

<p>Item Description: RESOLUTION accepting Uptown Redevelopment Alley Improvements V and authorizing release of the bond.</p> <p>Resolution approves accepting the public improvements of Uptown Redevelopment Alley Improvements V with the City of Memphis as shown on the engineering plans located between N. Front Street and N. Seventh Street, north of Chelsea Avenue in the City of Memphis, Tennessee. Resolution also authorizes the release of Performance Bond No. SU1147366 in the amount of \$372,700.00 held as security for the standard improvement contract.</p>	
<p>Recommended Council Action: ADOPT THE RESOLUTION</p>	
<p>Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: January 8, 2019; CR-5281</p>	
<p>Does this item require city expenditure? No</p> <p>\$Click here to enter text.</p> <p>\$Click here to enter text.</p>	<p>Source and Amount of Funds:</p>

Approvals

Director WES 7/24/20 Date _____

Division Chief # _____ Date _____

Budget Manager _____ Date _____

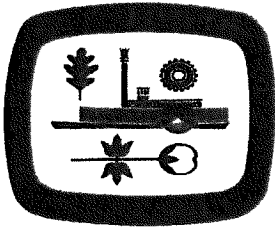
Chief Financial Officer _____ Date _____

Chief Operating Officer

_____ Date _____

Council Committee Chair

_____ Date _____



RESOLUTION accepting Uptown Redevelopment Alley Improvements V and authorizing release of bond.

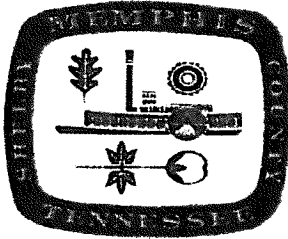
WHEREAS, Community Redevelopment Agency is the Agency and ViktorHall Construction LLC is the Contractor has completed the public improvement with the City of Memphis as shown on the engineering plans for **Uptown Redevelopment Alley Improvements V** located on between N. Front Street and N. Seventh Street, north of Chelsea Avenue in the City of Memphis, Tennessee.

WHEREAS, all of the public improvements required by the standard improvement contract for the project are completed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Uptown Redevelopment Alley Improvements V, CR-5281** and the completion of the public improvements therein, be and the same are hereby accepted by the City.

BE IT FURTHER RESOLVED that the Performance Bond No. SU1147366 in the amount of \$372,700.00 held as security for the standard improvement contract is ordered released.

6011



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 Seven Hundred Fifty Two Thousand, Seven Hundred Eighty Six Dollars (\$752,786.00) from the Shelby County Sheriff's Office for the federal Operation Relentless Pursuit program coordinated through the Office of the United States Attorney General for the Western District of Tennessee.

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

The City of Memphis, Division of Police Services is initiating this resolution.

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

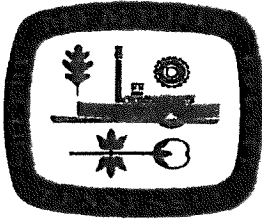
This is not a change to an existing ordinance.

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

This resolution requires a contract between the Shelby County Sheriff's Office 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.



A resolution to accept, allocate, and appropriate grant funds from the Shelby County Sheriff's Office for the Operation Relentless Pursuit Grant Program

WHEREAS, The City of Memphis, Police Services has been awarded grant funds in the amount of Seven Hundred Fifty Two Thousand, Seven Hundred Eighty Six Dollars (\$752,786.00) from the Shelby County Sheriff's Office for the Operation Relentless Pursuit Grant Program; and

WHEREAS, these funds to the City of Memphis, Police Services will be used to pay overtime, equipment, and technology needs related to investigations; and

WHEREAS, it is necessary to accept the grant funding and amend the FY 2021 Operating Budget to establish funds for the Operation Relentless Pursuit Grant Program; and

WHEREAS, it is necessary to appropriate these grant funds in the Amount of Seven Hundred Fifty Two Thousand, Seven Hundred Eighty Six Dollars (\$752,786.00) for the Operation Relentless Pursuit Grant Program; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Operation Relentless Pursuit Grant Program funds in the amount of Seven Hundred Fifty Two Thousand, Seven Hundred Eighty Six Dollars (\$752,786.00) be accepted by the City of Memphis.

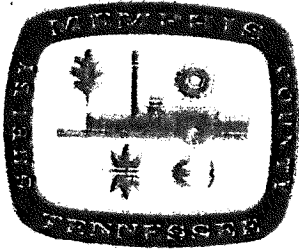
BE IT FURTHER RESOLVED, that the FY 2021 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Operation Relentless Pursuit Grant Program as follows:

Revenue	
Shelby County Sheriff's Office	<u>\$752,786.00</u>
Total	<u>\$752,786.00</u>
Expenditures	
Equipment	\$479,024.00
Full-Time Salaries	\$197,000.00
Supplies	<u>\$ 76,762.00</u>
Total	\$752,786.00

CITY OF MEMPHIS
Appropriation Statement
Categories within Service Centers
For the Period Ending 05/31/2020

Report Parameters

Period Name : MAY-20
Report Level : Service Center
Account Low : 0111.140103....
Account High : 0111.140103....
Budget Name : FUNDING
Exclude Fund Ranges : N



RESOLUTION

WHEREAS, the city of Memphis Division of Police Services has been awarded a donation in the amount of Four Thousand dollars and 00/100 (\$4000.00) from Indian American Lodging Association; and

WHEREAS, the donation is to be used to fund police operational activities; and

WHEREAS, it is necessary to accept the donation and amend the Fiscal Year 2020 Operating Budget to establish funds; and

WHEREAS, it is necessary to appropriate the funds in the amount of Four Thousand dollars and 00/100 (\$4000.00) received from Indian American Lodging Association as stated in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the donation Four Thousand dollars and 00/100 (\$4000.00); 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 for the various donations as follows:

REVENUES

Miscellaneous Revenue (049623)

Mt. Moriah Precinct	140303-049623	\$500.00
Airways Precinct	140308-049623	\$500.00
Tillman Precinct	140307-049623	\$500.00
Raines Precinct	140302-049623	\$500.00
Vice & Narcotics	140103-049623	\$2,000.00



Memphis City Council Summary Sheet

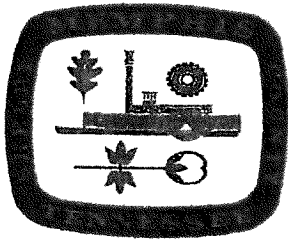
1. Resolution seeking acceptance of a donation the City of Memphis Division of Police Services has been awarded a donation in the amount of Four Thousand dollars and 00/100 (\$4000.00) from Indian American Lodging Association; and the donation is to be used to fund police operational activities.
2. The City of Memphis Division of Police Services is awarded these funds and will serve as the fiscal agent.
3. Resolution will not change an existing ordinance or resolution.
4. Resolution will not require a new contract or amendment to an existing contract.
5. Resolution will require an expenditure of funds equal to the amount of the donation will not require a budget amendment.

EXPENDITURES

Miscellaneous Supplies (052342)

Mt. Moriah Precinct	140303-<u>052342</u>	\$500.00
Airways Precinct	140308-<u>052342</u>	\$500.00
Tillman Precinct	140307-<u>052342</u>	\$500.00
Raines Precinct	140302-<u>052342</u>	\$500.00
Vice & Narcotics	140103-<u>052342</u>	\$2,000.00

G-012



Memphis City Council Summary Sheet

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

A resolution to accept a pellet grill for Fire Station 39 with a value of Eight Hundred Dollars and no/100 (\$800.00) from Dwayne Hunt, pastor of Abundant Grace Fellowship Church.
Council District 6; Super District 8

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.

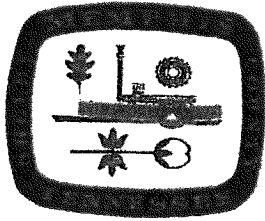
This is the original resolution requesting the acceptance of the donation.

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 not require a budget amendment.



A resolution to accept a pellet grill valued at Eight Hundred Dollars and no/100 (\$800.00) from Dwayne Hunt, pastor of Abundant Grace Fellowship Church.

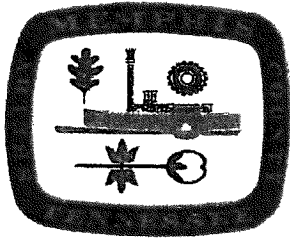
WHEREAS, The City of Memphis Division of Fire Services Fire Station 39 has received a pellet grill valued at Eight Hundred Dollars and no/100 (\$800.00); and

WHEREAS, The equipment is designated to be used Fire Station 39; and

WHEREAS, It is necessary to accept the pellet grill; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the donation of a pellet grill be accepted by the City of Memphis.

GD13



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 \$6,118.27. This funding is for prevention, preparation and response to coronavirus. All Council Districts.

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.

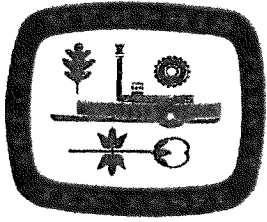
This is the original resolution.

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 \$6,118.27.



A resolution to accept funding in the amount of Six Thousand One Hundred Eighteen Dollars and 27/100 (\$6,118.27) 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 Six Thousand One Hundred Eighteen Dollars and 27/100 (\$6,118.27) 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 2021 operating budget to establish funds for Fire Services; and

WHEREAS, It is necessary to appropriate the fund in the amount of Six Thousand One Hundred Eighteen Dollars and 27/100 (\$6,118.27) 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 Six Thousand One Hundred Eighteen Dollars and 27/100 (\$6,118.27) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2021 operating budget be and is hereby amended by appropriating the Expenditures and Revenues for the CARES Act Provider Relief funds in the amount of Six Thousand One Hundred Eighteen Dollars and 27/100 (\$6,118.27) as follows:

Revenue	
Federal Grants	\$6,118.27
Expenses	
City Shop Charges	\$6,118.27

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of July 15, 2020 awarded Contract No. 12212, Job Evaluation Manager Subscription to Korn Ferry, as a single source provider, in the funded not-to-exceed amount of \$318,195.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to engage with an independent third party, Korn Ferry, as a single source provider, in providing streamlined products and processes to automate the compensation and job analysis processes, as well as the remaining compensation processes. MLGW is requesting approval of this single source award based on the Baker Tilly Study recommendations. The term of this contract is for a 36-month term from the date of the Notice to Proceed. MLGW is requesting up to three (3) days of on-site training in the amount of \$6,800.00 per day, data and subscription services in the amount of \$185,795.00, and consulting fees in the not-to-exceed amount of \$112,000.00 for a total funded not-to-exceed amount of \$318,195.00. This single source award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12212, Job Evaluation Manager Subscription to Korn Ferry, as a single source provider, in the funded not-to-exceed amount of \$318,195.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
July 15, 2020

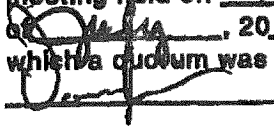
The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the award of Contract No. 12212, Job Evaluation Manager Subscription to Korn Ferry in the funded not-to-exceed amount of \$318,195.00.

The project scope is to engage with an independent third party, Korn Ferry, as a single source provider, in providing streamlined products and processes to automate the compensation and job analysis processes, as well as the remaining compensation processes. MLGW is requesting approval of this single source award based on the Baker Tilly Study recommendations. The term of this contract is for a 36-month term from the date of the Notice to Proceed. MLGW is requesting up to three (3) days of on-site training in the amount of \$6,800.00 per day, data and subscription services in the amount of \$185,795.00, and consulting fees in the not-to-exceed amount of \$112,000.00 for a total funded not-to-exceed amount of \$318,195.00. This single source award complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12212, Job Evaluation Manager Subscription to Korn Ferry in the not-to-exceed amount of \$318,195.00, as outlined in the above preamble, is approved; and further

THAT, the President or his designated representative is authorized to execute the Award.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a ~~regular-special~~ meeting held on 15th day of July, 2020, at which a quorum was present.

Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of July 15, 2020 approved after the fact Purchase Order Number 7020272 for a gas tapping machine and is now recommending to the Council of the City of Memphis that it approves said purchase as funded in the 2020 fiscal year budget; and

WHEREAS, the gas tapping machine is needed for maintenance and control of MLGW's natural gas system. The existing gas tapping machine has reached its end of life cycle and has shown to be unreliable when performing tasks associated with planned work. With the machine's continuous failure to perform, it jeopardizes MLGW having to shut down large sections of our natural gas system when tapping equipment is not fully functional during the tapping process; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved after the fact Purchase Order Number 7020272 to S. J. Patterson Company in the amount of \$74,058.78 chargeable to the MLGW 2020 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
July 15, 2020

The Acting Manager of Procurement and Contracts submitted for consideration of the Board, a recommendation to approve after the fact of Purchase Order Number 7020272 to S. J. Patterson Company in the amount of \$74,058.78 for a gas tapping machine on emergency basis.

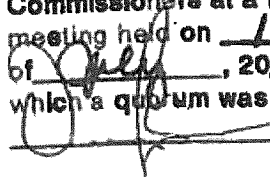
The gas tapping machine is needed for maintenance and control of MLGW's natural gas system. The existing gas tapping machine has reached its end of life cycle and has shown to be unreliable when performing tasks associated with planned work. With the machine's continuous failure to perform, it jeopardizes MLGW having to shut down large sections of our natural gas system when tapping equipment is not fully functional during the tapping process.

The 2020 budgeted amount for Tools and Equipment is \$222,000.00; of which \$74,058.78 will be spent on this purchase order in 2020; leaving a balance of \$147,941.22 after award; and

NOW, THEREFORE, BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval after the fact of the Council of the City of Memphis, Purchase Order Number 7020272 with S. J. Patterson Company is approved as outlined in the foregoing preamble.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 15th day of July, 2020, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of July 15, 2020 approved Change No. 1 to Contract No. 11932, Cellular Communication Services and Devices with AT&T Mobility to renew the current contract in the funded amount of \$806,400.00, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to provide cellular services and devices for the Memphis Light, Gas and Water Division. The services shall include the following: 1) airtime for cellular telephones, smartphones, and smartphone data service; 2) cellular telephone and smartphones (iPhones and android device options); and 3) costs of services and devices. The initial term of this contract was for 36 months from the date of the Notice to Proceed with an option of two (2) additional one (1) year terms or a 24 month term. This change is to renew the current contract for a 24 month term for the period covering October 3, 2020 through October 2, 2022 in the funded amount of \$806,400.00, with no increase in rates from the initial term. This renewal complies with all applicable laws and policies. The new contract value is \$1,706,400.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 11932, Cellular Communication Services and Devices with AT&T Mobility to renew the current contract in the funded amount of \$806,400.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
July 15, 2020

The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 11932, Cellular Communication Services and Devices with AT&T Mobility to renew the current contract in the funded amount of \$806,400.00.

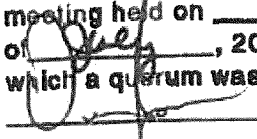
The project scope is to provide cellular services and devices for the Memphis Light, Gas and Water Division. The services shall include the following: 1) airtime for cellular telephones, smartphones, and smartphone data service; 2) cellular telephone and smartphones (iPhones and android device options); and 3) costs of services and devices. The initial term of this contract was for 36 months from the date of the Notice to Proceed with an option of two (2) additional one (1) year terms or a 24 month term. This change is to renew the current contract for a 24 month term for the period covering October 3, 2020 through October 2, 2022 in the funded amount of \$806,400.00, with no increase in rates from the initial term. This renewal complies with all applicable laws and policies. The new contract value is \$1,706,400.00.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, that the approval of Change No. 1 to Contract No. 11932, Cellular Communication Services and Devices with AT&T Mobility to renew the current contract in the funded amount of \$806,400.00 as outlined in the above preamble, is approved; and further

THAT, the President or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 15th day of July, 2020, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of July 15, 2020 approved Change No. 5 to Contract No. 11427, Audiology Recorders Upgrade with Carolina Recording System to extend the current contract in the funded amount of \$49,782.90; and is now recommending to the Council of the City of Memphis that it approves said extension as approved; and

WHEREAS, the project scope is to upgrade audiolog voice recorders that record customer calls, as well as mobile radio systems. The initial term of the contract was for a 60-month period from the date of the Notice to Proceed with provisions for annual license, maintenance and support services. This change is to extend the current contract for one (1) year covering the period of November 1, 2020 through October 31, 2021 in the funded amount of \$49,782.90, with a 1% increase in rates due to inflation. This extension is needed to allow additional time for the Customer Care Center to continue to transition to the Genesys Media Server Application. The Genesys System is the IVR System which provides the Customer Care Center the ability to voice record; however, the voice recording feature is not fully functional at this time. Also due to the COVID-19 Pandemic, there was a delay with the Mobile Radio System moving to a new VoIP Radio System with IP Voice Recording capability. This extension complies with all applicable laws and policies. The new contract amount is \$837,717.15; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 5 to Contract No. 11427, Audiology Recorders Upgrade with Carolina Recording System to extend the current contract in the funded amount of \$49,782.90 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
July 15, 2020

The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 5 to Contract No. 11427, Audiology Recorders Upgrade with Carolina Recording System to extend the current contract in the funded amount of \$49,782.90.

The project scope is to upgrade audiology voice recorders that record customer calls, as well as mobile radio systems. The initial term of the contract was for a 60-month period from the date of the Notice to Proceed with provisions for annual license, maintenance and support services. This change is to extend the current contract for one (1) year covering the period of November 1, 2020 through October 31, 2021 in the funded amount of \$49,782.90, with a 1% increase in rates due to inflation. This extension is needed to allow additional time for the Customer Care Center to continue to transition to the Genesys Media Server Application. The Genesys System is the IVR System which provides the Customer Care Center the ability to voice record; however, the voice recording feature is not fully functional at this time. Also due to the COVID-19 Pandemic, there was a delay with the Mobile Radio System moving to a new VoIP Radio System with IP Voice Recording capability. This extension complies with all applicable laws and policies. The new contract amount is \$837,717.15.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 5 to Contract No. 11427, Audiology Recorders Upgrade with Carolina Recording System to extend the current contract in the funded amount of \$49,782.90 as outlined in the above preamble, is approved; and further

THAT, the President or his designated representative is authorized to execute the Extension.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 15th day of July, 2020, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of July 15, 2020 approved Change No. 1 to Contract No. 12017, Security Automation Installation and Service Agreement with Access Control Integration, Inc. to ratify and renew the current contract in the funded amount of \$100,000.00, and is now recommending to the Council of the City of Memphis that it approves said ratification and renewal as approved; and

WHEREAS, the project scope is to install, repair, replace, and maintain security systems located at various MLGW locations. The initial term of this contract was for 24 months from the date of the Notice to Proceed with an option of three (3) additional one-year terms for a combined total of five (5) years. This change is to ratify and renew the current contract for the first of three (3) additional one-year terms covering the period of July 10, 2020 through July 9, 2021 in the funded amount of \$100,000.00. This renewal also include changes in the product line due to discontinued products by the manufactures. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$410,000.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 12017, Security Automation Installation and Service Agreement with Access Control Integration, Inc. to ratify and renew the current contract in the funded amount of \$100,000.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
July 15, 2020

The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12017, Security Automation Installation and Service Agreement with Access Control Integration, Inc. to ratify and renew the current contract in the funded amount of \$100,000.00.

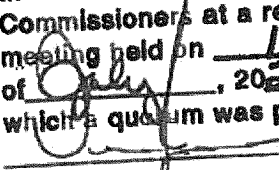
The project scope is to install, repair, replace, and maintain security systems located at various MLGW locations. The initial term of this contract was for 24 months from the date of the Notice to Proceed with an option of three (3) additional one-year terms for a combined total of five (5) years. This change is to ratify and renew the current contract for the first of three (3) additional one-year terms covering the period of July 10, 2020 through July 9, 2021 in the funded amount of \$100,000.00. This renewal also include changes in the product line due to discontinued products by the manufactures. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$410,000.00.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 to Contract No. 12017, Security Automation Installation and Service Agreement with Access Control Integration, Inc. to ratify and renew the current contract in the funded amount of \$100,000.00 as outlined in the foregoing preamble, is approved and further,

THAT, the President or his designated representative is authorized to execute the Ratification and Renewal.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular ~~special~~ meeting held on 15th day of July, 2020, at which a quorum was present.


Secretary-Treasurer

ORDINANCE NO. 5756

AN ORDINANCE TO RESCIND REFERENDUM ORDINANCE NO. 5744 AMENDING ARTICLE 27, SECTION 190 OF THE CHARTER OF THE CITY OF MEMPHIS, SAME BEING CHAPTER 11 OF THE ACTS OF 1879, AS AMENDED, AND RELATIVE TO AMENDMENTS THERETO PURSUANT TO THE PROVISIONS OF ARTICLE 11 SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) TO ALLOW SPECIFIED PERSONNEL EMPLOYED WITH THE DIVISIONS OF POLICE AND FIRE SERVICES TO RESIDE WITHIN 50 MILES FROM THE CITY OF MEMPHIS.

WHEREAS, on December 17, 2019, the Memphis City Council approved Ordinance No. 5744 with same night minutes; and

WHEREAS, this approval deprived newly elected members of this body from providing input on the matter; and

WHEREAS, the rationale and information provided highlighted an issue of retention rather than recruitment, and the Ordinance as written would allow approximately 4,000 current public safety employees and all future public safety employees to reside 50 miles outside of the City of Memphis; and

WHEREAS, on March 3, 2020, the Memphis City Council failed to approve Ordinance No. 5748, which sought to rescind Ordinance No. 5744; and

WHEREAS, the recent events involving the death of the late-George Floyd in Minneapolis, Minnesota reflect, in part, systemic issues that arise when public safety employees are recruited, in large part, from outside of the communities they are tasked with protecting and serving; by the numbers, as of 2017, only eight (8) percent of Minneapolis police officers resided in Minneapolis zip codes; and

WHEREAS, the Memphis City Council now prefers that the City of Memphis keep in place the current residency requirements allowing public safety employees to live within the County of Shelby, and no further, as we work to reform public safety policies for the purpose of reaching improved outcomes, as well as relationships, between public safety employees and our local citizenry, many of whom have lost public trust in our public safety institutions.

Section 1.

NOW THEREFORE BE IT ORDAINED, by the Memphis City Council that it hereby remove the question of residency from the November 2020 ballot by rescinding Referendum Ordinance No. 5744 in its entirety.

Section 2.

BE IT FURTHER ORDAINED, that the Comptroller shall not certify or submit Referendum Ordinance No. 5744 to the Shelby County Election Commission in charge of holding the general State election on November 3, 2020, or request that Referendum Ordinance No. 5744 to the Home Rule Charter of the City of Memphis be placed on the ballot.

Section 3. Nonconflicting – Conflicting Laws

BE IT FURTHER ORDAINED, that upon adoption of this Home Rule Amendment, all laws constituting the present Charter of the City of Memphis, not in conflict with this amendatory Home Rule Ordinance, be and the same are here continued in full force and effect, and all laws in conflict therewith are hereby repealed.

Section 4. Severability

BE IT FURTHER ORDAINED, that if any clause, section, paragraph, sentence or part of this Ordinance shall be held or declared to be unconstitutional and void, it shall not affect the remaining parts of this ordinance, it being hereby declared to be the legislative intent to have passed the remainder of this ordinance notwithstanding the parts so held to be invalid, if any.

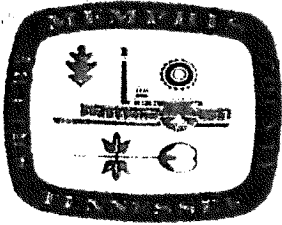
Section 5. Publication

BE IT FURTHER ORDAINED, that this ordinance shall be published immediately after the adoption hereof.

Section 6. Enactment of City Ordinance

BE IT FURTHER ORDAINED, that this ordinance shall take effect from and after the date it shall have passed by the Council signed by the Chairman 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:
Councilwoman Michalyn Easter-Thomas
Councilman Martavius Jones



Memphis City Council Summary Sheet

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

This resolution amends the Fiscal Year 2021 Capital Improvement Budget by transferring and appropriating funds for Traffic Signal Furniture, Fixtures, and Equipment (FY21) (EN01104)

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

This project is being initiated by the Division of Engineering.

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

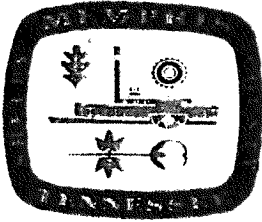
This project does not involve a change to an existing ordinance or resolution.

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

This 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 an expenditure of funds



A Resolution appropriating Funds for EN01104 – Traffic Signal Furniture, Fixtures, and Equipment (FY21)

WHEREAS, the Council of the City of Memphis did include Traffic Signals, Project Number EN21100 as part of the Engineering Fiscal Year 2021 Capital Improvement Budget; and

WHEREAS, bids are taken during the year for various purchases of traffic signal equipment needed for Emergency Maintenance; and

WHEREAS, to expedite these bids and purchases, the Engineering Division requests that this year's allocation be appropriated; and

WHEREAS, it is necessary to transfer an allocation of \$450,000.00 funded by G.O. Bonds – from Traffic Signals, Project Number EN21100 to Traffic Signal Furniture, Fixtures, and Equipment (FY21), Project Number EN01104; and

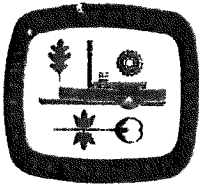
WHEREAS, it is necessary to appropriate \$450,000.00 funded by G.O. Bonds in Traffic Signal Furniture, Fixtures, and Equipment (FY21), Project Number EN01104 as follows:

Furniture, Fixtures, and Equipment	\$450,000.00
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NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2021 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$450,000.00 funded by G.O. Bonds from Traffic Signals, Project Number EN21100 to Traffic Signal Furniture, Fixtures, and Equipment (FY21), Project Number EN01104.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$450,000.00 funded by G.O. Bonds and chargeable to the Fiscal Year 2021 Capital Improvement Budget and credited as follows:

Project Title	Traffic Signal Furniture, Fixtures, and Equipment (FY21)
Project Number	EN01104
Total Amount	\$450,000.00



A resolution to transfer an allocation and appropriation of \$31,180 from Crenshaw Library CD01098 to Raleigh Mall Redevelopment CD01092 and appropriate funds.

WHEREAS, the Memphis City Council did on June 19, 2018, approve an allocation and appropriation of \$150,000 for interior and exterior enhancements at Cornelia Crenshaw Library, the City's first library built to serve African-American residents; and

WHEREAS, all scheduled work at Crenshaw Library has been completed and all associated invoices have been paid leaving a project balance of \$31,180; and

WHEREAS, the new Raleigh Springs Branch Library currently under construction was designed to have a static, brick and mortar sign; and

WHEREAS, the Division of Memphis Public Libraries desires a digital sign similar to the digital signs that are being placed at all library locations, so that they may better inform the Raleigh community about library programming; and

WHEREAS, it is necessary to transfer the unused balance of the Crenshaw Library project CD01098 to the Raleigh Mall Redevelopment project CD01092 to fund the higher cost of the desired digital sign;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the Fiscal Year 2021 Capital Improvement Budget be and is hereby amended by transferring \$31,180.00 of G.O. Bond allocations and appropriations from the Crenshaw Library Project CD01098 to the Raleigh Mall Redevelopment Project CD01092.

Transfer FROM:

CD01098 Crenshaw Library

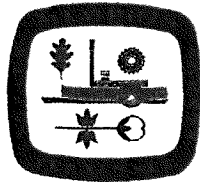
Contract Construction **\$31,180.00**

Transfer TO:

CD01092 Raleigh Mall Redevelopment

Contract Construction **\$31,180.00**

T036



A resolution to transfer \$500,000 from the New Frayser Library LI01030 to the Raleigh Mall Redevelopment CD01092 and appropriate funds.

WHEREAS, the Memphis City Council did on March 24, 2020, approve an allocation and appropriation of \$3,975,000 for New Frayser Library project, the purpose of which is to replace the Frayser Branch library; and

WHEREAS, the new Raleigh Branch Library currently under construction at Raleigh Springs Civic Center needs less than \$500,000 in additional funds in order for construction to be completed; and

WHEREAS, the Division of Housing and Community Development has in excess of \$500,000 in federal Community Development Block Grant funds available which can be awarded to the New Frayser Library project, but which cannot be awarded to the Raleigh Branch Library project because best practices require that awards be made before the start of construction; and

WHEREAS, HCD has pledged to award at least \$500,000 in CDBG funds to the New Frayser Library project as soon as all required due diligence and compliance has been completed to compensate for the transfer of funds to the New Raleigh Library; and

WHEREAS, it is necessary to transfer \$500,000 from the New Frayser Library LI01030 to the Raleigh Mall Redevelopment CD01092 to fund the increased costs of construction and complete construction of the new Raleigh Branch Library; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the Fiscal Year 2021 Capital Improvement Budget be and is hereby amended by transferring the amount of Five Hundred Thousand Dollars (\$500,000) of G.O. Bond allocations and appropriations from the New Frayser Library LI01030 to the Raleigh Mall Redevelopment CD01092 for the purpose of completing construction of the new Raleigh Branch Library as follows:

<u>Raleigh Mall Redevelopment - CD01092</u>	
Contract Construction	<u>\$500,000</u>
TOTAL	<u>\$500,000</u>

MINUTES

**TELEPHONIC MEETING OF JULY 7, 2020 RECESSED MEETING TO
JULY 21, 2020 MEETING OF THE CITY COUNCIL CITY OF MEMPHIS**

JULY 7, 2020

3:32 P.M. MEETING RECONVENED

(After the meeting was re-opened for the transaction of business and a quorum was declared present, Vice Chairman Colvett made a motion to adjourn the July 7, 2020 Council Meeting; this was seconded by Councilman Canale, without objection.)

(Chairwoman Robinson adjourned the July 7, 2020 Council Meeting being that there wasn't any unfinished business, without objection.)

**CITY OF MEMPHIS
NOTICE OF REGULAR MEETING
OF
THE MEMPHIS CITY COUNCIL
Tuesday, July 7, 2020, 3:32 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 Covid-19 Epidemic 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.

ADJOURNED MEETING AT 3:32 P.M.

.....
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

July 21, 2020

3:30 P.M. SCHEDULED SESSION

3:33 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 Bishop William S. Wright, Sr., from Liberty Church of God in Christ. Councilman Ford thanked Bishop Wright for him being the Chaplain of the Day.

Chairwoman Robinson asked Councilman Warren to lead the Pledge of Allegiance.

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 July 7, 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

- 5. **ORDINANCE AMENDING CHAPTER 2, ARTICLE I, SECTION 2-10-10, SUBSECTION B, TO REQUIRE THE BOARD OF ETHICS TO ESTABLISH AN ONLINE PORTAL TO REQUIRE LOBBYISTS TO REGISTER ANNUALLY AND TO FILE THEIR STATE MANDATED DISCLOSURE STATEMENTS WITH THE CITY OF MEMPHIS, UP FOR F I R S T READING. ORDINANCE NO. 5752 IS SPONSORED BY COUNCILMAN MORGAN AND COUNCILMAN CARLISLE. (HELD FROM 6/16; 7/7)**

Held until August 4, 2020

(Chairwoman Robinson requested a moment of silence in honor of Representative John Lewis, Rev. C. T. Vivian, Firefighter Mack Vaughn and John Edward Bratcher.)

- 1. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF ALICE DRIVE BETWEEN EAST RAINES ROAD AND SHELBY DRIVE FOR BISHOP WILLIAM S. WRIGHT, SR. THIS RESOLUTION IS SPONSORED BY COUNCILMAN FORD.**

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

APPROVED

(Chairwoman Robinson recognized the (2) Interpreters, that were attending today’s meeting)

- 2. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 1883 LAMAR AVENUE, CONTAINING +/-0.63 ACRES IN THE COMMERCIAL MIXED USE- 3 (CMU-3) & GLENVIEW HISTORIC DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. SUP 19-41

Vice-Chairman Colvett recognized the following people who spoke:

Jerry Greenwich, 405 Two Mile Pike, Ste. E, Goodlettsville, Tennessee., 37072
 C.C. Drayton, 165 Madison Avenue, Ste. 2000, Memphis, Tennessee, 38103
 Sheleah Harris, 5127 Truse Road, Memphis, Tennessee, 38117
 Sandra Warren, 1840 Waverly Avenue, Memphis, Tennessee, 38114
 Francine Fields, 1188 S. Barksdale, Memphis, Tennessee, 38114

Applicant: CGIENT LLC Series/Verizon Wireless
 Sam Tiwana, Kaizen Realty (CGIENT LLC Rep.) and Jerry Gingerich, Terra Consulting Group, Ltd. (Verizon Wireless Rep) – Representatives

Request: To allow a 135-foot CMCS (Cell) Tower

LUCB recommendation: REJECTION

OPD recommendation: APPROVAL, with conditions

MOTION: Colvett

SECOND: Carlisle

NAYS: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Logan, Morgan, Smiley, Swearngen, Warren and Chairwoman Robinson
Jones did not cast a vote

FAILED

- 3. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF QUINCE ROAD AND LYNNFIELD ROAD, CONTAINING 4.20 ACRES CURRENTLY GOVERNED BY QUINCE/LYNNFIELD PLANNED DEVELOPMENT (PD 99-362). THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. PD 99-362

Vice-Chairman Colvett recognized the following people who spoke:

Genevieve Land, 2262 Lovitt Drive, Memphis, Tennessee, 38119

Jeffrey Land, 2262 Lovitt Drive, Memphis, Tennessee, 38119

Cindy Reaves, 5909 Shelby Oaks Drive, Ste. 200, Memphis, Tennessee, 38134

Preston Thomas, 6363 Poplar Avenue, Ste. 220, Memphis, Tennessee, 38134

Held until August 4, 2020

- 4. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTHEAST CORNER OF CAMILLA STREET AND UNION AVENUE; CONTAINING +/-3.1 ACRES IN THE MEDICAL DISTRICT OVERLAY, CMU-3 DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. SUP 20-06

Vice-Chairman Colvett recognized the following person who spoke:

Neal Patel, 310 Union Avenue, Memphis, Tennessee, 38103

Applicant: Union Express, Inc./Kings Court, LLC
Harvey Matheny – Pickering Firm (Representative)

Request: To allow a 4-story, dual brand hotel

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Warren

SECOND: Jones

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

APPROVED

CONSENT AGENDA – Items #6 - #12 may be acted upon by one motion: See Page 5586 for Roll Call Consent Items.

6. **ORDINANCE RESCINDING REFERENDUM ORDINANCE NO. 5744 AMENDING ARTICLE 27, SECTION 190 OF THE CHARTER OF THE CITY OF MEMPHIS, SAME BEING CHAPTER 11 OF THE ACTS OF 1879, AS AMENDED, AND RELATIVE TO AMENDMENTS THERETO PURSUANT TO THE PROVISIONS OF ARTICLE 11, SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) TO ALLOW SPECIFIED PERSONNEL EMPLOYED WITH THE DIVISIONS OF POLICE AND FIRE SERVICES TO RESIDE WITHIN 50 MILES FROM THE CITY OF MEMPHIS, UP FOR S E C O N D READING. ORDINANCE NO. 5756 IS SPONSORED BY COUNCILWOMAN EASTER-THOMAS.**

APPROVED, on Second reading

7. **ORDINANCE REZONING CERTAIN PARCELS ADJACENT TO LAMAR BETWEEN BELLEVUE AND PRESCOTT, IN THE COMMERCIAL MIXED USE-3 DISTRICT, UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. Z 20-04
Ordinance No. 5757

APPROVED, on First reading

8. **ORDINANCE REZONING THE SOUTHWEST CORNER OF E. SHELBY DRIVE AND MALONE ROAD, CONTAINING 10.04 ACRES IN THE CONSERVATION AGRICULTURE (CA) AND COMMERCIAL MIXED USE (CMU-1) DISTRICTS, UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. Z 20-06
Ordinance No. 5758

APPROVED, on First reading

9. **ORDINANCE REZONING 4195 E. SHELBY DRIVE, CONTAINING +/-30.016 ACRES IN THE CONSERVATION AGRICULTURE (CA) DISTRICT, UP FOR S E C O N D READING. THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. Z 20-01
Ordinance No. 5753

APPROVED, on Second reading

- 10. **ORDINANCE REZONING THE NORTHWEST CORNER OF EAST HOLMES ROAD AND MALONE ROAD; CONTAINING 40.80 ACRES IN THE CONSERVATION AGRICULTURE (CA) AND CONSERVATION AGRICULTURE FLOOD PLAIN (CA{FP}) DISTRICTS, UP FOR S E C O N D READING. THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. Z 20-02
Ordinance No. 5754

APPROVED, on Second reading

- 11. **ORDINANCE REZONING NORTH OF KETCHUM ROAD, EAST OF IMOGENE STREET, SOUTH OF DWIGHT ROAD, AND WEST OF PENDLETON STREET; CONTAINING +/-66 ACRES IN THE RESIDENTIAL SINGLE-FAMILY -6 (R-6) AND RESIDENTIAL URBAN -1 (RU-1) DISTRICTS, UP FOR S E C O N D READING. THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. Z 20-03
Ordinance No. 5755

APPROVED, on Second reading

- 12. **NOTATIONS FROM THE LAND USE CONTROL BOARD THAT THE FOLLOWING CASES WERE HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**
 - A. Case No. SUP 19-29 – VEHICLE SALES
 - B. Case No. PD 20-02 – SOUTH IRVIN PLANNED DEVELOPMENT
 - C. Case No. SAC 20-03, SAC 20-04, SAC 20-05, SAC 20-06, SAC 20-07, SAC 20-08 SAC 20-09, SAC 20-10, SAC 20-11, SAC 20-12, SAC 20-13, SAC 20-14 SAC 20-15, and SAC 20-16 – RIGHT-OF-WAY CLOSURES AND VACATIONS
 - D. Case No. PD 93-328 CORRESPONDENCE – THE MARKS PD

Public Hearing Set for August 4, 2020

ROLL CALL CONSENT ITEMS

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

APPROVED

MLGW FISCAL CONSENT AGENDA – Items #13, #14 & #15 may be acted upon by one motion:

- 13. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 11874, COURIER SERVICES WITH EXPRESS COURIER INTERNATIONAL, INC., IN THE FUNDED AMOUNT OF \$139,095.32. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FOURTH AND FINAL ANNUAL RENEWAL TERM COVERING THE PERIOD SEPTEMBER 6, 2020 THROUGH SEPTEMBER 5, 2021, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

APPROVED

- 14. **RESOLUTION AWARDING A THIRTY-SIX MONTH PURCHASE ORDER FOR REPAIR AND FABRICATION OF SUBSTATION EQUIPMENT TO PATTERSON WELDING SERVICE, IN THE APPROXIMATE AMOUNT OF \$300,000.00.**

APPROVED

- 15. **RESOLUTION APPROVING POSITION NO. 05698 – COMPUTER SOFTWARE SPECIALIST 3 IN THE AMOUNT OF \$96,026.**

APPROVED

ROLL CALL MLGW FISCAL CONSENT ITEMS

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

APPROVED

- 28. **RESOLUTION URGING GOVERNOR BILL LEE AND THE TENNESSEE GENERAL ASSEMBLY TO ALLOW DRINKS-TO-GO TO CONTINUE AFTER THE COVID-19 PANDEMIC. THIS RESOLUTION IS SPONSORED BY COUNCILMAN CANALE. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

- 29. **RESOLUTION TRANSFERRING, ALLOCATING, AND APPROPRIATING \$675,942.00 IN G.O. BONDS FY20 FROM ADA CURB RAMP COVERLINE, PROJECT #PW20300, TO CURB RAMP GROUP 61, PROJECT #PW20302 FOR THE CONSTRUCTION AND**

INSTALLATION OF 300 ADA CURB RAMPS (T157), ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS DIVISION. (REQUEST FOR SAME NIGHT MINUTES).

MOTION: Smiley
SECOND: Carlisle
AYES: Canale, Carlisle, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson
Colvett did not cast a vote

APPROVED

30. **RESOLUTION OF THE MEMPHIS CITY COUNCIL ESTABLISHING AN ADVISORY COMMITTEE REGARDING CITY OF MEMPHIS STREET, PARK, AND PLACE NAMES. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN EASTER-THOMAS. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

31. **SUBSTITUTE RESOLUTION OF THE MEMPHIS CITY COUNCIL REQUESTING MAYOR STRICKLAND TO ESTABLISH JUNE 19TH AS JUNETEENTH WITHIN THE CITY OF MEMPHIS THEREBY RECOGNIZING THE LIBERATION AND EMANCIPATION OF ENSLAVED AFRICAN AMERICANS IN THE UNITED STATES OF AMERICA. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN EASTER- THOMAS. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

32. **RESOLUTION REMEMBERING THE LIFE AND CONTRIBUTIONS OF REV. C. T. VIVIAN. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN EASTER-THOMAS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Easter-Thomas
SECOND: Jones

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

APPROVED

33. **RESOLUTION REMEMBERING THE LIFE AND CONTRIBUTIONS OF U.S. REP. JOHN LEWIS. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN EASTER-THOMAS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Easter-Thomas

SECOND: Johnson

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

APPROVED

16. **DIRECTOR OF PARKS AND NEIGHBORHOODS**

APPOINTMENT

CAREY NIXON (NICK) WALKER, JR.

MOTION: Carlisle

SECOND: Canale

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

APPROVED

17. **RESOLUTION REQUESTING APPROVAL FOR A COOPERATIVE AGREEMENT ON THE USE OF ACCELA SOFTWARE SYSTEM. (ALL COUNCIL DISTRICTS). THIS RESOLUTION IS SPONSORED BY MEMPHIS AND SHELBY COUNTY DIVISION OF PLANNING AND DEVELOPMENT AND ENGINEERING DIVISION.**

MOTION: Smiley

SECOND: Carlisle

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Smiley, Swearingen, Warren and Chairwoman Robinson
Morgan did not cast a vote

APPROVED

18. **RESOLUTION APPROPRIATING \$4,000,000.00 CIP FY21 FUNDS BY G.O. BONDS FOR PROJECT #FS02029 NEW CONTRACT CONSTRUCTION FOR FIRE STATION #5. (DISTRICT 7, SUPER DISTRICT 8). THIS RESOLUTION IS SPONSORED BY FIRE SERVICES.**

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

APPROVED

19. **RESOLUTION APPROPRIATING \$555,625.00 IN G.O. BONDS FOR PROJECT #FS04014, FIRE FIGHTING TURNOUTS/FIRE PROTECTIVE ENSEMBLE. (ALL COUNCIL DISTRICTS). THIS RESOLUTION IS SPONSORED BY FIRE SERVICES.**

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

APPROVED

20. **RESOLUTION APPROPRIATING \$48,375.00 IN G.O. BONDS FOR PROJECT #FS04012, FOR PERSONAL PROTECTIVE EQUIPMENT SELF-CONTAINED BREATHING APPARATUS AND ACCESSORIES. (ALL COUNCIL DISTRICTS). THIS RESOLUTION IS SPONSORED BY FIRE SERVICES.**

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

APPROVED

21. **RESOLUTION ALLOCATING AND APPROPRIATING \$3,870,000.00 FOR PROJECT #LI01030- NEW FRAYSER LIBRARY FOR EXPENDITURE. (DISTRICT 7, SUPER DISTRICT 8). THIS RESOLUTION IS SPONSORED BY LIBRARY SERVICES.**

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

APPROVED

22. **EIGHTH SUPPLEMENTAL RESOLUTION SUPPLEMENTING THE ELECTRIC SYSTEM REVENUE OBLIGATIONS MASTER RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$160,000,000.00 PRINCIPAL AMOUNT OF ELECTRIC SYSTEM REVENUE BONDS, SERIES 2020. THIS RESOLUTION IS SPONSORED BY MLGW DIVISION.**

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

APPROVED

23. **NINTH SUPPLEMENTAL RESOLUTION SUPPLEMENTING THE ELECTRIC SYSTEM REVENUE OBLIGATIONS MASTER RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$53,000,000.00 PRINCIPAL AMOUNT OF ELECTRIC SYSTEM REVENUE REFUNDING BONDS, SERIES 2020 (FEDERALLY TAXABLE). THIS RESOLUTION IS SPONSORED BY MLGW DIVISION.**

Council Attorney Allan Wade addressed the Council. Item 23 is a plan of refunding. In advance of this meeting, Councilmembers received a Letter And Report from the State of Tennessee Comptroller on the plan of refunding as well as a Report and approval of the Balloon Plan of Refunding for review. Council Attorney Wade explained the Letter and Report from the State Comptroller, which stated that these bonds will refund the Series 2014 Bonds and will produce a savings of approximately \$1.7 million or 4.11%. Council Attorney Wade further explained the Balloon Plan of Funding, which provided that the bonds being refunded will not mature until 2025; therefore, it is not intended that any payments will be made from this bond issuance to retire the 2014 bonds until 2025. These documents were made available online for the public and review by Council prior to this meeting and should be made a part of the record of this meeting. Councilman Worth Morgan acknowledged receipt of the information and as Chairman of MLGW Committee and stated that he had reviewed the referenced materials to his satisfaction.

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

APPROVED

24. **FOURTH SUPPLEMENTAL RESOLUTION SUPPLEMENTING THE WATER SYSTEM REVENUE OBLIGATIONS MASTER RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$75,000,000.00 PRINCIPAL AMOUNT OF WATER SYSTEM REVENUE BONDS, SERIES 2020. THIS RESOLUTION IS SPONSORED BY MLGW DIVISION.**

MOTION: Morgan
 SECOND: Carlisle
 AYES: Canale, Carlisle, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan,
 Smiley, Swearngen, Warren and Chairwoman Robinson
 Colvett did not cast vote

APPROVED

25. **THIRD SUPPLEMENTAL RESOLUTION SUPPLEMENTING THE GAS SYSTEM REVENUE OBLIGATIONS MASTER RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$70,000,000.00 PRINCIPAL AMOUNT OF GAS SYSTEM REVENUE BONDS, SERIES 2020. THIS RESOLUTION IS SPONSORED BY MLGW DIVISION.**

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

APPROVED

27. **RESOLUTION APPROPRIATING \$424,522.00 – CHANGE ORDER FY2021 CIP BUDGET FUNDED BY CAPITAL PAY GO STORM WATER, PROJECT #ST03200 FOR THE ELECTRICAL REHABILITATION OF THE ENSLEY PUMPING SYSTEM. (DISTRICT 6, SUPER DISTRICT 8). THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS DIVISION.**

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

APPROVED

26. **RESOLUTION REQUESTING THE ADMINISTRATION TO RE-IMPLEMENT COACT UNITS AS AN ADDITION TO COMMUNITY POLICING PROGRAMS OF THE MEMPHIS POLICE DEPARTMENT. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN SWEARENGEN.**

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

APPROVED

(Special Item #1 – Vice Chairman Colvett made a motion to approve Same Night Minutes for Items #28 - #33 from tonight's meeting.)

MOTION: Colvett
 SECOND: Carlisle
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan,

Smiley, Swearengen, Warren and Chairwoman Robinson

APPROVED

Vice Chairman Colvett read the comment card from the following person:
Alton Williams, 440 Bray Station, Collierville, Tennessee, 38017

(City Council Attorney Allen Wade read this resolution into the records)

- 34. **RESOLUTION OF THE MEMPHIS CITY COUNCIL REQUESTING THE CITY COUNCIL RENAMING COMMISSION TO CONSIDER STREET RENAMING WITHIN THE CITY OF MEMPHIS IN HONOR OF BLACK LIVES MATTER THEREBY RECOGNIZING THE WORTH OF BLACK LIVES WITHIN A SOCIETY THAT HAS HISTORICALLY DEVALUED BLACK LIFE. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN JOHNSON. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

(Councilman Warren requested same night minutes for this resolution)

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

APPROVED

(Vice Chairman Colvett made a motion to recess the July 21, 2020 meeting. This was seconded by Councilman Carlisle.)

RECESSED MEETING AT 6:18 P.M.



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

CHAIRMAN

Attest:

Deputy Comptroller/Council Records

**CITY OF MEMPHIS
NOTICE OF REGULAR MEETING
OF
THE MEMPHIS CITY COUNCIL
Tuesday, July 21, 2020, 3:33 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 Covid-19 Epidemic 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.

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

Take notice, the Memphis City Council will meet on **Tuesday, July 21, 2020 at 8:00 a.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, July 21, 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 8:00 a.m., click on the July 21, 2020 Memphis City Council meeting
- (4) Begin viewing the July 21, 2020 Memphis City Council meeting electronically via live-stream
- (5) Click on the July 21, 2020 "Agenda" tab to view the agenda documents

B. Radio, via 88.5 FM (WQOX)

To listen to the Tuesday, July 21, 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 July 21, 2020 Memphis City Council meeting by radio via 88.5 FM (WQOX)

C. Electronically, via digital archive

To listen to the Tuesday, July 21, 2020 Memphis City Council meeting electronically, via digital archive, follow the steps below:

- (1) Access the internet **after** the July 21, 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 July 21, 2020 "City Council Full Meeting" tab
- (4) Begin viewing the July 21, 2020 Memphis City Council meeting electronically via digital archive
- (5) Click on the July 21, 2020 "Agenda" tab to view the agenda documents
- (6) Click on the July 21, 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 July 21, 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,

A handwritten signature in cursive script that reads "Patrice J. Robinson". The signature is written in black ink and is positioned above a horizontal line.

Patrice Jordan Robinson
Chairwoman, Memphis City Council