

# CITY OF MEMPHIS

## COUNCIL REGULAR MEETING

Tuesday, March 16, 2021, 3:30 p.m.

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### SUPPORTING DOCUMENTS

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ITEM #	DESCRIPTION	PAGE #
	<b>PLANNING AND DEVELOPMENT</b> <b>Public Hearings &amp; Ordinances</b>	
<b>1</b>	RESOLUTION approving a planned development at 786 E. Brookhaven Circle; containing +/-11,674 sq ft. in the Commercial Mixed Use – 1 (CMU-1). Case No. PD 21-02	<b>1</b>
<b>2</b>	RESOLUTION approving a special use permit located at 578 Harrell Street; containing +/-0.13 acres in the Commercial Mixed Use – 1 (CMU-1), SUP 94-219, Z 03-122 Districts. Case No. SUP 20-15	<b>57</b>
<b>3</b>	RESOLUTION approving a special use permit located at 2906 Old Austin Peay Highway; containing 0.27 acres in the Commercial Mixed Use – 3 District. Case No. SUP 20-16	<b>92</b>
<b>5</b>	ORDINANCE No. 5780 rezoning the Northwest corner of Frayser Boulevard and Ardmore Street; containing 0.7 acres in the Residential – 6 and Residential – 10 Districts up for F I R S T reading. Case No. Z 21-04	<b>120</b>
<b>6</b>	ORDINANCE No. 5782 rezoning the Southside of E. Holmes Road; +/- 1,534.97 feet west of Pleasant Hill Road; containing 4.05 acres in the Conservation Agriculture (CA) District up for F I R S T reading. Case No. Z 21-01	<b>154</b>
	<b>CONSENT AGENDA</b>	
<b>4</b>	RESOLUTION authorizing an Ida B. Wells memorial at the corner of Beale Street and Fourth Street	<b>1</b>
<b>8</b>	RESOLUTION approving the public improvements of PROJECT IRIS and release of the Performance Bond No. 30072389 in the amount of \$2,098,300.00. (Contract No. CR-5317)	<b>3</b>
<b>9</b>	RESOLUTION approving the engineering plans for MORNING SUN ROAD SEWER EXT. and authorizing acceptance, in lieu of bond, of SunTrust Cashier's Check No. 5302190089 in the amount of \$139,300.00 and SunTrust Cashier's Check No. 53022219904 in the	<b>4</b>

**NOTE—THE REFERENCES TO THE PAGE NUMBERS USED IN THE ABOVE TABLE FOR SEPARATE PACKAGES FOR ZONING PUBLIC HEARINGS AND ZONING ORDINANCES ARE THE PAGE NUMBERS USED IN THE SEPARATE PACKAGES FOR THOSE ITEMS**

	amount of \$300.00. Contract No. CR-5361	
<b>10</b>	RESOLUTION approving the engineering plans for 80 VIRGINIA LOFTS and authorizing acceptance of Performance Bond No. 30123482 in the amount of \$64,000.00. Contract No. CR-5362	<b>5</b>
<b>11</b>	RESOLUTION approving the engineering plans of H2S DOWNTOWN MEMPHIS and authorizing acceptance of Performance Bond No. NTN 1707 in the amount of \$82,700.00. Contract No. CR-5363	<b>6</b>
<b>12</b>	RESOLUTION approving the engineering plans for BROAD AVENUE APARTMENTS and authorizing acceptance of Performance Bond No. 3234390 in the amount of \$67,500.00. Contract No. CR-5364	<b>7</b>
	<b>FISCAL CONSENT AGENDA</b>	
<b>13</b>	RESOLUTION accepting grant funds in the amount of twenty thousand dollars (\$20,000.00) from Arbor Day Foundation to support maintenance of trees at McFarland Park.	<b>8</b>
<b>14</b>	RESOLUTION accepting in-kind donation in value of ten thousand three hundred dollars (\$10,300.00) from 901Volleyball for support of volleyball courts at Tobey Park.	<b>10</b>
<b>15</b>	RESOLUTION to accept funds from Federal Express to sponsor the “We Mean Business” Symposium by the Office of Business Diversity and Compliance	<b>12</b>
<b>16</b>	RESOLUTION to accept funds from Nation League of Cities to sponsor The Kivea Hub-Micro Loan Partnership by the Office of Business Diversity and Compliance	<b>14</b>
	<b>MLGW FISCAL CONSENT AGENDA</b>	
<b>17</b>	RESOLUTION approving Change No. 1 to Contract No. 12126, Trend Micro Enterprise Support with Unico Technology, LLC, in the funded amount of \$70,175.00.	<b>16</b>
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	<b>REGULAR AGENDA</b>	
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32	APPROVAL of an Economic Impact Plan for the Downtown Mobility Authority and otherwise providing with respect to the foregoing.	82
33	RESOLUTION approving the sale of a City owned property known as 1055 N. Evergreen Street in Memphis, Shelby, Tennessee 38107, Parcel #040041 00008.	95

**NOTE—THE REFERENCES TO THE PAGE NUMBERS USED IN THE ABOVE TABLE FOR SEPARATE PACKAGES FOR ZONING PUBLIC HEARINGS AND ZONING ORDINANCES ARE THE PAGE NUMBERS USED IN THE SEPARATE PACKAGES FOR THOSE ITEMS**

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**NOTE—THE REFERENCES TO THE PAGE NUMBERS USED IN THE ABOVE TABLE FOR SEPARATE PACKAGES FOR ZONING PUBLIC HEARINGS AND ZONING ORDINANCES ARE THE PAGE NUMBERS USED IN THE SEPARATE PACKAGES FOR THOSE ITEMS**

**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 19<sup>th</sup> and early 20<sup>th</sup> 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

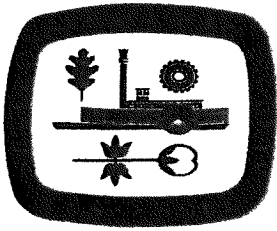
**WHEREAS**, Ida B. Wells spent forty-two years toiling to improve conditions for the most marginalized among us, it is now time that we recognize her invaluable contributions to local and national life by entreating Memphians and visitors alike to emulate her sense of selflessness within their own lives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



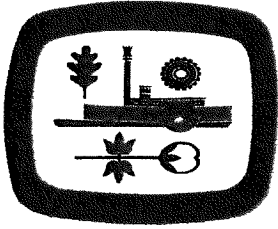
**RESOLUTION accepting Project Iris and authorizing release of bond.**

**WHEREAS, Seefried Properties** is the Developer has completed the public improvement with the City of Memphis as shown on the engineering plans for **Project Iris** located at 4055 New Allen Road, southwest corner lot of the New Allen Road / Hawkins Mill Road intersection 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 **Project Iris**, CR-5317 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 No30072389 in the amount of \$2,098,300.00 held as security for the standard improvement contract is ordered released.



RESOLUTION approving the engineering plans entitled **Morning Sun Road Sewer Extension**

WHEREAS, **Lightman Sixty-Four Co.** is the Developer of certain property within the present limits of the City of Memphis, located on the south side of US Hwy. 64 at Morning Sun Road in the City of Memphis, Tennessee as indicated on the engineering plans entitled **Morning Sun Road Sewer Extension** and

WHEREAS, the developer desires to develop the property reflected on the engineering plans; and

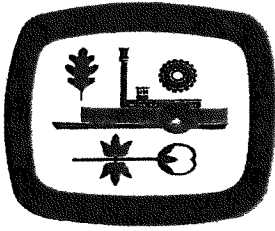
WHEREAS, attached hereto is a standard improvement contract entered into by and between **Lightman Sixty-Four Co.** and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Morning Sun Road Sewer Extension** and is hereby approved.

BE IT FURTHER RESOLVED, that the proper officials be and are hereby authorized to execute the attached standard improvement contract and accept, in lieu of bond, SunTrust Cashier's Check No. 5302190089 in the amount of \$139,300.00 and SunTrust Cashier's Check No. 5302219904 in amount of \$300.00.





RESOLUTION approving the engineering plans entitled **Virginia Lofts**

WHEREAS, **Parachute Investment Company** is the Developer of certain property within the present limits of the City of Memphis, located at 80 Virginia Avenue west as indicated on the engineering plans entitled **80 Virginia Lofts** and

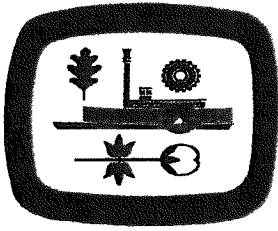
WHEREAS, the developer desires to develop the property reflected on the engineering plans; and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Parachute Investment Company** and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **80 Virginia Lofts** and is hereby approved.

BE IT FURTHER RESOLVED, that the proper officials be and are hereby authorized to execute the attached standard improvement contract and accept the Performance Bond No. 30123482 in the amount of \$64,000.00.



**RESOLUTION approving the engineering plans entitled **H2S Downtown Memphis****

WHEREAS, **Baywood Hotels** is the Developer of certain property within the present limits of the City of Memphis, located at 139 Vance Avenue (between the intersections of Mulberry Street and S. 2<sup>nd</sup> Street) in the City of Memphis, Tennessee as indicated on the engineering plans entitled **H2S Downtown Memphis** and

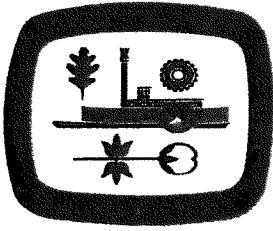
WHEREAS, the developer desires to develop the property reflected on the engineering plans; and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Baywood Hotels** and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **H2S Downtown Memphis** and is hereby approved.

BE IT FURTHER RESOLVED, that the proper officials be and are hereby authorized to execute the attached standard improvement contract and accept the Performance Bond No. NTN 1707 in the amount of \$82,700.00.



RESOLUTION approving the engineering plans entitled **Broad Avenue Apartments**

WHEREAS, **Broad Avenue Memphis Apartments, LLC** is the Developer of certain property within the present limits of the City of Memphis, located at 2542 Broad Avenue – northwest corner lot in the Broad Avenue and Bingham Street intersection in the City of Memphis, Tennessee as indicated on the engineering plans entitled **Broad Avenue Apartments** and

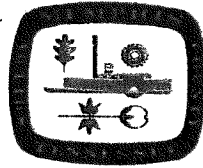
WHEREAS, the developer desires to develop the property reflected on the engineering plans; and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Broad Avenue Memphis Apartments, LLC** and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Broad Avenue Apartments** and is hereby approved.

BE IT FURTHER RESOLVED, that the proper officials be and are hereby authorized to execute the attached standard improvement contract and accept the Performance Bond No. 3234390 in the amount of \$67,500.00.



## Memphis City Council Summary Sheet

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

Resolution to accept grant funds in amount of \$20,000 to support tree maintenance of newly planted trees at McFarland Park.

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

Division of Park 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.**

McFarland Park is located in District 4, Super District 8

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

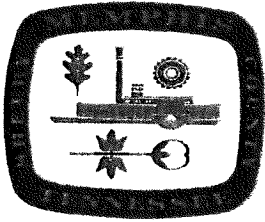
Requires signature of grant contract with Arbor Day Foundation.

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

Requires expenditure of grant funds only; requires budget amendment to accept and appropriate grant funds.

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

N/A.



***Resolution accepting grant funds of twenty thousand dollars (\$20,000.00) from Arbor Day Foundation to support maintenance of trees at McFarland Park. [District 4, Super District 8].***

**WHEREAS**, Arbor Day Foundation is a private national philanthropic organization; and

**WHEREAS**, the City of Memphis, through its Division of Park Services, is planting a total of 108 trees at McFarland Park in 2021; and

**WHEREAS**, funding from the Arbor Day Foundation will support the maintenance of these trees to ensure survival and quality of tree health; and

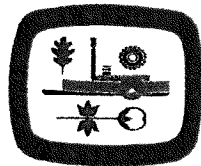
**WHEREAS**, the Park Services Division is a recipient of a 2021 Arbor Day Foundation award in the amount of twenty thousand dollars (\$20,000.00); and

**WHEREAS**, it is necessary to accept these funds and amend the Fiscal Year 2021 operating budget grant account PK90094, and allow for expenditures of the same; and

**WHEREAS**, it is necessary to appropriate these funds in the amount of twenty thousand dollars (\$20,000.00) for part-time salaries and supplies to support tree maintenance.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2021 operating budget be hereby amended by accepting the grant of twenty thousand dollars (\$20,000.00) for part-time salaries and supplies into PK90094, and

**BE IT FURTHER RESOLVED** that funding of twenty thousand dollars (\$20,000.00) be allocated and appropriated to PK90094.



## Memphis City Council Summary Sheet

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

Resolution to accept in-kind donation of volleyball poles and sand for Tobey Park from 901Volleyball.

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

Park 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.**

District 5, Super District 9.

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

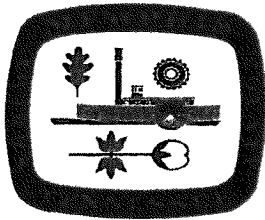
N/A

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

Does not require expenditure.

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

N/A.



***Resolution accepting in-kind donation in value of ten thousand three hundred dollars (\$10,300.00) from 901Volleyball for support of volleyball courts at Tobey Park. [District 5, Super District 9].***

**WHEREAS**, 901Volleyball is a local nonprofit sporting association which supports volleyball community in the Memphis region; and

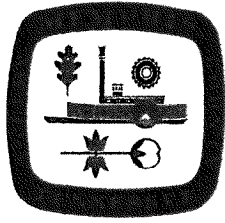
**WHEREAS**, the City of Memphis, through its Division of Park Services, has limited volleyball courts to support community volleyball play; and

**WHEREAS**, 901Volleyball is providing an in-kind donation of volleyball poles and sand to increase volleyball court capacity at Tobey Park in 2021; and

**WHEREAS**, the Park Services Division wishes to accept this in-kind donation in value of ten thousand three hundred dollars (\$10,300); and

**WHEREAS**, it is necessary to accept this in-kind donation and allow for the use of donated volleyball poles and sand at Tobey Park; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the in-kind donation valued at ten thousand three hundred dollars (\$10,300) from 901Volleyball be accepted.



RESOLUTION TO ACCEPT FUNDS FROM FEDERAL EXPRESS TO SPONSOR THE “WE MEAN BUSINESS” SYMPOSIUM BY THE OFFICE OF BUSINESS DIVERSITY AND COMPLIANCE

WHEREAS, the Office of Business Diversity and Compliance is hosting the virtual “We Mean Business” Symposium in June 2021, which will provide Small, Minority and Women Business Enterprises (SMWBE) vendors and potential vendors with the opportunity to become familiar with the City’s diversity programs and procurement opportunities;

WHEREAS, the theme of the Symposium is to stimulate motivation and action among the SMWBE community to become engaged suppliers that are aware of all procurement opportunities with the City;

WHEREAS, FEDEX has agreed to sponsor this event by donating \$35,000.00;

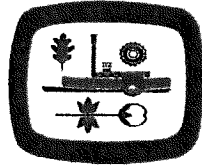
WHEREAS, the Symposium needs these funds to secure a keynote speaker, promote the event, purchase materials, and provide food; and

WHEREAS, the acceptance of these funds will result in no cost to the City;

THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the donation of \$35,000.00 by FedEx to sponsor the “We Mean Business” Symposium be accepted.

Service Center 110902  
Fund 0111  
Account 052528





## Memphis City Council Summary Sheet

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

Acceptance of grant from FedEx for the 2021 virtual We Mean Business Symposium

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

Office of Business Diversity & Compliance

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

No

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

No

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

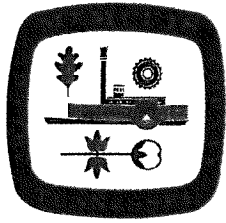
No

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

Increase budget of service center 110902 Fund 0111 Account 052528

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

N/A



**RESOLUTION TO ACCEPT FUNDS FROM NATIONAL LEAGUE OF CITIES TO SPONSOR THE KIVEA HUB- MICRO LOAN PARTNERSHIP BY THE OFFICE OF BUSINESS DIVERSITY AND COMPLIANCE**

WHEREAS, the Office of Business Diversity and Compliance is operating the City of Memphis micro-loan programs providing low interest financial assistance to Small, Minority and Women Business Enterprises (SMWBE);

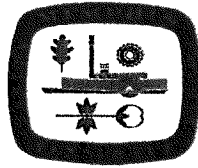
WHEREAS, our communities are full of entrepreneurs and small business owners who want to grow, but many lack access to traditional capital that could help them start or grow their business Kivea will support these efforts;

WHEREAS, OBDC is committed to helping to facilitate affordable, risk-tolerant microloans to entrepreneurs that are currently underserved by traditional banks and even mission-driven nonprofit lenders;

WHEREAS, National League of Cities has agreed to support the partnership with Kivea by granting OBDC \$15,000.00 and

WHEREAS, the acceptance of these funds will result in no cost to the City;

THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the grant of \$15,000.00 by National League of Cities be accepted.



## Memphis City Council Summary Sheet

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

Acceptance of grant from National League of Cities for the OBDC micro-loan Kivea Hub

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

Office of Business Diversity & Compliance

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

No

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

No

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

No

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

Increase budget of service center 110902 Fund 0111 Account 052528

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

N/A

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution approving Change No. 1 to Contract No. 12126, Trend Micro Enterprise Support with Unico Technology, LLC, in the funded amount of \$70,175.00. (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering March 18, 2021 through March 17, 2022, with no increase in rates from the initial term.)

### 2. Additional Information

The project scope is to provide proactive and reactive remote support services for the Trend Micro Enterprise products that help to secure and protect MLGW's infrastructure from virtual breaches, ransomware attacks, malicious system threats, and data thefts.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of March 3, 2021 approved Change No. 1 to Contract No. 12126, Trend Micro Enterprise Support with Unico Technology, LLC to ratify and renew the current contract in the funded amount of \$70,175.00, and is now recommending to the Council of the City of Memphis that it approves said ratification and renewal as proposed; and

WHEREAS, the project scope is to provide proactive and reactive remote support services for all of the Trend Micro Enterprise products that help to secure and protect MLGW's infrastructure from virtual breaches, ransomware attacks, malicious system threats, and data thefts. This change is to ratify and renew the current contract for the first of four (4) annual renewal terms for the period covering March 18, 2021 through March 17, 2022 in the funded amount of \$70,175.00, with no increase in rates from the initial term. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$140,350.00; 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. 12126, Trend Micro Enterprise Support with Unico Technology, LLC to ratify and renew the current contract in the funded amount of \$70,175.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**March 3, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12126, Trend Micro Enterprise Support with Unico Technology, LLC to ratify and renew the current contract in the funded amount of \$70,175.00.

The project scope is to provide proactive and reactive remote support services for all of the Trend Micro Enterprise products that help to secure and protect MLGW's infrastructure from virtual breaches, ransomware attacks, malicious system threats, and data thefts.

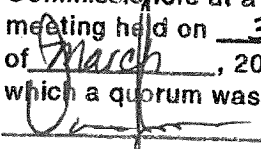
This change is to ratify and renew the current contract for the first of four (4) annual renewal terms for the period covering March 18, 2021 through March 17, 2022 in the funded amount of \$70,175.00, with no increase in rates from the initial term. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$140,350.00.

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. 12126, Trend Micro Enterprise Support with Unico Technology, LLC in the funded amount of \$70,175.00, as outlined in the above 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 3rd day of March, 2021, at which a quorum was present.

  
Secretary-Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution requesting approval to pay an invoice from the North American Transmission Forum, Inc. (NATF) for the 2021 Equal Share Membership dues in the amount of \$50,415.00.

### 2. Additional Information

The NATF is an organization comprised of electric transmission owners and operators with the purpose of promoting excellence in the reliability and resiliency of the electric transmission system through collaboration and interchange of information among its members.

**RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners at its meeting held March 3, 2021, approved payment of the invoice from the North American Transmission Forum, Inc. for the 2021 Equal Share Membership dues in the amount of \$50,415.00.

**NOW THEREFORE BE IT RESOLVED** by the Council of the City of Memphis, that payment to the North American Transmission Forum, Inc. as set forth in the foregoing preamble is approved.



**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**March 3, 2021**

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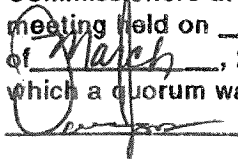
The Vice President of Engineering and Operations presented for consideration of the Board, payment of an invoice from the North American Transmission Forum, Inc. for the 2021 Equal Share Membership dues in the amount of \$50,415.00.

The 2021 dues calculation comprises an equal (base) component of \$25,000 and a pro rata component based on your average net peak demand from 2017-2019. The peak demand for the pro rata component is capped at 50,000 MW.

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 Secretary-Treasurer is hereby authorized and directed to have a check issued in the amount of \$50,415.00 payable to the North American Transmission Forum, Inc.

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 3rd day of March, 2021, at which a quorum was present.

  
Secretary-Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution approving payment of an invoice from the American Public Gas Association (APGA) for the 2021 annual membership dues in the amount of \$57,000.00.

### 2. Additional Information

The APGA is an organization representing America's publicly owned natural gas local distribution systems. APGA represents its members before Congress, federal agencies, and other energy-related stakeholders. In addition, APGA organizes meetings, seminars, and workshops with the goal of improving the safety, reliability, efficiency, and regulatory compliance of public gas systems.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners at its meeting held of March 3, 2021 approved payment to the American Public Gas Association, in the amount of \$57,000.00 for the 2021 Annual Membership Dues.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that payment the American Public Gas Association as set forth in the foregoing preamble is approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**March 3, 2021**

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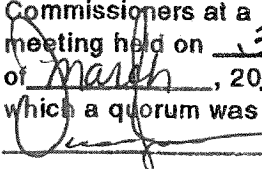
The Vice President of Engineering and Operations presented for consideration of the Board, payment of an invoice from the American Public Gas Association for the 2021 Annual Membership Dues in the amount of \$57,000.00

These dues are recommended for payment to help fund governmental efforts to achieve ongoing success and prosperity for the Division.

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 Secretary-Treasurer is hereby authorized and directed to have a check issued in the amount of \$57,000.00, payable to the American Public Gas Association.

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 3rd day of March, 2021, at which a quorum was present.

  
Secretary-Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution approving purchase Order Number 157380 to Doble Engineering Company in the amount of \$49,363.30 for software agreement and test equipment rental, for an additional twelve-month extension to April 11, 2022.

### 2. Additional Information

The software and equipment are used by MLGW office and field system technicians to collect, manage, and store all data as well as to perform power factor testing of transformers, breakers, lighting arrestors, power transformers and current transformers in MLGW's current electrical system.

## RESOLUTION

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of March 3, 2021 approved an twelve (12) month extension for software agreement and test equipment rental and is now recommending to the Council of the City of Memphis that it approves said extension as approved in the 2021 fiscal year budget; and

**WHEREAS**, the software and equipment are used by MLGW office and field system technicians to collect, manage and store all data as well as to perform power factor testing of transformers, breakers, lighting arrestors, power transformers and current transformers in MLGW's current electrical system; and

**WHEREAS**, the new expiration date for the contract with the additional twelve (12) month extension is April 11, 2022. Additional funds in the amount of \$49,363.30 are requested to cover this extension. All existing terms and conditions will remain the same. This extension complies with all applicable laws and policies; and

Now **THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that a twelve (12) month extension of Purchase Order Number 157380 with Doble Engineering Company for software agreement and test equipment rental for the sum of \$49,363.30 chargeable to the MLGW 2021 fiscal year budget is hereby approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**March 3, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it approves extension of Purchase Order Number 157380 to Doble Engineering Company in the amount of \$49,363.30 for software agreement and test equipment rental for an additional twelve (12) month period or until a new contract can be executed.

The software and equipment are used by MLGW office and field system technicians to collect, manage and store all data as well as to perform power factor testing of transformers, breakers, lighting arrestors, power transformers and current transformers in MLGW's current electrical system.

The new expiration date for the contract with the additional twelve (12) month extension is April 11, 2022. Additional funds in the amount of \$49,363.30 are requested to cover this extension. All existing terms and conditions will remain the same. This extension complies with all applicable laws and policies.

The 2021 budgeted amount for Laboratory and Test is \$204,486.00; of which \$49,363.30 will be spent on this purchase order in 2021; leaving a balance of \$155,122.70 after award; and

**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, award of a twelve (12) month extension of Purchase Order Numbers 157380 with Doble Engineering Company for software agreement and test equipment rental in the amount of \$49,363.30 is approved.

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 3rd day of March, 2021, at which a quorum was present.

 Secretary-Treasurer



## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution awarding a purchase order to Kaeser Compressor for air compressors and equipment in the amount of \$57,361.90.

### 2. Additional Information

The air compressors and equipment are needed to run Liquefied Natural Gas (LNG) plant processes in its entirety. The equipment is used to operate all automatic valves including the operation of the process compressor in the entire plant. The air compressors will replace the existing air compressors, which have reached the end of their product life cycle and are no longer functional.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of March 3, 2021, approved the purchase for air compressors and equipment and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2021 fiscal year budget; and

**WHEREAS**, the air compressors and equipment are needed to run Liquified Natural Gas (LNG) plant process in its entirety. The equipment is used to operate all automatic valves including the operation of the process compressor in the entire plant. The air compressors will replace the existing air compressors which have reached the end of their product life cycle and are no longer functional; and

**WHEREAS**, a bid was opened on January 20, 2021 for air compressors and equipment from Kaeser Compressor in accordance with MLGW's Sole/Single Source Policy. The air compressors and equipment have been defined as sole source material by MLGW's Liquid Natural Gas (LNG) plant because Kaeser Compressor is the only supplier than can design and meet the ISO 9001 / ISO 1.2.1 specification and the needed reliability and air quality at MLGW's Liquid Natural Gas (LNG). This 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 the purchase of air compressor and equipment from Kaeser Compressor in the amount of \$57,361.90 chargeable to the MLGW 2021 fiscal year budget.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**March 3, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Kaeser Compressor for air compressors and equipment in the amount of \$57,361.90.

The air compressors and equipment are needed to run Liquefied Natural Gas (LNG) plant process in its entirety. The equipment is used to operate all automatic valves including the operation of the process compressor in the entire plant. The air compressors will replace the existing air compressors, which have reached the end of their product life cycle, and are no longer functional.

A bid was opened on January 20, 2021 for air compressors and equipment from Kaeser Compressor in accordance with MLGW's Sole/Single Source Policy. The air compressors and equipment have been defined as sole source material by MLGW's Liquid Natural Gas (LNG) plant because Kaeser Compressor is the only supplier that can design and meet the ISO 9001 / ISO 1.2.1 specification and the needed reliability and air quality at MLGW's Liquid Natural Gas (LNG). This award complies with all applicable laws and policies.

The 2021 budgeted amount for Liquid Natural Gas (LNG) plant is \$600,000.00; of which \$57,361.90 will be spent on this purchase order in 2021; leaving a balance of \$542,638.10 after award; and

**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, award of a purchase order to Kaeser Compressor is approved for furnishing:

- 2 - Air Compressors and equipment parts at \$11,301.00 each;
- 2 - Desic Dryers KAD115 with Purge Service Special at \$7,911.33 each;
- 2 - Mtd. Filter Package "D", KAD115/115PS at \$2,206.67each;
- 2 - 3-Valve Bypass Option /115PS at \$466.00 each;
- 1 - Condensate Treatment KCF-50 Condensate Treatment System at \$600.29 each;
- 1 - Condensate Treatment, Condensate Manifold at \$447.35 each;
- 2 - Annual Maint.Kit-ASK.3 S460,S460 Synthetic Oil(5 gals), MSDS Enclosed with Shipment, Sample bottle, 5-year maintenance kit, filter set ASK at \$731.25 each;
- 1 - System Controller, SAM 4.0-4 145psi 100-240V AC UL at \$7,111.76 each;
- 1 - SAM Installation Material at \$3,205.00 each;
- 1 - Compressed Air Receiver at \$765.00 each;

Totaling \$57,361.90; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; delivery five (5) weeks after receipt of order; terms net 30 days.

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 3rd day of March, 2021, at which a quorum was present.

  
Secretary-Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution approving Change No. 3 to Contract No. 11800, InfoWater Hydraulic Model Implementation Services with Innovyze, Incorporated, in the funded amount of \$11,372.00. (This change is to renew annual license, maintenance, and support services for the Water Modeling Software for the period covering May 15, 2021 through May 14, 2022. Innovyze, Incorporated is the sole owner, developer, and distributor of the InfoWater Software Package. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by Innovyze, Incorporated.)

### 2. Additional Information

This software is used to perform detailed analysis of the Water Distribution System to determine areas that need major and minor infrastructure repairs. This expenditure is for licensing and technical support for this water system modeling software.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting on March 3, 2021 approved Change No. 3 to Contract No. 11800, InfoWater Hydraulic Model Implementation Services with Innovyze, Incorporated to renew the current contract in the funded amount of \$11,372.00, 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 allow Innovyze, Incorporated, as a sole source provider, to develop a water distribution system model by using Geographic Information System (GIS) pipe and node information to update the existing MLGW InfoWater model. This software is used to perform detailed analysis of the Water Distribution System to determine areas that need major and minor infrastructure repairs. This is for the licensing and technical support for this water system modeling software. This change is to renew annual license, maintenance, and support services for the Water Modeling Software for the period covering May 15, 2021 through May 14, 2022 in the funded amount of \$11,372.00. Innovyze, Incorporated is the sole owner, developer, and distributor of the InfoWater Software Package. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by Innovyze, Incorporated. This sole source renewal complies with all applicable laws and policies. The new contract value is \$140,632.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved Change No. 3 to Contract No. 11800, InfoWater Hydraulic Model Implementation Services with Innovyze, Incorporated to renew the current contract in the funded amount of \$11,372.00 as approved.



**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**March 3, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 3 to Contract No. 11800, InfoWater Hydraulic Model Implementation Services with Innovyze, Incorporated to renew the current contract in the funded amount of \$11,372.00.

The project scope is to allow Innovyze, Incorporated, as a sole source provider, to develop a water distribution system model by using Geographic Information System (GIS) pipe and node information to update the existing MLGW InfoWater model. This software is used to perform detailed analysis of the Water Distribution System to determine areas that need major and minor infrastructure repairs. This is for licensing and technical support for this water system modeling software. This change is to renew annual license, maintenance, and support services for the Water Modeling Software for the period covering May 15, 2021 through May 14, 2022 in the funded amount of \$11,372.00. Innovyze, Incorporated is the sole owner, developer, and distributor of the InfoWater Software Package. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by Innovyze, Incorporated. This sole source renewal complies with all applicable laws and policies. The new contract value is \$140,632.00.

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. 3 to Contract No. 11800, InfoWater Hydraulic Model Implementation Services with Innovyze, Incorporated to renew the current contract in the funded amount of \$11,372.00, 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 ~~regular~~ **special** meeting held on 3rd day of March, 2021, at which a quorum was present.

 Secretary-Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution awarding Contract No.12229, Lichterman DPC Installation to American Electrical Contractors, Inc., in the funded amount of \$299,589.00.

### 2. Additional Information

The project scope is to furnish supervision, labor, transportation, materials, equipment and tools to remove and demolish the existing Distributed Process Control System (DPC) and install a new DPC System and necessary apparatuses at MLGW's Lichterman Pumping Station located at 3426 Hickory Hill Road, Memphis, TN 38115.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of March 3, 2021 awarded Contract No. 12229, Lichterman DPC Installation to American Electrical Contractors, Incorporated in the funded amount of \$299,589.00, 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 furnish supervision, labor, transportation, materials, equipment and tools to remove and demolish the existing Distributed Process Control System (DPC) and install a new DPC System and necessary appurtances at MLGW's Lichterman Pumping Station located at 3426 Hickory Hill Road, Memphis, TN 38115.

WHEREAS, the Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on October 7, 2020. MLGW solicited seven (7) bidders; and received a single bid on December 8, 2020 from American Electrical Contractors, Incorporated in the funded amount of \$299,589.00. In compliance with negotiations with MLGW's Single Bidder Provision of the MLGW Procurement Policy, staff attempted to negotiate the bid amount. However, during negotiations, a determination was made that the bid amount was a fair and competitive market bid. The term of this contract is for 12 months from the date of the Notice to Proceed. This 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. 12229, Lichterman DPC Installation to American Electrical Contractors, Incorporated in the funded amount of \$299,589.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**March 3, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12229, Lichterman DPC Installation to American Electrical Contractors, Incorporated in the funded amount of \$299,589.00.

The project scope is to furnish supervision, labor, transportation, materials, equipment and tools to remove and demolish the existing Distributed Process Control System (DPC) and install a new DPC System and necessary appurtances at MLGW's Lichterman Pumping Station located at 3426 Hickory Hill Road, Memphis, TN 38115.

The Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on October 7, 2020. MLGW solicited seven (7) bidders; and received a single bid on December 8, 2020 from American Electrical Contractors, Incorporated in the funded amount of \$299,589.00. In compliance with negotiations with MLGW's Single Bidder Provision of the MLGW Procurement Policy, staff attempted to negotiate the bid amount. However, during negotiations, a determination was made that the bid amount was a fair and competitive market bid. The term of this contract is for 12 months from the date of the Notice to Proceed. This 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 approval of award of the Contract No. 12229, Lichterman DPC Installation to American Electrical Contractors, Incorporated in the funded amount of \$299,589.00, 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 3rd day of March, 2021, at which a quorum was present.

  
Secretary-Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution awarding a purchase order to Brighter Days and Nites for three phase low energy reclosing devices in the amount of \$3,589,770.00.

### 2. Additional Information

The reclosers are used to isolate and restore damaged portions of the electric distribution system to enhance overall system reliability.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of March 3, 2021 approved the purchase of three phase low energy reclosers and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2021 fiscal year budget; and

**WHEREAS**, the reclosers are used to isolate and restore damaged portions of the electric distribution system. The low energy technology reduces the amount of force used during fault testing to lessen momentary outages for customers on the main feeder. This strategy improves reliability, increases power quality, and reduces equipment damage; and

**WHEREAS**, bids were opened on January 27, 2021. Notice to Bidders was advertised. Eleven (11) bids were solicited and six (6) bids were received with the lowest and best complying bidder in accordance with MLGW's Local Bidding Preference policy being Brighter Days and Nites. This 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 the purchase of three phase low energy reclosers from Brighter Days and Nites for the sum of \$ 1,794,885.00 chargeable to the MLGW 2021 fiscal year budget and the balance of \$1,794,885.00 chargeable to subsequent budget years as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**March 3, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Brighter Days and Nites in the amount of \$3,589,770.00 for three phase low energy reclosing devices.

The reclosers are used to isolate and restore damaged portions of the electric distribution system. The low energy technology reduces the amount of force used during fault testing to lessen momentary outages for customers on the main feeder. This strategy improves reliability, increases power quality, and reduces equipment damage.

Bids were opened on January 27, 2021. Notice to Bidders was advertised. Eleven (11) bids were solicited and six (6) bids were received with the lowest and best complying bidder in accordance with MLGW's Local Bidding Preference policy being Brighter Days and Nites. This award complies with all applicable laws and policies.

The 2021 budgeted amount for Line Reconstruction is \$3,625,000.00; the amount spent year to date is \$994,370.55; leaving a balance available of \$2,630,629.45; of which \$1,794,885.00 will be spent on this purchase order in 2021; leaving a balance of \$835,744.45 after award; the remaining balance of \$1,794,885.00 to be spent from subsequent budget years as approved; and

**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, award of purchase order to Brighter Days and Nites is approved for furnishing:

Recloser, 3-Phase low-energy reclosing device, 15.5kV, 110kv BIL, 630 AMPS, 16 KAIC, shall be made in accordance with Material Description #40-2501 dated December 7, 2020;

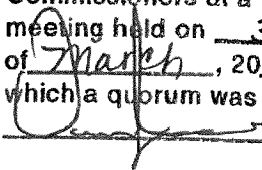
Recloser, 3-Phase low-energy reclosing device, 27kV, 125kv BIL, 630 amps, 12.5 KAIC, shall be made in accordance with Material Description #40-2502 dated December 7, 2020;

Control module, S&C Catalog Number SDA-4540R2, shall be made in accordance with Material Description #40-2503 dated December 7, 2020;

Communication module, S&C catalog number SDA-4540R2, shall be made in accordance with Material Description #40-2504 dated December 7, 2020;

The total award amount is \$3,589,770.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; terms net 15 days; delivery in 16 weeks after release.

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 3rd day of March, 2021, at which a quorum was present.

  
Secretary-Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution approving Change No. 3 to Contract No. 11947, Grounds Maintenance with Bean and Prince Contractors, Incorporated, in the funded amount of \$435,082.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering May 12, 2021 through May 11, 2022, with no increase in rates from the previous year in the amount of \$422,992.00. In addition, this change is to expand the scope of work to include three additional cuts at the McCord, Mallory, Allen and Arlington Water Pumping Stations during July 1, 2021 through September 30, 2021. This change and addition increases the contract value by \$12,090.00.)

### 2. Additional Information

The project scope is to mow grass and other grounds maintenance duties at various MLGW locations such as electric substations, water pumping stations, gas regulators, etc.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of March 3, 2021 approved Change No. 3 to Contract No. 11947, Grounds Maintenance with Bean and Prince Contractors, Incorporated to renew and change the current contract in the funded amount of \$435,082.00, and is now recommending to the Council of the City of Memphis that it approves said renewal and change as approved; and

WHEREAS, the project scope is to mow grass and other grounds maintenance duties at various MLGW locations such as electric substations, water pumping stations, gas regulators, etc. This change is to renew the current contract for the third of four (4) annual renewal terms for the period covering May 12, 2021 through May 11, 2022, with no increase in rates from the previous year in the amount of \$422,992.00. In addition, this change is to expand the scope of work to include three (3) additional cuts at the McCord, Mallory, Allen and Arlington Water Pumping Stations during July 1, 2021 through September 30, 2021. This change and addition increases the contract value by \$12,090.00. The total amount of this renewal and change is \$435,082.00. This renewal and change complies with all applicable laws and policies. The new contract value is \$1,664,753.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 3 to Contract No. 11947, Grounds Maintenance with Bean and Prince Contractors, Incorporated to renew and change the current contract in the funded amount of \$435,082.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**March 3, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 3 to Contract No. 11947, Grounds Maintenance with Bean and Prince Contractors, Incorporated to renew and change the current contract in the funded amount of \$435,082.00.

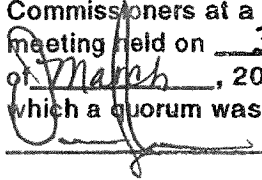
The project scope is to mow grass and other grounds maintenance duties at various MLGW locations such as electric substations, water pumping stations, gas regulators, etc. This change is to renew the current contract for the third of four (4) annual renewal terms for the period covering May 12, 2021 through May 11, 2022, with no increase in rates from the previous year in the amount of \$422,992.00. In addition, this change is to expand the scope of work to include three (3) additional cuts at the McCord, Mallory, Allen and Arlington Water Pumping Stations during July 1, 2021 through September 30, 2021. This change and addition increases the contract value by \$12,090.00. The total amount of this renewal and change is \$435,082.00. This renewal and change complies with all applicable laws and policies. The new contract value is \$1,664,753.00.

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. 3 to Contract No. 11947, Grounds Maintenance with Bean and Prince Contractors, Incorporated to renew and change the current contract in the funded amount of \$435,082.00, as outlined in the above preamble, is approved; and further

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

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 3rd day of March, 2021, at which a quorum was present.

  
Secretary-Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution approving Change No. 16 to Contract No. 11292, Cashiering System Replacement with System Innovators, in the funded amount of \$45,806.03. (This change is to renew annual hardware, software maintenance, and support services for the Creditron Software, Opex Hardware (Item Age Express), for the period covering May 1, 2021 through April 30, 2022, with no increase in rates from the previous renewal term. MLGW is requesting continuous maintenance of the acquired systems, which can only be performed by System Innovators and the third-party providers.)

### 2. Additional Information

The project scope is to upgrade the existing Cashiering System with new technology at all MLGW Community Offices as well as provide annual hardware, software maintenance and support services.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting on March 3, 2021 approved Change No. 16 to Contract No. 11292, Cashiering System Replacement with System Innovators to renew the current contract in the funded amount of \$45,806.03, 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 upgrade the existing Cashiering System with new technology at all MLGW Community Offices as well as provide annual hardware, software maintenance and support services. The Creditron Software and Opex Hardware are used to process customer mailed payments received via the U.S. Postal Service in one (1) central system for efficiency. This change is to renew annual hardware, software maintenance, and support services for the Creditron Software and Opex Hardware (Item Age Express) for the period covering May 1, 2021 through April 30, 2022 in the funded amount of \$45,806.03, with no increase in rates from the previous renewal. MLGW is requesting continuous maintenance of the acquired systems, which can only be performed by System Innovators and the third-party providers. This single source renewal complies with all applicable laws and policies. The new contract value is \$1,521,743.56; and



NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 16 to Contract No. 11292, Cashiering System Replacement with System Innovators to renew the current contract in the funded amount of \$45,806.03 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**March 3, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 16 to Contract No. 11292, Cashiering System Replacement with System Innovators to renew the current contract in the funded amount of \$45,806.03.

The project scope is to upgrade the existing Cashiering System with new technology at all MLGW Community Offices as well as provide annual hardware, software maintenance and support services. The Creditron Software and Opex Hardware are used to process customer mailed payments received via the U.S. Postal Service in one (1) central system for efficiency. This change is to renew annual hardware, software maintenance, and support services for the Creditron Software and Opex Hardware (Item Age Express) for the period covering May 1, 2021 through April 30, 2022 in the funded amount of \$45,806.03, with no increase in rates from the previous renewal term. MLGW is requesting continuous maintenance of the acquired systems, which can only be performed by System Innovators and the third-party providers. This single source renewal complies with all applicable laws and policies. The new contract value is \$1,521,743.56.

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. 16 to Contract No. 11292, Cashiering System Replacement with System Innovators to renew the current contract in the funded amount of \$45,806.03, 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~~ <sup>special</sup> meeting held on 3rd day of March, 2021, at which a quorum was present.

  
Secretary-Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution approving Change No. 5 to Contract No. 11740, Claims Case Management with American Technical Services in the funded amount of \$79,000.00. (This change is to ratify and renew the current contract for a five-year term for the period covering April 1, 2021 through March 31, 2026 for annual maintenance and support.)

### 2. Additional Information

The project scope is to provide a software solution and services for the implementation of Claims Case Management software. The contract provides for annual software maintenance, license, and support services.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of March 3, 2021 approved Change No. 5 to Contract No. 11740, Claims Case Management with American Technical Services to ratify and renew the current contract in the funded amount of \$79,000.00, and is now recommending to the Council of the City of Memphis that it approves said ratification and renewal; and

WHEREAS, the project scope is to provide a software solution and services for the implementation of Claims Case Management software. The contract provides for annual software maintenance, license, and support services. This change is to ratify and renew the current contract for a five (5) year term in the funded amount of \$79,000.00 for the period covering April 1, 2021 through March 31, 2026 for annual software maintenance and support, with no increase in rates from the previous term of \$15,800.00 per year. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$234,332.00; 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. 11740, Claims Case Management with American Technical Services to ratify and renew the current contract in the funded amount of \$79,000.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**March 3, 2021**

---

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 5 to Contract No. 11740, Claims Case Management with American Technical Services to ratify and renew the current contract in the funded amount of \$79,000.00.

The project scope is to provide a software solution and services for the implementation of Claims Case Management software. The contract provides for annual software maintenance, license, and support services. This change is to ratify and renew the current contract for a five (5) year term in the funded amount of \$79,000.00 for the period covering April 1, 2021 through March 31, 2026 for annual software maintenance and support, with no increase in rates from the previous term of \$15,800.00 per year. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$234,332.00.

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. 5 to Contract No. 11740, Claims Case Management with American Technical Services to ratify and renew the current contract in the funded amount of \$79,000.00, as outlined in the above 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 3rd day of March, 2021, at which a quorum was present.

  
Secretary-Treasurer



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

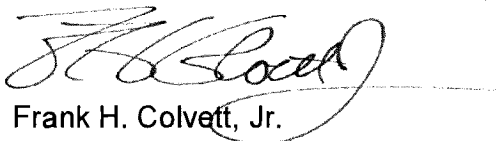
Councilman Carlisle:

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.

## **David M. Cruthird, M.B.A.**

### **PROFESSIONAL SUMMARY**

Workforce Development and Human Resources professional with over 10 years combined experience. Management, client relations, strategic planning and economic development veteran. Strong organizational, project management and communication skills. A progressive history of rapid promotion in private, non-profit and workforce development environments.

### **SKILLS PROFILE**

Leader/manager with a record of successful, personnel recruitment and placement, job sourcing, mentorship, life-skills development, labor and employee relations, and performance-based compensation planning. Creative solutions-finder with a demonstrated ability to organize, direct and staff program components to achieve organizational objectives. Uses innovation to inform and drive program capacities, resource allocations and client services deliverables.

- Leadership/Management – experienced cultivator of strategic partnerships of benefit to clients, staff, community organizations, area businesses, and services contractors. Proficient planner and organizer to enable successful project execution. Managed annual operations budgets to deliver training and development services, project planning and administration, enrollments tracking and monitoring, and overall operations goal attainment. Proficient with project systems and best practices to increase performance and reduce cost. Gap analysis and assessment expertise in the area of human resources. Strategic planning knowledge for organizational growth and reductions.
- Team Building – skilled assembler of people from diverse backgrounds and work orientations into a singularly focused force for program goal achievement. Balanced provider of direction and guidance to subordinates and colleagues. Adopted service, growth and integrity as the values for measuring effective market and customer performance.
- Communication – conceptualized and directed print and visual media to facilitate enrollments, contract compliance, client services, customer relations, and community support for work and market initiatives. Strong listening skills to complement ease in displaying public speaking skills and interactions with people, regardless of educational background, social status or economic wherewithal. Perceptive nurturer who values continuous learning, high quality outcomes, and execution excellence.

### **EXPERIENCE**

Supervised, selected, developed staff personnel; Executed and devised competitive recruitment plans; Identified and recruited candidates from other states for management, mid-level and general level positions. Staffed executive leaders for corporations ranging from \$17 M to \$27M; Staffing responsibilities included attracting senior management candidates, conducted prescreens; Coordinated and participated in career fairs, university fairs, medical fairs, and national conferences; Coordinated panel interviews and interview guidelines; Strategic staffing implementation plans and selection tools to be consistent in best practice; Usage of traditional and out of the box recruitment methods.

**Agape Child & Family Services**

TeamWorks Director

June 2017-Present

Strategic focus leading all relevant matters for Agape’s Powerlines Community Network TeamWorks department, providing post-secondary and workforce development for families in three primary areas of Frayser/Raleigh, Whitehaven and Hickory hill communities. Serves as liaison between the business community and education community. The TeamWorks Director is responsible for leveraging existing resources of college and career readiness and employment avenues to support career advancement towards achievement of goals and objectives. Lead strategic direction, data and information as appropriate for systems, policy development and decision-making purposes. Works in collaboration with local Workforce Investment Network (WIN) partner and other post-secondary workforce development ecosystem partners to mobilize business to inform economic development and workforce strategies and prioritize support for education to achieve college or training attainment. Lead efforts to align workforce strategy with 2-Generation model to align developmental efforts to ensure program quality, and that Agape meets its strategic plan through stated goals under contract agreement with State of TN: Department of Human Services. Serves as a member of Agape’s Leadership team and is jointly responsible for the overall success of Agape’s service delivery. Demonstrates high crisis management skills as an essential skill in role of TeamWorks Director. A strategist to lead teams and meaningful engagement partnerships, while implementing Agape’s vision, mission and long-term goals. Highly -trusting relationship building to build PCN platform. To consistently work alongside of parents, youth. Community-based efforts on a regular basis to interact and enhance quality of program. Ensure all policy, procedures and guidelines are communicated and followed. Management of a team of TeamWorks connectors and administrative assistant. Responsible for a budget of \$31,000 discretionary and \$39,000 MATA supportive services travel passes.

**City of Memphis Memphis, TN**

*Workforce Investment Network*

Business Services Supervisor

February 2011-March 2017

\$225,000 Incumbent Worker grant dollars successful expenditures 2015 and 2016 award years

\$300,000 Budget and increased pipeline of business engagements by over 60%

1,500 employment opportunities entered into VOS Jobs4TN.gov jobs engine reached goal

**Rebuild Government Memphis, TN**

Community Liaison/Educator

300,000 Metropolitan Statistical Area citizens educated on consolidation

500 presentations throughout Southeast and East Memphis municipal areas

200 groups orientated throughout all 7 county radius

**BRIDGES: WORKBRIDGE Inc., Memphis, TN**

*Workforce Development Department*

Director of Staffing Services

89% Placement rate of custodial parents in Memphis & Shelby County

80% Retention rate of job seekers placed in employment

98% Placement rate with State of TN contracts causing increase of 3 year contract with DHS

**Nursing Innovations, Inc., Memphis, TN**

*Corporate Human Resources Division*



Director of Human Resources  
Per Diem travel nurses in over 24 municipalities in United States  
Staff increased from 6 to 55 corporate employees and up to 1,800 travel nurses  
Received Small Business of Year nomination from Memphis Business Journal

## **EDUCATION**

**Master's Degree: Business Administration**  
University of Phoenix

**Bachelor of Science Degree: Political Science**  
University of Tennessee at Martin

**Master's Degree: Public Administration**  
University of Memphis

## **ACCOMPLISHMENTS**

City of Memphis: Diversity & Inclusion Award, December 2016

City of Memphis: Ovation Award, December 2015

Dale Carnegie Leadership Award, September 2015

Memphis & Shelby County Achievement Award, December 2013

Bridges: Outstanding Leadership Award, June 2009



**JIM STRICKLAND  
MAYOR**

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

Suite 700 · 125 N. Main Street · Memphis, Tennessee 38103-2078 · (901) 636-6000

**HEALTH, EDUCATION & HOUSING FACILITY BOARD**  
**9 Member Board**  
**6 Year Term**

**Purpose:**

The Health, Education and Housing Facility Board is a public nonprofit corporation issues tax exempt revenue bonds for the development or rehabilitation of multi-family housing facilities to be occupied, according to the state statute, by persons of low and/or moderated income, and/or elderly and/or handicapped persons.

<b>Monice Hagler</b>	<b>F/B</b>	<b>12-31-19</b>
<b>Vacancy**</b>	<b>F/B</b>	<b>12-31-25</b>
<b>Cliff Henderson</b>	<b>M/B</b>	<b>12-31-22</b>
<b>Manou Jain, M.D.</b>	<b>M/AI</b>	<b>12-31-22</b>
<b>James Jalenak</b>	<b>M/W</b>	<b>12-31-22</b>
<b>Daniel T. Reid</b>	<b>M/W</b>	<b>12-31-23</b>
<b>Katie Shotts</b>	<b>F/W</b>	<b>12-31-22</b>
<b>Buckner Wellford</b>	<b>M/W</b>	<b>12-31-17</b>
<b>Nancy C. Willis</b>	<b>F/W</b>	<b>12-31-19</b>

**\*\*Replacing Carolyn Head**

Updated 02/16/21

**Attendance Records for Current Members**  
**Health Educational and Housing Facility Board**  
**From January 2020 to February 2021 Total No. of Meetings – 12**

<b>Member</b>	<b>Present</b>	<b>Absent</b>
Monice Hagler	10	2
Buckner Wellford	8	4
Nancy Willis	7	5



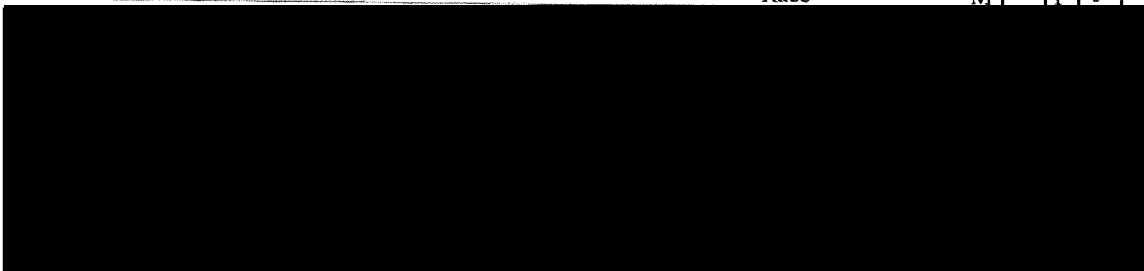
# City of Memphis

## BIOGRAPHICAL INFORMATION APPOINTMENT TO BOARD/COMMISSION

Health Education and Housing Facility E  
BOARD/COMMISSION

Name: Monice Hagler

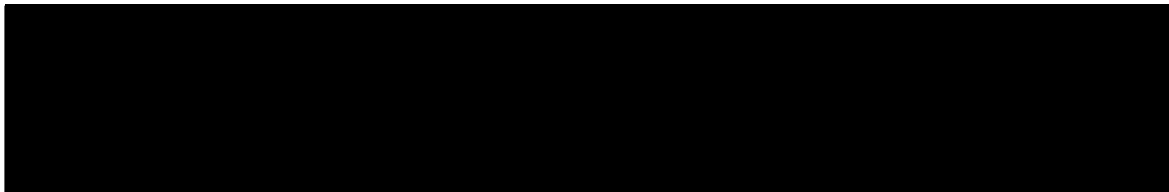
Race AA M  F



Education: University of Memphis School Of Law

Name of Spouse: N/A

Number of Children: 2



I certify that I am a resident of the City of Memphis (Unincorporated areas and surrounding counties are not considered). Yes  or No  If yes, how long? 55 years

### Professional Organization/Associations:

- Memphis Bar Association
- National Bar Association
- Women Lawyer's Association

### Other Organizations/Association:

- YMCA
- University of Tennessee at Martin Advisory Board
- Memphis Bar Foundation

### Other Interests:

- Gardening
- Swimming
- Book Clubs
- Travel

Signature Monice Hagler

Date 2.16.21

### *Monice Moore Hagler Bio Information*

Ms. Hagler is an attorney in private practice. She currently serves as counsel to a number of for-profit and non-profit development entities, including such projects as Uptown Memphis and Legends Park. She served as City Attorney for the City of Memphis for several years. She earned her Juris Doctor at the University of Memphis Law School. She currently serves on the University of Tennessee Board of Trustees; as President of the Memphis Bar Foundation; as member of the Downtown Rotary; and as Secretary of The Health, Educational and Housing Facility Board of the City of Memphis.



**JIM STRICKLAND**  
**MAYOR**

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

Suite 700 · 125 N. Main Street · Memphis, Tennessee 38103-2078 · (901) 636-6000

**HEALTH, EDUCATION & HOUSING FACILITY BOARD**  
**9 Member Board**  
**6 Year Term**

Purpose:

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<b>Monice Hagler</b>	<b>F/B</b>	<b>12-31-19</b>
<b>Vacancy**</b>	<b>F/B</b>	<b>12-31-25</b>
<b>Cliff Henderson</b>	<b>M/B</b>	<b>12-31-22</b>
<b>Manou Jain, M.D.</b>	<b>M/AI</b>	<b>12-31-22</b>
<b>James Jalenak</b>	<b>M/W</b>	<b>12-31-22</b>
<b>Daniel T. Reid</b>	<b>M/W</b>	<b>12-31-23</b>
<b>Katie Shotts</b>	<b>F/W</b>	<b>12-31-22</b>
<b>Buckner Wellford</b>	<b>M/W</b>	<b>12-31-17</b>
<b>Nancy C. Willis</b>	<b>F/W</b>	<b>12-31-19</b>

\*\*Replacing Carolyn Head

Updated 02/16/21

**Attendance Records for Current Members**  
**Health Educational and Housing Facility Board**  
**From January 2020 to February 2021 Total No. of Meetings – 12**

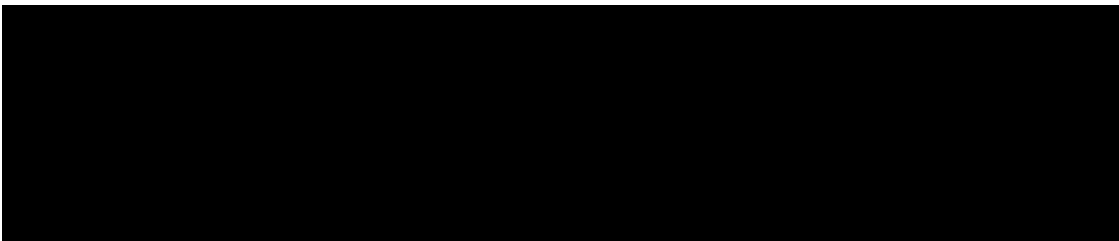
<b>Member</b>	<b>Present</b>	<b>Absent</b>
Monice Hagler	10	2
Buckner Wellford	8	4
Nancy Willis	7	5



# City of Memphis

BIOGRAPHICAL INFORMATION  
APPOINTMENT TO BOARD/COMMISSION  
Housing, Education and Health Board  
BOARD/COMMISSION

Name: Buckner Wellford Race Caucasian M  F



Education: Vanderbilt, BA - 1978; Washington & Lee School of Law, JD - 1981



I certify that I am a resident of the City of Memphis (Unincorporated areas and surrounding counties are not considered). Yes  or No  If yes, how long? 58 years

Professional Organization/Associations:

Please see attached bio.

Other Organizations/Association:

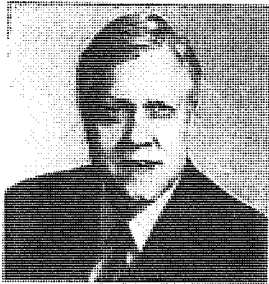
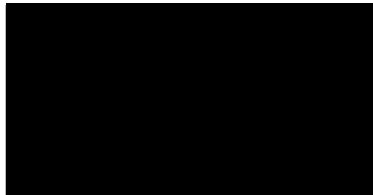
Please see attached bio.

Other Interests:

Reading, sports

Signature Buckner Wellford Date 4/11/18



**Buckner Wellford**

Buckner Wellford, shareholder in the Memphis office, is the chairman of Baker Donelson's Health Care Advocacy Group. He represents hospitals, physicians and medical groups in health care litigation, regulatory, peer review, contract and employment matters.

Since his arrival at the Firm in 2004, Mr. Wellford has defended physicians, hospitals, and other health care facilities in federal and state court jury trials involving orthopedic, neurosurgery, gynecologic services, intensive care services and rehabilitative care services. He has briefed and argued cases for these clients at the state and federal appellate levels, in addition to representing them on administrative and/or civil enforcement proceedings involving hospital peer review proceedings, the Tennessee Department of Health, Board of Medical Examiners, the Center for Medicare and Medicaid Services, and the Office of Inspector General. He has also litigated health care cases in state and federal courts in Tennessee, Texas and Massachusetts on matters ranging from Anti-Kickback and False Claims, alleged violations of the Tennessee Consumer Protection Act, credentialing actions, and fraudulent conveyance.

Mr. Wellford has substantial jury and bench trial experience in state and federal courts in Tennessee, Mississippi and Arkansas. Many of these cases involved the defense of health care providers in medical malpractice or regulatory matters, but include product liability, breach of contract and employment disputes, civil rights and fraud claims as well.

A former Shelby County Commissioner with substantial experience in local zoning and land use issues, Mr. Wellford has represented clients before the Shelby County Land Use Control Board, the Memphis City Council, Shelby County Commission, Germantown Design Review Board, and Planning Commission for the City of Collierville.

Mr. Wellford was elected to two terms on the Shelby County Commission where he served from 1994 through 2002. He served as the Chairman of the Commission in 2000, and as Chairman of the Land Use Committee from 2001-2002.

#### **Publications & Presentations**

- "OIG Hospital Compliance Audits: Is Your Number Up? Are You Ready?" co-author, *Bloomberg BNA* (September 30, 2015); Baker Donelson Alert (October 23, 2015)
- "Tennessee Tort Reform: The Effects on Long Term Care Providers," *Making a Difference, Baker Donelson Long Term Care Newsletter* (Volume 2011, Issue 2)

- Board of Directors - Memphis Area Legal Services Corporation (1990 - 1992)
- Fellow - Tennessee Bar Foundation (1994), Memphis Bar Foundation (2006)
- Member - Tennessee Board of Professional Responsibility Hearing Committee Member

## Admissions

- Tennessee, 1981

## Education

- Washington & Lee, J.D., 1981, Burks Scholar
- Vanderbilt University, B.A., 1978



**JIM STRICKLAND**  
**MAYOR**

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/sss

Cc: Council Members

Suite 700 · 125 N. Main Street · Memphis, Tennessee 38103-2078 · (901) 636-6000

**HEALTH, EDUCATION & HOUSING FACILITY BOARD**  
**9 Member Board**  
**6 Year Term**

Purpose:

The Health, Education and Housing Facility Board is a public nonprofit corporation issues tax exempt revenue bonds for the development or rehabilitation of multi-family housing facilities to be occupied, according to the state statute, by persons of low and/or moderated income, and/or elderly and/or handicapped persons.

<b>Monice Hagler</b>	<b>F/B</b>	<b>12-31-19</b>
<b>Vacancy**</b>	<b>F/B</b>	<b>12-31-25</b>
<b>Cliff Henderson</b>	<b>M/B</b>	<b>12-31-22</b>
<b>Manou Jain, M.D.</b>	<b>M/AI</b>	<b>12-31-22</b>
<b>James Jalenak</b>	<b>M/W</b>	<b>12-31-22</b>
<b>Daniel T. Reid</b>	<b>M/W</b>	<b>12-31-23</b>
<b>Katie Shotts</b>	<b>F/W</b>	<b>12-31-22</b>
<b>Buckner Wellford</b>	<b>M/W</b>	<b>12-31-17</b>
<b>Nancy C. Willis</b>	<b>F/W</b>	<b>12-31-19</b>

\*\*Replacing Carolyn Head

Updated 02/16/21

**Attendance Records for Current Members**  
**Health Educational and Housing Facility Board**  
**From January 2020 to February 2021 Total No. of Meetings – 12**

<b>Member</b>	<b>Present</b>	<b>Absent</b>
Monice Hagler	10	2
Buckner Wellford	8	4
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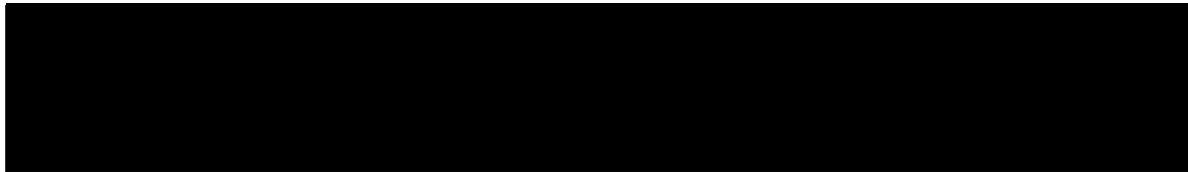


# City of Memphis

## BIOGRAPHICAL INFORMATION APPOINTMENT TO BOARD/COMMISSION

BOARD/COMMISSION \_\_\_\_\_

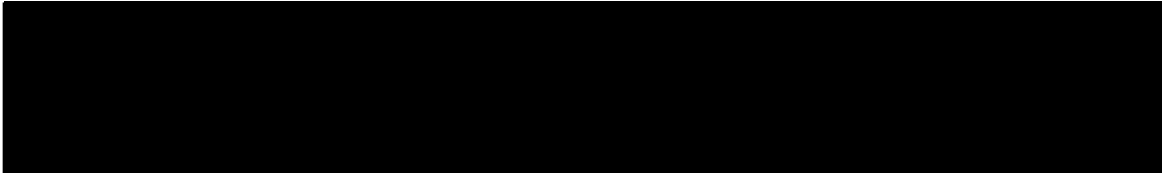
Name: Nancy C. Willis Race caucasian M  F



Business Address: \_\_\_\_\_ Zip \_\_\_\_\_ Phone: \_\_\_\_\_

Education: RN, BSN , M.Ed.

Name of Spouse: \_\_\_\_\_ Number of Children: \_\_\_\_\_



I certify that I am a resident of the City of Memphis (Unincorporated areas and surrounding counties are not considered). Yes  or No  If yes, how long? 51 years

### Professional Organization/Associations:

Central Gardens Association (president x 2)  
Playhouse on the Square  
Health, Education and Housing Facility Board  
Decorative Arts Trust of Brooks Museum (Board member 20 years; president 9 years)

### Other Organizations/Association:

### Other Interests:

Signature Nancy C. Willis Date February 20, 2021

### ***Nancy Willis Bio Information***

Ms. Willis is a retired Vice President of the Regional Medical Center of Memphis (The Med), and owner of Nancy Willis Interiors. She has AA, and BSN (Nursing); and a Masters degree in Adult Education. She is very active in local civic organizations including Central Gardens Association (current President, Vice-President and Board Member); Grace St. Luke's Episcopal School (former Trustee); Decorative Arts Trust of Brooks Museum (President); MIFA (former Advisory Board Member); YWCA (member); NAACP (member), University Club Membership Committee member, Playhouse on the Square Board member and has served on several city committees at the requests of City Council members.

## ORDINANCE NO. 5777

### AN ORDINANCE OF THE CITY OF MEMPHIS CODE OF ORDINANCES TO AMEND CHAPTER 5 "ANIMALS AND FOWL" TO CREATE ARTICLE V TO RESTRICT THE "RETAIL SALE OF DOGS AND CATS AT PET STORES"

WHEREAS, the Memphis City Council has an interest in maintaining the public safety and welfare of citizens of the City of Memphis and its visitors; and

WHEREAS, the Humane Society of the United States ("Humane Society") estimates that 10,000 high-volume dog breeding facilities, also known as puppy mills, are producing more than 1,000,000 puppies a year in the country; and

WHEREAS, according to the Humane Society, puppy and kitten mills are inhumane commercial breeding facilities that disregard the animals' physical and emotional health in order to maximize profits; and

WHEREAS, according to the Humane Society, these mills produce animals for sale, oftentimes at retail in pet stores; and

WHEREAS, current Federal and State regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops; and

WHEREAS, cities across the country including Atlanta, Austin, Chicago, Los Angeles Philadelphia, San Diego, and San Francisco have adopted ordinances banning retail pet sales; and

WHEREAS, cities in Tennessee, including Nashville and Franklin, have adopted legislation that bans the retail sale of dogs and cats at pet stores; and

WHEREAS, the Memphis City Council believes it is in the best interest of the City of Memphis to adopt reasonable regulations to reduce costs to the city and its residents, protect citizens who may purchase cats or dogs from a pet store, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in the City of Memphis.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE that Chapter 5 "Animals and Fowl" also referenced as Sec 8-16 titled "Dogs and Cats" is hereby amended as follows:

#### **Article V "RETAIL SALE OF DOGS AND CATS AT PET STORES"**

##### **SECTION 1. DEFINITIONS**

*For the purpose of this section, the following shall be defined as*

**Animal care facility** means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

**Animal rescue organization** means any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes. This term does not include an entity that is a breeder or broker or one that obtains animals from a breeder or broker for profit or compensation.

**Breeder** means a person that maintains a dog or cat for the purpose of breeding and selling their offspring.

**Broker** means a person that transfers a dog or cat from a breeder for resale by another person.

**Cat** means a member of the species of domestic cat, *Felis catus*.

**Dog** means a member of the species of domestic dog, *Canis familiaris*.

**Offer for sale** means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

**Pet store** means a retail establishment where dogs or cats are sold, exchanged, bartered, or offered for sale as pet animals to the general public at retail. Such definition shall not include animal care facility, animal rescue organization, or breeder, as defined.

## **SECTION 2. RESTRICTIONS ON THE SALE OF DOGS AND CATS**

No pet store shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats or dogs. Nothing in this section shall prohibit pet stores from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs or cats provided the pet store shall not have any ownership interest in the animals offered for adoption and shall not receive a fee for providing space for the adoption of any of these animals.

## **SECTION 3. PENALTY.**

A pet store that violates this section shall be subject to a civil penalty of \$50.00, and each dog or cat offered for sale in violation of this section shall constitute a separate violation.

**SECTION 4. BE IT FURTHER ORDAINED**, that the provisions of this Ordinance are 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 5. BE IT FURTHER ORDAINED**, that this Ordinance shall take effect from and after the date, it shall have been passed by the Council, signed by the Chairperson 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.

Sponsors  
Worth Morgan  
Jeff Warren  
City Administration

Chairman  
Frank Colvett





ORDINANCE NO. 5778

**SUBSTITUTE ORDINANCE TO AMEND CITY OF MEMPHIS, CODE OF ORDINANCES, CHAPTER 33, DIVISION IV, TO MODIFY SECTION 33-62 RELATED TO THE SEWER DEVELOPMENT FEE**

**WHEREAS**, Chapter 33, Section 33-62 of the City's Sewer Use Ordinance currently authorizes the Division of Public Works to charge a sewer development fee to defray a portion of the construction costs incurred by the City regarding its sanitary sewer collection system and treatment facilities ("System"); and

**WHEREAS**, the sewer development fee applies to all subdivisions, land developments, new buildings and redevelopments of land or buildings served by the System; and

**WHEREAS**, the existing sewer development fee does not account for prior capital costs incurred by the City for the construction, maintenance, and upgrade of the System; and

**WHEREAS**, the Division of Public Works has developed a fair and equitable sewer development fee that would allow the City to recover the actual cost required to serve each new customer to the System and a portion of the prior capital cost incurred by the City to provide service to such new customers; and

**WHEREAS**, the expanded scope of the sewer development fee would protect existing customers from subsidizing the sewer connection for new customers connecting to the System; and

**WHEREAS**, the Council deems it in the best interest of the City of Memphis and current users of the System that Chapter 33, Section 33-62, be amended to require that new sewer customers pay a sewer development fee which allows the City to recover a portion of the original capital costs incurred by the City for the construction of its wastewater treatment plants, related assets, and wastewater collection and conveyance system using a trended original cost method as well as the actual cost to provide service to such new customer of the System; and

**WHEREAS**, such new customers shall be required to pay the sewer development fee contemplated herein in the instance of an approved sewer connection for subdivisions, land developments, new buildings, and redevelopments of land or buildings currently served by the System or where the facility served requires modification or enlargement of the existing sewers;

**NOW THEREFORE,**

**SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS**, that Section 33-62 of the City of Memphis, Code of Ordinances is hereby amended to read as follows with corresponding changes to be made to Section 13-16-2 included in Municode:

**Sec. 33-62. Sewer Development Fees.**

(a) There is established a sewer development fee, as set forth herein, to be paid by new sanitary sewer customers connecting to the System as of July 1, 2021. Such fee shall reflect (1) the actual cost to provide service to such new customers connecting to the System seeking an approved sewer connection for subdivisions, land developments, new buildings, and redevelopments of land or buildings served by the City sanitary sewer system or where the facility served requires modification of or enlargement of the existing sewers, whether within or outside the corporate limits of the City and whether service is by existing or by new facilities to be constructed; (2) a portion of the capital costs incurred by the City for the construction of wastewater treatment plant facilities and related assets, including prior upgrades and expansions; and (3) a portion of the capital costs incurred by the City for the construction of the sewage collection and conveyance

system including sewer mains, manholes, lift stations, associated appurtenances including prior upgrades and expansions. The sewer development fee shall be payable by the applicant, developer of the subdivision, or developer of industrial, commercial or residential site as set forth herein, upon the execution of the subdivision contract or the sewer extension contract, or at the time of application for the sewer connection or plumbing permit, as appropriately determined by the Approving Authority.

(b) Sewer development fees shall be calculated based upon the size of the water meter used for the connection using a trended original cost method defined as the historical cost of the City's assets in present day dollar amounts. Written confirmation of the applicable water meter size from Memphis Light, Gas & Water (MLGW) must be provided by the applicant or developer prior to payment of the sewer development fee as such payment is required in accordance with Section 33-62(a). The sewer development fee shall be assessed as set forth in this section and the fee schedule adopted by the Approving Authority:

Meter Size (in inches)	Sewer Development Fee
5/8	\$2,255
3/4	\$3,383
1	\$5,638
1 ½	\$11,277
2	\$18,043
3	\$33,830
4	\$56,384
6	\$112,767
8	\$180,427
10	\$259,364
12	\$484,899

(c) The sewer development fee calculation may be reviewed and adjusted by the Approving Authority every five years or as determined necessary due to significant changes to the customer makeup of the System, and in the instance of an extensive capital improvement plan.

(d) The sewer development fee authorized herein shall become effective on July 1, 2021. Notwithstanding the foregoing, such fee assessment shall be implemented as follows:

From July 1, 2021 to June 30, 2022	50% of applicable fee
Subsequent years	100% of applicable fee

(e) In support of the objectives of the Memphis 3.0 Comprehensive Plan which encourage increased support for community-based developers and development of affordable housing, the sewer development fee may be reduced up to 50% (fifty percent) by the Director of Public Works or his designee upon written request. In order to qualify for this discounted fee, developer must submit proof of 501c3 status and evidence that the development meets affordable housing standards for the following residential property types: 2-family (duplex), 3-family (triplex), 4-family (quadplex) structures, and single family homes. For purposes herein, affordable housing shall be defined as at least 50% of the units serving households at 80% of the Area Median Income as defined by the applicable standards adopted by the US Department of Housing & Urban Development.

(f) No sewer development fee shall be assessed to a person authorized to install a private sewage disposal system pursuant to this division, but a sewer development fee may be charged to the developer or property owner when sanitary sewers are available under Section 33-28 or when it is determined that sanitary sewers shall be extended to such development. The Approval Authority may thereafter require the installation of the sewer and the payment of the sewer development fee. The developer or property owner by applying for and

receiving a private sewage disposal permit shall agree to such fee when the sewer is available. Notwithstanding the foregoing, a sewer development fee may be waived or reduced up to fifty percent (50%) by the Director of Public Works or his designee upon written request by a low-income residential property owner of the following property types: 2-family (duplex), 3-family (triplex), 4-family (quadplex) structures and single family homes; provided that, proof of such low-income is made available to the City upon request. For purposes herein, low-income shall mean families who have incomes at or below 80% of the Area Median Income as defined by the applicable standards adopted by the US Department of Housing & Urban Development.

(g) The prior payment of a sewer development fee for any land or building currently served by the System shall not restrict the City's ability to assess a sewer development fee in accordance with Section 33-62(a) for any proposed redevelopment of such land or building.

~~(g)~~(h) A sewer development fee shall be assessed to any development, redevelopment, new building or building addition resulting in the installation of an additional water meter or enlarged water meter. No sewer development fee shall be assessed for water meters dedicated to fire protection or irrigation.

~~(h)~~(i) Within the City reserve area, the owner(s) of property who petition for connection to the City's sanitary sewer system to serve their property shall at that time consent to, petition and request the annexation of such property by the City, with the annexation to take place at such time as the City may deem appropriate pursuant to state law. Until such time as annexation occurs, the owner(s) shall agree not to seek either incorporation as a separate entity nor annexation to any other incorporated area.

The consent to annexation shall be incorporated as a part of the city land development and/or sewer extension contract(s). At the time the sewer extension and/or land development contract is entered into the property owner shall submit his or her petition for annexation to the City.

The above-described consent to annexation by the City shall be made a restrictive covenant imposed by the property owner(s) upon the property which shall run with the land and shall be binding upon all heirs, successors and assigns. Such covenant shall be recorded in the office of the Shelby County register and it shall be the duty of the original property owner and all subsequent property owners to disclose the existence of the covenant to any parties to whom the property or a portion thereof is conveyed. Reference to such recorded covenant shall be evidenced on any final plat or plan development prior to the recordation of the plat or plan in the office of Shelby County register. It shall be the responsibility of the division of planning and development to ensure that the signed petition for annexation is submitted by the property owner and that the covenant appears on the plat or plan prior to signing and recordation of the final plat or plan.

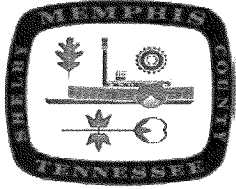
**SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS,** that this Ordinance Amendment shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

\_\_\_\_\_  
Patrice J. Robinson, Chairwoman

Frank Colvett, Jr., Chairman  
Memphis City Council

ATTEST:

\_\_\_\_\_  
Comptroller



## ORDINANCE 5779

### **SUBSTITUTE ORDINANCE TO AMEND CITY OF MEMPHIS, CODE OF ORDINANCES, CHAPTER 33, DIVISION IV, TO MODIFY SECTION 33-65 RELATED TO THE SEWER EXTENSION FEE**

**WHEREAS**, Chapter 33, Section 33-64 of the City's Sewer Use Ordinance currently authorizes the City of Memphis, through its Division of Public Works, to extend its sanitary sewer system, subject to its comprehensive growth plan and applicable sewer policies, to provide gravity sewer service to unsewered properties and properties which are not currently served by sewers of adequate capacity; and

**WHEREAS**, in accordance with Section 33-65, a sewer extension fee is paid by the developer, owner or applicant upon execution of a sewer extension contract with the City; and

**WHEREAS**, the sewer extension fees paid to the City run with the land described in the sewer extension contract and are used for the purpose of defraying payment of sewer development fees; and

**WHEREAS**, the application of such sewer extension fee payments to sewer development fees has resulted in the practice of the City granting "sewer credits" associated with the land, including parcels that are to be developed in the future in the instance of multi-phased developments; and

**WHEREAS**, the Division of Public Works desires to amend Section 33-65 to eliminate this process to relieve the administrative burden resulting from the maintenance and oversight of such sewer credits and avoid the potential loss of payment of future sewer development fees; and

**WHEREAS**, as of August 18, 2017, the City of Memphis no longer authorizes any sewer extension or connection to developments located in unincorporated Shelby County. Therefore, the Division of Public Works desires to further amend Section 33-65 to reflect the City's current sewer policy, adopted in 2017, regarding cost sharing for sewer extensions address the payment of sewer extension fees associated with the development of parcels located in unincorporated Shelby County that were authorized for a sewer extension or connection prior to the adoption of the City's 2017 sewer policy, and parcels to which sewer must be extended or connected pursuant to existing obligations between the City and applicable developer or land owner; and

**WHEREAS**, the Division of Public Works also desires to amend Section 33-65 to address the payment of sewer extension fees associated with the development of parcels located within the City's municipal boundaries; and

**WHEREAS**, the Council deems it in the best interest of the City of Memphis and users of the City's sanitary sewer system that Chapter 33, Section 33-65, be amended to eliminate the process resulting in the granting of sewer credits and ~~reflect the City's existing sewer policy regarding cost sharing~~ address the payment of sewer extension fees for developments located within the City's municipal boundaries and developments authorized for a sewer extension or connection in unincorporated Shelby County, subject to the City's 2017 sewer policy and existing obligations between the City and applicable developer or land owner;

**NOW THEREFORE,**

**SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS,** that Section 33-65 of the City of Memphis, Code of Ordinances is hereby amended to read as follows with corresponding changes to be made to Section 13-16-5 included in Municode:

**Sec. 33-65. Sewer Extension Fees.**

(a) The developer/owner/applicant shall pay to the City, upon execution of the sewer extension contract, a sewer extension fee as set forth herein. The developer/owner/applicant may secure payment of the sewer extension fee by executing a performance bond, certificate of deposit assigned to the City, or an irrevocable, automatically renewable letter of credit in favor of the City. Such securities shall be in the full amount of the sewer extension fee and be in a form acceptable to the City. Payment of the sewer development fee shall be made by the developer/owner/applicant to the City upon advertisement for bids for construction of the sewer extension.

(b) The minimum sewer extension fee to be paid by the developer/owner/applicant shall not be less than 50% {fifty percent (50%) of the cost of engineering including surveying, easement acquisition, inspection and construction of any sewer extension and other applicable fees for a development located within the municipal boundaries of Memphis and one hundred percent (100%) of such cost for developments located in unincorporated Shelby County which were authorized for a sewer extension or connection prior to August 18, 2017, and parcels to which sewer must be extended or connected pursuant to existing obligations between the City and the applicable developer or land owner. A preliminary estimate, based on the estimated cost of construction, engineering, easement acquisition, inspection, and other applicable fees shall be used for determining the fee to be charged to the developer for the purpose of negotiating a sewer extension contract. The final cost accounting shall be determined by the City upon completion of the sanitary sewer extension, and final accounting shall be made to the developer of any additional fee required or refund due to the developer.

(c) Sewer extension fees paid to the City prior to July 1, 2021 shall run with the land described in the sewer extension contract and may be used for the purpose of defraying sewer development fees. Any sewer extension fees paid on or after July 1, 2021 shall not be used for the purpose of defraying sewer development fees as determined in Section 33-62.

**SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS,** that this Ordinance Amendment 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.

\_\_\_\_\_  
Patrice J. Robinson, Chairwoman

\_\_\_\_\_  
Frank Colvett, Jr., Chairman

Memphis City Council

ATTEST:

\_\_\_\_\_

APPROVAL OF ECONOMIC IMPACT PLAN FOR THE DOWNTOWN MOBILITY  
AUTHORITY AND OTHERWISE PROVIDING WITH RESPECT TO THE  
FOREGOING

WHEREAS, The Parking Authority of the City of Memphis and County of Memphis, Tennessee, d/b/a Downtown Mobility Authority, a public nonprofit corporation (the “DMA”) proposes to (i) develop parking garages on the parking lot located at Peabody Place Avenue and Front Street (the “Mobility Center”) currently owned by the City of Memphis (the “City”) and the property on Front Street between Madison Avenue and Monroe Avenue which currently includes the Monroe Street Garage and which will be incorporated into the new Brooks Museum (the “Brooks Museum Garage”), (ii) add additional floors to the parking garage owned by it and located at 21 South Second Street (the “First Place Garage”), (iii) renovate the garage at Adams Avenue and Front Street (the “Shoppers Garage”) leased by DMA from the City (iv) develop a parking lot along Wagner Avenue between Beale Street and Union Avenue owned by the City as festival parking (the “Wagner Festival Parking”) and (v) develop connectors from Riverside Drive and Tom Lee Park to DMA owned or managed parking and other parking be developed by the City or DMA along the Bluff (the “Bluff Cut,” and collectively with the Mobility Center, the Brooks Museum Garage, the First Place Garage, the Shoppers Garage, the Wagner Festival Parking, the “DMA Project”); and

WHEREAS, Memphis Center City Revenue Finance Corporation, a public nonprofit corporation organized under Tenn. Code Ann. §§ 7-53-101, *et. seq.* (“CCRFC”), is the fee owner of certain properties located in the Downtown neighborhood in Memphis, Shelby County, Tennessee, and more particularly described on Exhibit A (the “Property”) and DMA has requested assistance from CCRFC in connection with the DMA Projects, as more particularly described below; and

WHEREAS, the Memphis City Council has previously approved the use of up to \$62,000,000 in rents received from certain payment in lieu of tax leases (the “PILOT Rents”) and collected in a collateral pool (the “PILOT Extension Fund”) to fund all or a portion of the cost of the DMA Project, including payment of the principal and interest of any loan incurred by CCRFC in connection with the DMA Project; and

WHEREAS, CCRFC has received a proposal for a bank loan of up to \$40,000,000 to fund the cost of the DMA Project, which loan will be payable from the PILOT Extension Fund; and

WHEREAS, if the lessee under a PILOT lease listed on Exhibit A defaults on a loan secured by the property subject to such PILOT lease and the lessee’s lender forecloses on the fee interest in such property, the PILOT lease will be terminated and no more PILOT Rents will be payable with respect to such property; and

WHEREAS, as additional security for such loan, the bank has required a Back-Up TIF, to further secure such loan, pursuant to which incremental property tax revenues received from any of the properties listed on Exhibit A in the event the lessee of such PILOT lease defaults on a loan secured by such the property and the lessee’s lender forecloses on the fee interest in such property; and

WHEREAS, Tennessee Code Annotated §7-53-312 (the “Act”) provides that an Industrial Development Board, such as CCRFC, may submit an economic impact plan to the municipality creating the Industrial Development Board that provides for distribution of incremental ad valorem property taxes to the Industrial Development Board to pay for certain improvements within the area subject to the Economic Impact Plan and Industrial Development Board’s indebtedness incurred in connection with the area subject to the Economic Impact Plan; and

WHEREAS, CCRFC has approved an Economic Development Plan for Downtown Mobility Authority Projects (the “Plan” or “Back-Up TIF”) attached hereto as Exhibit “B” which includes all of the Property shown on Exhibit A hereto; and

WHEREAS, the Back-Up TIF provides that the City of Memphis and County of Shelby will receive no less than the revenues from each property shown on Exhibit A than it currently received from such property and that incremental tax revenues allocated to CCRFC pursuant to the Back-Up TIF shall cease as to property subject to each PILOT lease listed in Exhibit A of the date such PILOT Lease terminates; and

WHEREAS, CCRFC held a public hearing relating to the Plan on \_\_\_\_\_, 2021, after publishing notice of such hearing in a newspaper of general circulation two (2) weeks prior to that date, a copy of which is attached as “Exhibit C,” and approved the Plan and recommended the approval of the Plan by the City of Memphis and the County of Shelby, in accordance with the Act; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS as follows:

1. The Economic Impact Plan for Downtown Mobility Authority Projects, being in the interests of the citizens of the City of Memphis, Tennessee, is hereby approved as required by the Act.

2. 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, and of the documents authorized by this resolution, are hereby ratified, confirmed and approved.

3. 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.

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

ADOPTED this day \_\_\_\_\_, 2021

**EXHIBIT "A"**

Plan Area

The property located in Shelby County, Tennessee and subject to the following PILOT leases:

PILOT No	PILOT Name	Lease Termination Date	Tax Parcels
105	Hotel Peabody, LP	December 31, 2037	002-051-A00001 002-051-A00002 002-051-A00003 002-051-A00004
157	Jefferson River Estates, LP	January 13, 2040	069-077-00042
142	Forum Residential Partners	May 17, 2039	002-061-00005 002-061-00006C 002-061-00024 005-001-00020C 005-002-00001C
89A	Autozone, Inc.	September 1, 2033	002-044-00004C
89D	Peabody Office Tower(Servicemaster)	August 18, 2034	002-050-A00001
89B	Peabody Gold (Pembroke Apt)	August 18, 2034	002-043-00001 002-043-00002 002-043-00003 002-043-00012 002-043-00013
137	Peabody Place Hotel Company LP (Hampton Inn)	December 31, 2038	002-051-00019 002-051-00029
91	Gayoso House LP	December 31, 2033	002-043-00004 002-043-00010
39	Parkway Properties LP (Morgan Keegan Tower)	December 27, 2024	002-006-00024
118	HMH Properties, Inc. (Sheraton)	September 2, 2023	001-029-00004 001-029-00005 001-030-00001L 001-030-00001Z 001-030-00002 001-003-00003



			002-061-00005 002-061-00006C 002-061-00024 005-001-00020C 005-002-00001C
142	Forum Residential Partners	May 17, 2039	
130	LB Memphis Brownstone LLC (Crown Plaza)	August 31, 2031	001-034-00003
89C	Peabody Place HAV	August 18, 2034	002-043-00006C
114	Island-Harbor Corp.	November 1, 2021	069-077-00013C 001-001-00061 001-001-00091 001-001-00092 001-001-00093
124	Nine South Second Properties, LLC	February 17, 2034	002-058-00014C
117	Gibson Guitar Corp.	February 2, 2023	002-128-00026C
45	Moody National Memphis RI S, LLC	December 30, 2024	002-057-00009
44	Sanderlin Place / Brinkley Plaza II (50/50)	December 31, 2024	002-038-00008C 002-038-00011C
25	Cotton Exchange Building, A Limited Partnership	January 1, 2024	002-042-00029
120	South Bluffs Expansion	April 29, 2024	002-084-D00008 002-084-D00009 002-084-D00010 002-084-D00011
27	Three Sisters, Ltd.	December 30, 2025	002-039-00014 002-039-00015 002-039-00016
103	Island Properties Associates	October 27, 2028	001-001-00055

**EXHIBIT “B”**

Economic Impact Plan for Downtown Mobility Authority Projects

*See attached.*

**MEMPHIS CENTER CITY REVENUE FINANCE CORPORATION**

**ECONOMIC IMPACT PLAN**

**FOR**

**DOWNTOWN MOBILITY AUTHORITY PARKING PROJECTS**

**I. Introduction**

The Parking Authority of the City of Memphis and County of Memphis, Tennessee, d/b/a Downtown Mobility Authority, a public nonprofit corporation (the “Developer”) proposes to (i) develop parking garages on the parking lot located at Peabody Place Avenue and Front Street (the “Mobility Center”) currently owned by the City of Memphis (the “City”) and the property on Front Street between Madison Avenue and Monroe Avenue which currently includes the Monroe Street Garage and which will be incorporated into the new Brooks Museum (the “Brooks Museum Garage”), (ii) add additional floors to the parking garage owned by it and located at 21 South Second Street (the “First Place Garage”), (iii) renovate the garage at Adams Avenue and Front Street (the “Shoppers Garage”) leased by DMA from the City (iv) develop a parking lot along Wagner Avenue between Beale Street and Union Avenue owned by the City as festival parking (the “Wagner Festival Parking”) and (v) develop connectors from Riverside Drive and Tom Lee Park to DMA owned or managed parking and other parking be developed by the City or DMA along the Bluff (the “Bluff Cut,” and collectively with the Mobility Center, the Brooks Museum Garage, the First Place Garage, the Shoppers Garage, the Wagner Festival Parking, the “DMA Project”).

Memphis Center City Revenue Finance Corporation, a public nonprofit corporation organized under Tenn. Code Ann. §§ 7-53-101, *et. seq.* (“CCRFC”), is the fee owner of certain properties located in the Downtown neighborhood in Memphis, Shelby County, Tennessee, and more particularly described on Exhibit A (the “Property”). DMA has requested assistance from CCRFC in connection with the DMA Projects, as more particularly described below.

What follows is an economic impact plan for the development of the DMA Projects (the “Plan”). First, the Plan explains the statutory authority for financial assistance from CCRFC (Section II). Second, the Plan describes the project, the area subject to this Plan, and the requested financial assistance from CCRFC in the form of tax increment financing (Sections III, IV, and V). Third, the Plan discusses the expected benefits to the City and Shelby County, Tennessee (the “County”) from the project (Section VI). Finally, the Plan explains the mechanics of the requested tax increment financing (Sections VII).

**II. Authority for Economic Impact Plan**

CCRFC is an industrial development corporation authorized under Tenn. Code Ann. § 7-53-101 *et. seq.* (an “IDB”). An IDB is authorized under Tenn. Code Ann. § 7-53-312 to prepare and submit to cities and counties an economic impact plan with respect to an area that includes a project within the meaning of Tenn. Code Ann. § 7-53-101 and such other properties that the IDB determines will be directly improved or benefited due to the undertaking of such project. Tennessee Code Annotated § 7-53-312 also authorizes cities and counties to apply and pledge new incremental tax revenues, that arise from the area subject to the economic impact plan, to the IDB to promote economic development, to pay the cost of projects or to pay debt service on bonds, notes or other obligations issued by the IDB to pay the costs of projects.

### **III. The Project**

The DMA Project is a scattered site development of parking garages and other mobility related projects in the Downtown neighborhood in Memphis, Shelby County, Tennessee. The property currently contains improved and unimproved properties. The Developer has proposed to redevelop the property to add parking and other mobility related facilities to the properties. The redevelopment includes the construction of parking and mobility related facilities and related infrastructure improvements including, among other things, the development of a parking garage at the proposed Brooks Museum, renovations and improvements to the First Place and Shoppers Garages, the proposed Wagner Festival Parking, the Bluff Cut and the Mobility Center. In order to make the construction of the DMA Project financially feasible, the Developer has requested that the City and the County approve, as part of this Economic Impact Plan, a plan for tax increment financing through CCRFC pursuant to Title 7, Chapter 53 of Tennessee Code Annotated to provide funds to pay a portion of the costs relating to the implementation of the DMA Project. The DMA Project is an eligible project within the meaning of Tenn. Code Ann. § 7-53-101(13).

### **IV. Boundaries of Plan Area**

The DMA Project is located in Downtown Memphis. The area that will be subject to this Plan, and to the tax increment financing provisions described below, (the “Plan Area”) consists of the existing tax parcels listed on Exhibit B. The Plan Area is hereby declared to be subject to this Plan.

### **V. Financial Assistance to DMA Project**

CCRFC will provide financial assistance to the DMA Project by applying the proceeds of the tax increment financing described herein to pay or reimburse the Developer for a portion of certain costs that will be incurred in connection with the development or redevelopment of the DMA Project. The costs to be paid or reimbursed from proceeds of the tax increment financing will be limited to items within Developer’s purposes and powers as described in Tenn. Code Ann. §§ 7-65-101 et seq.

CCRFC will pay and/or reimburse the Developer or entities formed for the purpose of developing all or a portion of the DMA Project, from available incremental tax revenues received by CCRFC or the proceeds of any tax increment financing, for all or a portion of the cost of such improvements upon receipt of adequate documentation of such costs. CCRFC and the Developer, or entities formed to develop all or a portion of the DMA Project, will enter into one or more loan agreements or development agreements, specifying the scope and the cost of the improvements and fees to be reimbursed, which cost shall not exceed \$40,000,000 (exclusive of interest costs). The maximum amount that will be made available by CCRFC for such financial assistance shall be the lesser of \$40,000,000 (less financing costs as provided herein) or the costs actually incurred (exclusive of interest costs).

### **VI. Expected Benefits to City and County**

Implementation of the DMA Project will greatly benefit the City and County as it will improve the infrastructure necessary to bring density to the core City. The Downtown neighborhood one of the fastest growing area of the city and there is high demand for additional parking and mobility related facilities. The DMA Project will ensure the continued growth and redevelopment of Downtown Memphis.

The tax increment revenues resulting from the Plan Area (the “TIF Revenues”), except as described below, will be applied during the period described herein to the debt service on debt incurred by CCRFC to pay the costs described herein with respect to the DMA Project. CCRFC and DMA acknowledge that the Plan Area is subject to one or more Payment in Lieu of Tax leases (“PILOT Leases”) entered between CCRFC and certain lessees pursuant to Tenn. Code Ann. 7-53-311. The parties agree that payments made under such any PILOT Lease shall not be included in TIF Revenues and that no TIF Revenues will be received from any property included in the Plan Area unless the PILOT Lease to which such property is subject has terminated.

## **VII. Distribution of Property Taxes and Tax Increment Financing**

a. Distribution of Taxes. Subject to the provisions of this Plan, property taxes imposed on real property and personal property located within the Plan Area will be allocated and distributed as provided in this subsection. The taxes assessed by the City and County on such property within the Plan Area will be divided and distributed as follows in accordance with the Tax Increment Act:

i. First, an amount equal to (x) the portion of the property taxes payable with respect to the Plan Area for the year prior to the date of approval of this Plan (other than any portion of such taxes that that constitutes Dedicated Taxes, as defined below) (the “Base Taxes”) plus (y) that portion of property taxes levied upon property within the Plan Area for the payment of debt service of the City and the County (the “Dedicated Taxes” and together with the Base Taxes, the “Total Base Tax Amount”) will, pursuant to Tenn. Code Ann. § 9-23-103, be allocated to and, as collected, paid to the City and the County as all other taxes levied by the City and the County on all other properties; provided, however, that in any year in which the taxes on the property within the Plan Area are less than the Total Base Tax Amount, only the taxes actually imposed will be allocated and paid to the City and the County.

ii. Second, two percent (2%) of the excess County property taxes over the portion of the Base Taxes attributable to the County property taxes shall be payable to the Shelby County Trustee to administer distribution of the Shelby County Tax Increment Incentive.

iii. Third, seventy-five percent (75%) of the excess of property taxes over the Total Base Tax Amount less the two percent (2%) fee due to the Shelby County Trustee as set forth above (the “TIF Revenues”) will be allocated and, as collected, paid into a separate fund of CCRFC created to hold such payments until the tax proceeds in the fund are to be applied to pay the Costs as described above.

iv. Fourth, three percent (5%) of the of the excess of property taxes over the Total Base Tax Amount less the two percent (2%) fee due to the Shelby County Trustee as set forth above, shall be payable to CCRFC, as an administrative fee for administering the Tax Increment Incentive.

v. Fifth, the remaining of the excess of property taxes over the Total Base Tax Amount less than two percent (2%) fee due to the City Treasurer as set forth above will be allocated to and,

as collected, paid to the City and the City Treasurer as all other taxes levied by the City and the County on all other properties.

As permitted by the Tenn. Code Ann. § 9-23-103, CCRFC hereby elects to group the parcels with the Plan Area into a separate group for purposes of calculating and allocating the TIF Revenues for each property shown on Exhibit A hereto.

TIF Revenues relating to each tax year commencing January 1, 2021 shall be allocated to CCRFC, to the extent received by the City or County, within ninety (90) days after the respective dates that taxes would be delinquent to the City and County for such tax year. TIF Revenues received by the City and County as delinquent taxes shall be allocated by the City and the County within thirty (30) days of receipt. TIF Revenues shall be allocated to CCRFC for a period not in excess of twenty (20) years, but such allocations shall cease when there are not eligible costs, including debt service, to be paid from the TIF Revenues and shall cease as to each property included in the Plan Area on the dates as show with respect to such parcel on Exhibit A hereto.

Notwithstanding anything to the contrary herein, the cost of improvements funded with TIF Revenues, or debt funded therewith, shall include only those costs incurred prior to December 31, 2026.

In order to pay for eligible costs of the DMA Project, CCRFC intends to use the incremental tax revenues that it would receive as a result of the adoption of the Economic Impact Plan to pay such cost directly, to reimburse DMA for such cost and to pay debt service on obligations incurred to finance such costs. CCRFC will borrow not to exceed \$40,000,000 through the issuance and sale of notes, bonds or other obligations of CCRFC. Such amount will be applied to pay costs relating to the DMA Project after payment of costs incurred in connection with the issuance of the tax increment financing. CCRFC shall pledge all or any portion of the TIF Revenues allocated to CCRFC pursuant to this Economic Impact Plan to the payment of such notes, bonds or other obligations. In no event will the obligations issued by CCRFC be considered a debt or obligation of the City and County in any manner whatsoever, and the source of the funds to satisfy CCRFC's payment obligations thereunder. The proceeds of the notes, bonds or obligations shall be used to pay the costs of the DMA Project described above together with expenses of CCRFC in connection with the DMA Project and the tax increment financing and capitalized interest on the notes, bonds or other obligations for a maximum period of twenty (20) years.

CCRFC, the City and the County, by the adoption of this Plan, find that the use of the TIF Revenues as described herein, is in furtherance of promoting economic development in the City and County and that costs to be financed as described herein are costs of the DMA Project.

EXHIBIT A

PLAN AREA

The property located in Shelby County, Tennessee and subject to the following PILOT leases:

PILOT No	PILOT Name	Lease Termination Date	Tax Parcels
105	Hotel Peabody, LP	December 31, 2037	002-051-A00001 002-051-A00002 002-051-A00003 002-051-A00004
157	Jefferson River Estates, LP	January 13, 2040	069-077-00042
142	Forum Residential Partners	May 17, 2039	002-061-00005 002-061-00006C 002-061-00024 005-001-00020C 005-002-00001C
89A	Autozone, Inc.	September 1, 2033	002-044-00004C
89D	Peabody Office Tower(Servicemaster)	August 18, 2034	002-050-A00001
89B	Peabody Gold (Pembroke Apt)	August 18, 2034	002-043-00001 002-043-00002 002-043-00003 002-043-00012 002-043-00013
137	Peabody Place Hotel Company LP (Hampton Inn)	December 31, 2038	002-051-00019 002-051-00029
91	Gayoso House LP	December 31, 2033	002-043-00004 002-043-00010
39	Parkway Properties LP (Morgan Keegan Tower)	December 27, 2024	002-006-00024
118	HMH Properties, Inc. (Sheraton)	September 2, 2023	001-029-00004 001-029-00005 001-030-00001L 001-030-00001Z 001-030-00002 001-003-00003

			002-061-00005 002-061-00006C 002-061-00024 005-001-00020C 005-002-00001C
142	Forum Residential Partners	May 17, 2039	
130	LB Memphis Brownstone LLC (Crown Plaza)	August 31, 2031	001-034-00003
89C	Peabody Place HAV	August 18, 2034	002-043-00006C
114	Island-Harbor Corp.	November 1, 2021	069-077-00013C 001-001-00061 001-001-00091 001-001-00092 001-001-00093
124	Nine South Second Properties, LLC	February 17, 2034	002-058-00014C
117	Gibson Guitar Corp.	February 2, 2023	002-128-00026C
45	Moody National Memphis RI S, LLC	December 30, 2024	002-057-00009
44	Sanderlin Place / Brinkley Plaza II (50/50)	December 31, 2024	002-038-00008C 002-038-00011C
25	Cotton Exchange Building, A Limited Partnership	January 1, 2024	002-042-00029
120	South Bluffs Expansion	April 29, 2024	002-084-D00008 002-084-D00009 002-084-D00010 002-084-D00011
27	Three Sisters, Ltd.	December 30, 2025	002-039-00014 002-039-00015 002-039-00016
103	Island Properties Associates	October 27, 2028	001-001-00055



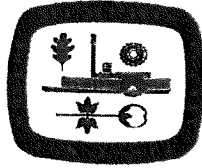
EXHIBIT B

PARCEL IDENTIFICATION NUMBERS OF PARCELS IN PLAN AREA

Tax Parcel Numbers

001-001-00055  
001-001-00061  
001-001-00091  
001-001-00092  
001-001-00093  
001-001-00094  
001-001-00095  
001-003-00003  
001-029-00004  
001-029-00005  
001-030-00001L  
001-030-00001Z  
001-030-00002  
001-034-00003  
002-006-00024  
002-038-00008C  
002-038-00011C  
002-039-00014  
002-039-00015  
002-039-00016  
002-042-00029  
002-043-00001  
002-043-00002  
002-043-00003  
002-043-00004  
002-043-00006C  
002-043-00010  
002-043-00012  
002-043-00013  
002-044-00004C  
002-050-A00001  
002-050-A00002  
002-051-00019  
002-051-00029  
002-051-A00001  
002-051-A00002  
002-051-A00003  
002-051-A00004

002-057-00009  
002-058-00014C  
002-061-00005  
002-061-00005  
002-061-00006C  
002-061-00006C  
002-061-00024  
002-061-00024  
002-084-D00008  
002-084-D00009  
002-084-D00010  
002-084-D00011  
002-128-00026C  
005-001-00020C  
005-001-00020C  
005-002-00001C  
005-002-00001C  
069-077-00013C  
069-077-00042



## 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.**

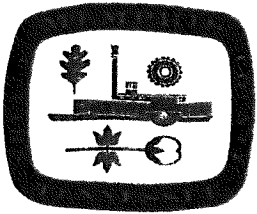
N/A

**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;

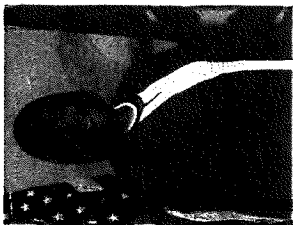
**WHEREAS**, the sale of the subject Property will increase the City's General Fund, generate tax revenue, and eliminate blight and maintenance cost for the City of Memphis;

**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



**A RESOLUTION TO AMEND THE MEMPHIS CITY COUNCIL COMMUNITY GRANT PROGRAM FOR FY2022**

**WHEREAS**, the Memphis City Council desires to promote community programming and improve neighborhoods; and

**WHEREAS**, the Tenn. Code Annotated § 6-64- 111, empowers the Memphis City Council to appropriate funds for the financial aid of nonprofit organizations working to promote the general welfare of Memphis residents; and

**WHEREAS**, nonprofit organizations and citizens work together to meet the needs of Memphians in need by extending the reach of City of Memphis Services; and

**WHEREAS**, The Memphis City Council recognizes nonprofit agencies as valued partners in the continuing efforts to improve the lives of Memphians; and

**WHEREAS**, it is important to the members of the Memphis City Council to prioritize funding specialized programs congruent with the needs of the City, the Memphis City Council will be cognizant of financial requests that exceed more than thirty percent of their total operating budget; and

**WHEREAS**, the Memphis City Council seeks to create a transparent process for the publication, application, and selection process for deserving nonprofit organizations within our City; and

**WHEREAS**, government grants are funded by tax dollars, so stringent compliance and reporting measures will be in place to ensure the money is well-spent must be put in place.

**NOW, THEREFORE BE IT RESOLVED** that the Memphis City Council does hereby create the Memphis City Council Community Grant Program for FY22 (July 1, 2021 – June 30, 2022), establishing a policy for meeting the needs of citizens and nonprofit requests for financial assistance as set forth below:

**Budget Hearings**

Nonprofit Organizations and Agencies working to improve the general welfare of citizens will have the opportunity to apply to the Memphis City Council Community Grant Program. The funding decisions of the Memphis City Council are final and subject to the availability of funds.

**Eligibility**

All applicants shall be a tax exempt 501(c)(3) organization with an official address listed within the City of Memphis and have been in operation for two years prior to the application. The organization must provide proof of current programming and successful track record in providing the services for which they are requesting funding within the City of Memphis. Additionally, the organization must attend at least one Grant Writing Workshop. The funding requests should address one of the following City of Memphis priorities: Crime and Drug Prevention, Youth Empowerment, Economic Development, and Poverty. The organizations must be in compliance with State requirements and show proof of current certification status. The funds shall only be used for public use and applicants cannot be used for political activities, to support any election or campaign or political party; or to support any group or activity that discriminates based on race, color, religion, sex, national origin, disability, or age. The Memphis City Council will not accept financial requests that exceed more than thirty percent of total operating budget.

**Application**

All agencies requesting funding shall submit a complete application and presentation. Proof of nonprofit status and financial information must be submitted with an application, a presentation that further clarifies the goals of the organization with their requested funds, and confirmation of attendance at one of the offered Grant Writing Workshop. Applications and presentations shall be submitted online using a link on the Memphis City Council website or delivered to the Memphis City Council Office, Attn: City Council Budget Committee 125 N. Main St., Suite 514 Memphis, TN 38103. Applications will be available April 1– April 30, 2021. All completed applications must be submitted and received by Thursday, April 30, 2021 at 12:00 pm.

**Application Review**

All applications will be reviewed by the Selection Committee. The Budget Chairman will select the members of the Selection Committee. The Selection Committee will review applications with the input of all Budget Committee Members. The Selection Committee shall submit the list of qualified agencies for City Council Review during FY21 Budget Hearings. All applicants must submit the most recent Charitable Organizations filing, IRS Form 990EZ or 990, and complete presentation using the template provided by the City Council at the time of application submission. The Selection Committee will evaluate applications and presentations to ensure all applications are complete, address a public need, show proof of current nonprofit status, and a history of community involvement. Priority will be given to first-time applicants.

**Grant Writing Workshop and Budget Presentation**

All agencies will be required to attend a Grant Writing Workshop to be considered for a grant. Returning and first-time applicants are both required to attend the Grant Writing Workshop. The course will help guide applicants through the application process to ensure that the proper documents and information are provided to ensure a facile application process. The Grant Writing Workshop will explain application requirements such as funding requests and an overview of the requirements within the budget presentations. The workshop will serve as an opportunity for applicants to clarify any questions concerning the application. All applicants will be required to submit a mock application to ensure that they understand the process of applying for a grant. Upon the completion of a workshop, all agencies will need to submit proof of their attendance. Failure to attend a workshop will result in an incomplete application.

All agencies presenting before the Budget Committee during the FY22 Budget Hearings will have an allotted time to make a budget presentation. The City Council provided template shall be used during the presentation. The template will include space to provide current contact information, how the requested funds will be used to enhance the quality of life for citizens, and financial reporting documents.

**Grant Disbursement**

Funds will be disbursed in two payments during the fiscal year. Upon completion of agreement between the grant recipient and the City of Memphis, fifty percent (50%) of the grant award will be disbursed. Grant recipients must submit a mid-year grant report to the Memphis City Council and City of Memphis Finance Office by December 15, 2021. This report shall include an accounting of funds spent, proof of public use, and current nonprofit status. All grant recipients will make a presentation before the Budget Committee of the Memphis City Council. Upon favorable review of report and presentation, the City of Memphis Finance Office will disburse the remaining fifty percent (50%) of the grant award. Grant

recipients shall submit a final grant report by May 1, 2022.

Any approved applications for grant funds will be included in the FY22 Budget. All grant recipients are required to comply with the financial guidelines set forth by the City of Memphis Finance Office. Failure to comply with the financial guidelines and attend a grant writing workshop may result in forfeiture of Grant Award. Every grant recipient must accept the funds and complete an agreement with the City of Memphis Finance Department.

**THEREFORE, BE IT FURTHER RESOLVED** that the Memphis City Council, as a whole, will distribute the \$2,600,000.00 in Grant funding during the FY22 Budget Hearings from Community Initiatives Grants line item included in the Administration FY22 Budget Proposal.

Sponsors:

Martavius Jones

JB Smiley, Jr.



**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 23<sup>rd</sup>, 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.

**MINUTES**

**TELEPHONIC MEETING OF FEBRUARY 16, 2021 RECESSED MEETING TO MARCH 2, 2021 MEETING OF THE CITY COUNCIL CITY OF MEMPHIS**

**FEBRUARY 16, 2021**

**3:35 P.M. MEETING RECONVENED**

(After the meeting was re-opened for the transaction of business and a quorum was declared present, Councilwoman Swearingen made a motion to adjourn the February 16, 2021 City Council Meeting; this was second by Councilman Carlisle, without objection.)

(Chairman Colvett adjourned the February 16, 2021 City 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, February 16, 2021 3:30 p.m.**

Due to the declarations of a State of Emergency by the President of the United States, the Governor of Tennessee and the Mayor of Memphis relating to 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 3:36 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**

**March 2, 2021**

**3:30 P.M. SCHEDULED SESSION**

**3:36 P.M. MEETING COMMENCED**

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

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

**INVOCATION**

The meeting was opened with telephonic prayer by Father Ben Bradshaw of St. Michael Catholic Church. Councilman Canale thanked Father Bradshaw for being the Chaplain of the Day.

Chairman Colvett asked Councilwoman Johnson 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 February 16, 2021, which was postponed until February 23, 2021 with the following motion:

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

**APPROVED**, as amended (Councilman Carlisle's vote was changed to Aye, on Item #24)

(Councilwoman Johnson thanked the Council Members and Staff for their kindness, in the loss of her brother.)

18. **ORDINANCE TO AMEND CITY OF MEMPHIS, CODE OF ORDINANCES, CHAPTER 33, DIVISION IV, TO MODIFY SECTION 33-62 RELATED TO THE SEWER DEVELOPMENT FEE, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5778 IS SPONSORED BY PUBLIC WORKS DIVISION.**

Held until March 16, 2021

19. **ORDINANCE TO AMEND CITY OF MEMPHIS CODE OF ORDINANCES, CHAPTER 33, DIVISION IV, TO MODIFY SECTION 33-65 RELATED TO THE SEWER EXTENSION FEE, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO 5779 IS SPONSORED BY PUBLIC WORKS DIVISION.**

Held until March 16, 2021

20. **APPROVAL OF AN ECONOMIC IMPACT PLAN FOR THE DOWNTOWN MOBILITY AUTHORITY AND OTHERWISE PROVIDING WITH RESPECT TO THE FOREGOING. THIS APPROVAL IS SPONSORED BY THE ADMINISTRATION.**

Held until March 16, 2021

13. **ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF MEMPHIS, TENNESSEE; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5769 IS SPONSORED BY COUNCILWOMAN ROBINSON. (HELD FROM 1/26; 2/2; 2/16)**

Tabled until May 4, 2021

14. **SUBSTITUTE ORDINANCE OF THE CITY OF MEMPHIS TO AMEND THE CITY OF MEMPHIS CODE OF ORDINANCES CHAPTER 21, MOTOR TRAFFIC AND VEHICLES, ARTICLE III, OPERATION OF VEHICLES GENERALLY TO ADD SECTION 21-134 TO BE ENTITLED "NON-DRIVER PARTICIPATION IN DRAG RACING AND RECKLESS DRIVING EXHIBITIONS", TO SET PENALTIES FOR VIOLATIONS AND FOR OTHER PURPOSES, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5771 IS SPONSORED BY COUNCILMAN CANALE, COUNCILMAN LOGAN AND COUNCILMAN WARREN. (HELD FROM 2/2; 2/16)**

Tabled until May 4, 2021

**1. INTRODUCTION OF THE MEMPHIS YOUTH CITY COUNCIL.**

(No action was required on this item)

**2. PRESENTATION OF THE WINNER OF THE CELEBRATING BLACK HISTORY STUDENT SPEECH COMPETITION. THIS PRESENTATION IS SPONSORED BY COUNCILMAN SMILEY.**

(No action was required on this item)

**3. RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED AT 3897 AND 3901 SPOTTSWOOD AVENUE; CONTAINING +/-0.92 ACRES (EXPANSION AREA) IN THE RESIDENTIAL SINGLE FAMILY – 6 (R-6) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

Case No. PD 20-20

Applicant: Tiger Estates, LLC  
W.H. Porter Consultants PLLC – Tim Dagastino – Representative

Request: Expansion of the Spottswood Village PD (single family residential)

LUCB and DPD recommendation: APPROVAL, with conditions

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

**APPROVED**

**4. ORDINANCE ZONING THE NORTH SIDE OF EAST HOLMES STREET APPROXIMATELY 923 FEET EAST OF THE CENTERLINE OF LAMAR AVENUE; CONTAINING +/-4.89 ACRES IN THE CONSERVATION AGRICULTURE (CA) DISTRICT, UP FOR T H I R D AND F I N A L READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

Case No. Z 20-11  
Ordinance No. 5776

Applicant: David Couch  
Cindy Reaves, SR Consulting, LLC – Representative

Request: Heavy Industrial (IH) District

LUCB and DPD recommendation: APPROVAL

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

**APPROVED**

**CONSENT AGENDA – Items #5 may be acted upon by one motion: See Page 5922 for Roll Call Consent Item.**

**5. RESOLUTION APPROVING THE FINAL PLAT FOR ALLENTOWN MANUFACTURE HOME VILLAGE (ALLENTOWN-SOUTH PD, PHASE II) PD 06-322.**

Contract No. CR – 5360

Resolution approving the final plat located at 4690 Raleigh Millington Road, approximately 1,240 linear ft. southeast of the New Allen Road intersection on the east side of Raleigh Millington Road intersection in the City of Memphis. Cost of improvements to be borne by the Developer. Resolution also authorizes to accept the Performance Bond No. CT025611 in the amount of \$153,200.00.

**ROLL CALL CONSENT ITEM**

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

**APPROVED**

**17. ORDINANCE TO AMEND CITY OF MEMPHIS, CODE OF ORDINANCES CHAPTER 5 “ANIMALS AND FOWL” TO CREATE ARTICLE V TO RESTRICT THE "RETAIL SALE OF DOGS AND CATS AT PET STORES”, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5777 IS SPONSORED BY COUNCILMAN MORGAN, COUNCILMAN WARREN AND THE ADMINISTRATION.**

Chairman Colvett recognized the following people who spoke on this item: Michael Davis, Kayla Davis, Mike Gonadakis and Director Pugh

**(After a lengthy discussion of this item, Councilman Jones made a motion to hold Item #17 for (2) weeks.**

MOTION: Jones  
 SECOND: Ford  
 AYES: Canale, Easter-Thomas, Ford, Johnson, Jones, Logan, Robinson, Smiley,



Swearngen and Chairman Colvett  
 NAY: Carlisle  
 Morgan abstained  
 Warren did not cast a vote

Held until March 16, 2021

- 21. **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. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION.**

Vice Chairman Swearngen read the comment card from the following person:  
 Joe Kent, 5111 Flamingo, Memphis, Tennessee, 38117

**(Special Item #1 - Councilman Jones made a motion to divide the question and vote on the 3.5 million Pilot Extension Fund separately. This was seconded by Councilwoman Easter-Thomas.)**

**(Item #21 – Separated Question- Part 1)**

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

**APPROVED**

**(Item#21 –3.5 million Pilot Extension Fund to the Snuff District Loan – Part 2)**

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

**APPROVED**

- 28. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF NORTH MCLEAN BOULEVARD BETWEEN JACKSON AVENUE AND VOLLINTINE AVENUE FOR THE LATE – JUDGE TERESA JONES. THIS RESOLUTION IS**

**SPONSORED BY COUNCILMEMBERS CANALE, CARLISLE, EASTER-THOMAS, FORD, JOHNSON, JONES, LOGAN, MORGAN, ROBINSON, SMILEY, SWEARENGEN, WARREN AND CHAIRMAN COLVETT. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Robinson

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

**APPROVED**

**MLGW FISCAL CONSENT AGENDA – Items #6 - #11, may be acted upon by one motion:**

6. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12262, HP-UX SUPPORT WITH ABTECH TECHNOLOGIES, INC. IN THE FUNDED AMOUNT OF \$42,000.00. (THIS CHANGE IS TO RATIFY AND RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING FEBRUARY 3, 2021 THROUGH FEBRUARY 2, 2022, WITH NO INCREASE IN RATES FROM THE INITIAL TERM.)**

**APPROVED**

7. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12263, PANAYA SOFTWARE AS A SERVICE (SAAS) WITH PANAYA, INCORPORATED TO CHANGE THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$21,000.00. (THIS CHANGE IS TO PURCHASE 60 ADDITIONAL USER LICENSES (ORACLE VENDOR DRIVEN IMPACT ANALYSIS IN SUPPORT OF ORACLE EBS 12.2 UPGRADE FOR A SEVEN-MONTH TERM FOR THE PERIOD COVERING APRIL 1, 2021 THROUGH OCTOBER 31, 2021.)**

**APPROVED**

8. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 12093, PRINTING EQUIPMENT MAINTENANCE WITH MITCHELL GRAPHIC REPAIR DBA MGR, INCORPORATED, IN THE FUNDED AMOUNT OF \$48,113.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR MAINTENANCE AND SUPPORT SERVICES FOR A TWENTY-FOUR-MONTH RENEWAL TERM FOR THE PERIOD COVERING JUNE 3, 2021 THROUGH JUNE 2, 2023. MLGW IS REQUESTING CONTINUOUS MAINTENANCE, WHICH CAN ONLY BE PERFORMED BY MITCHELL GRAPHIC REPAIR DBA MGR, INCORPORATED.)**

**APPROVED**

9. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12261, UTILITY BILL FOLDER/INSERTER EQUIPMENT AND SOFTWARE MAINTENANCE WITH BELL AND HOWELL, LLC IN THE FUNDED AMOUNT OF \$251,808.00. (THIS**

**CHANGE IS TO RENEW THE CURRENT CONTRACT FOR EQUIPMENT AND SOFTWARE MAINTENANCE FOR A FORTY-EIGHT-MONTH RENEWAL TERM FOR THE PERIOD COVERING APRIL 9, 2021 THROUGH APRIL 8, 2025. MLGW IS REQUESTING APPROVAL OF CONTINUOUS MAINTENANCE, WHICH CAN ONLY BE PERFORMED BY BELL AND HOWELL, LLC.)**

**APPROVED**

- 10. **RESOLUTION AWARDING CONTRACT NO. 12228, 12" PE LFG DE-COMMISSIONING TO ACTION ENVIRONMENTAL, IN THE FUNDED AMOUNT OF \$124,000.00.**

**APPROVED**

- 11. **RESOLUTION RATIFYING THE APPROVAL, AFTER THE FACT, OF A PAYMENT OF \$194,580.00 TO BARNHARDT CRANE AND RIGGING FOR RENTAL OF CRANES USED DURING THE EMERGENCY REPLACEMENT OF TOWER #739. (REQUEST FOR SAME NIGHT MINUTES)**

**APPROVED**

**ROLL CALL MLGW FISCAL CONSENT ITEMS**

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

**APPROVED**

- 22. **RESOLUTION ADOPTING THE CITY OF MEMPHIS DIVISION OF PARKS AND NEIGHBORHOODS' MASTER PLAN, A GUIDE FOR THE NEXT DECADE OF PARKS-RELATED OPERATIONS AND DEVELOPMENT. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PARKS AND NEIGHBORHOODS.**

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

**APPROVED**

- 23. **RESOLUTION AMENDING THE MEMPHIS CITY COUNCIL COMMUNITY GRANT PROGRAM FOR FY2022. THIS RESOLUTION IS SPONSORED BY COUNCILMAN JONES AND COUNCILMAN SMILEY.**

**(Councilman Ford made a motion to hold this item for (2) weeks, Councilman Jones objected.**

**Special Item #2- Ford's motion.)**

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

**APPROVED, Item #23 is being Held until March 16, 2021**

24. **RESOLUTION ADDRESSING INVESTIGATION INTO THE SHELBY COUNTY HEALTH DEPARTMENT VACCINE DISTRIBUTION AND ACCOUNTABILITY. THIS RESOLUTION IS SPONSORED BY COUNCILMAN CARLISLE.**

**(Councilman Smiley offered Friendly Amendments to this item. This was seconded by Councilman Carlisle.)**

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

**APPROVED, as amended**

25. **RESOLUTION REQUESTING THAT THE CITY OF MEMPHIS BE EXEMPT FROM SENATE BILL 29/HOUSE BILL 105 OF THE 112<sup>TH</sup> SESSION OF THE GENERAL ASSEMBLY. THIS RESOLUTION IS SPONSORED BY COUNCILMAN SMILEY. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Warren  
 SECOND: Smiley  
 AYES: Ford, Johnson, Jones, Logan, Robinson, Smiley, Swearingen and Warren  
 NAYS: Canale, Carlisle, Morgan and Chairman Colvett

**APPROVED**

26. **RESOLUTION CREATING A MUFFLER EXCHANGE PROGRAM. THIS RESOLUTION IS SPONSORED BY COUNCILMAN CANALE, COUNCILMAN SMILEY, COUNCILWOMAN SWEARENGEN, COUNCILMAN WARREN, COUNCILMAN CARLISLE, AND CHAIRMAN COLVETT. (REQUEST FOR SAME NIGHT MINUTES)**

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

**APPROVED**

27. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF SOUTH YATES ROAD BETWEEN WALNUT GROVE ROAD AND SHADY GROVE TERRACE FOR MRS. BERT ADLER PROSTERMAN. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS CANALE, CARLISLE, EASTER-THOMAS, FORD, JOHNSON, JONES, LOGAN, MORGAN, ROBINSON, SMILEY, SWEARENGEN, WARREN AND CHAIRMAN COLVETT. (REQUEST FOR SAME NIGHT MINUTES)**

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

**APPROVED**

29. **RESOLUTION REALLOCATING \$1,000,000.00 FROM THE COUNCIL EMERGENCY RELIEF PROGRAM TO THE CITY OF MEMPHIS ADMINISTRATION FOR UNANTICIPATED COSTS OF VACCINE DISTRIBUTION. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS CANALE, CARLISLE, COLVETT, EASTER-THOMAS, FORD, JOHNSON, JONES, LOGAN, MORGAN, ROBINSON, SMILEY, SWEARENGEN AND WARREN. (REQUEST FOR SAME NIGHT MINUTES)**

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

**APPROVED**

12. **APPOINTMENTS**

**HEALTH, EDUCATIONAL, HOUSING, AND FACILITY BOARD**

**APPOINTMENT**

SHELEAH HARRIS

**MEMPHIS ANIMAL SHELTER ADVISORY BOARD**

**APPOINTMENT**

SHEA FLINN

**REAPPOINTMENT**

JACQUELYN JOHNS

**MEMPHIS AREA TRANSIT AUTHORITY**

**APPOINTMENT**

ANTON MACK

**MEMPHIS HOUSING AUTHORITY**

**APPOINTMENT**

SHELIA TERRELL

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

**APPROVED**

15. **SUBSTITUTE ORDINANCE OF THE CITY OF MEMPHIS TO AMEND THE CITY OF MEMPHIS CODE OF ORDINANCES 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, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5774 IS SPONSORED BY COUNCILMAN CANALE. (HELD FROM 2/2; 2/16)**

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

**APPROVED**

16. **SUBSTITUTE ORDINANCE OF THE CITY OF MEMPHIS TO AMEND THE CITY OF MEMPHIS CODE OF ORDINANCES, 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, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5775 IS SPONSORED BY COUNCILMAN CANALE. (HELD FROM 2/2; 2/16)**

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

**APPROVED**

**(Special Item #3 - (Vice Chairman Swearngen made a motion to approve same night minutes for items #11, #25, #26, #27, #28 and #29 from tonight's meeting.)**

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

**APPROVED**

**(Vice Chairman Swearngen stated that she received (19) comment cards in support of restricting Retail Sales of Dogs and Cats, (2) comment cards opposed to restricting Retail Sales of Dogs and Cats, (1) comment card pertaining to the PILOT Extension Funds and (44) comment cards pertaining to Drag Racing, Muffler Noise and Muffler Violations.)**

**(Councilman Carlisle made a motion to recess the March 2, 2021 meeting until March 16, 2021; this was seconded by Councilman Warren.)**

**RECESSED MEETING AT 7:15 p.m.**

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

Attest:

\_\_\_\_\_  
CHAIRMAN

Deputy Comptroller/Council Records

**CITY OF MEMPHIS  
NOTICE OF REGULAR MEETING  
OF  
THE MEMPHIS CITY COUNCIL  
Tuesday, March 2, 2021, 3:30 p.m.**

Due to the declarations of a State of Emergency by the President of the United States, the Governor of Tennessee and the Mayor of Memphis relating to 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 MARCH 2, 2021 MEMPHIS CITY COUNCIL MEETING**

Take notice, the Memphis City Council will meet on **Tuesday, March 2, 2021 at 8:15 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, March 2, 2021 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 8:15 a.m., click on the March 2, 2021 Memphis City Council meeting
- (4) Begin viewing the March 2, 2021 Memphis City Council meeting electronically via live-stream



- (5) Click on the March 2, 2021 “Agenda” tab to view the agenda documents

**B. Radio, via 88.5 FM (WQOX)**

**To listen to the Tuesday, March 2, 2021 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 March 2, 2021 Memphis City Council meeting by radio via 88.5 FM (WQOX)

**C. Electronically, via digital archive**

**To listen to the Tuesday, March 2, 2021 Memphis City Council meeting electronically, via digital archive, follow the steps below:**

- (1) Access the internet **after** the March 2, 2021 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](https://www.memphistn.gov/government/city_council/watch_public_meetings_online/city_council_archived_videos)
- (3) Press play on the March 2, 2021 “City Council Full Meeting” tab
- (4) Begin viewing the March 2, 2021 Memphis City Council meeting electronically via digital archive
- (5) Click on the March 2, 2021 “Agenda” tab to view the agenda documents
- (6) Click on the March 2, 2021 “Minutes” tab to view the meeting minutes

**Note:** Public comments may be submitted to the Memphis City Council. To submit your public comment, **click here**. For more information, 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,



Frank Colvett, Jr.  
Chairman, Memphis City Council