

The Power of Place:

Let's continue to do big things, together!

February 3, 2021

Haley Simmons
Chief Public Policy
Officer

Mark Sturgis
CEO



seeding success

CURRENT STATE

POVERTY & ECONOMIC MOBILITY

Memphis Poverty Rate
21.7%

Child Poverty Rate
35.0%

Economic Mobility Rate
2.8%

Sources: 2020 Poverty Fact Sheet. Elena Delavega, PhD, MSW, School of Social Work, University of Memphis, & Gregory M. Blumenthal, PhD, GMBS Consulting.

Race and Economic Opportunity in the United States: An Intergenerational Perspective. Chetty, Hendren, Jones, and Porter (2018). equality-of-opportunity.org.

THE POTENTIAL

Our partnership of community members and leaders, nonprofits, businesses, and public organizations has demonstrated that we can collaborate across sectors effectively, and drive systemic change to address poverty and create opportunity:

- Early childhood education
- The digital divide
- Responding to the COVID-19 pandemic

What would happen if we harnessed this collective energy for renewal along with other emerging efforts to rebuild our community, and do some big things together?

This is the promise of a newly awarded grant to Seeding Success to bring our community together to tackle systemic issues related to economic and social mobility.

blue meridian partners

Blue Meridian Partners is a pioneering philanthropic model for finding and funding scalable solutions to problems that limit economic mobility and trap America's young people and families in poverty. Memphis has been selected as one of the key cities in America to embark on this work. An initial \$8M planning grant will enable public and private partners to identify, prioritize, and begin to implement key strategies to improve well-being in Shelby County.



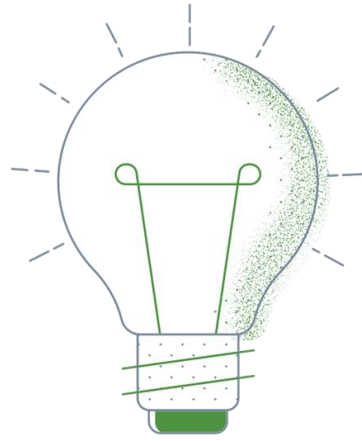
Vision

To improve economic opportunity for disenfranchised US communities so that where one lives is no longer a determinant of life chances.

Mission

To enable strong place-based partnerships and amplify their efforts, achieving systemic, community-wide improvement in social and economic mobility.

PURPOSE OF THE GRANT



The Big Idea

To improve social and economic outcomes in Memphis and Shelby County through a multi-sector, cross-community collaboration, with an explicit focus on racial equity.



The How

- Respond immediately to COVID-19
- Create a community-wide plan
- Expand cross-sector partnerships
- Create a social policy agenda

EXPECTED OUTCOMES

- Effective COVID-19 Response
- Adopted community-wide socio-economic plan
- Establish community-wide data infrastructure
- Secure policy support and financial sustainability

COMMUNITY- WIDE EFFORT

1

DESIGN

- Build awareness
- Form Design Committee

2

PLAN

- Engage community
- Set priority areas, develop strategies
- Draft plan

3

ADOPT & SUSTAIN

- Present plan for consideration to adopt
- Align additional 100-200M in resources

WHAT DOES SUCCESS LOOK LIKE?



IF we are successful...

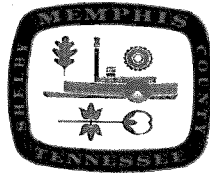
- Aligned legislation, policy and budgets
- Committed public and private financing for priority initiatives
- Alignment of community efforts and broad community buy-in
- Measurable improvement in economic and social well-being and racial equity

PARTNERSHIP WITH CITY COUNCIL

- Representation on Design Committee:
 - Brooke Hyman – City Council Representative
 - Cedrick Gray – Shelby County Government
 - Chairman Eddie Jones – Shelby County Commission
- Direct investment in capacity
- National technical assistance
- National cohort of cities and communities
- Research and evaluation to guide policy making
- Potential 80-100M in implementation funding

NEXT STEPS

- Grant award to City Council and Administration
- Formal public announcement of effort
- Ongoing design and strategic planning
- Formal presentation of community plan for improving economic and social mobility



Memphis City Council Summary Sheet

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

A Resolution approving the sale of City owned parcel known as 1055 N. Evergreen Street in Memphis, Shelby, Tennessee 38107, Parcel #040041 00008.

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

General Services

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

N/A

4. State whether this will impact specific council districts or super districts.

Council District 7 and Super District 8

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

N/A

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

N/A

7. If applicable, please list the MWBE goal and any additional information needed

N/A



A Resolution approving the sale of a city owned property known as 1055 N. Evergreen Street, Memphis, TN 38107, Parcel ID# 040041 00008

WHEREAS, the City of Memphis owns the property known as 1055 N. Evergreen Street, Memphis, TN 38107 ("The Property") and is further identified by Shelby County Tax Assessor as Parcel # 040041 00008 containing 0.359 acres, more or less;

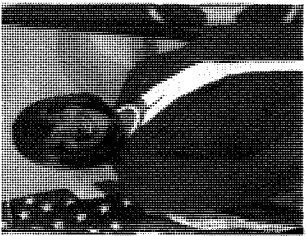
WHEREAS, the sale of the subject Property will increase the City's General Fund, generate tax revenue, and eliminate blight and maintenance cost for the City of Memphis;

WHEREAS, Dolphin Construction, Inc., submitted an offer of Six Thousand Four Hundred Dollars (\$6,400.00) and submitted an earnest money deposit of ten percent equaling \$640.00; and

WHEREAS, it is deemed to be in the best interest of the citizens of the City of Memphis and County of Shelby that said sale be accepted subject to City Ordinance 5637, Amendment to Section 2-291(A) of the City's Code of Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that the offer made by Dolphin Construction Inc. , on the above described parcel is hereby accepted subject to the City Ordinance 5637, Amendment to Chapter 2, Article V, Division 2, Section 1, Section 2-291(A)1 which states in part, "properties receiving an initial bid offer of twenty thousand dollars (\$20,000) or less shall be submitted for approval to the City Council for the first reading, which is final."

BE IT FURTHER RESOLVED, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.



Sheldandra Y. Ford
Shelby County Register of Deeds

Owner: CITY OF MEMPHIS TAX SALE 16
EXH #4207

Parcel Address: 1055 N EVERGREEN ST

Parcel ID: 040041 00008

2021 Appraisal: \$8,000

Tax District: MEMPHIS

Year Built:

Lot Number: 0 2

Subdivision: EVERGREEN CIRCLE

Plat BK & PG: 10-9

Dimensions: 95/86.4X165.22/165

Total Acres: 0.359

Owner Address: 125 N MAIN ST FL 3RD

MEMPHIS TN

38103



RESOLUTION OF THE MEMPHIS CITY COUNCIL OPPOSING THE BYHALIA CONNECTION PIPELINE

WHEREAS, the Memphis City Council is concerned with the health, safety, and well-being of Memphians, present and future; and

WHEREAS, Memphians' health, safety, and well-being are impacted by the physical environment within which they live, work, and call home; and

WHEREAS, the physical environment of Southwest Memphis is at risk of being altered by the proposed Byhalia Connection Pipeline, which seeks to run a crude oil pipeline system nearly 45 miles – connecting Memphis to Marshall County, MS – traversing local neighborhoods, public school property, personal residences, and the Memphis Sand Aquifer, i.e., Memphis and Shelby County's primary source of public drinking water, utilized by senior citizens and youth alike; and

WHEREAS, as proposed, the 45-mile crude oil pipeline would specifically sit atop the Memphis Sand Aquifer and Davis Wellhead, which MLGW utilizes to provide drinking water to countless Memphis and Shelby County men, women, children, and families, before crossing Wellhead Protection Zone 2, on its way through Northern Mississippi where the same high-pressure pipeline would pass near various Source Water Protection Areas to our south; and

WHEREAS, the placement of said pipeline should not be considered solely as an issue isolated from the context of national facts and figures; in fact, the sociohealth consequences are both pervasive and sustained; as of November 2017, African Americans were, and continue to be, 75 percent *more likely* to reside near toxic oil and gas infrastructure; and

WHEREAS, according to the Journal of the National Cancer Institute, in analyzing data collected to examine the impact of proximity to oil infrastructure on risk for several cancers, including lymphoma, lung, breast, colon, bladder, and prostate, their research determined that living within 30 miles of oil infrastructure was associated with an increased risk for cancer of all types, with susceptibility increasing with age; notably, 35.1 percent of Memphians residing within the 38109 zip code – a proposed site for a section of the pipeline – are 50 years old and above; 96.5 percent are African American; and

WHEREAS, despite proponents of the pipeline citing eminent domain to rationalize placing crude oil infrastructure within local neighborhoods, public school property, personal residences, and atop the Memphis Sand Aquifer, the argument is spurious, as the project fails to confer some benefit or advantage to the public residing within the City of Memphis and Shelby County; rather, the project poses a long-term health, safety, and economic detriment to our citizenry, local environment, and property values; and

WHEREAS, as we discuss the future of this great place we call home, and work to champion efforts conducive to our collective success, let us do so in a manner that strives to protect and improve the quality of life and well-being of every person living within our municipal limits, regardless of their census tract, income-level, or platform.

NOW THEREFORE BE IT RESOLVED, the Memphis City Council hereby opposes the Byhalia Connection Pipeline, and requests that Byhalia Pipeline LLC seek an alternative route for its crude oil pipeline that does not pass through the City of Memphis.

BE IT FURTHER RESOLVED, the Memphis City Council requests that MLGW (1) oppose Byhalia Pipeline LLC's proposal to route the pipeline through the Davis Wellfield, any other wellhead protection or management zone identified in MLGW's Wellhead Protection Plan, and any areas of known or potential breaches in the clay confining layer separating the shallow aquifer from the Memphis Sand Aquifer; (2) refuse to grant Byhalia Pipeline LLC the right to any easement that the pipeline company or its agents seek to obtain from MLGW; and (3) work with the Council to develop ordinances to protect wellhead protection and management zones from pollution sources such as crude oil pipelines and similar industrial infrastructure; this resolution shall take effect from and after its passage, the welfare of the City requiring it.

Sponsors:

Councilman Edmund Ford, Sr.
Councilman Dr. Jeff Warren

ORDINANCE NO. _____

**ORDINANCE RELATIVE TO EXERCISE BY THE CITY OF ITS LAWFUL
AUTHORITY TO REGULATE AND/OR APPROVE THE ENTRY UPON OR USE BY
ANY CORPORATION OF THE STREETS, ALLEYS, SQUARES, HIGHWAYS OR
OTHER PROPERTIES WITHIN THE CORPORATE LIMITS FOR LAYING
PIPELINES AND CONDUCTORS, OR OTHERWISE IN ORDER TO PROTECT THE
MEMPHIS SANDS AQUIFER**

WHEREAS, the City of Memphis relies on the groundwater of the Memphis Sand Aquifer for its drinking water supply.

WHEREAS, despite the importance of ensuring that Memphis's drinking water resources remain plentiful and uncontaminated, the existing system of federal, state, and local review for many development projects does not adequately consider risks to groundwater in many situations.

WHEREAS, the Memphis City Council has determined a need to exercise its lawful authority to regulate and/or approve the entry upon or use by any corporation of the streets, alleys, squares, highways or other properties within the corporate limits for laying pipelines and conductors, or otherwise in order to protect the Memphis Sands Aquifer

NOW THEREFORE BE IT RESOLVED absent approval by the Memphis City Council no corporation or entity shall enter upon or use any of the streets, alleys, squares, highways or other properties within the corporate limits for laying pipelines and conductors, or otherwise.

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

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:

Council Member Dr. Jeff Warren
Council Member Edmund Ford, Sr.

CHAIRMAN
Frank Colvett, Jr.

**RESOLUTION AUTHORIZING AN IDA B. WELLS MEMORIAL AT THE CORNER
OF BEALE STREET AND FOURTH STREET**

WHEREAS, Ida B. Wells was born on July 16, 1862 in Holly Springs, Mississippi, and moved to the City of Memphis in 1883; and

WHEREAS, as a Memphis resident in 1889, Ida B. Wells became co-owner and editor of *Free Speech and Headlight*, an anti-segregationist newspaper based within our municipal limits that published articles about racial injustice; and

WHEREAS, in her role as co-owner and editor of *Free Speech and Headlight*, Ida B. Wells conducted investigative journalism about the prevalence of lynching, printing many articles in an effort to combat the atrocities; and

WHEREAS, in doing so, Ida B. Wells gained international acclaim as an anti-lynching advocate, a champion of civil rights, and powerful voice in the fight for women's suffrage – leading her to work alongside Frederick Douglass and other related luminaries of the late 19th and early 20th centuries; and

WHEREAS, despite her work in service to mankind, Ida B. Wells was the recipient of threats, as well as the victim of abuse, when her outspokenness led to her newspaper office and printing presses, located at the corner of Beale Street and Fourth Street, being destroyed by a mob of citizens following her reporting of Memphis lynchings in March of 1892; she was then run out of the City, and forced to seek refuge in Chicago; and

WHEREAS, not to be deterred, Ida B. Wells continued her crusade for equality, working with the *Chicago Conservator*, the oldest African-American newspaper in the city; forming the Women's Era Club, the first civic organization for African-American women which later became the Ida B. Wells Club in honor of its founder; and travelling throughout the United Kingdom and the United States teaching and giving speeches to bring awareness to the lynching problems in America; and

WHEREAS, Ida B. Wells spent forty-two years toiling to improve conditions for the most marginalized among us, it is now time that we recognize her invaluable contributions to local and national life by entreating Memphians and visitors alike to emulate her sense of selflessness within their own lives via a physical reminder of her life's worthy pursuits; and

WHEREAS, the Memphis Memorial Committee, in partnership with the Neshoba Community Resource Center, has raised the funds to erect a bronze life-sized statue in honor of Ida B. Wells, the Council is of the belief that said statue should be placed within the City, and at the physical site, where her herculean efforts first took shape, i.e., at the corner of Beale Street and Fourth Street in Downtown Memphis.

NOW THEREFORE BE IT RESOLVED, the Memphis City Council authorizes an Ida B. Wells memorial at the corner of Beale Street and Fourth Street.

BE IT FURTHER RESOLVED, the Memphis City Council requests that the Administration develop a plan to ensure the placement of said memorial at the corner of Beale Street and Fourth Street to the extent feasible; this resolution shall take effect from and after its passage, the welfare of the City requiring it.

Sponsor:
Councilman Jeff Warren, M.D.



FRANK H. COLVETT, JR.
CHAIRMAN, MEMPHIS CITY COUNCIL

March 2, 2021

Councilman Chase Carlisle
Personnel Committee
Memphis City Council
125 N. Main, Room 514
Memphis, TN 38103

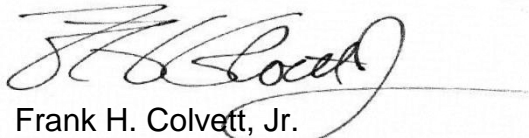
Councilman Carlisle:

Subject to Council approval, it is my recommendation that

Ms. Davida Cruthird

be appointed to the Public Art Oversight Committee as the Council's appointee. Ms. Cruthird's resume is attached for review.

Yours in Leadership and Service,



Frank H. Colvett, Jr.



JIM STRICKLAND
MAYOR

TENNESSEE

February 22, 2021

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

Dear Chairman Carlisle:

Subject to Council approval, I hereby recommend that:

Monice Hagler

be reappointed to the Health Educational Housing Facility Board with a term expiring December 31, 2025.

I have attached biographical information.

Sincerely yours,



Jim Strickland

JSS/sss

Cc: Council Members



JIM STRICKLAND
MAYOR

TENNESSEE

February 22, 2021

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

Dear Chairman Carlisle:

Subject to Council approval, I hereby recommend that:

Buckner Wellford

be reappointed to the Health Educational Housing Facility Board with a term expiring December 31, 2023.

I have attached biographical information.

Sincerely yours,



Jim Strickland

JSS/sss

Cc: Council Members



JIM STRICKLAND
MAYOR

TENNESSEE

February 22, 2021

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

Dear Chairman Carlisle:

Subject to Council approval, I hereby recommend that:

Nancy Willis

be reappointed to the Health Educational Housing Facility Board with a term expiring December 31, 2025.

I have attached biographical information.

Sincerely yours,



Jim Strickland

JSS/ss

Cc: Council Members



Memphis City Council Summary Sheet

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

A resolution to accept and appropriate funding in the amount of Two Hundred Five Thousand Dollars (\$205,000) from TN Department of Environmental and Conservation to purchase four (4) ambulances with idle mitigation systems.

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

Fire Services is the initiating party.

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

There is no change to an existing ordinance or resolution.

4. State whether this will impact specific council districts or super districts.

This will impact all council and super districts.

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

This will not require a new contract but will require an amendment to an existing contract.

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

This requires an expenditure and budget adjustment.

7. If applicable, please list the MWBE goal and any additional information needed

There is no MWBE goal.



A resolution to accept and appropriate 2021 Reducing Diesel Emissions for a Healthier TN funds from the TN Department of Environmental and Conservation in the amount of Two Hundred Five Thousand Dollars (\$205,000.00) to be used for the purchase of four (4) ambulances with idle mitigation systems.

WHEREAS, The City of Memphis Division of Fire Services has been awarded grant funds in the amount of Two Hundred Five Thousand Dollars (\$205,000.00) from the TN Department of Environmental and Conservation for the purchase of four (4) ambulances with idle mitigation systems with a City match in the amount of Eight Hundred Ninety-Five Thousand Dollars (\$895,000.00); and

WHEREAS, These funds will be used for the purchase of four (4) ambulances with idle mitigation systems; and

WHEREAS, It is necessary to accept the grant funding and amend the FY21 Operating Budget to establish funds for the 2021 Reducing Diesel Emissions for a Healthier TN Grant Program; and

WHEREAS, It is necessary to allocate and appropriate Two-Hundred Five Thousand Dollars (\$205,000.00) for the TN Department of Environmental and Conservation grant project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the FY21 TN Department of Environmental and Conservation Grant Project funds in the amount of Two Hundred Five Thousand Dollars (\$205,000.00) 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 FY21 TN Department of Environmental and Conservation Grant Project:

Revenue	
State Grants	\$205,000.00
Expenses	
Equipment	\$205,000.00

RESOLUTION REQUESTING THE HR DEPARTMENT INCREASE ITS SCREENING PROTOCOLS FOR ALL PUBLIC SAFETY OFFICIALS

WHEREAS, the Memphis City Council, hearing the plea of the people of Memphis for public safety officials to reside in the city, voted in August 2020 to remove the item regarding residency requirements for first responders from the November 2020 ballot; and

WHEREAS, State Senator Brian Kelsey of Germantown, Tennessee filed Senate Bill 29 on Jan 6, 2021, the same day that law enforcement officers were under siege during the Capitol riot, and

WHEREAS, Senate Bill 29/House Bill 105 prohibits a local government from having residency requirements as a condition of employment for a first responder; and

WHEREAS, in February 2021, State Senator Brian Kelsey of Germantown, Tennessee presented Senate Bill 29/House Bill 105, before the Tennessee Senate State and Local Government committee; and

WHEREAS, on February 23rd, 2021, Senate Bill 29 was amended to add the following language: “a local government shall not dismiss, discipline, fine, or penalize a first responder employed by a local government, or deny employment to a person applying to be a first responder, based on where the first responder or person applying to be a first responder resides”; and

WHEREAS, the language added to Senate Bill 29 refers to one county exclusively, that being Shelby County, as it is the only county in the state that currently has residency requirements for first responders; and

WHEREAS, Senate Bill 29/House Bill 105 attempts to take away the power of local government to make decisions and policies in the best interests of their jurisdiction; and

WHEREAS, Senator Kelsey’s actions do not represent the will of the people in Memphis, Tennessee; and

WHEREAS, it is important that the first responders called to emergencies in the Memphis community can respond to these emergencies, such as natural disasters or other catastrophic events; and

WHEREAS, it should be emphasized to the public that living a long distance away from the emergency could prevent the first responder from being able to reach the area, in some instances due to dangerous road conditions, such as those caused by the recent snow storm; and

WHEREAS, prospective candidates who apply to be first responders in the City of Memphis should show a vested interest in the health and betterment of the communities they serve, as opposed to working in the city and living outside of the city limits, perhaps due to a negative perception of the people they serve and toward the community in which they work; and

WHEREAS, there should be a protocol in place during the hiring of public safety officers to ensure that first responders wishing to serve the citizens of Memphis do not sympathize with any groups that are known to have participated in the Capitol riot or otherwise unlawful activity.

THEREFORE, BE IT RESOLVED, that the Memphis City Council does hereby request that the City of Memphis Human Resources Department increase screening for applicants for public safety positions

to look for affiliations with militia groups, anti-American groups, hate groups, participation in the Capitol riot, and use of hate speech and create policies and procedures to ensure the presence of our public safety officers in our greatest times of need, the welfare of the citizens of Memphis requiring it.

Sponsor:

JB Smiley, Jr.

Ordinance No. 5774

SUBSTITUTE ORDINANCE OF THE CITY OF MEMPHIS TO AMEND THE CITY OF MEMPHIS CODE OF ORDINANCE CHAPTER 21, MOTOR TRAFFIC AND VEHICLES, ARTICLE X, VEHICLE EQUIPMENT AND LOADS TO AMEND SECTION 21-350 (c) AND SECTION 21-350 (f) REGARDING MUFFLERS NOISE

WHEREAS, the citizens of Memphis have a continued interest in public safety and the most efficient use of law enforcement; and

WHEREAS, City Council desires to modernize the current ordinance and strengthen the ordinance regarding vehicle noise regulations; and

WHEREAS, the Memphis Police Department supports efforts to reduce loud vehicle noise disturbances; and

WHEREAS, City Council finds it necessary for the health, safety and welfare of citizens to amend the ordinance to regulate vehicle noise and to ensure all muffler violations shall require a mandatory court appearance.

SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that **Chapter 21** of the Code of Ordinance regarding Motor Traffic and Vehicles, Article X, Vehicle Equipment and Loads to amend Section 21-350 (c) also referenced as **Sec. 11-56-3 “Mufflers”** and Section 21-350 (f) also referenced as **Sec. 11-56-6 “Manner of enforcement”** regarding mufflers as is hereby amended to:

Sec. 21-350 (e). - Mufflers

It is unlawful for any person to operate or cause to be operated any muffler attached to any motor vehicle or any other mechanized unit which produces noise levels within the city.

Sec. 21-350 (F) – Manner of Enforcement

Violations of this section shall be prosecuted in the same manner as other traffic violations of this Code and shall be initiated upon issuance of a traffic citation ticket and **shall require a mandatory court appearance.**

City court in its discretion may dismiss a traffic citation issued for violation of the offense described in this section if evidence is presented that the muffler has been modified to comply with the requirements under this section.

SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS

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

SECTION 3. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS

that 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 the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

SPONSOR:
Ford Canale

Chairman
Frank Colvett

Ordinance No. 5775

SUBSTITUTE ORDINANCE OF THE CITY OF MEMPHIS TO AMEND THE CITY OF MEMPHIS CODE OF ORDINANCE CHAPTER 21, MOTOR TRAFFIC AND VEHICLES, ARTICLE X, VEHICLE EQUIPMENT AND LOADS TO ADD SUBSECTIONS 21-335 (B) AND SECTION 21-336 (B) REGARDING MUFFLER VIOLATIONS AND PENALTIES

THE CITY COUNCIL OF THE CITY OF MEMPHIS HEREBY ORDAINS as follows:

SECTION 1: That Chapter 21, Traffic and Vehicles Article X, Vehicle Equipment and Load, Section 21-335 and Section 21- 336, also referenced as **Sec. 11-32-15 "Muffler required" and Sec. 11-32-16 "Muffler cutout prohibited"** shall be amended to add the following new subsection to be known as Section 21-335 (b) and Section 21-336 (b):

Sec. 21-335. - Muffler required.

No person shall drive a motor vehicle on a street unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise, annoying smoke and the escape of excessive gas, steam or oil.

Sec. 21- 335 (B) – Violations and penalties

Violations of this section shall be prosecuted in the same manner as other traffic violations of this Code and shall be initiated upon issuance of a traffic citation ticket **and shall require a mandatory court appearance.**

Sec. 21-336. - Muffler cutout prohibited.

It is unlawful to use a muffler cutout on any motor vehicle upon a street.

Sec. 21-336 (B) – Violations and penalties

1st Violation - shall be prosecuted in the same manner as other traffic violations of this Code and shall be initiated upon issuance of a traffic citation ticket and **shall require a mandatory court appearance.**

2nd Violation - shall be prosecuted in the same manner as other traffic violations of this Code, **subjected to a fine not to exceed \$25.00 and shall require a mandatory court appearance.**

3rd Violation - shall be prosecuted in the same manner as other traffic violations of this Code, **subjected to a fine not to exceed \$50.00 and shall require a mandatory court appearance.**

City court in its discretion may dismiss a traffic citation issued for violation of the offense described in this section if evidence is presented that the muffler complies with or has been repaired or modified to comply with the requirements under this section.

SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 3. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that 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 the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

SPONSOR:
Ford Canale

Chairman
Frank Colvett

A RESOLUTION TO CREATE A MUFFLER EXCHANGE PROGRAM

WHEREAS, properly working mufflers help to maximize a vehicle's overall performance and reduce community noise and pollution in the environment; and

WHEREAS, the Memphis City Council finds that a program of this nature would be beneficial to our city and has developed policies and procedures to facilitate the exchange of a muffler and labor, without any cost to citizens of Memphis, as a preventive way to reduce harmful pollutants and ensure citizens are able to safely travel around the city; and

WHEREAS, this program has multiple benefits including ensuring the longevity of a properly working muffler to help reduce the amount of noise produced by engines as well as also controlling the backpressure of the engine, which improves the endurance and performance of the car's engine; and

WHEREAS, this program has the further benefit of allowing the citizens of Memphis to become compliant with the Tennessee state law in addition to improving and reducing noise and environmental conditions, within the entire City of Memphis.

1. Program Eligibility.

(a) Eligible participants include citizens of Memphis who have received a traffic citation under the following city ordinances:

Section 21-335- Muffler required.
Section 21-350 - Mufflers

(b) Eligible participants must not:

- i. Be delinquent in the payment of any traffic fines.
- ii. Have a vehicle with a modified muffler
- iii. Have been found guilty for drag racing and/or wreckless driving or participating in drag racing and/or wreckless driving.

(c) Participants must live within the City of Memphis and have a valid driver's license.

(d) It is the goal of this program to ensure citizens have properly functioning mufflers.

2. Approval and Implementation.

After the participant has been approved by City Court as a participant of the Muffler Exchange Program, the participant shall:

(a) receive a voucher, that includes the following information from the traffic citation

- i. year of vehicle
- ii. make of vehicle
- iii. model/style of vehicle

in addition,

- iv. an official City Court signature

(b) muffler exchange services must be completed at Holley's Automotive, 761 N. White Station, Memphis, TN 38122.

(c) present the official voucher and proof of registration to Holley's Automotive to receive muffler services.

(d) after repair services are completed, City Court shall dismiss a traffic citation issued, if evidence is presented that the muffler complies with or has been repaired.

(e) The City of Memphis is not liable for any services made on behave of any participants of the Muffler Exchange Program.

(f) All muffler exchange services are without any warranties or guarantees.

NOW, THEREFORE, BE IT RESOLVED that Memphis City Council does hereby create the Muffler Exchange Program, funded by the Summer Avenue Merchants' Association in the amount of \$10,000.00, in partnership with Holley's Automotive to complete muffler services.

THEREFORE, BE IT BE FURTHER RESOLVED that the Muffler Exchange Program is effective and congitenent upon the availability of funds donated by the Summer Avenue Merchants' Association.

Sponsor
Ford Canale

WHEREAS, when worthy circumstances arise, the Memphis City Council has seen fit to name certain public roads to honor citizens who have served this community; and

WHEREAS, **Mrs. Bert Adler Prosterman** has dedicated her life as a visionary leader, education advocate, and civil rights activist who saw an improved future for the City of Memphis decades ago; and

WHEREAS, selfless beyond measure, **Mrs. Prosterman** gave her time, energy, talents, and home for use by the men, women, children, and families of Memphis; and

WHEREAS, in doing so, **Mrs. Prosterman** honorably served as a member of the Memphis City Schools' Board, ultimately reaching the position of School Board President; as such, her efforts were instrumental in expanding integration within our local public school system; and

WHEREAS, active in numerous pursuits, and effective within an array of roles, **Mrs. Prosterman** also contributed to our local community as General Director, and Foundation Director, of the Memphis Botanic Gardens; General Director of Opera Memphis; Executive Director of the Memphis Epilepsy Foundation; Board Member of the United Cerebral Palsy Foundation, and numerous other volunteer and advocacy initiatives; and

WHEREAS, in considering her life's work, it was the totality of **Mrs. Prosterman's** tangible achievements, steadfast nature, and poise in the face of immense challenge that not only inspired, but also provided countless benefits to, Memphians of every stripe; and

WHEREAS, in this manner, **Mrs. Prosterman** promoted harmony within the City of Memphis, which resulted in an improved quality of life for all citizens – still enjoyed to the present day; and

WHEREAS, the Memphis City Council finds value in honoring Memphians whose efforts reflect our community's best qualities, we now endeavor to establish an honorary public road designation to entreat citizens everywhere to emulate **Mrs. Bert Adler Prosterman's** vigor within their daily lives.

NOW THEREFORE, BE IT RESOLVED that South Yates Road between Walnut Grove Road and Shady Grove Terrace be declared

“Bert Adler Prosterman Road”

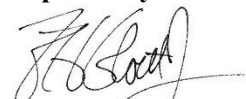
in honor of her life and numerous accomplishments on behalf of the City of Memphis.

BE IT FURTHER RESOLVED that the City Engineer is requested to affix suitable signs designating this public road.

Adopted: March 2, 2021



DR. JEFF WARREN
Memphis City Council



FRANK COLVETT, JR.
Chairman

WHEREAS, when worthy circumstances arise, the Memphis City Council has seen fit to name certain public roads to honor citizens who have served this community; and

WHEREAS, the late-**Judge Teresa Dyann Jones** and her lasting legacy of excellence represent one of these worthy circumstances; and

WHEREAS, **Judge Jones** was born to the late-Horace Jr. and Lottie Jones in Byhalia, Mississippi on April 29, 1959; and

WHEREAS, upon graduating from Byhalia High School in 1977, **Judge Jones** attended the illustrious Lane College in Jackson, Tennessee where she earned a Bachelor of Arts degree in Mass Communications & Business in 1981; and

WHEREAS, after a storied collegiate career at Lane College, **Judge Jones** received her Juris Doctor from the University of Memphis Cecil C. Humphreys School of Law in 1986; and

WHEREAS, a warrior for our community, **Judge Jones** dedicated herself to activities that educated, informed, protected, and improved the City of Memphis; and

WHEREAS, in doing so, **Judge Jones** took on many roles, notably as a member of the Shelby County School Board, where she was the Board Chairwoman from 2014-2016; the Lane College Board of Trustees; the Ben F. Jones Chapter of the National Bar Association; the Memphis Bar Association; the Tennessee Lawyers Assistance Programs; the Memphis Alumnae Chapter of Delta Sigma Theta Sorority, Inc.; Memphis Area Legal Services, Inc.; the Sickle Cell Anemia Foundation; the Memphis Bar Foundation; and the American Tennis Association; and

WHEREAS, always driven to (1) dream big, and then (2) accomplish her goals, **Judge Jones** achieved her life-long aspiration of becoming a judge through her appointment and later election to Memphis Municipal Court Division One in January 2019; and

WHEREAS, **Judge Jones** deservedly received numerous awards throughout her life and career, including the 2017 Teamsters TNBC Trailblazer Award; the Mothers of the Nile Outstanding Leadership award; and the Interfaith Denominational Fellowship's 12 Outstanding Women of Memphis Award in 2019; she will be most remembered for the manner in which she selflessly served her fellow citizens, improving countless lives in the process; and

WHEREAS, the Memphis City Council finds value in honoring Memphians whose efforts reflect our community's best qualities, we now endeavor to establish an honorary public road designation to entreat citizens everywhere to emulate the late-**Judge Teresa Dyann Jones**' vigor within their daily lives.


NOW THEREFORE, BE IT RESOLVED that North McLean Boulevard between Jackson Avenue and Vollintine Avenue be declared

“Judge Teresa Jones Boulevard”

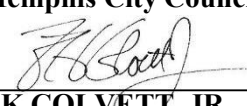
in honor of her life well-lived and numerous contributions to the City of Memphis.

BE IT FURTHER RESOLVED that the City Engineer is requested to affix suitable signs designating this public road.

Adopted: March 2, 2021



MICHALYN EASTER-THOMAS
Memphis City Council



FRANK COLVETT, JR.
Chairman

RESOLUTION AUTHORIZING APPROVAL OF THE USE OF PILOT EXTENSION FUND FOR PAYMENT OF INDEBTEDNESS OR COST WITH RESPECT TO THE PURCHASE OF 100 NORTH MAIN AND PRECONSTRUCTION COST AND THE COST OF THE DEVELOPMENT OR REDEVELOPMENT OF PARKING ON THE 100 NORTH MAIN SITE BY THE DOWNTOWN MOBILITY AUTHORITY AND A PORTION OF THE COST OF DEVELOPMENT OF A PARKING GARAGE BY THE DOWNTOWN MOBILITY AUTHORITY AS A PART OF THE REDEVELOPMENT OF THE SNUFF DISTRICT, AND OTHERWISE PROVIDING WITH RESPECT TO THE FOREGOING

WHEREAS, it is vital to the economic growth and development of the City of Memphis (the “City”) that vacant and underutilized property be developed or redeveloped and placed into service and that parking and other means of mobility be available in Downtown Memphis; and

WHEREAS, the 100 North Main building has been vacant or underutilized for years; and

WHEREAS, it is proposed that The Parking Authority of the City of Memphis and County of Shelby, Tennessee d/b/a/ Downtown Mobility Authority (“DMA”) purchase the property bounded on the north by Adams Avenue, on the east by Second Street, on the south by Jefferson Avenue and on the west and by Main Street, including the 100 North Main building (“100 North Main”) and develop or redevelop parking on the 100 North Main site; and

WHEREAS, it is anticipated that the cost of the purchase of 100 North Main and preconstruction cost in connection with and the cost of the development or redevelopment of parking on the 100 North Main site will be up to Twelve Million Dollars (\$12,000,000) and that Memphis Center City Revenue Finance Corporation (“CCRFC”) will loan such amount to DMA from monies currently available or to be available in the future from the PILOT Extension Fund or from a loan funded from the PILOT Extension Fund; and

WHEREAS, the Snuff District is approximately 65 acres of historic structures, industrial buildings and vacant land, the buildings on which generally date from 1912 to 1952 and are vacant or dilapidated (the “Snuff District”); and

WHEREAS, Wolf River Harbor Holdings, LLC or affiliates thereof (the “Snuff District Developer”), proposes to redevelop the Snuff District into a mixed use development including multi-family housing, commercial, retail, office parking and recreational uses with a development budget approximately \$205,000,000; and

WHEREAS, the redevelopment of the Snuff District would remedy blight, create jobs, increase surrounding property values, provide needed housing and help attract new citizens to Memphis; and

WHEREAS, to make the Snuff District project economically possible and to provide public parking for the Snuff District, it is proposed that DMA, construct all or part of an approximately 480 space parking garage constituting a part of the Snuff District project (the “Snuff District Parking Garage”); and

WHEREAS, it is further proposed that CCRFC loan DMA up to \$3,500,000 from the PILOT Extension Fund or from a loan funded from the PILOT Extension Fund (the “Snuff District Loan”) for the construction of the Snuff District garage;

WHEREAS, it is further proposed that CCRFC will lease the Snuff District Parking Garage to DMA pursuant to a lease agreement and that DMA will sublease the Snuff District Parking Garage to the Snuff District Developer pursuant to a capital lease under which the Snuff District Developer will construct the Snuff District Parking Garage on behalf of DMA; and

WHEREAS, the approval of the Memphis City Council is required for the use of funds from the PILOT Extension Fund by CCRFC.

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

1. That the use of funds from the PILOT Extension Fund in connection with the purchase of 100 North Main and preconstruction cost in connection with and the cost of the development or redevelopment of parking on the 100 North Main site as described above is hereby approved.

2. That the use of funds from the PILOT Extension Fund in connection with the use of \$3,500,000 from its PILOT Extension Fund for the Snuff District Loan and such Snuff District Loan is hereby approved.

3. All actions heretofore undertaken by the Mayor or his designee and other officials, employees, attorneys and agents of the City in furtherance of the intent of this resolution are hereby ratified, confirmed and approved.

4. The Mayor or his designee and other appropriate officials of the City are hereby authorized to enter into such agreements, and they and other appropriate employees of the City are hereby authorized to execute such certificates or other documents and take such other actions, as may be necessary or appropriate to carry out the intent of this resolution.

5. This resolution shall take effect from and after its adoption, the welfare of the City of Memphis requiring it.

Adopted this ____ day of _____, 2021.