



# CITY OF MEMPHIS

## COUNCIL REGULAR MEETING AGENDA

Tuesday May 4, 2021, 3:30 p.m.

Conducted by Electronic/Telephonic Means

Official Recording of Meeting will be available on  
City Council's Website

[https://www.memphistn.gov/government/city\\_council](https://www.memphistn.gov/government/city_council)

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### CALL TO ORDER by the Sergeant-at-Arms

### INVOCATION

*Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.*

### PLEDGE OF ALLEGIANCE

### CALL OF ROLL by the Comptroller

### APPROVAL OF PREVIOUS MEETING MINUTES (April 20, 2021)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION approving an Honorary Street Name Change of North Third Street between Looney Avenue and Chelsea Avenue for Mr. Tommy Pacello. This resolution is sponsored by Councilman Carlisle. **(Request for same night minutes).**

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION thanking Sophia Wordlaw, Deputy Chief of Staff, for her dedication to the Memphis City Council upon her retirement with 27 years of service. This resolution is sponsored by all Councilmembers.

ACTION REQUESTED: Adopt the resolution

**PUBLIC HEARINGS** (None)

**DIVISION OF PLANNING AND DEVELOPMENT**

3.  
Canale  
Chairman,  
Planning  
& Zoning  
Committee

RESOLUTION approving a special use permit located at 2906 Old Austin Peay Highway; containing 0.27 acre in the Commercial Mixed Use – 3 District. This resolution is sponsored by the Division of Planning and Development. (Held from 3/16; 4/6)  
Case No. SUP 20-16

Applicant: Fredrick Sengstacke of the Octopus Group, Inc.  
Fredrick Sengstacke – Representative

Request: Special use permit for vehicle sales

LUCB recommendation: APPROVAL, with conditions

DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

**No Public Hearing Required**

**ZONING ORDINANCE- THIRD AND FINAL READING** (None)



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## CONSENT AGENDA

### GENERAL ORDINANCES- FIRST READING

4. **ORDINANCE** appropriating the proceeds of the tax levy on the assessed values on all properties of every species within the City limits for general purposes for the Fiscal Year July 1, 2021 through June 30, 2022, up for F I R S T reading. Ordinance No. 5785 is sponsored by Finance Division.
- Morgan  
Chairman,  
Budget  
Committee
- ACTION REQUESTED: Adopt the ordinance on First reading
5. **ORDINANCE** fixing the Tax Rate of the City of Memphis for Fiscal Year 2022, up for F I R S T reading. Ordinance No. 5786 is sponsored by Finance Division.
- Morgan  
Chairman,  
Budget  
Committee
- ACTION REQUESTED: Adopt the ordinance on First reading
6. **ORDINANCE** amending Title 6, Chapter 92 of the Code of Ordinances for the City of Memphis, to extend the Sunset Clause for the Equal Business Opportunity Program, up for F I R S T reading. Ordinance No. 5787 is sponsored by the Administration.
- Ford  
Chairman,  
Economic  
Development,  
Technology &  
Tourism  
Committee
- ACTION REQUESTED: Adopt the ordinance on First reading

### GENERAL ORDINANCE - SECOND READING (None)

### ZONING ORDINANCE – FIRST READING

7. **ORDINANCE** approving a new historic overlay district located in the area roughly bound by Autumn Avenue to the North, North Claybrook Street to the East, Poplar Avenue to the South, and Interstate 240 to the West; containing +/-81.30 acres in the Historic (H) Overlay District up for F I R S T reading. This Ordinance is sponsored by the Division of Planning and Development. (Held from 4/20)
- Canale  
Chairman,  
Planning  
& Zoning  
Committee

Case No. CTHD  
Ordinance No. 5783

Applicant: Jennifer Amido and Crosstown Memphis Comm. Development Corp.  
Jennifer Amido and Anna Joy Tamayo – Representatives

Request: Historic (H) Overlay District

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

**ZONING ORDINANCE - SECOND READING**

8.  
Canale  
Chairman,  
Planning  
& Zoning  
Committee

**ORDINANCE** amending the Memphis and Shelby County Unified Development Code as adopted by the City of Memphis August 10, 2010, and by Shelby County August 9, 2010 as amended, to revise and enhance the Joint Zoning and Subdivision regulations as recommended by the Memphis and Shelby County Division of Planning and Development and the Land Use Control Board. This text amendment affects all property within the City of Memphis and unincorporated Shelby County, up for S E C O N D reading. This Ordinance is sponsored by the Division of Planning and Development.

Case No. ZTA 21-01  
Ordinance No. 5784

Applicant: Office of the Shelby County Mayor  
Alex Hensley, Special Asst. to Mayor Lee Harris – Representative

Request: Adopt amendments to the Memphis and Shelby County Unified Development Code

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

**NOTATION FROM OPD**

9. NOTATION from the Land Use Control Board that the following case was heard and recommendation made requesting a date of public hearing:

A. Case No. PD 21-004 – SWEETWATER VILLAGE PD

Located on the northside of Quince Road, eastside of Riverdale Road; containing +/-167.15 acres in the Office General (OG), Commercial-Mixed Use – 1 (CMU-1), Residential Urban – 2 (RU-2), and Residential Single-Family – 10 (R-10) Districts.

Applicant: Tyson Foods, Inc. / Next Chapter Holdings, LLC  
Next Chapter Neighborhoods – Shane Malek (Representative)

Request: Multifamily residential planned development

DPD recommendation: APPROVAL, with conditions  
LUCB recommendation: REJECTION

**ACTION REQUESTED: Set a date of public hearing**

**SUGGESTED DATE: May 18, 2021**

**ENGINEERING DIVISION**

10. RESOLUTION approving the engineering plans for HOLMES and MALONE, ASPR.

Contract No. CR-5367

Resolution approves the engineering plans located at the SW Corner of Holmes Road and Malone Road, in the City of Memphis, Tennessee. Resolution also accepts Arch Insurance Company Letter No. SU1140284 for Performance Bond in the amount of \$118,200.00.

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION approving the engineering plans for SPRING TREE SHOPPING CENTER – 5700 PLEASANT VIEW ROAD.

Contract No. CR-5368

Resolution approves the engineering plans located approximately 2,700 linear feet west of Sycamore View RD – Median Modification. Resolution also accepts Arch Insurance Company Letter No. SU1167436 for Performance Bond in the amount of \$113,100.00.

ACTION REQUESTED: Adopt the resolution

**GENERAL ITEM** (None)



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## FISCAL CONSENT AGENDA

12. RESOLUTION to accept grant funds in the amount of (\$10,000.00) from Urban Land Institute for Volunteer coordination and park activation efforts. This resolution is sponsored by Park Services. **(Request for same night minutes)**
13. RESOLUTION to accept grant fund in the amount of (\$150,000.00) from Tennessee Department of Health for Project Diabetes Year 3. This resolution is sponsored by Park Services. **(Request for same night minutes)**
14. RESOLUTION to accept in-kind donation in value of (\$50.00) from Home Depot for support of Community Garden efforts at Cunningham Community Center. This resolution is sponsored by Park Services. **(Request for same night minutes)**
15. RESOLUTION to accept grant funds in the amount of (\$95,000.00) from Petco foundation. This resolution is sponsored by MAS. **(Request for same night minutes)**
16. RESOLUTION to accept and appropriate State Internet Crimes Against Children (ICAC) grant funds in the amount of (\$985,000.00) from the State of Tennessee, Office of Criminal Justice program. This resolution is sponsored by the Division of Police services. **(Request for same night minutes)**



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## MLGW FISCAL CONSENT

17. RESOLUTION ratifying and awarding Contract No.12249, ESource Membership Agreement through TVPPA to ESource Companies, LLC, in the funded amount of \$1,361,376.00.
18. RESOLUTION awarding a purchase order to Mythics, Inc., for Oracle Application license expansion, in the amount of \$257,689.38.
19. RESOLUTION awarding Contract No. 12295, Oracle Maintenance and Support 2021 to Mythics, Inc., in the funded amount of \$5,922,550.53.
20. RESOLUTION approving an annual salary in the amount of \$97,157.00 for IT Business Consultant, Position No. 07053.
21. RESOLUTION approving Change No. 3 to Contract No. 12096 (Formerly C2033), Hot Sticks Maintenance with Irby Tool and Safety, d/b/a Irby Company, in the funded not-to-exceed amount of \$41,000.00. (This change is to ratify and renew the current contract term for the required bi-annual cleaning cycle established by the federal government for the period covering March 2, 2021 through March 1, 2023.)
22. RESOLUTION approving Change No. 1 to Contract No. 12291, MLGW Customer Utility Bill Folder/Inserter (Beale Street Landing) with Bell and Howell, LLC, in the funded amount of \$66,620.00. (This change is to renew the current contract for equipment and software maintenance for a four-year renewal term for the period covering August 14, 2021 through August 13, 2025. MLGW is requesting approval of continuous maintenance, which can only be performed by Bell and Howell, LLC.)
23. RESOLUTION awarding a purchase order to Prime Controls for electric cabinets and spare parts, in the amount of \$295,413.61.
24. RESOLUTION awarding a purchase order to Brighter Days and Nites, Inc., for gas valve actuators, in the amount of \$63,713.00.
25. RESOLUTION approving Change No. 3 to Contract No. 11682, Customer Care Center Back-Up Communications Plan with AT&T Business Systems, in the funded amount of \$434,645.70. (This change is to renew the current contract term for the second and final annual renewal term

for the period covering August 16, 2021 through August 15, 2022. The contract value is increasing due to the demand for services caused by the COVID-19 pandemic. The old circuit was in the process of being replaced with a new circuit; however, the pandemic hit during the replacement process. The Customer Care Center (CCC) decided to postpone the switch over and keep the old circuit in addition to the new circuit. This increase is due to having to pay for both circuits, until the switch over can be completed.)

26. RESOLUTION approving Change No. 2 to Contract No. 12105, Overhead Water Storage Tank Painting for Capleville, Stonebridge, and Egypt Central with Currens Construction Services, LLC, in the funded amount of \$89,500.00. (This change is to expand the scope of the current contract to add additional funds to the contract value for the removal, disposal, installation, and replacement of the existing 36" riser at Capleville Water Storage Tank. Also, this change is to extend the contract for an additional eight-month term due to delays caused by the COVID-19 pandemic; the contract term will end on June 15, 2022.)
27. RESOLUTION approving Change No. 17 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department, to authorize the annual fee payment in the funded amount of \$141,868.10. (This change is to authorize the annual payment in the funded amount of \$141,868.10, based on fiscal year 2020 data, covering January 1, 2020 through December 31, 2020, with an increase in meters from 255,558 to 257,942 from the previous year. This amount will be absorbed in the current contract value.)
28. RESOLUTION approving Change No. 2 to Contract No. 11896, Internet Service Provider with Windstream Enterprise, in the funded amount of \$53,500.00. (This change is to ratify, extend and upgrade Windstream internet service to one gigabit per second for MLGW internal DNS, Web, Email and E-business applications for the period covering March 18, 2020 through March 17, 2023. MLGW is requesting continuous service of the acquired system, which can only be performed by Windstream Enterprise.)
29. RESOLUTION approving Change No. 2 to Contract No. 11852, Internet Service Provider with CenturyLink Business (formerly Level 3 Communications), in the funded amount of \$66,483.00. (This change is to ratify, extend and upgrade Centurylink/Lumen internet service to one gigabit per second (GBPS) to accommodate load from personnel working remotely and to support applications of Microsoft Office 365 Cloud service for the period covering March 16, 2020 through March 15, 2023. Due to the complexity and cost to configure dual Internet service provider routing protocol, MLGW is requesting approval of the acquired services which can only be performed by CenturyLink Business.)
30. RESOLUTION approving Change No. 2 to Contract No. 12043, Property & Boiler Insurance with FM Global, based on approved rates, not-to-exceed \$2,194,313.00. (This change is to renew the current contract for the second of four annual renewal terms covering the period June 1, 2021 through May 31, 2022.)
31. RESOLUTION awarding a purchase order to Scruggs Equipment Company, Inc., for the purchase of hydraulic front mounted truck winches, in the amount of \$103,800.00.



32. RESOLUTION awarding purchase orders for two-ton steel utility service bodies to Utility Equipment Service, Inc., in the amount of \$30,723.00 and Scruggs Equipment Company in the amount of \$450,882.00.
33. RESOLUTION awarding a purchase order to Summit Truck Group, for two-ton cab and crew cab and chassis, in the amount of \$1,501,163.00.
34. RESOLUTION awarding a thirty-six-month purchase order to Universal Scaffold and Equipment, for bare Aluminum Conductor Coated-Steel Reinforced (ACSR) 477 KCM, 18/1 strand pelican wire, in the amount of \$582,382.66.



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## REGULAR AGENDA

35.

Carlisle  
Chairman,  
Personnel &  
Governmental  
Affairs  
Committee

### APPOINTMENTS

#### MEMPHIS ALCOHOL COMMISSION

##### Appointment

Chad Hampton

#### BLIGHT AUTHORITY OF MEMPHIS

##### Appointment

Brent Hooks

#### MEMPHIS & SHELBY COMMUNITY REDEVELOPMENT AGENCY

##### Appointment

Kandace Stewart

#### MEMPHIS & SHELBY COUNTY SPORTS AUTHORITY

##### Appointment

Kyle Veazey

##### Reappointment

Rodney Douglas

#### CENTER CITY REVENUE FINANCE CORPORATION BOARD

##### Reappointment

Jeri Moskovitz

**GENERAL ORDINANCES THIRD AND FINAL READING**

36. **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; 3/2)

ACTION REQUESTED: Take whatever action Council deems advisable

37. **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; 3/2)

ACTION REQUESTED: Take whatever action Council deems advisable

38. **SUBSTITUTE ORDINANCE** protecting public health and the environment, preserve the Memphis Sand Aquifer, and promote environmental justice, up for T H I R D and F I N A L reading. Ordinance No. 5782 is sponsored by Councilman Warren and Councilman Ford. (Held from 4/20)

ACTION REQUESTED: Take whatever action Council deems advisable

Warren  
Chairman,  
Public Safety &  
Homeland Security  
Committee

**CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS** (None)

**ENGINEERING DIVISION** (None)

**EXECUTIVE DIVISION**

39. **RESOLUTION** requesting funding be allocated to the Group Violence Intervention Program (GVIP) Service Center. This resolution is sponsored by the Executive Division. (Held from 4/20)

ACTION REQUESTED: Adopt the resolution

Warren  
Chairman,  
Public Safety  
& Homeland Security  
Committee

**FINANCE & ADMINISTRATION**

40. **RESOLUTION** for City of Memphis Capital Improvement Program for FY2022-FY2026. This resolution is sponsored by the Finance Division.

ACTION REQUESTED: Adopt the resolution

Morgan  
Chairman,  
Budget

Committee

**DIVISION OF FIRE SERVICES**

41. RESOLUTION accepting 2021 Reducing Diesel Emissions for a Healthier TN funds from the TN Department of Environment Conservation in the amount of \$205,000.00 to be used for partial funding for the purchase of (4) ambulances with idle mitigation system. This resolution is sponsored by the Fire Division.

Warren  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee

ACTION REQUESTED: Adopt the resolution

**DIVISION OF GENERAL SERVICES** (None)

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT** (None)

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION TECHNOLOGY** (None)

**LAW DIVISION** (None)

**LIBRARY SERVICES** (None)

**MLGW DIVISION**

42. RESOLUTION approving an amended rate schedule for the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC for legal services rendered concerning water rights litigation, patents, environmental, tort and contract litigation, regulatory matters and other legal matters uniquely related to the utility industry. (Held from 4/20)

ACTION REQUESTED: Adopt the resolution

**DIVISION OF PARKS AND NEIGHBORHOODS** (None)

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC SERVICES** (None)

**DIVISION OF PUBLIC WORKS** (None)

**GENERAL ITEMS** (None)

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**

**CITY OF MEMPHIS**  
**COUNCIL REGULAR MEETING**  
 Tuesday, May 4, 2021, 3:30 p.m.

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**SUPPORTING DOCUMENTS**

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ITEM #	DESCRIPTION	PAGE #
	<b>PRESENTATIONS</b>	
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2	RESOLUTION thanking Sophia Wordlaw, Deputy Chief of Staff, for her dedication to the Memphis City Council upon her retirement with 27 years of service.	<b>TBD</b>
	<b>PLANNING AND DEVELOPMENT</b> <b>Public Hearings &amp; Ordinances</b>	
3	RESOLUTION approving a special use permit located at 2906 Old Austin Peay Highway; containing 0.27 acre in the Commercial Mixed Use – 3 District. (Held from 3/16; 4/6). Case No. SUP 20-16	<b>1</b>
7	<b>ORDINANCE No. 5783</b> approving a new historic overlay district located in the area roughly bound by Autumn Avenue to the North, North Claybrook Street to the East, Poplar Avenue to the South, and Interstate 240 to the West; containing +/-81.30 acres in the Historic (H) Overlay District up for F I R S T reading Case No. CTHD	<b>29</b>
8	<b>ORDINANCE No. 5784</b> amending the Memphis and Shelby County Unified Development Code as adopted by the City of Memphis August 10, 2010, and by Shelby County August 9, 2010 as amended, to revise and enhance the Joint Zoning and Subdivision regulations as recommended by the Memphis and Shelby County Division of Planning and Development and the Land Use Control Board. This text amendment affects all property within the City of Memphis and unincorporated Shelby County, up for SECOND reading. Case No. ZTA 21-01	<b>198</b>
	<b>CONSENT AGENDA</b>	
4	ORDINANCE No. 5785 appropriating the proceeds of the tax levy on the assessed values on all properties of every species within the City limits for general purposes for the Fiscal Year July 1, 2021 through June 30, 2022, up for FIRST reading	<b>1</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**

5	ORDINANCE No. 5786 fixing the Tax Rate of the City of Memphis for Fiscal Year 2022, up for F I R S T reading.	2
6	ORDINANCE No. 5787 amending Title 6, Chapter 92 of the Code of Ordinances for the City of Memphis, to extend the Sunset Clause for the Equal Business Opportunity Program, up for F I R S T reading.	3
10	RESOLUTION approving the engineering plans for HOLMES and MALONE, ASPR and accepting Arch Insurance Company Letter No. SU1140284 for Performance Bond in the amount of \$118,200.00 Contract No. CR-5367	5A
11	RESOLUTION approving the engineering plans for SPRING TREE SHOPPING CENTER – 5700 PLEASANT VIEW ROAD and accepting Arch Insurance Company Letter No. SU1167436 for Performance Bond in the amount of \$113,100.00. Contract No. CR-5368	6
	<b>FISCAL CONSENT AGENDA</b>	
12	RESOLUTION to accept grant funds in the amount of (\$10,000.00) from Urban Land Institute for Volunteer coordination and park activation efforts. <b>(Request for same night minutes)</b>	9
13	RESOLUTION to accept grant fund in the amount of (\$150,000.00) from Tennessee Department of Health for Project Diabetes Year 3.. <b>(Request for same night minutes)</b>	11
14	RESOLUTION to accept in-kind donation in value of (\$50.00) from Home Depot for support of Community Garden efforts at Cunningham Community Center. <b>(Request for same night minutes)</b>	14
15	RESOLUTION to accept grant funds in the amount of (\$95,000.00) from Petco foundation. <b>(Request for same night minutes)</b>	17
16	RESOLUTION to accept and appropriate State Internet Crimes Against Children (ICAC) grant funds in the amount of (\$985,000.00) from the State of Tennessee, Office of Criminal Justice program. <b>(Request for same night minutes)</b>	20
	<b>MLGW FISCAL CONSENT AGENDA</b>	
17	RESOLUTION ratifying and awarding Contract No.12249, ESource Membership Agreement through TVPPA to ESource Companies, LLC, in the funded amount of \$1,361,376.00.	23
18	RESOLUTION awarding a purchase order to Mythics, Inc., for Oracle Application license expansion, in the amount of \$257,689.38	28
19	RESOLUTION awarding Contract No. 12295, Oracle Maintenance and Support 2021 to Mythics, Inc., in the funded amount of \$5,922,550.53	34
20	RESOLUTION approving an annual salary in the amount of \$97,157.00 for IT Business Consultant, Position No. 07053	40
21	RESOLUTION approving Change No. 3 to Contract No. 12096 (Formerly C2033), Hot Sticks Maintenance with Irby Tool and Safety,	43

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	d/b/a Irby Company, in the funded not-to-exceed amount of \$41,000.00.	
<b>22</b>	RESOLUTION approving Change No. 1 to Contract No. 12291, MLGW Customer Utility Bill Folder/Inserter (Beale Street Landing) with Bell and Howell, LLC, in the funded amount of \$66,620.00	<b>46</b>
<b>23</b>	RESOLUTION awarding a purchase order to Prime Controls for electric cabinets and spare parts, in the amount of \$295,413.61.	<b>50</b>
<b>24</b>	RESOLUTION awarding a purchase order to Brighter Days and Nites, Inc., for gas valve actuators, in the amount of \$63,713.00	<b>54</b>
<b>25</b>	RESOLUTION approving Change No. 3 to Contract No. 11682, Customer Care Center Back-Up Communications Plan with AT&T Business Systems, in the funded amount of \$434,645.70	<b>58</b>
<b>26</b>	RESOLUTION approving Change No. 2 to Contract No. 12105, Overhead Water Storage Tank Painting for Capleville, Stonebridge, and Egypt Central with Currens Construction Services, LLC, in the funded amount of \$89,500.00	<b>63</b>
<b>27</b>	RESOLUTION approving Change No. 17 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department, to authorize the annual fee payment in the funded amount of \$141,868.10.	<b>67</b>
<b>28</b>	RESOLUTION approving Change No. 2 to Contract No. 11896, Internet Service Provider with Windstream Enterprise, in the funded amount of \$53,500.00	<b>73</b>
<b>29</b>	RESOLUTION approving Change No. 2 to Contract No. 11852, Internet Service Provider with CenturyLink Business (formerly Level 3 Communications), in the funded amount of \$66,483.00.	<b>76</b>
<b>30</b>	RESOLUTION approving Change No. 2 to Contract No. 12043, Property & Boiler Insurance with FM Global, based on approved rates, not-to-exceed \$2,194,313.00	<b>81</b>
<b>31</b>	RESOLUTION awarding a purchase order to Scruggs Equipment Company, Inc., for the purchase of hydraulic front mounted truck winches, in the amount of \$103,800.00	<b>84</b>
<b>32</b>	RESOLUTION awarding purchase orders for two-ton steel utility service bodies to Utility Equipment Service, Inc., in the amount of \$30,723.00 and Scruggs Equipment Company in the amount of \$450,882.00	<b>88</b>
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<b>34</b>	RESOLUTION awarding a thirty-six-month purchase order to Universal Scaffold and Equipment, for bare Aluminum Conductor Coated-Steel Reinforced (ACSR) 477 KCM, 18/1 strand pelican wire, in the amount of \$582,382.66	<b>97</b>
	<b>REGULAR AGENDA</b>	
<b>35</b>	<b>APPOINTMENTS</b> <b><u>MEMPHIS ALCOHOL COMMISSION</u></b>	<b>101</b>

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	<p><i>Appointment</i></p> <ul style="list-style-type: none"> <li>• Chad Hampton</li> </ul> <p><b><u>BLIGHT AUTHORITY OF MEMPHIS</u></b></p> <p><i>Appointment</i></p> <ul style="list-style-type: none"> <li>• Brent Hooks</li> </ul> <p><b><u>MEMPHIS &amp; SHELBY COMMUNITY REDEVELOPMENT AGENCY</u></b></p> <p><i>Appointment</i></p> <ul style="list-style-type: none"> <li>• Kandace Stewart</li> </ul> <p><b><u>MEMPHIS &amp; SHELBY COUNTY SPORTS AUTHORITY</u></b></p> <p><i>Appointment</i></p> <ul style="list-style-type: none"> <li>• Kyle Veazey</li> </ul> <p><i>Reappointment</i></p> <ul style="list-style-type: none"> <li>• Rodney Douglas</li> </ul> <p><b><u>CENTER CITY REVENUE FINANCE CORPORATION BOARD</u></b></p> <p><i>Reappointment</i></p> <ul style="list-style-type: none"> <li>• Jeri Moskovitz</li> </ul>	
36	ORDINANCE No. 5769 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 TIRD and FINAL reading. Robinson. (Held from 1/26; 2/2; 2/16; 3/2)	107
37	SUBSTITUTE ORDINANCE No. 5771 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. (Held from 2/2; 2/16; 3/2)	113
38	ORDINANCE No. 5782 protecting public health and the environment, preserve the Memphis Sand Aquifer, and promote environmental justice, up for T H I R D and F I N A L reading	116
39	RESOLUTION requesting funding be allocated to the Group Violence Intervention Program (GVIP) Service Center. (Held from 4/20)	122
40	RESOLUTION for City of Memphis Capital Improvement Program for FY2022-FY2026.	123
41	RESOLUTION accepting 2021 Reducing Diesel Emissions for a Healthier TN funds from the TN Department of Environment Conservation in the amount of \$205,000.00 to be used for partial funding for the purchase of (4) ambulances with idle mitigation system.	128
42	RESOLUTION approving an amended rate schedule for the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC for legal services rendered concerning water rights litigation, patents, environmental, tort and contract litigation, regulatory matters and	131

**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**



	other legal matters uniquely related to the utility industry.	
	Minutes of April 20, 2021 Regular Meeting	134

**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**

An Ordinance appropriating the proceeds of the tax levy on the assessed values on all properties of every species within the City limits for general purposes for the Fiscal Year July 1, 2021 through June 30, 2022. **All Council Districts**. Sponsored by Administration.

Document not complete at time of document production. This item will be presented prior to Third and Final Reading.

An Ordinance fixing the Tax Rate of the City of Memphis for Fiscal Year 2022. **All Council Districts**. Sponsored by Administration.

Document not complete at time of document production. This item will be presented prior to Third and Final Reading.



# City Council Item Routing Sheet

Division Executive Committee Econ Dev. Hearing Date April 20th  
 District All Super District All

- Ordinance                       Resolution                       Grant Acceptance  
 Budget Amendment               Commendation                   Other:

Item Description : <b>AN ORDINANCE TO AMEND TITLE 6, CHAPTER 92 OF THE CODE OF ORDINANCES FOR THE CITY OF MEMPHIS, TO EXTEND THE SUNSET CLAUSE FOR THE EQUAL BUSINESS OPPORTUNITY PROGRAM</b>	
Recommended Council Action: Pass the Ordinance	
Status of MWBE planned expenditures funding, if applicable: Not Applicable	
Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: None	
<b>Does this item require city expenditure? No</b>  \$ Amount <u>0</u>  \$ Revenue to be received _____	<b>Source and Amount of Funds</b>  \$ Operating Budget  \$ CIP Project #  \$ Federal/State/Other

### Approvals

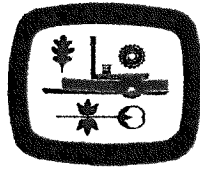
Director \_\_\_\_\_ Date \_\_\_\_\_  
 Budget Manager \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Legal Officer \_\_\_\_\_ Date \_\_\_\_\_

### Chief Administrative Officer

\_\_\_\_\_ Date \_\_\_\_\_

### Council Committee Chair

\_\_\_\_\_ Date \_\_\_\_\_



## Memphis City Council Summary Sheet

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

Ordinance amending the EBO Ordinance by extending the sunset clause by 2 years

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

Executive

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

Yes, amending Title 6, Chapter 92, Section 6-92-7(R)(3)

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

All Districts

**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

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND TITLE 6, CHAPTER 92 OF THE CODE OF ORDINANCES FOR THE CITY OF MEMPHIS, TO EXTEND THE SUNSET CLAUSE FOR THE EQUAL BUSINESS OPPORTUNITY PROGRAM

WHEREAS, a study of available data, including data maintained by the City of Memphis and other public agencies, data gathered from a survey of businesses in the Memphis MSA, and other commercially available data regarding the economic opportunities available to businesses in the Memphis MSA was conducted by Griffin and Strong, P.C. in 2016, concluding in the City of Memphis Minority and Women Business Enterprise Program Disparity Study and Legal Analysis (the "Disparity Study");

WHEREAS, the Memphis City Council passed an amendment to Ordinance No. 5662 in 2017 to implement the Equal Business Opportunity Program, consistent with certain findings based on the Disparity Study, legal analysis report and other data relative to the business opportunities available to Minority and Women Businesses in the Memphis Metropolitan Statistical Area (MSA);

WHEREAS, Ordinance No. 5662 included a sunset clause which provided: "This chapter shall sunset on June 30, 2021, unless prior to such date the city council, after conducting public hearings, finds that the purposes of this chapter have not yet been achieved, in which case it may extend the effective period of this chapter for an additional five years";

WHEREAS, the sunset clause operates as a mechanism to facilitate a periodic review process to assess and support the need for the Equal Business Opportunity program; and

WHEREAS, the City seeks to continue the Equal Business Opportunity programming and to conduct a new Disparity Study as part of its periodic review process to assess the continued need for the Equal Business Opportunity program.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that the sunset clause set forth in Section 6-92-7(R)(3) be extended for a period of two (2) years to June 30, 2023 and that Section 6-92-7(R)(3) of the Code of Ordinances be repealed and deleted in its entirety and the following be inserted in lieu thereof:

"This chapter shall sunset on June 30, 2023, unless prior to such date the city council, after conducting public hearings, finds that the purposes of this chapter have not yet been achieved, in which case it may extend the effective period of this chapter for an additional five years."

Sponsor: Administration



### City Council Item Routing Sheet

Division Engineering Committee Full Council Hearing Date May 4, 2021  
 District 3 Super District 8

- Ordinance                       Resolution                       Grant Acceptance  
 Budget Amendment               Commendation                       Other:  
*CR-5367*

**Item Description :**  
 The resolution approves the engineering plans for Holmes and Malone, ASPR as shown on the engineering plans located at the SW Corner of Holmes Road and Malone Road, in the City of Memphis, Tennessee. Resolution also accept Arch Insurance Company Letter No. SU1140284 for Performance Bond in the amount of \$118,200.00.

**Recommended Council Action:**  
**ADOPT THE RESOLUTION**

**Status of MWBE planned expenditures funding, if applicable:**  
 N/A

**Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:**  
 N/A

<b>Does this item require city expenditure? No</b>  \$ Amount _____  \$ Revenue to be received _____	<b>Source and Amount of Funds</b>  \$ Operating Budget  \$ CIP Project #  \$ Federal/State/Other
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**Approvals**

Please Sign Here > Director *[Signature]* 04/27/2021 Date \_\_\_\_\_

Budget Manager \_\_\_\_\_ Date \_\_\_\_\_

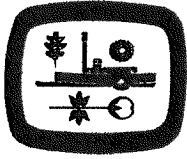
Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_

Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_

Chief Legal Officer \_\_\_\_\_ Date \_\_\_\_\_

Chief Administrative Officer \_\_\_\_\_ Date \_\_\_\_\_

Council Committee Chair \_\_\_\_\_ Date \_\_\_\_\_



RESOLUTION approving the final plat entitled  
**Holmes and Malone ASPR**

WHEREAS, South Front, LLC is the Developer of certain property within the present limits of the City of Memphis, located at SW Corner of Holmes Road and Malone Road, in the City of Memphis, Tennessee as indicated on the final plat entitled **Holmes and Malone ASPR** and

WHEREAS, the developer desires to develop the property reflected on the final plat; and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **New Development, 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 final plans for **Holmes and Malone ASPR** are hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and and accept Arch Insurance Company Letter No. SU1140284 for Performance Bond in the amount of \$118,200.00.





### City Council Item Routing Sheet

Division Engineering Committee Full Council Hearing Date May 4th, 2021  
 District 1 Super District 9

- Ordinance       Resolution       Grant Acceptance  
 Budget Amendment       Commendation       Other:  
*CR-5360*

**Item Description :**  
 The resolution approves the engineering plans for Spring Tree Shopping Center - 5700 Pleasant View Road as shown on the engineering plans located approximately 2,700 linear feet west of Sycamore View RD – Median Modification. Resolution also accepts the accept Arch Insurance Company Letter No. SU1167436 for Performance Bond in the amount of \$113,100.00.

**Recommended Council Action:**  
 ADOPT THE RESOLUTION

**Status of MWBE planned expenditures funding, if applicable:**  
 N/A

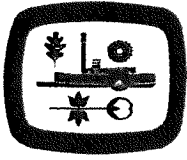
**Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:**  
 N/A

<b>Does this item require city expenditure? No</b>	<b>Source and Amount of Funds</b>
\$ Amount _____	\$ Operating Budget
\$ Revenue to be received _____	\$ CIP Project #
	\$ Federal/State/Other

#### Approvals

Please Sign Here > Director *WS* 4/27/2021 Date \_\_\_\_\_  
 Budget Manager \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Legal Officer \_\_\_\_\_ Date \_\_\_\_\_

**Chief Administrative Officer**  
 \_\_\_\_\_ Date \_\_\_\_\_  
**Council Committee Chair**  
 \_\_\_\_\_ Date \_\_\_\_\_



RESOLUTION approving the engineering plans entitled  
**Spring Tree Shopping Center - 5700 Pleasant View Road**

WHEREAS, **Belz Investco GP, Inc.** the Developer of certain property within the present limits of the City of Memphis, located approximately 2,700 linear feet west of Sycamore View RD – Median Modification as indicated on the engineering plans entitled **Spring Tree Shopping Center – 5700 Pleasant View Road** 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 **Belz Investco GP** 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 **Spring Tree Shopping Center – 5700 Pleasant View Road** and is hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and accept Arch Insurance Company Letter No. SU1167436 for Performance Bond in the amount of \$113,100.00.



## City Council Item Routing Sheet

Division PARKS Committee Parks & Environment Hearing Date May 4, 2021  
 District All Super District Both

- Ordinance                       Resolution                       Grant Acceptance  
 Budget Amendment               Commendation                   Other:

Item Description : Resolution to accept grant funds from Urban Land Institute in amount of 10,000.00 to support volunteer coordination and park activation efforts.	
Recommended Council Action: Approve Resolution.	
Status of MWBE planned expenditures funding, if applicable: N/A	
Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: Years 1 and 2 of Project Diabetes have been approved by City Council of Memphis.	
<b>Does this item require city expenditure? No</b> \$ Amount <u>0.00</u> \$ Revenue to be received <u>10,000.00</u> Urban Land Institute	<b>Source and Amount of Funds</b> \$ Operating Budget 0.00 \$ CIP Project # 0.00 \$ Federal/State/Other 10,000.00

**Approvals**

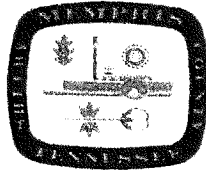
DocuSigned by:  
 Director Nick Walker Date 4/14/2021  
Doc2:19091023402  
 Budget Manager \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Legal Officer \_\_\_\_\_ Date \_\_\_\_\_

**Chief Administrative Officer**

\_\_\_\_\_ Date \_\_\_\_\_

**Council Committee Chair**

\_\_\_\_\_ Date \_\_\_\_\_



## Memphis City Council Summary Sheet

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

Resolution to accept grant funds from Urban Land Institute in amount of 10,000.00 to support volunteer coordination and park activation efforts.

**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.**

N/A- grant will impact parks as a whole.

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

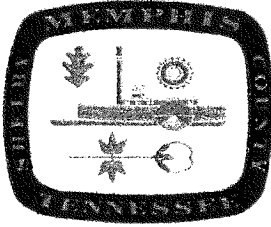
Requires new grant agreement/MOU

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

Grant project will require expenditure of grant funding and amendment to operating budget.

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

N/A.



***Resolution accepting grant funds of ten thousand dollars (\$10,000.00) from Urban Land Institute for volunteer coordination and park activation efforts [All districts.]***

**WHEREAS**, Urban Land Institute is a national nonprofit entity with strong interest in public spaces; and

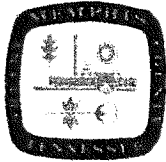
**WHEREAS**, the City of Memphis, through its Division of Park Services, is a recipient of the 2021 grant from Urban Land Institute to support volunteer coordination and park activation efforts; and

**WHEREAS**, it is necessary to accept these funds in the amount of ten thousand dollars (\$10,000.00) and amend the Fiscal Year 2022 operating budget grant account PK90096, and allow for expenditures of the same; and

**WHEREAS**, it is necessary to appropriate these funds in the amount of ten thousand dollars (\$10,000.00) for salaries, supplies, and professional services to provide for volunteer coordination and park activation efforts.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2022 operating budget be amended by accepting the grant of ten thousand dollars (\$10,000.00) for salaries, supplies, and professional services into PK90096, and

**BE IT FURTHER RESOLVED** that funding of ten thousand dollars (\$10,000.00) be allocated and appropriated to PK90096.



## City Council Item Routing Sheet

**Division** PARKS      **Committee** Parks & Environment      **Hearing Date** May 4, 2021  
**District** 4, 6      **Super District** 8

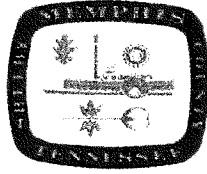
- Ordinance       Resolution       Grant Acceptance  
 Budget Amendment       Commendation       Other:

Item Description : Resolution to accept grant funds for Year 3 of 3 of the Tennessee Department of Health Project Diabetes Program. Grant funds will support staff, programs, and capital improvements for three South Memphis parks.	
Recommended Council Action: Approve Resolution.	
Status of MWBE planned expenditures funding, if applicable: N/A	
Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: Years 1 and 2 of Project Diabetes have been approved by City Council of Memphis.	
Does this item require city expenditure? No \$ Amount <u>0.00</u> \$ Revenue to be received <u>150,000.00</u> TN Dept of Health	Source and Amount of Funds \$ Operating Budget 0.00 \$ CIP Project # 0.00 \$ Federal/State/Other 150,000.00

**Approvals** DocuSigned by:

Director Nick Walker      Date 4/14/2021  
D66219091023402

Budget Manager \_\_\_\_\_ Date \_\_\_\_\_      **Chief Administrative Officer** \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_      **Council Committee Chair** \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Legal Officer \_\_\_\_\_ Date \_\_\_\_\_



## Memphis City Council Summary Sheet

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

Resolution to accept grant funds for Year 3 of 3 of the Tennessee Department of Health Project Diabetes Program. Grant funds will support staff, programs, and capital improvements for three South Memphis parks.

**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.**

Grant will impact three parks in South Memphis, in Districts 4 and 6, super district 8.

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

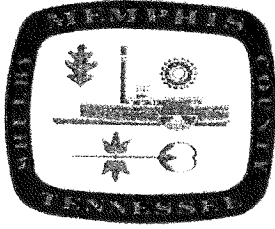
Continues existing contract.

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

Grant project will require expenditure of grant funding and amendment to operating budget.

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

N/A.



***Resolution accepting grant funds of one hundred fifty thousand dollars (\$150,000.00) from Tennessee Department of Health for Project Diabetes Year 3. [Districts 6 and 4, Super District 8].***

**WHEREAS**, Tennessee Department of Health is a division of the State of Tennessee; and

**WHEREAS**, the City of Memphis, through its Division of Park Services, is a recipient of the FY20-22 Project Diabetes award; and

**WHEREAS**, funding from the Tennessee Department of Health will support staffing, programs, and capital improvements for three parks in South Memphis; and

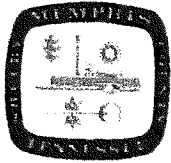
**WHEREAS**, it is necessary to accept these funds in the amount of one hundred and fifty thousand dollars (\$150,000.00) and amend the Fiscal Year 2022 operating budget grant account PK90095, and allow for expenditures of the same; and

**WHEREAS**, it is necessary to appropriate these funds in the amount of one hundred and fifty thousand dollars (\$150,000.00) for salaries, professional services, supplies, and capital improvements to conduct physical activity programming and park activation efforts at Southside, Chandler, and Gaston Park.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2022 operating budget be amended by accepting the grant of one hundred fifty thousand dollars (\$150,000.00) for p salaries, professional services, supplies, and capital improvements into PK90095, and

**BE IT FURTHER RESOLVED** that funding of one-hundred fifty thousand dollars (\$150,000.00) be allocated and appropriated to PK90095.





## City Council Item Routing Sheet

Division Park Services Committee Parks & Environment Hearing Date 5/4/21

District 7 Super District 8

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Ordinance        | <input checked="" type="checkbox"/> Resolution | <input checked="" type="checkbox"/> Grant Acceptance |
| <input type="checkbox"/> Budget Amendment | <input type="checkbox"/> Commendation          | <input type="checkbox"/> Other:                      |

Item Description : Resolution to accept in-kind donation in value of \$50 from Home Depot to support community gardening efforts at Cunningham Community Center.
Recommended Council Action: Approve the resolution.
Status of MWBE planned expenditures funding, if applicable: N/A.
Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: N/A.

Does this item require city expenditure? No \$ Amount <u>0</u> \$ Revenue to be received <u>0</u>	Source and Amount of Funds \$ Operating Budget <u>0</u> \$ CIP Project # <u>0</u> \$ Federal/State/Other <u>0</u>
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**Approvals** - DocuSigned by:

Director Mek Walker Date 4/14/2021  
D6C219091023402

Budget Manager \_\_\_\_\_ Date \_\_\_\_\_

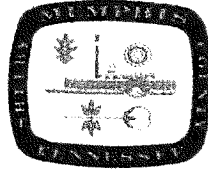
Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_

Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_

Chief Legal Officer \_\_\_\_\_ Date \_\_\_\_\_

**Chief Administrative Officer**  
 \_\_\_\_\_ Date \_\_\_\_\_

**Council Committee Chair**  
 \_\_\_\_\_ Date \_\_\_\_\_



## Memphis City Council Summary Sheet

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

Resolution to accept in-kind donation in value of \$50 from Home Depot to support community gardening efforts at Cunningham Community Center.

**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 7 Super District 8

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

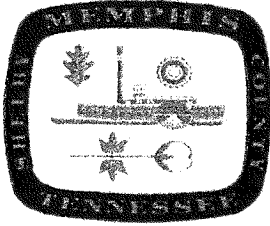
N/A

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

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 fifty dollars (\$50.00) from Home Depot for support of community garden efforts at Cunningham Community Center. [District 7, Super District 8].***

**WHEREAS,** Home Depot is a private corporation with locations in the Memphis region; and

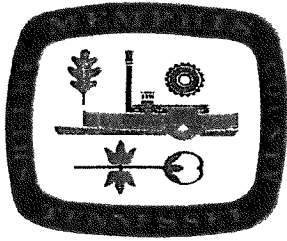
**WHEREAS,** the City of Memphis, through its Division of Park Services, operates the Cunningham Community Center; and

**WHEREAS,** Home Depot has provided an in-kind donation of garden supplies to the Cunningham Community Center; and

**WHEREAS,** the Park Services Division wishes to accept this in-kind donation in value of fifty dollars (\$50.00); and

**WHEREAS,** it is necessary to accept this in-kind donation and allow for the use of donated garden supplies at Cunningham Community Center; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the in-kind donation valued at fifty dollars (\$50) from Home Depot be accepted.



# City Council Item Routing Sheet

**Division:** City Council    **Committee:** Public Services    **Hearing Date:**

Ordinance

Resolution

Grant Acceptance

Budget Amendment

Commendation

Other:

Item Description: A Resolution requesting City Council approval for the acceptance and expenditure of \$95,000 from Petco Foundation for lifesaving programming. Resolution also amends FY 2022 Operating Budget to establish and appropriate \$95,000 in grant funds.

Recommended Council Action: Approval

Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: No previous actions have been taking by any other entity.

Does this item require city expenditure? No

\$ N/A

**\$95,000 Revenue to be received**

Source and Amount of Funds:

\$ N/A: Operating Budget

\$ N/A: CP Project #

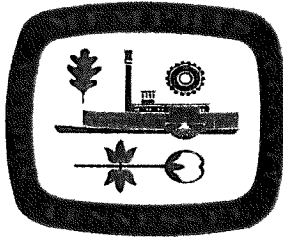
**\$95,000:** Federal/State/Other (Petco Foundation grant)

### Approvals

Director *Ally Pugh* Date 4/21/21  
Division Chief \_\_\_\_\_ Date \_\_\_\_\_  
Budget Manager \_\_\_\_\_ Date \_\_\_\_\_  
Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_

Chief Operating Officer \_\_\_\_\_ Date \_\_\_\_\_

Council Committee Chair \_\_\_\_\_ Date \_\_\_\_\_



## Memphis City Council Summary Sheet

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

A Resolution requesting City Council approval for the acceptance and expenditure of \$95,000 from Petco Foundation for MAS to fund lifesaving programming.

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

Memphis Animal Services

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

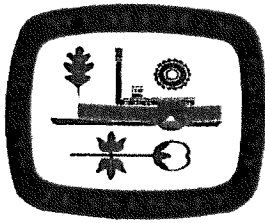
NO

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

Petco Foundation does NOT require a grant contract or agreement be signed for this grant.

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

No City funds are required. Funds will be provided by the Petco Foundation grant.



A Resolution to accept grant funds in the amount of Ninety-five Thousand Dollars (\$95,000) from Petco Foundation.

**WHEREAS**, the City of Memphis has been informed by Petco Foundation of its selection as a grantee organization to receive grant funds lifesaving purposes; and

**WHEREAS**, Memphis Animal Services desires to fund lifesaving programming; and

**WHEREAS**, it is necessary to accept the grant funding and amend the FY 2022 Operating Budget to establish funds for lifesaving programming; and

**WHEREAS**, it is necessary to allocate and appropriate the FY 2022 grant funds in the amount of Ninety-five Thousand Dollars (\$95,000) for MAS lifesaving programming.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the grant funds for lifesaving programming in the amount of Ninety-five Thousand Dollars (\$95,000) from Petco Foundation be accepted by the City of Memphis.

**BE IT FURTHER RESOLVED**, that the Fiscal Year 2022 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Petco Foundation grant in the amount of Ninety-five Thousand Dollars (\$95,000) as follows:

Revenue

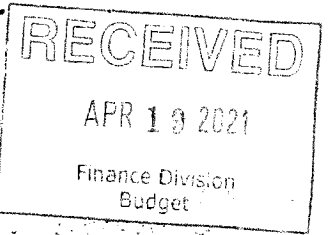
Petco Foundation	\$95,000.00
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Expenditures

Payments to Subgrantees	\$95,000.00
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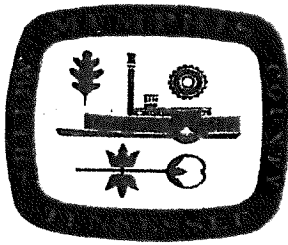
G106

Received



APR 23 2021

Chief Administrative Office



### City Council Item Routing Sheet

Division: POLICE Committee: PUBLIC SAFETY Hearing Date: May 4, 2021

Ordinance

Resolution

Grant Acceptance

Budget Amendment

Commendation

Other: Click here to enter text.

Council Districts: ALL

Item Description (Not the caption, but what does it do): The award funds provide for overtime, supplies, training, and equipment to aid in the investigations for Internet Crimes Against Children (ICAC FY22 <del>2</del> - FY26).	
Recommended Council Action: Approve the Resolution	
Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: No action has been taken by any other entity.	
Does this item require city expenditure? NO	Source and Amount of Funds
\$985,000.00 Revenue to be received	\$985,000.00 Operating Budget \$985,000.00 Federal/ <u>State</u> /Other

#### Approvals

Director [Signature] Date 4/16/2021

[Signature] Operating Chief Administrative Officer

Director \_\_\_\_\_ Date \_\_\_\_\_

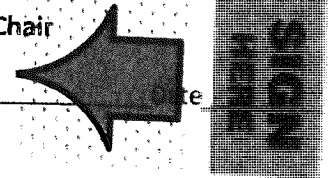
Budget Manager [Signature] Date 4/19/2021

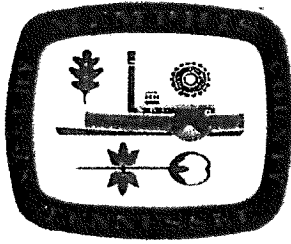
[Signature] Date \_\_\_\_\_

CFD Finance Director [Signature] Date 4/19/2021

Council Committee Chair

City Attorney [Signature] Date 4-20-21





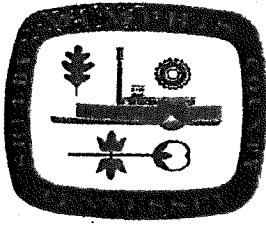
## Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)** This is a resolution to accept grant funds from the State of Tennessee, Office Of Criminal Justice Programs in the amount of \$985,000.00 (1) to upgrade existing equipment; (2) renew current licenses for software products; (3) provide overtime for investigation of criminal cases; and (4) provide training and travel.
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)** The City of Memphis Division of Police Services is awarded this grant from the State of Tennessee, Office of Criminal Justice Programs.
- 3. State whether this is a change to an existing ordinance or resolution, if applicable. This item does not change an existing ordinance or resolution.**
- 4. State whether this requires a new contract, or amends an existing contract, if applicable. This is a new grant award pending Council approval.**
- 5. State whether this requires an expenditure of funds/requires a budget amendment. Acceptance will require an amendment to the FY2022 Operating Budget to appropriate the funds.**

6. All Council Districts, Both Super Districts

7. MWBE Goal: N/A





**A resolution to accept and appropriate State ICAC grant funds from the State of Tennessee, Office of Criminal Justice Programs.**

**WHEREAS**, The City of Memphis Division of Police Services has been awarded grant funds in the amount of Nine Hundred Eighty- Five Thousand Dollars (\$985,000.00) from the State of Tennessee, Office of Criminal Justice Programs; and

**WHEREAS**, this award will be used for overtime, Supplies, training, and equipment; and

**WHEREAS**, it is necessary to accept the grant funding and amend the FY2022 Operating Budget to establish funds for the FY2022-FY2026 State ICAC grant; and

**WHEREAS**, it is necessary to appropriate Nine Hundred Eighty-Five Thousand Dollars (\$985,000.00) for the FY2022 – FY2026 State of Tennessee, Office of Criminal Justice Programs grant project – FY2022 – FY2026 State ICAC grant.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the FY FY2022 – FY2026 State of Tennessee, Office of Criminal Justice Programs – State ICAC grant funds in the amount of Nine Hundred Eighty-Five Thousand Dollars (\$985,000.00) be accepted by the City of Memphis.

**BE IT FURTHER RESOLVED**, that the Fiscal Year 2022 Operation Budget be and is hereby amended by appropriating the Expenditures and Revenues for the State of Tennessee, Office of Criminal Justice Programs – State ICAC grant as follows:

<b>Revenue</b>	
State of Tennessee, Criminal Justice Programs	<u>\$985,000.00</u>
<b>Total</b>	<b>\$985,000.00</b>
<b>Expenditures</b>	
Overtime	\$392,976.00
Supplies	\$412,860.00
Training	\$145,884.00
Equipment	<u>\$ 33,280.00</u>
<b>Total</b>	<b>\$985,000.00</b>

## Memphis City Council Summary Sheet for MLGW Items

**1. Description of the Item**

Resolution ratifying and awarding Contract No.12249, ESource Membership Agreement through TVPPA to ESource Companies, LLC for a five-year term, in the funded amount of \$1,361,376.00.

**2. Additional Information**

The membership provides access to utility research, reports, trends, and best practices when developing implementing, evaluating and/or expanding MLGW services including the following deliverables: ESource's Research Services- Demand Side Management, Distributed Energy Resource Strategy, Technology Assessment, Residential Marketing, Business Marketing, Account Management, Corporate Communications, Customer Care, Customer Experience and E-Channel Services including an MLGW-branded Business Energy Advisor portal accessible through a link on the MLGW website.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021, ratified and awarded Contract No. 12249, ESource Membership Agreement through Tennessee Valley Public Power Association (TVPPA) to ESource Companies, LLC, in the funded amount of \$1,361,376.00, and is now recommending to the Council of the City of Memphis that it approves said ratification and award as proposed; and

WHEREAS, the project scope is to allow ESource Companies, LLC, as a single source provider, to provide access to utility research, reports, trends, and best practices when developing implementing, evaluating and/or expanding MLGW services including the following deliverables: ESource's Research Services- Demand Side Management, Distributed Energy Resource Strategy, Technology Assessment, Residential Marketing, Business Marketing, Account Management, Corporate Communications, Customer Care, Customer Experience and E-Channel Services including an MLGW-branded Business Energy Advisor portal accessible through a link on the MLGW website, <https://mlgw.bizenergyadvisor.com>.

Due to budget cuts, TVA announced they would not renew their group ESource membership to participating local power companies on October 1, 2020. MLGW worked with Tennessee Valley Public Power Association (TVPPA) to negotiate a multi-year group discount to continue ESource membership. MLGW is requesting a ratification in the total amount of \$312,500.00 to include \$62,500.00 for the 4<sup>th</sup> quarter of 2020 and \$250,000.00 for the period covering January 1, 2021 through December 31, 2021.

Beginning January 1, 2022 through December 31, 2025, the remaining term for years two (2) through five (5) will be in the total funded amount of \$1,048,876.00 (Annualized amount of \$262,219). The term of this contract is for the fourth quarter of 2020 through December 31, 2025. This single source ratification and 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 a ratification and award of Contract No. 12249, ESource Membership Agreement through Tennessee Valley Public Power Association (TVPPA) to ESource Companies, LLC, in the funded amount of \$1,361,376.00 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**April 21, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it ratifies and awards Contract No. 12249, ESource Membership Agreement through TVPPA to ESource Companies, LLC, in the funded amount of \$1,361,376.00.

The project scope is to allow ESource Companies, LLC, as a single source provider, to provide access to utility research, reports, trends, and best practices when developing implementing, evaluating and/or expanding MLGW services including the following deliverables: ESource's Research Services- Demand Side Management, Distributed Energy Resource Strategy, Technology Assessment, Residential Marketing, Business Marketing, Account Management, Corporate Communications, Customer Care, Customer Experience and E-Channel Services including an MLGW-branded Business Energy Advisor portal accessible through a link on the MLGW website, <https://mlgw.bizenergyadvisor.com>.

Due to budget cuts, TVA announced they would not renew their group ESource membership to participating local power companies on October 1, 2020. MLGW worked with Tennessee Valley Public Power Association (TVPPA) to negotiate a multi-year group discount to continue ESource membership. MLGW is requesting a ratification in the total amount of \$312,500.00 to include \$62,500.00 for the 4<sup>th</sup> quarter of 2020 and \$250,000.00 for the period covering January 1, 2021 through December 31, 2021.

Beginning January 1, 2022 through December 31, 2025, the remaining term for years two (2) through five (5) will be in the total funded amount of \$1,048,876.00 (Annualized amount of \$262,219). The term of this contract is for the fourth quarter of 2020 through December 31, 2025. This single source ratification and award complies with all applicable laws and policies.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12249 ESource Membership Agreement through Tennessee Valley Public Power Association (TVPPA) to ESource Companies, LLC, in the funded amount of \$1,361,376.00, as outlined in the foregoing preamble, is approved and further,

THAT, the President or his designated representative is authorized to execute the Ratification and 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 21<sup>st</sup> day of April, 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 Mythics, Inc., for Oracle Application license expansion, in the amount of \$257,689.38.

**2. Additional Information**

The purchase order is needed to cover the purchase of additional Oracle software licenses, maintenance, and support.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved a purchase order for Oracle Application license expansion and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the MLGW 2021 fiscal year budget; and

**WHEREAS**, the need exists to cover the purchase of additional Oracle software licenses, maintenance and support that are based on the company revenue as well as Operating and Maintenance budgets. During the 2020 Oracle License Verification, the Finance division of MLGW reported a 2.2% increase in revenue over 2019. The previous license base reported to Oracle was \$539M. MLGW was licensed up to \$540M. The 2020 reported revenue, less power costs, was \$551M; thereby requiring MLGW to purchase another unit of \$45M in licenses; and

**WHEREAS**, bids were opened on March 30, 2021. Notice to Bidders was advertised. Ten (10) bids were solicited and only one (1) bid was received that provided proper documentation to quote state contract being the firm of Mythics, Inc. 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 a purchase order for Oracle Application license expansion from Mythics, Inc. in the sum of \$257,689.38 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**  
**April 21, 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 Mythics, Inc. in the amount of \$257,689.38 for Oracle Application license expansion.

The need exists to cover the purchase of additional Oracle software licenses, maintenance and support that are based on the company revenue as well as Operating and Maintenance budgets. During the 2020 Oracle License Verification, the Finance division of MLGW reported a 2.2% increase in revenue over 2019. The previous license base reported to Oracle was \$539M. MLGW was licensed up to \$540M. The 2020 reported revenue, less power costs, was \$551M; thereby requiring MLGW to purchase another unit of \$45M in licenses.

Bids were opened on March 30, 2021. Notice to Bidders was advertised. Ten (10) bids were solicited and only one (1) bid was received that provided proper documentation to quote state contract being the firm of Mythics, Inc. This award complies with all applicable laws and policies.

The 2021 budget amount for Technical Support is \$13,308,847.00; the amount spent to date is \$1,274,393.63; leaving a balance of \$12,034,453.37 available to be spent in 2021; of which \$257,689.38 will be spent on this purchase order in 2021; leaving a balance of \$11,776,763.99 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 Mythics, Inc. is approved for furnishing:

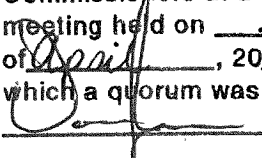
- \*Hyperion Financial Management Plus License (Current Base 540)
- \*Hyperion Financial Management Plus Maintenance & Support (Current Base 540)
  
- \*Hyperion Planning Plus License (Current Base 540)
- \*Hyperion Planning Plus Maintenance & Support (Current Base 540)
  
- \*Oracle Hyperion Public Sector Planning and Budgeting License(Current Base 540)
- \*Oracle Hyperion Public Sector Planning and Budgeting Maintenance & Support
  
- \*Hyperion Financial Data Quality Management License (Current Base 540)
- \*Hyperion Financial Data Quality Management Maintenance & Support (Current Base 540)
  
- \*Hyperion Financial Data Quality Management Adapter for Financial Management License (Current Base 540)
- \*Hyperion Financial Data Quality Management Adapter for Financial Management Maintenance & Support (Current Base 540)
  
- \*Hyperion Financial Data Quality Management Adapter Suite License (Current Base 540)
- \*Hyperion Financial Data Quality Management Adapter Suite Maintenance & Support (Current Base 540)
  
- \*Oracle Enterprise Asset Management License (Current Base 540)
- \*Oracle Enterprise Asset Management Maintenance & Support (Current Base 540)
  
- \*Oracle Self-Service Work Requests for Oracle Enterprise Asset Management License (Current Base 540)
- \*Oracle Self-Service Work Requests for Oracle Enterprise Asset Management Maintenance & Support (Current Base 540)
  
- \*Oracle Services Procurement for Oracle Purchasing License (Current Base 540)
- \*Oracle Services Procurement for Oracle Purchasing Maintenance & Support (Current Base 540)
  
- \*Oracle Procurement Contracts for Oracle Purchasing License (Current Base 540)
- \*Oracle Procurement Contracts for Oracle Purchasing Maintenance & Support (Current Base 540)
  
- \*Financial Analytics Fusion Edition License (Current Base 540)
- \*Financial Analytics Fusion Edition Maintenance & Support (Current Base 540)
- \*Project Analytics License (Current Base 540)
- \*Project Analytics Maintenance & Support (Current Base 540)

\*Supply Chain and Order Management Analytics Fusion Edition License (Current Base 540)  
\*Supply Chain and Order Management Analytics Fusion Edition Maintenance & Support  
(Current Base 540)

\*Procurement & Spend Analytics, Fusion Edition License (Current Base 540)  
\*Procurement & Spend Analytics, Fusion Edition Maintenance & Support  
(Current Base 540)

\*Oracle Enterprise Asset Management Analytics License (Current Base 540)  
\*Oracle Enterprise Asset Management Analytics Maintenance & Support (Current Base 540)

\*Primavera P6 Enterprise Project Portfolio Management - Nonstandard User License  
(Current Base 540)  
\*Primavera P6 Enterprise Project Portfolio Management - Nonstandard User Maintenance &  
Support (Current Base 540)

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 21<sup>st</sup> day of April, 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. 12295, Oracle Maintenance and Support 2021 to Mythics, Inc., in the funded amount of \$5,922,550.53.

### 2. Additional Information

The project scope is to provide annual software maintenance, support services, and licenses for Oracle E-Business Suite modules for Human Resources, Advance Benefits, E-Business Suite 2003 Professional User licenses, Oracle Enterprise Databases, Audit Vault, Data Masking, Meter Data Management, CIS, GIS and Project Inspire Oracle software licenses.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021, awarded Contract No. 12295 (*Formerly Contract No. 10705*), Oracle Maintenance and Support 2021 to Mythics, Incorporated, in the funded amount of \$5,922,550.53, and is now recommending to the Council of the City of Memphis that it approves said award as proposed; and

WHEREAS, the project scope is to provide annual software maintenance, support services, and licenses for Oracle E-Business Suite modules for Human Resources, Advance Benefits, E-Business Suite 2003 Professional User licenses, Oracle Enterprise Databases, Audit Vault, Data Masking, Meter Data Management, CIS, GIS and Project Inspire Oracle software licenses.

The State of Tennessee's Central Procurement Office issued a Request for Proposal for the purchase of Oracle software and services which can be utilized by all Tennessee State Agencies in solicitation number 32110-11256. The contract was awarded to Mythics, Incorporated, a Platinum Partner authorized agent for Oracle America Corporation. The RFP solicitation process met the public bidding requirements of the State of Tennessee and MLGW's Procurement Policy. MLGW is requesting approval of this award, which can only be performed by Oracle America Corporation or an authorized agent to provide maintenance of the acquired system. The term of the State contract is from January 22, 2020 to January 21, 2022. Due to the survivability clause in the State contract, the term of MLGW Contract No. 12295 will be from May 31, 2021 through May 30, 2022 in the funded amount of \$5,922,550.53. 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. 12295, Oracle Maintenance and Support 2021 to Mythics, Incorporated, in the funded amount of \$5,922,550.53 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**April 21, 2021**

---

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12295 (*Formerly Contract No. 10705*), Oracle Maintenance and Support 2021 to Mythics, Incorporated, in the funded amount of \$5,922,550.53.

The project scope is to provide annual software maintenance, support services, and licenses for Oracle E-Business Suite modules for Human Resources, Advance Benefits, E-Business Suite 2003 Professional User licenses, Oracle Enterprise Databases, Audit Vault, Data Masking, Meter Data Management, CIS, GIS and Project Inspire Oracle software licenses.

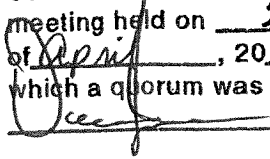
The State of Tennessee's Central Procurement Office issued a Request for Proposal for the purchase of Oracle software and services which can be utilized by all Tennessee State Agencies in solicitation number 32110-11256. The contract was awarded to Mythics, Incorporated, a Platinum Partner authorized agent for Oracle America Corporation. The RFP solicitation process met the public bidding requirements of the State of Tennessee and MLGW's Procurement Policy. MLGW is requesting approval of this award, which can only be performed by Oracle America Corporation or an authorized agent to provide maintenance of the acquired system. The term of the State contract is from January 22, 2020 to January 21, 2022. Due to the survivability clause in the State contract, the term of MLGW Contract No. 12295 will be from May 31, 2021 through May 30, 2022 in the funded amount of \$5,922,550.53. 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 award of Contract No. 12295, Oracle Maintenance and Support 2021 to Mythics, Incorporated, in the funded amount of \$5,922,550.53, as outlined in the foregoing 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 21<sup>st</sup> day of April, 2021, at which a quorum was present.  
  
Secretary-Treasurer

Contract 12295 Summary

MLGW is taking advantage of a great opportunity to renew Oracle Software License and Maintenance support using the State of TN Contract 3027. This does not increase the cost of software maintenance renewals but does bring efficiencies of co-term expirations of support as well as simplified quarterly billing.

In addition to the value-added management of MLGW’s maintenance renewals, Mythics (the owner of the pre-bid state contract), has also presented MLGW with an opportunity to renew and extend the Oracle Unlimited License Agreement from 2018. This will allow MLGW to leverage new technical products and expand our usage of data replication technology. The estimated return on investment over 2 years is \$3.5M. This is achieved through hardware upgrades that provide for more capacity and better performance but would also require additional licensing.

All current software licenses and maintenances will be extended and co-termed to May 30, 2022.

Below is a summary of products being renewed in this agreement.

EBS iRecruitment (reinstatement)	\$	171,137.85
EBS Products Maintenance & Support	\$	1,028,674.67
Oracle Technology Products Maintenance & Support	\$	2,248,408.50
Oracle Application Expansion Maintenance & Support	\$	62,477.35
Oracle Software ULA Extension	\$	1,976,928.00
Oracle Software ULA Extension Maintenance & Support	\$	434,924.16
<b>Total</b>	<b>\$</b>	<b>5,922,550.53</b>

MLGW spends approximately \$4M annually for Oracle Software Maintenance and Support. This includes the software that supports applications such as Customer Information System (CIS), Geographical Information System (GIS), eBusiness Suite (EBS), Meter Data Management (Smart Meter) and Mobile Dispatching to name a few.

This contract will consolidate all of the licenses, maintenance and support that are currently on contract 10705 with Oracle America.

## Memphis City Council Summary Sheet for MLGW Items

**1. Description of the Item**

Resolution approving an annual salary in the amount of \$97,157.00 for IT Business Consultant, Position No. 07053.

**2. Additional Information**

This IT Business Consultant position performs project management, process documentation, internal IT consulting and technical training.

**RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners at their meeting of April 21, 2021, approved an annual salary in the amount of \$97,157 for IT Business Consultant.

**WHEREAS**, the City Charter requires the above mentioned items to be approved by the City Council.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Memphis, that the above identified salary is hereby approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**April 21, 2021**

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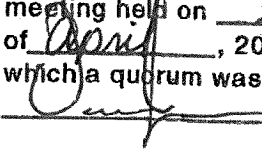
The President & CEO recommended to the Board of Light Gas and Water Commissioners an annual salary in the amount of \$97,157 for position 07053, per the attached documents:

Position No. 07053 - IT Business Consultant

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

THAT, Position number 07053 as listed in the foregoing preamble 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 21<sup>st</sup> day of April, 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. 12096 (Formerly C2033), Hot Sticks Maintenance with Irby Tool and Safety, d/b/a Irby Company, in the funded not-to-exceed amount of \$41,000.00. (This change is to ratify and renew the current contract term for the required bi-annual cleaning cycle established by the federal government for the period covering March 2, 2021 through March 1, 2023.)

### 2. Additional Information

The project scope is to perform maintenance on 1,275 Fiberglass Shotgun and Extension Sticks, to include cleaning, waxing, testing, and repairing. The work will take place at the following MLGW locations: North Service Center; Hickory Hill Service Center; and Electric Operations in Memphis, Tennessee.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved Change No. 3 to Contract No. 12096 (*Formerly C2033*), Hot Sticks Maintenance with Irby Tool and Safety dba Irby Company to ratify and renew the current contract in the funded not-to-exceed amount of \$41,000.00, and is now recommending to the Council of the City of Memphis that it approves said ratification and renewal as approved; and

WHEREAS, the project scope is to perform maintenance on 1,275 Fiberglass Shotgun and Extension Sticks, to include cleaning, waxing, testing, and repairing. The work will take place at the following MLGW locations: North Service Center; Hickory Hill Service Center; and Electric Operations in Memphis, Tennessee. This change is to ratify and renew the current contract term for the required bi-annual cleaning cycle established by the federal government for the period covering March 2, 2021 through March 1, 2023 in the not-to-exceed amount of \$41,000.00. This single source ratification and renewal complies with all applicable laws and policies. The new contract value is \$124,500.00; 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. 12096 (*Formerly C2033*), Hot Sticks Maintenance with Irby Tool and Safety dba Irby Company to ratify and renew the current contract in the funded not-to-exceed amount of \$41,000.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**April 21, 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. 12096 (*Formerly C2033*), Hot Sticks Maintenance with Irby Tool and Safety dba Irby Company to ratify and renew the current contract in the funded not-to-exceed amount of \$41,000.00.

The project scope is to perform maintenance on 1,275 Fiberglass Shotgun and Extension Sticks to include cleaning, waxing, testing, and repairing. The work will take place at the following MLGW locations: North Service Center; Hickory Hill Service Center; and Electric Operations in Memphis, Tennessee. This change is to ratify and renew the current contract term for the required bi-annual cleaning cycle established by the federal government for the period covering March 2, 2021 through March 1, 2023 in the not-to-exceed amount of \$41,000.00. This single source ratification and renewal complies with all applicable laws and policies. The new contract value is \$124,500.00.

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, Change No. 3 to Contract No. 12096 (*Formerly C2033*), Hot Sticks Maintenance with Irby Tool and Safety dba Irby Company to ratify and renew the current contract in the funded not-to-exceed amount of \$41,000.00, 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 21<sup>st</sup> day of April, 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. 1 to Contract No. 12291, MLGW Customer Utility Bill Folder/Inserter (Beale Street Landing) with Bell and Howell, LLC, in the funded amount of \$66,620.00. (This change is to renew the current contract for equipment and software maintenance for a four-year renewal term for the period covering August 14, 2021 through August 13, 2025. MLGW is requesting approval of continuous maintenance, which can only be performed by Bell and Howell, LLC.)

### 2. Additional Information

The agreement provides equipment and software maintenance for MLGW Customer Utility Bill Folder/Inserter and to respond to service calls on an as-needed basis. This equipment is used to complete production and mailing of all MLGW customer's utility bill statements and letters.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved Change No. 1 to Contract No. 12291 (*Formerly Purchase Requisition #5062182*), MLGW Customer Utility Bill Folder/Inserter (Beale Street Landing) with Bell and Howell, LLC to renew the current contract in the funded amount of \$66,620.00, 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 Bell and Howell LLC, as a sole source provider, to provide equipment and software maintenance for the MLGW Customer Utility Bill Folder/Inserter and to respond to service calls on an as-needed basis. This equipment is used to complete production and mailing of all MLGW customer's utility bill statements and letters. This change is to renew the current contract for equipment and software maintenance for a four (4) year renewal term for the period covering August 14, 2021 through August 13, 2025 in the funded amount of \$66,620.00. MLGW is requesting approval of continuous maintenance, which can only be provided by Bell and Howell, LLC due to the firm being the only authorized vendor to provide maintenance on the equipment/software. The maintenance will be paid annually in the amount of \$16,655.00. This sole source renewal complies with all applicable laws and policies. The new contract value is \$130,068.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 1 of existing equipment under Contract No. 12291, MLGW Customer Utility Bill Folder/Inserter (Beale Street Landing) with Bell and Howell, LLC to renew the current contract in the funded amount of \$66,620.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**April 21, 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. 12291 (*Formerly Purchase Requisition #5062182*), MLGW Customer Utility Bill Folder/Inserter (Beale Street Landing) with Bell and Howell, LLC to renew the current contract in the funded amount of \$66,620.00.

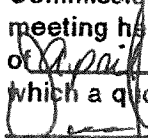
The project scope is to allow Bell and Howell LLC, as a sole source provider, to provide equipment and software maintenance for MLGW Customer Utility Bill Folder/Inserter and to respond to service calls on an as-needed basis. This equipment is used to complete production and mailing of all MLGW customer's utility bill statements and letters. This change is to renew the current contract for equipment and software maintenance for a four (4) year renewal term for the period covering August 14, 2021 through August 13, 2025 in the funded amount of \$66,620.00. MLGW is requesting approval of continuous maintenance, which can only be provided by Bell and Howell, LLC due to the firm being the only authorized vendor to provide maintenance on the equipment/software. The maintenance will be paid annually in the amount of \$16,655.00. This sole source renewal complies with all applicable laws and policies. The new contract value is \$130,068.00.

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 12291, MLGW Customer Utility Bill Folder/Inserter (Beale Street Landing) with Bell and Howell, LLC to renew the current contract in the funded amount of \$66,620.00, as outlined in the foregoing preamble, is approved and further,

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

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a ~~regular~~-special meeting held on 21<sup>st</sup> day of April, 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 Prime Controls for electric cabinets and spare parts, in the amount of \$295,413.61.

### 2. Additional Information

This purchase consists of electric cabinets and spare parts for the Lichterman Pumping Station Distributed Process Control (DPC) project. The DPC system is used in controlling various processes at water pumping stations. This equipment is needed to replace the existing and outdated Lichterman Distributed Process Control (DPC) system.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved the purchase of electric cabinets and spare parts 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 purchase consists of electric cabinets and spare parts for the Lichterman Pumping Station Distributed Process Control (DPC) project. This equipment is needed to replace the Lichterman Distributed Process Control (DPC) system; and

**WHEREAS**, bids were opened on February 24, 2021. Notice to Bidders was advertised. Eleven (11) bids were solicited and five (5) bids were received with the lowest and best complying bidder being the firm of Prime Controls. 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 electric cabinets and spare parts from Prime Controls for the sum of \$295,413.61 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**  
**April 21, 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 Prime Controls in the amount of \$295,413.61 for electric cabinets and spare parts.

This purchase consists of electric cabinets and spare parts for the Lichterman Pumping Station Distributed Process Control (DPC) project. This equipment is needed to replace the Lichterman Distributed Process Control (DPC) system.

Bids were opened on February 24, 2021. Notice to Bidders was advertised. Eleven (11) bids were solicited and five (5) bids were received with the lowest and best complying bidder being the firm of Prime Controls. This award complies with all applicable laws and policies.

The 2021 budgeted amount for Pumping Stations is \$800,000.00; the amount spent to date is \$21,694.91; leaving a balance available of \$778,305.09 to be spent in 2021; of which \$295,413.61 will be spent on this purchase order in 2021; leaving a balance of \$482,891.48 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 contract to Prime Controls is approved for furnishing:

Distributed Process Control System electric cabinets and spare parts in accordance with MLGW 13 Specialty Construction General Requirement UL Control Panel and Drawings;

Totaling \$295,413.61; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said price being firm; 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 21<sup>st</sup> day of April, 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, Inc., for gas valve actuators, in the amount of \$63,713.00

**2. Additional Information**

The valve actuators are used to control the flow of gas. The actuators on the valves are remotely controlled by the Supervisory Control and Data Acquisition (SCADA) system to open or close the valves without anyone being on site, which allows for more efficient and safe operations at MLGW's Lenow, American Way at Getwell, and Side Tap locations. These actuators will replace existing actuators that are outdated and obsolete.

## RESOLUTION

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved the purchase of gas valve actuators 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 valve actuators are used to control the flow of gas. The actuators on the valves are remotely controlled by the Supervisory Control and Data Acquisition (SCADA) system to open or close the valves without anyone being on site, which allows for more efficient and safe operations at MLGW's Lenow, American Way at Getwell, and Side Tap locations. These actuators will replace existing actuators that are out dated and obsolete; and

**WHEREAS**, bids were opened on February 24, 2021. Notice to Bidders was advertised. Ten (10) bids were solicited and five (5) bids were received with the lowest and best complying bidder being the firm of Brighter Days and Nites, Inc. 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 gas valve actuators from Brighter Days and Nites, Inc. in the sum of \$63,713.00 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**  
**April 21, 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, Inc. in the amount of \$63,713.00 for gas valve actuators.

The valve actuators are used to control the flow of gas. The actuators on the valves are remotely controlled by the Supervisory Control and Data Acquisition (SCADA) system to open or close the valves without anyone being on site, which allows for more efficient and safe operations at MLGW's Lenow, American Way at Getwell, and Side Tap locations. These actuators will replace existing actuators that are out dated and obsolete.

Bids were opened on February 24, 2021. Notice to Bidders was advertised. Ten (10) bids were solicited and five (5) bids were received with the lowest and best complying bidder being the firm of Brighter Days and Nites, Inc. This award complies with all applicable laws and policies.

The 2021 budgeted amount for Regulator Stations is \$1,100,000.00; the amount spent to date is \$101,913.51; leaving a balance available of \$998,086.49; of which \$63,713.00 will be spent on this purchase order in 2021; leaving a balance of \$934,373.49 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 purchase order to Brighter Days and Nites, Inc. is approved for furnishing:

Actuators for gas valves;

Total award amount \$63,713.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; delivery 12-18 weeks; terms net 15 day.

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 21<sup>st</sup> day of April, 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. 11682, Customer Care Center Back-Up Communications Plan with AT&T Business Systems, in the funded amount of \$434,645.70. (This change is to renew the current contract term for the second and final annual renewal term for the period covering August 16, 2021 through August 15, 2022. The contract value is increasing due to the demand for services caused by the COVID-19 pandemic.)

### 2. Additional Information

The old circuit was in the process of being replaced with a new circuit; however, the pandemic hit during the replacement process. The Customer Care Center (CCC) decided to postpone the switch over and keep the old circuit in addition to the new circuit. This increase is due to having to pay for both circuits, until the switch over can be completed.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved Change No. 3 to Contract No. 11682, Customer Care Center Back-Up Communications Plan with AT&T Business Systems to change and renew the current contract in the funded amount of \$434,645.70, and is now recommending to the Council of the City of Memphis that it approves said change and renewal as approved; and

WHEREAS, the project scope is to provide a Back-Up Communications Plan for the MLGW Customer Care Center located at 1665 Whitten Road utilizing Session Initiation Protocol (SIP) Technology Solution and the ability to use 911 calling features with the new Voice Over Internet Protocol (IP) technology design. This change is to add additional funding in the amount of \$155,241.17 to the current term due to the demand for services caused by the COVID-19 Pandemic. The old circuit was in the process of being replaced with a new circuit; however, the pandemic hit during the replacement process. The Customer Care Center (CCC) decided to postpone the switchover and keep the old circuit in addition to the new circuit. This increase is due to having to pay for both circuits, until the switchover can get completed.

In addition, this change is to renew the current contract term for the second and final annual renewal term for the period covering August 16, 2021 through August 15, 2022 and to add 10% contingency funds for any unforeseen work in the amount of \$279,404.53. The total amount for this change and renewal is in the funded amount of \$434,645.70 This change and renewal complies with all applicable laws and policies. The new contract value is \$1,049,177.86; 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. 11682, Customer Care Center Back-Up Communications Plan with AT&T Business Systems to change and renew the current contract in the funded amount of \$434,645.70 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**April 21, 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. 11682, Customer Care Center Back-Up Communications Plan with AT&T Business Systems to change and renew the current contract in the funded amount of \$434,645.70.

The project scope is to provide a Back-Up Communications Plan for the MLGW Customer Care Center located at 1665 Whitten Road utilizing Session Initiation Protocol (SIP) Technology Solution and the ability to use 911 calling features with the new Voice Over Internet Protocol (IP) technology design. This change is to add additional funding in the amount of \$155,241.17 to the current term due to the demand for services caused by the COVID-19 Pandemic. The old circuit was in the process of being replaced with a new circuit; however, the pandemic hit during the replacement process. The Customer Care Center (CCC) decided to postpone the switchover and keep the old circuit in addition to the new circuit. This increase is due to having to pay for both circuits, until the switchover can get completed.

In addition, this change is to renew the current contract term for the second and final annual renewal term for the period covering August 16, 2021 through August 15, 2022 and to add 10% contingency funds for any unforeseen work in the amount of \$279,404.53. The total amount for this change and renewal is in the funded amount of \$434,645.70 This change and renewal complies with all applicable laws and policies. The new contract value is \$1,049,177.86.

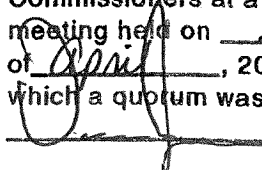
NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:



THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 3 to Contract No. 11682, Customer Care Center Back-Up Communications Plan with AT&T Business Systems to change and renew the current contract in the funded amount of \$434,645.70, as outlined in the above preamble, is approved; and further

THAT, the President or his designated representative is authorized to execute the Change 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 21<sup>st</sup> day of April, 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. 2 to Contract No. 12105, Overhead Water Storage Tank Painting for Capleville, Stonebridge, and Egypt Central with Currens Construction Services, LLC, in the funded amount of \$89,500.00.

### 2. Additional Information

The project scope is to provide preparation and application of coatings for three MLGW Overhead Water Storage Tanks. This change is to expand the scope of the current contract to add additional funds to the contract value for the removal, disposal, installation, and replacement of the existing 36" riser at Capleville Water Storage Tank. Also, this change is to extend the contract for an additional eight-month term due to delays caused by the COVID-19 pandemic; the contract term will end on June 15, 2022.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved Change No. 2 to Contract No. 12105, Overhead Water Storage Tank Painting for Capleville, Stonebridge, and Egypt Central with Currens Construction Services, LLC to change and extend the current contract in the funded amount of \$89,500.00; and is now recommending to the Council of the City of Memphis that it approves said change and extension as approved; and

WHEREAS, the project scope is to provide preparation and application of coatings for three (3) MLGW Overhead Water Storage Tanks: Capleville located at 5234 East Holmes Road; Stonebridge located at 8894 Highway 64; and Egypt Central located at 5384 Egypt Central Road. This change is to expand the scope of the current contract to add additional funds to the contract value in the funded amount of \$89,500.00 for the removal, disposal, installation, and replacement of the existing 36" riser at Capleville Water Storage Tank. Also, this change is to extend the contract for an additional eight (8) month term due to delays caused by the COVID-19 pandemic; the contract term will end on June 15, 2022. The original contract term was for 24 months from the date of the notice to proceed for the period covering October 16, 2019 through October 15, 2021. This change and extension complies with all applicable laws and policies. The new contract value is \$1,353,900.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 2 to Contract No. 12105, Overhead Water Storage Tank Painting for Capleville, Stonebridge, and Egypt Central with Currens Construction Services, LLC to change and extend the current contract in the funded amount of \$89,500.00 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**April 21, 2021**

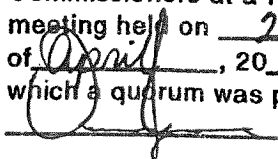
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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 2 to Contract No. 12105, Overhead Water Storage Tank Painting for Capleville, Stonebridge, and Egypt Central with Currens Construction Services, LLC to change the current contract in the funded amount of \$89,500.00 and extend the term of the contract.

The project scope is to provide preparation and application of coatings for three (3) MLGW Overhead Water Storage Tanks: Capleville located at 5234 East Holmes Road; Stonebridge located at 8894 Highway 64; and Egypt Central located at 5384 Egypt Central Road. This change is to expand the scope of the current contract to add additional funds to the contract value in the funded amount of \$89,500.00 for the removal, disposal, installation, and replacement of the existing 36" riser at Capleville Water Storage Tank. Also, this change is to extend the contract for an additional eight (8) month term due to delays caused by the COVID-19 pandemic; the contract term will end on June 15, 2022. The original contract term was for 24 months from the date of the notice to proceed for the period covering October 16, 2019 through October 15, 2021. This change and extension complies with all applicable laws and policies. The new contract value is \$1,353,900.00.

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 2 to Contract No. 12105, Overhead Water Storage Tank Painting for Capleville, Stonebridge, and Egypt Central with Currens Construction Services, LLC to change and extend the current contract in the funded amount of \$89,500.00, as outlined in the above preamble, is approved; and further;

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

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a ~~regular-special~~ meeting held on 21<sup>st</sup> day of April, 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. 17 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department, to authorize the annual fee payment in the funded amount of \$141,868.10. (This change is to authorize the annual payment in the funded amount of \$141,868.10, based on fiscal year 2020 data, covering January 1, 2020 through December 31, 2020, with an increase in meters from 255,558 to 257,942 from the previous year. This amount will be absorbed in the current contract value.)

### 2. Additional Information

The project scope is to implement a comprehensive aquifer protection program as mandated by local ordinance and regulations promulgated by the Shelby County Groundwater Quality Control Board. Joint funding is provided by MLGW and the incorporated towns of Arlington, Bartlett, Collierville, Germantown, and Millington.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved Change No. 17 to Contract No. 9955, Partial Funding of Pollution Control, Ground Water Quality Control Program, with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$141,868.10, and is now recommending to the Council of the City of Memphis that it approve said payment as funded in the 2021 budget; and

WHEREAS, the project scope is to implement a comprehensive aquifer protection program as mandated by local ordinance and regulations promulgated by the Shelby County Groundwater Quality Control Board. Joint funding is provided by MLGW and the incorporated towns of Arlington, Bartlett, Collierville, Germantown, and Millington. The annual fee assessed to MLGW is based on an adjusted number of meter connections and the current per meter charge. This change is to authorize the annual payment in the funded amount of \$141,868.10 based on Fiscal Year 2020 data, covering January 1, 2020 through December 31, 2020, with an increase in meters from 255,558 to 257,942 from the previous year. This payment request complies with all applicable laws and policies. The new contract value is \$1,961,918.20; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby Change No. 17 to Contract No. 9955, Partial Funding of Pollution Control, Ground Water Quality Control Program, with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$141,868.10 chargeable to the 2021 budget as approved.



**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**April 21, 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. 17 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$141,868.10.

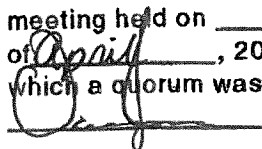
The project scope is to implement a comprehensive aquifer protection program as mandated by local ordinance and regulations promulgated by the Shelby County Groundwater Quality Control Board. Joint funding is provided by MLGW and the incorporated towns of Arlington, Bartlett, Collierville, Germantown, and Millington. The annual fee assessed to MLGW is based on an adjusted number of meter connections and the current per meter charge. This change is to authorize the annual payment in the funded amount of \$141,868.10 based on Fiscal Year 2020 data, covering January 1, 2020 through December 31, 2020, with an increase in meters from 255,558 to 257,942 from the previous year. This payment request complies with all applicable laws and policies. The new contract value is \$1,961,918.20.

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

THAT, the approval of Change No. 17 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to request payment in the funded amount of \$141,868.10, as outlined in the above preamble is approved; and further,

That the President or his designated representative is authorized to execute Payment.

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 21<sup>st</sup> day of April, 2021, at which a quorum was present.

  
Secretary-Treasurer

Contract 9955 is for the funding of the Memphis & Shelby County Health Department, Pollution Control, Ground Water Quality Control Program via the assessment of a per meter connection rate (\$0.55 per meter) for each municipality in Shelby County:

- Bartlett
- Collierville
- Germantown
- Millington
- MLGW

This is a brief outline of activities the meter activities for all municipalities supports:

1. A comprehensive program to prevent ground water contamination through permitting of wells
2. A comprehensive and expanding program of sampling and monitoring of all existing wells
3. A compilation and maintenance of an inventory of all existing and abandoned wells.
4. A comprehensive and vigorous enforcement program of all relevant ordinances and regulations
5. Water Well Permitting - Any person in Shelby County requesting the installation, modification, repair, or abandonment of a water well or any other type well shall make an application to the Water Quality Branch and Septic Tank Program.
6. The Health Department provides oversight and guidance for the Shelby County Ground Water Quality Control Board.
  - The board establishes and adopts the following regulations in accordance with the authority granted by the ordinances of Shelby County and the municipalities there in which established the Shelby County Ground Water Quality Control Board.
  - Rules and Regulations governing the location, design, installation, use, disinfection, modification, repair, and abandonment of water wells and associated pumping equipment, or any other type of well.

**SHELBY COUNTY HEALTH DEPARTMENT**  
Pollution Control Section | Water Quality Branch  
1826 Sycamore View Road  
Memphis, TN 38134  
(901) 222-9599 Office | (901) 222-9561 Fax

February 8, 2021

Memphis, Light Gas & Water Division  
Post Office Box 430  
Memphis, Tennessee 38101

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**FUNDING | 2021 WELLHEAD PROTECTION PROGRAM**  
**CONTRACT #9955**

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**CR: 010-400403-4252**

**ESTIMATED AMOUNT DUE: \$ 140,556.90**

Funding for the Shelby County Health Department, Pollution Control, Ground Water Quality Control Program, assessed at a charge of 55 cents per meter for a total of **255,558 Meters** for FY 2021.

Adjustment for FY 2021 Meter Connection/Actual number of meters 257,942 × .55 ±

To insure proper credit of your payment, please remit one copy of the enclosed invoice with your payment to the attention of Warkella Tyson Water Quality Branch.

**TOTAL AMOUNT DUE: \$ 141,868.10**

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## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution approving Change No. 2 to Contract No. 11896, Internet Service Provider with Windstream Enterprise, in the funded amount of \$53,500.00. (This change is to ratify, extend and upgrade Windstream internet service to one gigabit per second for MLGW internal DNS, Web, Email and E-business applications for the period covering March 18, 2020 through March 17, 2023. MLGW is requesting continuous service of the acquired system, which can only be performed by Windstream Enterprise.)

### 2. Additional Information

The project scope is to allow Windstream to provide 200 MBPS (megabit per second) internet access services for internal Domain Name System (DNS), Web, E-mail and E-business applications at the MLGW Netters Building located at 1665 Whitten Road. This change is to upgrade Windstream internet service to one gigabit per second (GBPS). One GBPS bandwidth will accommodate the workload from personnel working remotely and to support applications of Microsoft Office 365 cloud service.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved Change No. 2 to Contract No. 11896, Internet Service Provider with Windstream Enterprise to ratify, change, extend and increase the current contract in the funded amount of \$53,500.00, 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 Windstream, as a sole source provider, to provide 200 MBPS (megabit per second) internet access services for internal Domain Name System (DNS), Web, E-mail and E-business applications at the MLGW Netters Building located at 1665 Whitten Road. This change is to ratify, extend, and add additional funds to the current contract for 36 months for the period covering March 18, 2020 through March 17, 2023 in the funded amount of \$53,500.00. This change is to upgrade Windstream internet service to one (1) gigabit per second (GBPS). One (1) GBPS bandwidth will accommodate the workload from personnel working remotely and to support applications of Microsoft Office 365 cloud service. MLGW is requesting continuous service of the acquired system, which can only be performed by Windstream Enterprise. This sole source renewal complies with all applicable laws and policies. The new contract value is \$191,500.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved Change No. 2 to Contract No. 11896, Internet Service Provider with Windstream Enterprise to ratify, change, extend and increase the current contract in the funded amount of \$53,500.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**April 21, 2021**

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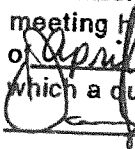
The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners, the approval of Change No. 2 to Contract No. 11896, Internet Service Provider with Windstream Enterprise to ratify, change, extend and increase the current contract in the funded amount of \$53,500.00.

The project scope is to allow Windstream, as a sole source provider, to provide 200 MBPS (megabit per second) internet access services for internal Domain Name System (DNS), Web, E-mail and E-business applications at the MLGW Netters Building located at 1665 Whitten Road. This change is to ratify, extend, and add additional funds to the current contract for 36 months for the period covering March 18, 2020 through March 17, 2023 in the funded amount of \$53,500.00. This change is to upgrade Windstream internet service to one (1) gigabit per second (GBPS). One (1) GBPS bandwidth will accommodate the workload from personnel working remotely and to support applications of Microsoft Office 365 cloud service. MLGW is requesting continuous service of the acquired system, which can only be performed by Windstream Enterprise. This sole source renewal complies with all applicable laws and policies. The new contract value is \$191,500.00.

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. 2 to Contract No. 11896, Internet Service Provider with Windstream Enterprise to ratify, change, extend and upgrade the current contract in the funded amount of \$53,500.00, as outlined in the above preamble is approved; and further,

THAT, The President or his designated representative is authorized to execute the Ratification, Change, and Extension.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular ~~special~~ meeting held on 21<sup>st</sup> day of April, 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. 2 to Contract No. 11852, Internet Service Provider with CenturyLink Business (formerly Level 3 Communications), in the funded amount of \$66,483.00. (This change is to ratify, extend and upgrade Centurylink/Lumen internet service to one gigabit per second (GBPS) to accommodate load from personnel working remotely and to support applications of Microsoft Office 365 Cloud service for the period covering March 16, 2020 through March 15, 2023. Due to the complexity and cost to configure dual Internet service provider routing protocol, MLGW is requesting approval of the acquired services which can only be performed by CenturyLink Business.)

### 2. Additional Information

The project allows CenturyLink Business to provide an upgrade to the Internet service delivered to 220 South Main Street, Memphis, Tennessee to 1 gigabit bandwidth for both upload and download. The Internet service delivered to the 220 South Main location is peered with MLGW's other current Internet Service Provider, Windstream Communications under Contract 11498, to provide redundancy and load balancing capabilities.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved Change No. 2 to Contract No. 11852, Internet Service Provider with CenturyLink Business (*formerly Level 3 Communications*) to ratify, change, extend and increase the current contract in the funded amount of \$66,483.00, 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 CenturyLink Business (*formerly Level 3 Communications*), as a single source provider, to provide an upgrade to the Internet service delivered to 220 South Main Street, Memphis, Tennessee from a 100 megabit to 200 megabit bandwidth for both upload and download. The Internet service delivered to the 220 South Main location is peered with MLGW's other current Internet Service Provider, Windstream Communications under Contract 11498, to provide redundancy and load balancing capabilities. This change is to ratify, extend, and add additional funds to the current contract for 36 months for the period covering March 16, 2020 through March 15, 2023 in the funded amount of \$66,483.00. This change is to upgrade CenturyLink/Lumen internet service to one (1) gigabit per second (GBPS) to accommodate load from personnel working remotely and to support applications of Microsoft Office 365 cloud service. Due to the complexity and cost to configure dual Internet service provider routing protocol, MLGW is requesting approval of the acquired services, which can only be performed by CenturyLink Business (*formerly Level 3 Communications*). This single source renewal complies with all applicable laws and policies. The new contract value is \$207,069.00; and



NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved Change No. 2 to Contract No. 11852, Internet Service Provider with CenturyLink Business (*formerly Level 3 Communications*) to ratify, change, extend and increase the current contract in the funded amount of \$66,483.00 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**April 21, 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. 2 to Contract No. 11852, Internet Service Provider with CenturyLink Business (*formerly Level 3 Communications*) to ratify, change, extend and increase the current contract in the funded amount of \$66,483.00.

The project scope is to allow CenturyLink Business (*formerly Level 3 Communications*), as a single source provider, to provide an upgrade to the Internet service delivered to 220 South Main Street, Memphis, Tennessee from a 100 megabit to 200 megabit bandwidth for both upload and download. The Internet service delivered to the 220 South Main location is peered with MLGW's other current Internet Service Provider, Windstream Communications under Contract 11498, to provide redundancy and load balancing capabilities. This change is to ratify, extend, and add additional funds to the current contract for 36 months for the period covering March 16, 2020 through March 15, 2023 in the funded amount of \$66,483.00. This change is to upgrade CenturyLink/Lumen internet service to one (1) gigabit per second (GBPS) to accommodate load from personnel working remotely and to support applications of Microsoft Office 365 cloud service. Due to the complexity and cost to configure dual Internet service provider routing protocol, MLGW is requesting approval of the acquired services, which can only be performed by CenturyLink Business (*formerly Level 3 Communications*). This single source renewal complies with all applicable laws and policies. The new contract value is \$207,069.00.

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. 2 to Contract No. 11852, Internet Service Provider with CenturyLink Business (*formerly Level 3 Communications*) to ratify, change, extend and upgrade the current contract in the funded amount of \$66,483.00, as outlined in the above preamble is approved; and further,

THAT, The President or his designated representative is authorized to execute the Ratification, Change, and Extension.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-~~special~~ meeting held on 21<sup>st</sup> day of April, 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. 2 to Contract No. 12043, Property & Boiler Insurance with FM Global, based on approved rates, not-to-exceed \$2,194,313.00. (This change is to renew the current contract for the second of four annual renewal terms covering the period June 1, 2021 through May 31, 2022.)

### 2. Additional Information

The project scope is to provide MLGW with property and casualty insurance for MLGW to mitigate risks pertinent to MLGW's Electric Substations, Water Pumping Stations, Buildings and Structures, property, boiler, and Liquefied Natural Gas facilities.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of May 20, 2020, approved Change No. 2 to Contract No. 12043, Property & Boiler Insurance with FM Global to renew the current contract in the funded amount, based on approved rates, not-to-exceed \$2,194,313.00, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to provide MLGW with property and casualty insurance for MLGW to mitigate risks pertinent to MLGW's Electric Substations, Water Pumping Stations, Buildings and Structures, property, boiler, and Liquefied Natural Gas facilities. This change is to renew the current contract for the second of four (4) annual renewal terms covering the period June 1, 2021 through May 31, 2022 in the funded amount, based on approved rates, not-to-exceed \$2,194,313.00. This renewal complies with all applicable laws and policies. The new contract value is \$5,383,267.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 2 to Contract No. 12043, Property & Boiler Insurance with FM Global to renew the current contract in the funded amount, based on approved rates, not-to-exceed \$2,194,313.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**April 21, 2021**

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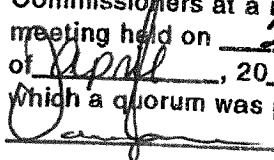
The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 2 to Contract No. 12043, Property & Boiler Insurance with FM Global to renew the current contract in the funded amount, based on approved rates, not-to-exceed \$2,194,313.00.

The project scope is to provide MLGW with property and casualty insurance for MLGW to mitigate risks pertinent to MLGW's Electric Substations, Water Pumping Stations, Buildings and Structures, boiler, and Liquefied Natural Gas facilities. This change is to renew the current contract for the second of four (4) annual renewal terms covering the period June 1, 2021 through May 31, 2022 in the funded amount, based on approved rates, not-to-exceed \$2,194,313.00. This renewal complies with all applicable laws and policies. The new contract value is \$5,383,267.00.

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. 2 to Contract No. 12043, Property & Boiler Insurance with FM Global to renew the current contract in the funded amount, based on approved rates, not-to-exceed \$2,194,313.00 as outlined in the above preamble, is approved; and further

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

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a ~~regular~~-special meeting held on 21<sup>st</sup> day of April, 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 Scruggs Equipment Company, Inc., for the purchase of hydraulic front mounted truck winches, in the amount of \$103,800.00.

### 2. Additional Information

This purchase includes four hydraulic front mounted truck winches that will be installed on the chassis of Division trucks which will be used by employees to maintain the electric, gas and water systems and for various customer service functions throughout Memphis and Shelby County.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved the purchase of hydraulic front mounted truck winches 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**, this purchase includes approximately four (4) hydraulic front mounted truck winches that will be installed on the chassis of Division trucks which will be used by employees to maintain the electric, gas and water systems and for various customer service functions throughout Memphis and Shelby County; and

**WHEREAS**, bids were opened on March 10, 2021. Notice to Bidders was advertised. Four (4) bids were solicited and one (1) bid was received in full compliance with MLGW's specification from the firm of Scruggs Equipment Company, Inc. 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 hydraulic front mounted truck winches from Scruggs Equipment Company, Inc. in the sum of \$103,800.00 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  
**April 21, 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 Scruggs Equipment Company, Inc. in the amount of \$103,800.00 for the purchase of hydraulic front mounted truck winches.

This purchase includes approximately four (4) hydraulic front mounted truck winches that will be installed on the chassis of Division trucks which will be used by employees to maintain the electric, gas and water systems and for various customer service functions throughout Memphis and Shelby County.

Bids were opened on March 10, 2021. Notice to Bidders was advertised. Four (4) bids were solicited and one (1) bid was received in full compliance with MLGW's specification from the firm of Scruggs Equipment Company, Inc. This award complies with all applicable laws and policies.

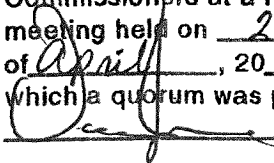
The 2021 budgeted amount for the purchase of Transportation and Fleet Services is \$12,700,123.00; of which \$103,800.00 will be spent on this purchase order in 2021; leaving a balance of \$12,596,323.00 after award; and

**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 purchase order to Scruggs Equipment Company, Inc. is approved for furnishing:

Tulsa model 20UA9B3R2G20K hydraulic front mounted truck winches with a 20,000-pound capacity installed on Division truck chassis in accordance to MLGW Specification TFMW-21-4001.

Totaling \$103,800.00; f.o.b. Memphis, Tennessee, our dock,  
transportation prepaid; prices being firm, terms net 30 days;  
delivery 120 – 150 days after receipt of order.

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 21<sup>st</sup> day  
of April, 2021, at  
which a quorum was present.  
 Secretary-Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution awarding purchase orders for two-ton steel utility service bodies to Utility Equipment Service, Inc., in the amount of \$30,723.00 and Scruggs Equipment Company in the amount of \$450,882.00.

### 2. Additional Information

The two-ton steel utility service bodies will be used by employees to maintain the electric, gas and water systems and for various customer service functions throughout Memphis and Shelby County.

## RESOLUTION

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved the purchase of two-ton steel utility service bodies 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 two-ton steel utility service bodies will be used by employees to maintain the electric, gas and water systems and for various customer service functions throughout Memphis and Shelby County; and

**WHEREAS**, bids were opened on March 10, 2021. Notice to Bidders was advertised. Four (4) bids were solicited and two (2) bids were received with the lowest and best complying bidders being the firms of Utility Equipment Service, Inc. for two (2) items and Scruggs Equipment Company for two (2) items. These awards comply 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 two-ton steel utility service bodies from Utility Equipment Service, Inc. in the sum of \$30,723.00 and to Scruggs Equipment Company in the amount of \$450,882.00 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  
**April 21, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards purchase orders to Utility Equipment Service, Inc. in the amount of \$30,723.00 and Scruggs Equipment Company in the amount of \$450,882.00 for the purchase of two-ton steel utility service bodies.

The two-ton steel utility service bodies will be used by employees to maintain the electric, gas and water systems and for various customer service functions throughout Memphis and Shelby County.

Bids were opened on March 10, 2021. Notice to Bidders was advertised. Four (4) bids were solicited and two (2) bids were received with the lowest and best complying bidders being the firms of Utility Equipment Service, Inc. for two (2) items and Scruggs Equipment Company for two (2) items. These awards comply with all applicable laws and policies.

The 2021 budgeted amount for Transportation and Fleet Services is \$12,700,123.00; of which \$481,605.00 will be spent on this purchase order in 2021; leaving a balance of \$12,218,518.00 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 purchase order to Utility Equipment Service, Inc. is approved for furnishing:

All steel utility body suitable for mounting on a two-ton crew cab and chassis in accordance with MLGW Specification No. TUB-21-2179 and Drawing No. GM-500 – 1 unit;

All steel utility body suitable for mounting on a two-ton crew cab and chassis in accordance with MLGW Specification No. TUB-21-2182 and Drawing No. GM-523 – 1 unit;

Totaling \$30,723.00; f.o.b. Memphis, Tennessee, our dock, transportation prepaid; prices being firm, terms net 30 days; delivery 120 day after receipt of order; and further

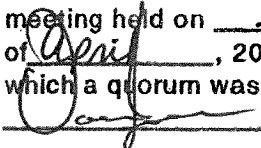
Scruggs Equipment Company be, and is hereby, awarded purchase order for furnishing:

All steel utility body suitable for mounting on a two-ton crew cab and chassis in accordance with MLGW Specification No. TUB-21-2193 and Drawing No. GM-524 - 4 units;

All steel utility body suitable for mounting on a two-ton crew cab and chassis in accordance with MLGW Specification No. TUB-21-2196 and Drawing No. GM-525 – 14 units;

Total award amounts to \$450,882.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; delivery 150-200 days after receipt of order; terms net 30 days;

The total of both awards amounts to \$481,605.00.

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 21<sup>st</sup> day of April, 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 Summit Truck Group, for two-ton cab and crew cab and chassis, in the amount of \$1,501,163.00.

### 2. Additional Information

The two-ton cab and crew cab and chassis will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions throughout Shelby County. These vehicles will replace existing equipment that will be retired from service based on age, actual operational usage, projected usage, repair cost and frequency, parts availability, and effectiveness to meet the Division's needs.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved the purchase of cab and crew cab and chassis 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 two-ton cab and crew cab and chassis will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions throughout Shelby County. These vehicles will replace existing equipment that will be retired from service based on age, actual operational usage, projected usage, repair cost and frequency, parts availability, and effectiveness to meet the Division's needs; and

**WHEREAS**, bids were opened on March 10, 2021. Notice to Bidders was advertised. Three (3) bids were solicited and two (2) bids were received with the lowest and best complying being the firm of Summit Truck Group. 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 cab and crew cab and chassis from Summit Truck Group in the sum of \$ 1,501,163.00 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**  
**April 21, 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 Summit Truck Group in the amount of \$1,501,163.00 for two-ton cab and crew cab and chassis.

The two-ton cab and crew cab and chassis will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions throughout Shelby County. These vehicles will replace existing equipment that will be retired from service based on age, actual operational usage, projected usage, repair cost and frequency, parts availability, and effectiveness to meet the Division's needs.

Bids were opened on March 10, 2021. Notice to Bidders was advertised. Three (3) bids were solicited and two (2) bids were received with the lowest and best complying being the firm of Summit Truck Group. This award complies with all applicable laws and policies.

The 2021 budgeted amount for the purchase of Transportation and Fleet Services is \$12,700,123.00; of which \$1,501,163.00 will be spent on this purchase order in 2021; leaving a balance of \$11,198,960.00 after award; and

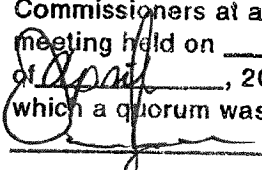
**NOW THEREFORE BE IT RESOLVED BY** the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, award of purchase order to Summit Truck Group is approved for furnishing:

Latest model cab and chassis having at least a 35,000 Gross Vehicle Weight Rating (GVWR) and 102"cab to axle, all in accordance with Division Specification No. TCC-21-1312 – 3 units;

Latest model crew cab and chassis having at least a 35,000 Gross Vehicle Weight Rating (GVWR) and 102"cab to axle, all in accordance with Division Specification No. TCC-21-1320 – 19 units;

Total amount of award is \$1,501,163.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; delivery 150-210 days 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 21<sup>st</sup> day of April, 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 thirty-six-month purchase order to Universal Scaffold and Equipment, for bare Aluminum Conductor Coated-Steel Reinforced (ACSR) 477 KCM, 18/1 strand pelican wire, in the amount of \$582,382.66.

### 2. Additional Information

The bare ACSR 477 KCM, 18/1 strand pelican wire will be used for routine maintenance, planned jobs and to replenish storeroom inventory for the electric distribution system.

## RESOLUTION

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of April 21, 2021 approved a thirty-six (36) month blanket purchase order for bare Aluminum Conductor Coated-Steel Reinforced (ACSR) 477 KCM, 18/1 strand pelican wire 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 subsequent budget years as approved; and

**WHEREAS**, the bare ACSR 477 KCM, 18/1 strand pelican wire will be used for routine maintenance, planned jobs and to replenish storeroom inventory for the electric distribution system; and

**WHEREAS**, bids were opened on February 10, 2021. Nineteen (19) bids were solicited and nine (9) bids were received with the lowest and best complying bidder being the firm of Universal Scaffold and Equipment. 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 bare ACSR 477 KCM, 18/1 strand pelican wire from Universal Scaffold and Equipment for the sum of \$194,127.55 chargeable to the MLGW 2021 fiscal year budget and the remaining balance of \$388,255.11 chargeable to subsequent budget years as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**April 21, 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 thirty-six (36) month purchase order to Universal Scaffold and Equipment in the amount of \$582,382.66 for bare Aluminum Conductor Coated-Steel Reinforced (ACSR) 477 KCM, 18/1 strand pelican wire.

The bare ACSR 477 KCM, 18/1 strand pelican wire will be used for routine maintenance, planned jobs and to replenish storeroom inventory for the electric distribution system.

Bids were opened on February 10, 2021. Nineteen (19) bids were solicited and nine (9) bids were received with the lowest and best complying bidder being the firm of Universal Scaffold and Equipment. This award complies with all applicable laws and policies.

The 2021 budgeted amount for Relocate at Customer's Request is \$3,700,000.00; the amount spent-to-date is \$48,949.71; leaving a balance of \$3,651,050.29 available to be spent in 2021; of which \$194,127.55 will be spent on this purchase order in 2021; leaving a balance of \$3,456,922.74 after award; the remaining balance of \$388,255.11 to be applied to 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 thirty-six (36) month contract to Universal Scaffold and Equipment is approved for furnishing:

Aluminum Conductor Coated-Steel Reinforced (ACSR) 477 KCM strand pelican wire for a thirty-six (36) month period furnished as released by MLGW. A copy of all unit prices to be placed on file in MLGW's Accounting Department;

The total award for thirty-six (36) months is approximately \$582,382.66; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said price being firm for the thirty-six (36) month contract period with metals escalation/de-escalation applied as applicable according to the Platts MW US Aluminum Transaction index at the time of shipment; delivery in 12-14 weeks after release; 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 21<sup>st</sup> day of April, 2021, at which a quorum was present.

  
Secretary-Treasurer

April 12, 2021

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

Dear Chairman Carlisle:

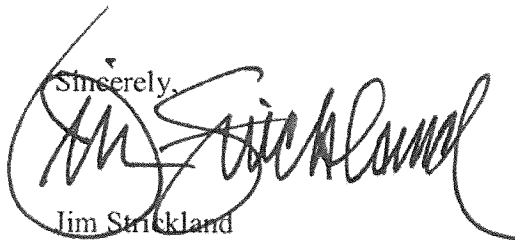
Subject to Council approval, I hereby recommend that:

**Chad Hampton**

be appointed to the Memphis Alcohol Commission with a term expiring December 31, 2022.

I have attached biographical information.

Sincerely,



Jim Strickland  
Mayor

JSS/sss

Cc: Council Members



April 12, 2021

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

Dear Chairman Carlisle:

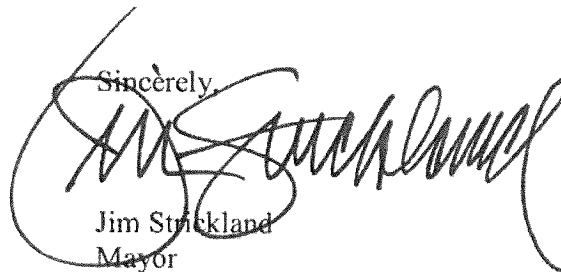
Subject to Council approval, I hereby recommend that:

**Brent Hooks**

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

I have attached biographical information.

Sincerely,



Jim Strickland  
Mayor

JSS/sss

Cc: Council Members

April 12, 2021

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

Dear Chairman Carlisle:

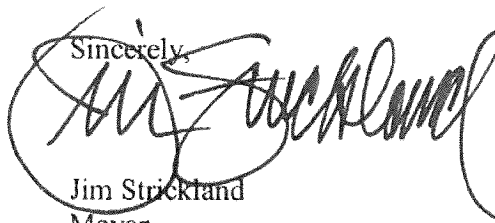
Subject to Council approval, I hereby recommend that:

**Kandace Stewart**

be appointed to the Memphis and Shelby County Community Redevelopment Agency with a term expiring August 31, 2024.

I have attached biographical information.

Sincerely,



Jim Strickland  
Mayor

JSS/sss

Cc: Council Members

April 12, 2021

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

Dear Chairman Carlisle:

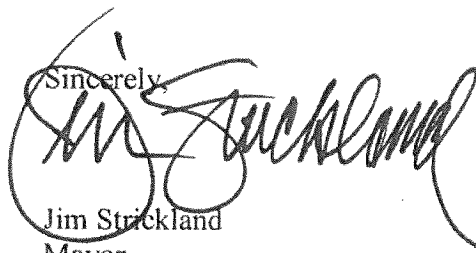
Subject to Council approval, I hereby recommend that:

**Kyle Veazey**

be appointed to the Memphis and Shelby County Sports Authority with a term expiring  
January 21, 2023.

I have attached biographical information.

Sincerely,



Jim Strickland  
Mayor

JSS/sss

Cc: Council Members

April 12, 2021

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

Dear Chairman Carlisle:

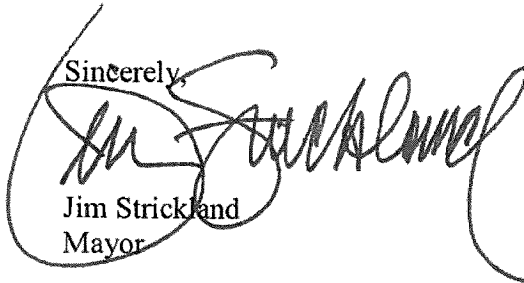
Subject to Council approval, I hereby recommend that:

**Rodney Douglas**

be reappointed to the Memphis and Shelby County Sports Authority with a term expiring January 21, 2027.

I have attached biographical information.

Sincerely,



Jim Strickland  
Mayor

JSS/sss

Cc: Council Members

April 12, 2021

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

Dear Chairman Carlisle:

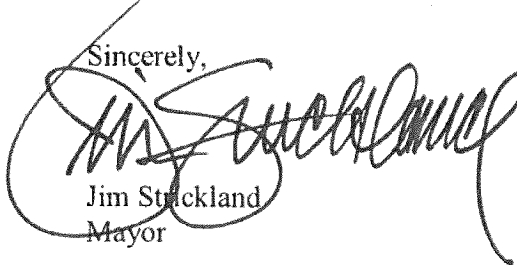
Subject to Council approval, I hereby recommend that:

**Jeri Moskovitz**

be reappointed to the Center City Revenue Finance Corporation Board with a term expiring December 31, 2026.

I have attached biographical information

Sincerely,



Jim Strickland  
Mayor

JSS/sss

Cc: Council Members

ADOPTING ORDINANCE

ORDINANCE NO. 5769

*An 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*

WHEREAS, the Council of the City of Memphis, as the City's legislative body, has the full power and authority under the Charter of the City to codify, revise and collect in the form of a code of ordinances of a general nature, and in doing so has the full power, to amend, alter, repeal or modify any ordinance of a general nature other than contract ordinances to conform such ordinances to the legislative intent of the Council before inclusion in said code;

WHEREAS, the last official code of ordinances was adopted by the City Council on September 1, 1985 pursuant to Ordinance No. 3490 (the "1985 Code");

WHEREAS, the City has contracted with different publishing companies to republish and supplement the 1985 Code, but such republications and supplements have not been reviewed and adopted by the Council as an official code from time to time as suggested by the City's Charter;

WHEREAS, the absence of an official code of ordinances and the use of unofficial republications of the former code with amendments has created confusing and lack of certainty as to the form, content and existence of new and amending ordinances adopted since September 1, 1985;

WHEREAS, due to clerical errors and omissions there have been many instances in which new and amending ordinances adopted since September 1, 1985 have been omitted or misstated in the unofficial republications

of the City's Ordinances;

WHEREAS, the use of numbering systems in the unofficial republications of the former code that are different from that used in the 1985 Code has made placement of new and amending ordinances more difficult and more susceptible to the opinion of the publisher of the republications rather than the intent of the Council.

WHEREAS, the Council has delegated to the City Attorney and the Council's Attorney the responsibility of making a thorough review of new and amending ordinances adopted by the Council since September 1, 1985 for the purpose of producing for adoption by the City Council a new Official Code of Ordinances that accurately reflects the state of law of the City as of the date(s) of adoption by the City Council.

WHEREAS, due to the volume of ordinances to be considered and codified and the need to provide clear guidance to the City and its citizens, the City Attorney and the Council's Attorney have presented this adopting ordinance consisting of the codification of 4 of the 49 Chapters of the 1985 Code and will periodically provide for adoption by the Council supplementary codification ordinances to supplement the codification herein approved.

*Be It Ordained by the Council of the City of Memphis That*

*Section 1.* A Code of Ordinances, consisting of Chapters 1 through 49, each inclusive, and the errata thereto, is hereby adopted and enacted as the "2021 Code of Ordinances, City of Memphis, Tennessee" (the "2021 Code").

*Section 2.* The Chapters of the 2021 Code will be approved in a series of Codification Adoption Ordinances. As and when chapters of the 2021 Code are approved by

ordinance, such approved chapters shall supersede and replace all then existing general and permanent ordinances of the City to the extent included in such codified chapters or to the extent such ordinances are inconsistent with the provisions of the chapters so codified.

*Section 3.* The Council does hereby further ordain that the following chapters of the 2021 Code as presented to and considered by the Council are hereby adopted and codified, namely:

Chapter 1-General Provisions

Chapter 2-Administration

Chapter 3-Personnel

Chapter 4-Pension and Retirement System

*Section 4.* All provisions of the Chapters of the 2021 Code adopted and codified by this ordinance shall be in full force and effect from and after this ordinance becomes effective, and all conflicting codes, provisions, chapters, sections, paragraphs and sentences of ordinances of a general and permanent nature in existence or enacted on final passage on or before the effective date of this ordinance, and not included in the 2021 Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this Ordinance.

*Section 5.* Any and all additions and amendments to the



2021 Code, when passed by ordinance in a form to specifically indicate the intention of the Council to make such additions and amendments a part of the 2021 Code, shall be deemed to be incorporated in the 2021 Code, so that reference to the 2021 Code shall be understood and intended to include such additions and amendments.

*Section 6.* Three (3) copies of the 2021 Code shall be kept on file in the office of the comptroller preserved in loose-leaf form, or in such other form as the comptroller may consider most expedient. The comptroller is also authorized to contract for the republication of the 2021 Code and supplements as approved by the Council in electronic format through a nationally recognized legal code publication company.

It shall be the express duty of the comptroller or someone authorized by him to insert in such copies and in their designated places all amendments or ordinances which the council has specifically approved, from time to time, to be to made a part of the 2021 Code when the same have been printed or reprinted in page form, and to extract from such copies all provisions which may be from time to time repealed by the Council. Such copies shall be available for all persons desiring to examine the same.

*Section 7.* The provisions the 2021 Code as approved by the Council or any copy thereof which purports to be published and maintained, in written or electronic

form, by authority of the City of Memphis shall be conclusively held to be evidence of the law of the City of Memphis from and after the times of their passage, with respect to any subject or provisions contained therein, and no person shall be permitted to impeach any such code provision on the ground that it was not duly and regularly passed in accordance with the laws existing at the time of its passage. Any prior uncodified republications of ordinances of the City with respect to any subject or provisions contained in the 2021 Code shall not be read and accepted in evidence from and after the adoption of any chapter of the 2021 Code.

Section 8. The provisions the 2021 Code as approved by the Council, or any copy thereof which purports to be published by authority of the City of Memphis, may be read and accepted in evidence in any court in this State without further proof of its passage.

Section 9. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 10. Severability. The provisions of this Ordinance are hereby declared to be severable. If any of the sections, amendments, provisions, sentences, clauses, phrases, or parts hereof are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

Section 11. Effective Date. The provisions of this Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

**SPONSOR:**  
**Council Chairman**

**PATRICE ROBINSON**  
**CHAIRPERSON**

**Ordinance No. 5771**

**SUBSTITUTE ORDINANCE OF THE CITY OF MEMPHIS TO AMEND THE CITY OF MEMPHIS CODE OF ORDINANCE 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.**

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

WHEREAS, pursuant to T.C. A. § 55-10-502, no person shall operate a motor vehicle or motor vehicles upon the public highways of Tennessee, or while on the premises of any shopping center, trailer park, any apartment house complex, or any other premises generally frequented by the public at large, or who is a participant therein, for the purpose of drag racing; and

WHEREAS, drag racing and reckless driving exhibitions have been on the rise in cities across the country and are an immediate threat to public safety and a nuisance to neighborhoods and commuters using various modes of transportation; and

WHEREAS, multiple deaths of innocent children have occurred in other cities due to the engagement in drag racing and reckless driving exhibitions; and

WHEREAS, cities across the country, such as Atlanta, San Diego, Sacramento, Kansas City, Albuquerque, and Milwaukee have enacted ordinances to prohibit drag racing exhibitions, including the prohibition of non-driver or spectator participation therein; and

WHEREAS, the City of Memphis has experienced an increasing occurrence of such activities over the past year; and

WHEREAS, this issue has caused multiple occurrences of public streets being shut down and made impassable; and

WHEREAS, in addition to prohibiting and penalizing drag racing and reckless driving exhibitions, it is also necessary to prohibit and penalize the organization of, and participation in, such activities, which draw large numbers of spectators, causing a disturbance of the peace and a threat to public safety; and

WHEREAS, establishing an ordinance to prohibit the organization of and participation in drag racing exhibitions, as defined herein, would enable the Memphis Police Department to more effectively combat the occurrence of such behavior; and

WHEREAS, in the interests of public safety and ensuring the well-being of motorists and pedestrians, it is necessary to amend the City of Memphis's Code of Ordinances to prohibit the organization of, and participation in, drag racing and reckless driving exhibitions.

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

SECTION 1: That Chapter 21, Motor Traffic and Vehicles, Article III, Operation of Vehicles Generally, also referenced as CHAPTER 11-16 "RULES OF THE ROAD" Section 21-134, shall be added and entitled "Non-Driver Participation in Drag Racing and Reckless Driving Exhibitions", as follows:

**Sec. 21-134. - Non-Driver Participation in Drag Racing and Reckless Driving Exhibitions**

*(A) For purposes of this section, the following terms shall mean*

*Drag racing and reckless driving exhibition* means any motor vehicle ascertaining the maximum speed obtainable by the vehicle; performing donuts, burnouts and drifting by a single automobile; ascertaining the highest obtainable speed of the vehicle within a certain distance or within a certain time limit; the use of any one or more motor vehicles for the purpose of comparing the relative speeds of the vehicle or vehicles, or for comparing the relative speeds of the vehicle or vehicles within a certain distance or within a certain time limit; the use of one or more motor vehicles in an attempt to outgain, outdistance or to arrive at a given destination simultaneous with or prior to that of any other motor vehicle; or the use of any motor vehicle for the purpose of the accepting of, or the carrying out of any challenge, made orally, in writing, or otherwise, made or received with reference to the performance abilities of one or more motor vehicles;

*Organizer* means any individual who in any manner knowingly takes part in the planning, organization, coordination, facilitation, advertising or sharing of the location for any such drag race, or collect moneys in connection with a drag racing exhibition, as defined herein;

*Participant* means any individual who is knowingly present at a drag racing exhibition for the purpose of actively taking part in the event, through conduct including riding in a race vehicle as a passenger; assisting the organizers and/or drivers in carrying out or promoting the event; or exchanging money or anything of value with any driver, car owner, or other participant in connection with the event. For the purposes of this section, a person who is a mere bystander, passerby, or observer not aware of the illegal activity shall not be deemed a participant.

**(b) Violations.**

**(1)** No person shall knowingly act as an organizer of a drag racing or reckless driving exhibition, as defined herein.

**(2)** Except as provided elsewhere in this chapter, no person shall knowingly act as a participant in a drag racing or reckless driving exhibition, as defined herein.

**(d) Penalties.**

**(1)** Anyone found in violations of this section shall be prosecuted in the same manner as other traffic violations of this Code, shall be initiated upon issuance of a traffic citation ticket subjected to a fine not to exceed \$50.00 and shall require a mandatory court appearance.

**(e) Exemptions.**

This section shall not apply to licensed or duly authorized racetracks, drag strips, or other designated areas set aside by proper authorities for such purposes.

**SECTION 2. 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 3. 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.

SPONSOR  
Ford Canale  
Rhonda Logan  
Jeff Warren

Chairman  
Frank Colvett

ORDINANCE NO. \_\_\_\_\_  
**ORDINANCE TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT,  
PRESERVE THE MEMPHIS SAND AQUIFER, AND PROMOTE  
ENVIRONMENTAL JUSTICE**

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

WHEREAS, the potential risks to groundwater resulting from improper siting and routing of underground toxic and hazardous materials infrastructure do not receive sufficient scrutiny at any level of government in Tennessee.

WHEREAS, recognizing the important and traditional role of city government in protecting the drinking water of its citizens, the Memphis City Council has determined a need to ensure increased oversight of structures that may impact the Memphis Sand Aquifer or Wellhead Protection Areas.

WHEREAS, acknowledging that patterns of racial, ethnic, and economic inequality in the United States have resulted in the inequitable geographic concentration of potential environmental hazards, the Memphis City Council has determined that this increased level of oversight must also ensure that new development in the City does not cause adverse impacts on the minority populations, low-income populations, and neighborhoods historically burdened by environmental pollution.

WHEREAS, the Federal Safe Drinking Water Act, 42 U.S.C. §§ 300f *et seq.*, requires states to protect public water supplies, and pursuant to the Act the United States Environmental Protection Agency has authorized the Tennessee Department of Environment and Conservation to enforce the Act.

WHEREAS, the Tennessee Department of Environment and Conservation, pursuant to the Tennessee Safe Drinking Water Act of 1983, T.C.A. §§ 68-221-701 *et seq.*, promulgated regulations, including Tenn. Comp. R. & Regs. 0400-45-01-.34, and those state regulations identify the important role of local governments in protecting public drinking water, including through the enactment of ordinances to implement or support the wellhead protection plans developed by public water system operators.

WHEREAS, Memphis City Charter, Section 409, grants the City power to pass all laws to preserve the health of the City.

WHEREAS, Memphis City Charter, Section 405, grants the City power to regulate the keeping and storage of combustible articles.

WHEREAS, Memphis City Charter, Section 369, grants the City power over all affairs in the City in which the peace, safety, or general welfare of the inhabitants is interested.

WHEREAS, Memphis City Charter, Section 834, grants the City power to provide rules and regulations for the use, handling, storage and sale of inflammable liquids and the products thereof.

NOW THEREFORE, the Memphis City Council hereby adopts the following requirements designed to protect the Memphis Sand Aquifer, Wellhead Protection Areas, and the health and well-being of the people of Memphis.

**I. Definitions**

For the purposes of this section:

1. **Committee:** Unless otherwise specified, the Memphis City Council Public Works Committee.
2. **Development:** Any man-made change defined as the construction of buildings or other structures, mining, dredging, paving, filling, grading or site clearing, and grubbing in amounts greater than ten cubic yards on any lot or excavation.
3. **Division:** Unless otherwise specified, the Division of Engineering of the City of Memphis.
4. **Groundwater:** Any waters of the State as defined in T.C.A. § 69-3-103 (Tennessee Water Quality Control Act), occurring below the surface of the ground not contained by artificial barriers.
5. **Toxic or hazardous materials or wastes:** Any substance which poses an actual or potential hazard to water supplies or human health if such a substance were discharged to land or waters of Memphis. Such materials include nuclear or radioactive materials or wastes, crude oil and petroleum products, and any hazardous substance or hazardous waste as listed within:
  - a. Superfund Amendments and Reauthorization Act (SARA) of 1986, Section 302, Extremely Hazardous Substances List (40 CFR 300, App. A and B);
  - b. Comprehensive Environmental Response Compensation and Liability Act Superfund (CERCLA) of 1980, Hazardous Substances List (40 CFR 302, Table 302.4);
  - c. SARA of 1986, Section 313, Toxic Chemicals List (40 CFR 372.45); and



- d. Resource Conservation and Recovery Act (RCRA) of 1976 and 1984 Amendments, Hazardous Wastes List (P and U Categories) (40 CFR 261.33 (e) and (f)).

6. **Wellhead Protection Area:** The surface and subsurface area surrounding a water well, well field or spring supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well, wellfield or spring. The Wellhead Protection Area contains both the Wellhead Protection Zone (Zone 1) and the Wellhead Management Zone (Zone 2), as described in Tenn. Comp. R. & Regs. 0400-45-01-.34.

## II. Prohibited Development

1. Absent express approval by the Committee, new developments with the following uses are prohibited throughout the City of Memphis:
  - a. underground hazardous or toxic materials storage tanks, unless contained within basements; and
  - b. underground hazardous liquid transportation or transmission infrastructure, such as pipelines for petroleum products and crude oil.
2. This prohibition will not apply to private or public wastewater, septage, or sewerage tanks or infrastructure.

## III. Consideration of Exemptions to Prohibited Uses

1. Any person seeking Committee approval to develop for a prohibited use within the City of Memphis, shall first submit to the Division an application for approval with a Groundwater Impact Statement. The Groundwater Impact Statement shall include:
  - a. a description of the planned development, including a description of the type and volume of toxic or hazardous material to be stored or transported;
  - b. documentation of all other required local, state, and federal permits necessary for the development;
  - c. a site plan that shows:
    - i. the area of the development that is in the City of Memphis;
    - ii. the location of the boundaries of the Wellhead Protection Area and all existing public water supply wells in relation to the project, within 1,000 feet of the project boundary; and
    - iii. the location of all known existing private water supply wells within 1,000 feet of the project boundary;
  - d. an analysis of the potential for the development to cause disproportionate adverse impacts on minority populations, low-income

- populations, and neighborhoods historically burdened by environmental pollution;
- e. an analysis of any potential adverse environmental or groundwater impacts resulting from the development; and
  - f. any other additional information as may be requested by the Division regarding the proposed development, its potential impacts on groundwater or the public interest, hydrogeologic information, monitoring and mitigation measures.
2. After receiving any such application, the Division shall ensure that the application is complete, and request further information from the applicant is required. The Division shall also seek comments on the application and Groundwater Impact Statement from the following:
    - a. Memphis Light, Gas & Water;
    - b. Memphis and Shelby County Land Use and Development Services; and
    - c. The Shelby County Groundwater Quality Control Board.
  3. The Division shall solicit and collect public comments regarding the application. The Division shall:
    - a. give public notice of the application, which must include access to the applicant's Groundwater Impact Statement and a means for the public to submit comments to the Division; and
    - b. accept public comments for at least 30 days from the public notice of the application.
  4. The Division shall then submit the application, Groundwater Impact Statement, comments from local agencies, and public comments to the Committee for review.
  5. The Committee shall hold a public hearing on the application, allowing a presentation by the applicant and comments from members of the public. At least 30 days prior to holding the public hearing, the Committee must give notice to the applicant and members of the public regarding the time and date of the hearing, as well as providing access to the application and Groundwater Impact Statement.
  6. Within 45 days of conducting the public hearing, the Committee shall decide whether or not to approve the application. The Committee shall only approve the application if it determines, after full consideration of the Groundwater Impact Statement all comments received, and any additional information that the Committee may, in its discretion, request from the applicant, that approving the application would be in the public interest, which shall include a determination that:

- a. the development will not go through any Wellhead Protection Area, as delineated in the most recent Wellhead Protection Plan finalized by Memphis Light, Gas & Water;
  - b. Memphis Light, Gas & Water has no objections to the development;
  - c. there will be no potential adverse environmental or groundwater impacts resulting from the proposed development, or any future land uses associated with the development; and
  - d. there will be no disproportionate impacts on minority populations, low-income populations, or neighborhoods historically burdened by environmental pollution.
7. Within 14 days of approving or rejecting the application, the Committee shall send notice of the decision to the applicant, and provide notice of the decision to the public.
  8. The applicant, or any person who submitted comments to the Division or attended the public hearing, may petition the Memphis City Council for review of the Committee's decision within 30 days of the Committee providing public notice of the decision. The Council shall review the application to determine whether the project is in the public interest, according to the criteria described in this section.

#### **IV. Existing Development**

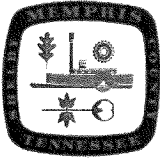
1. Development that would be prohibited without a special exemption, which has completed construction and is in operation at the time this ordinance is adopted, may continue operation without applying for an exemption.
2. The owner or operator of the development must apply for an exemption under the provisions of this ordinance prior to initiating any addition, expansion, or construction activities, and before any significant change in operations.

#### **V. Compliance with Other Authority**

All activities and development being considered by the Committee under this ordinance shall comply with these and all other relevant local ordinances and regulations, as well as all relevant state and federal laws and regulations. Any approval of an application for exemption by the Committee shall not be taken as a finding of public purpose or use in the context of any eminent domain proceedings, and conveys no additional rights or privileges to applicant. To the extent that this ordinance explicitly conflicts with any other local, state, or federal regulation, the more restrictive will apply.

**VI. Savings Clause**

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the ordinance as a whole or any other part thereof.



**A RESOLUTION TO ALLOCATE FUNDING TO THE  
GROUP VIOLENCE INTERVENTION PROGRAM (GVIP) SERVICE CENTER**

**WHEREAS**, the City of Memphis is committed to the safety, health, and welfare of all its residents and visitors; and

**WHEREAS**, on February 2, 2021 the Memphis City Council approved a resolution establishing a new Group Violence Intervention Program (GVIP) that will employ the public health approach to reducing violent crime with the aim of changing individual behaviors and changing our collective norms through five focused program areas:

1. Suppression – through reimagined policing practices and focused deterrence.
2. Intervention and Outreach – in the streets, in the schools and in our hospitals, interrupting violence and connecting those most at risk to services they need.
3. Prevention – promoting jobs, learning, and opportunities with an emphasis on building skills our young people need to be productive.
4. Community Mobilization - galvanizing our community against this violence epidemic by bringing young people, neighborhood residents, community organizations, and law enforcement together to address the underlying causes of the violence.
5. Organizational Change - Transforming policies, coordinating practices, and advocating for changes necessary to reduce youth gun violence; and

**WHEREAS**, an operating budget and complement of two (2) full-time appointed roles are needed to launch GVIP; and

**NOW, THEREFORE, BE IT RESOLVED** that the FY21 Operating Budget is hereby amended to establish the Group Violence Intervention Program Service Center at a funded amount of \$1,000,000 allocated from excess sale's tax revenues, to include a complement of two (2) full-time appointed roles in the Executive Division.

**RESOLUTION for City of Memphis**

**Capital Improvement Program**

**Fiscal Year 2022**

**WHEREAS**, the Mayor submitted to the Council of the City of Memphis on April 20, 2021 a recommended Capital Acquisition Budget and a Capital Improvement Program for fiscal years 2022 through 2026; and

**WHEREAS**, said Capital Acquisition Budget projects needed acquisitions of vehicles and equipment and the Capital Improvement Program does project on a priority basis the anticipated Capital expenditure required to construct needed public improvements for the said period; and

**WHEREAS**, the Budget Committee of the Council has held meetings and reviewed thoroughly the recommended Capital Acquisition Budget and Capital Improvement Program and will make approved revisions thereto; and

**WHEREAS**, it is the intent of the Council that funds for replacement vehicles and equipment as set forth in the Capital Acquisition Budget should be appropriated herein; and

**WHEREAS**, it is the intent of the Council that funds for construction require appropriation by Council; and

**WHEREAS**, the Comptroller is authorized to bring forward into the 2022 fiscal year all unappropriated allocations for uncompleted projects, or projects that have not begun and are necessary to be carried forward from the fiscal year 2021 Capital Budget as carried forward dollars; and

**WHEREAS**, it is the intent of the Council and the Administration to affect a material reduction in future capital expenditures; and

**WHEREAS**, to achieve this goal all prior years G. O. Bond unappropriated allocations, that have not been approved to carry forward in the fiscal year 2022 Capital Improvement Budget, shall be unallocated and removed from the Capital Improvement Program; and

**WHEREAS**, provisions have been made that upon completion or deletion of any authorized project, all unused allocations or unencumbered appropriations on projects completed in FY22 the funding will be returned to its source by the Comptroller and/or made available for transfer or reallocation, subject to further appropriation and allocation of said funds by the Council;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of Memphis that the fiscal years 2022-2026 Capital Improvement Program be and the same is hereby approved and adopted as the City's Official Statement of Intent to construct needed public improvements subject to annual review and modification, and the Capital Acquisition Budget is hereby adopted as needed replacements of vehicles and equipment. Funds approved for capital acquisition, street maintenance and asphalt/paving/resurfacing are considered approved, allocated and appropriated as set forth in the fiscal year 2022 budget upon approval, the welfare of the City requiring it. The General Obligation bond Capital Improvement Program funding for fiscal year 2022 is \$88,797,900.

Appendix "A", which is the Fiscal Year 2022 CIP Budget attached hereto, details the construction projects, capital maintenance, and capital acquisitions and is made a part of this resolution.

**BE IT FURTHER RESOLVED**, that the fiscal year 2022 allocations in the Capital Improvement Program be and are hereby adopted as the fiscal year 2022 Capital Construction Budget and funds

are appropriated for architectural/engineering services and for land options, if necessary. The Administration shall use the following procedures in moving forward with Capital Construction projects:

The Administration shall present to the appropriate Council Committee the schematic design of the project(s) as defined by the standard Architectural and Engineering Agreement used by the City of Memphis, at an architectural or engineering expense not to exceed 20% of the contracted professional fee amount. Projects designed "in house" or gratuitously must also go through the process. Council approval in the next following regular session of the Council is then required before the continuation of any such project.

After such Council approval, Administration will proceed with final plan preparation, final land acquisition and take bids for the project. Council shall be informed as to the time limitation designated in the professional contract.

The Administration will return to the Council for approval of funds for construction expenditures.

**BE IT FURTHER RESOLVED**, that projects with prior years allocation in any stage of design on the date of the 2022 budget adoption, that have not followed the procedure outlined above, must be returned to the Council for approval prior to going to bid.

**BE IT FURTHER RESOLVED** that projects with prior years allocation, which are not yet in the design process on the date of the adoption of the 2022 CIP budget, and have been allowed for carry forward, or are funded by funds other than G. O. Bonds, must follow the same procedure outlined above for all prior approved projects.

**BE IT FURTHER RESOLVED**, that upon the completion/bond release of any authorized project, any unencumbered balance on projects completed in fiscal year 2022 will be returned to its source of funding, and/or made available for transfer or reallocation, subject to further allocation and appropriation of said funds by the Council.



**BE IT FURTHER RESOLVED**, that the Comptroller be and is hereby authorized to un-allocate and eliminate all prior year allocations that have not been carried forward in the fiscal year 2022 Capital Construction Budget.

**BE IT FURTHER RESOLVED**, that after construction funds have been appropriated by the Council, the Comptroller is no longer authorized to approve the transfer of unencumbered funds between categories within each project but must return to the Council for approval of such action.

**BE IT FURTHER RESOLVED**, that projects which subsequently require appropriations more than the total project amount approved in the fiscal year 2022 Capital Construction Budget and the Capital Acquisition Budget be subject to further Council approval.

**BE IT FURTHER RESOLVED**, that any land, building or facility under the jurisdiction of the City of Memphis or which has ever been funded or partially funded by the City of Memphis cannot be demolished, sold, given to, or leased to any non-municipal entity without authorization of the City Council. The authorization does not apply to routine short-term rental. Without authorization of the City Council, no assets may be received by the City.

**BE IT FURTHER RESOLVED**, that there be and is hereby appropriated an amount up to \$11,000,000 for the acquisition of vehicles and equipment as set forth in the fiscal year 2022 allocation of the Capital Acquisition Budget.

**BE IT FURTHER RESOLVED**, that the Comptroller be and is hereby authorized to bring forward into the fiscal year 2022 Capital Construction Budget all appropriations and only those allocations that have been carried forward from the fiscal year 2021 Capital Construction Budget.

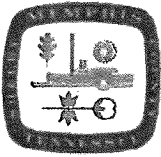
**BE IT FURTHER RESOLVED**, that the Council expressly declares that each section, sub-section, paragraph and provision of this resolution is severable, and that should any portion of this resolution be declared unconstitutional or invalid by a Court of Law, the same shall not affect the remainder of this resolution, but such unconstitutional or invalid portion shall be elided, and the City Council declares that it would have passed this resolution with such unconstitutional or invalid portions elided.

**BE IT FURTHER RESOLVED**, that this resolution 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 the law.

\_\_\_\_\_  
Frank Colvett, Chairperson of Memphis City Council

ATTEST:

\_\_\_\_\_  
Dywuana Morris, Comptroller, City of Memphis



# City Council Item Routing Sheet

Division Fire Committee Pub Safety Hearing Date 4-20-21  
 Various Various  
 District \_\_\_\_\_ Super District \_\_\_\_\_

- Ordinance  Resolution  Grant Acceptance  
 Budget Amendment  Commendation  Other:

**Item Description :**  
 A resolution to accept 2021 Reducing Diesel Emissions for a Healthier TN funds from the TN Department of Environment and Conservation in the amount of Two Hundred Five Thousand Dollars (\$205,000) to be used for partial funding for the purchase of four (4) ambulances with idle mitigation systems.

**Recommended Council Action:**  
 Approve the resolution

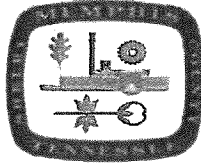
**Status of MWBE planned expenditures funding, if applicable:**  
 Not applicable. Amendment to current contract that had no MWBE goal.

**Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:**  
 None

<b>Does this item require city expenditure?</b> <i>yes</i> \$ Amount <u>\$800,500</u> \$ Revenue to be received <u>\$205,000</u>	<b>Source and Amount of Funds</b> \$ Operating Budget \$ CIP Project # \$800,500 \$ Federal/State/Other \$205,000
--	--

### Approvals

Director Hope Lloyd Date 4-14-21 Chief Administrative Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Budget Manager \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_ Council Committee Chair \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Legal Officer \_\_\_\_\_ Date \_\_\_\_\_



## Memphis City Council Summary Sheet

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

A resolution to accept 2021 Reducing Diesel Emissions for a Healthier TN funds from the TN Department of Environment and Conservation in the amount of Two Hundred Five Thousand Dollars (\$205,000) to be used for partial funding for the purchase of four (4) ambulances with idle mitigation systems.

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

Fire Services is the initiating party.

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

There is no change to an existing ordinance or resolution.

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

This will impact all council and super districts.

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

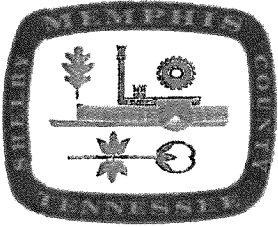
This will not require a new contract but will require an amendment to an existing contract.

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

This requires an expenditure and budget adjustment.

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

There is no MWBE goal.



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

**WHEREAS**, The City of Memphis Division of Fire Services has been awarded grant funds in the amount of Two Hundred Five Thousand Dollars (\$205,000.00) from the TN Department of Environment and Conservation for partial funding for the purchase of four (4) ambulances with idle mitigation systems with City funding estimated to be Eight Hundred Thousand Five Hundred Dollars (\$800,500.00); and

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

**WHEREAS**, It is necessary to accept the grant funding for the 2021 Reducing Diesel Emissions for a Healthier TN Grant Program. Funds will be allocated and appropriated when received in Misc Grant Fund (0205); and

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

## **Memphis City Council Summary Sheet for MLGW Items**

**1. Description of the Item**

Resolution approving an amended rate schedule for the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC for legal services rendered concerning water rights litigation, patents, environmental, tort and contract litigation, regulatory matters and other legal matters uniquely related to the utility industry.

**2. Additional Information**

The amended rate schedule represents an increase in the rates to be paid to such firm engaged on an as needed basis.

**RESOLUTION**

WHEREAS, on April 7, 2021 the Vice President and General Counsel recommended to the Board of Light, Gas and Water Commissioners, that the hourly rates for work performed by the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC employed on an "as needed" basis, be increased to the following rates:

Senior Counsel	-	\$485 - \$500
Shareholder	-	\$280 - \$360
Associates	-	\$230 - \$290
Paralegals	-	\$130 - \$150

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that MLGW is authorized to employ the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC on an "as needed" basis at the new hourly rates set forth in the foregoing preamble.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**April 7, 2021**

---

The Vice President and General Counsel submitted for Board approval an amended rate schedule for the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC for legal services rendered concerning water rights litigation, patents, environmental, tort and contract litigation, regulatory matters and other legal matters uniquely related to the utility industry.

The Vice President and General Counsel recommends that Baker, Donelson, Bearman, Caldwell & Berkowitz, PC be employed on an "as needed" basis at the following hourly rates:

Senior Counsel	-	\$485 - \$500
Shareholder	-	\$280 - \$360
Associates	-	\$230 - \$290
Paralegals	-	\$130 - \$150

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

**THAT**, Subject to the consent and approval of the City Council of the City of Memphis, the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC shall be employed on an "as needed" basis at the hourly rates set forth in the foregoing preamble.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 7 day of April, 2021, at which a quorum was present.

  
Secretary - Treasurer



**MINUTES**

**TELEPHONIC MEETING OF APRIL 6, 2021 RECESSED MEETING TO  
APRIL 20, 2021 MEETING OF THE CITY COUNCIL CITY OF MEMPHIS**

**MARCH 16, 2021**

**3:33 P.M. MEETING RECONVENED**

(After the meeting was re-opened for the transaction of business and a quorum was declared present, Councilwoman Swarengen made a motion to adjourn the April 6, 2021 City Council Meeting; this was seconded by Councilman Carlisle, without objection.)

(Chairman Colvett adjourned the April 6, 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, April 6, 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 3:34 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**

**April 20, 2021**

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

**3:34 P.M. MEETING COMMENCED**

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

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

**INVOCATION**

The meeting was opened with telephonic prayer by Bishop Althea Greene, Senior Pastor of Real Life Ministries. Councilwoman Easter-Thomas thanked Bishop Greene for being the Chaplain of the Day.

Chairman Colvett asked Councilwoman Swearngen 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 April 6, 2021 with the following motion:

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

**APPROVED**

- 24. **ORDINANCE PROTECTING PUBLIC HEALTH AND THE ENVIRONMENT, PRESERVE THE MEMPHIS SAND AQUIFER, AND PROMOTE ENVIRONMENTAL JUSTICE, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5782 IS SPONSORED BY COUNCILMAN WARREN AND COUNCILMAN FORD.**

Held until May 4, 2021

- 25. **RESOLUTION REQUESTING FUNDING BE ALLOCATED TO THE GROUP VIOLENCE INTERVENTION PROGRAM (GVIP) SERVICE CENTER. THIS RESOLUTION IS SPONSORED BY THE EXECUTIVE DIVISION.**

Held until May 4, 2021

- 2. **RESOLUTION DESIGNATING APRIL 2021 AS SECOND CHANCE MONTH. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN ROBINSON AND COUNCILMAN WARREN.**

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

**APPROVED**

- 3. **RESOLUTION ADOPTING CERTAIN AMENDMENTS TO THE MEMPHIS 3.0 COMPREHENSIVE PLAN. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

APPLICANT: MEMPHIS AND SHELBY COUNTY DIVISION OF PLANNING & DEVELOPMENT

REQUEST: APPROVE THE RESOLUTION ADOPTING CERTAIN AMENDMENTS TO THE MEMPHIS 3.0 COMPREHENSIVE PLAN

LUCB AND DPD RECOMMENDATION: APPROVAL

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

**APPROVED**

- 4. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 3695 AUSTIN PEAY HWY., PARCEL ID #086021-0003, CONTAINING +/-1.2 ACRES IN THE COMMERCIAL MIXED USE – 1 (CMU-1) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 4/6)**

CASE NO. SUP 21-05

Applicant: TVT1, LLC (Tower Ventures)  
Lou Katzerman, Zoning Manager – Representative

Request: To allow a 170-foot Monopole Communications (CMCS) Tower

LUCB and DPD recommendation: APPROVAL, with conditions

MOTION: Canale

SECOND: Swearngen

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

**APPROVED**

- 5. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 0 JACK CARLEY CAUSEWAY, PARCEL ID #024001 00014Z, CONTAINING +/- 2.16 ACRES IN THE HEAVY INDUSTRIAL (IH) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. SUP 21-07

Applicant: MERS, LLC/Pilot Thomas Logistics  
Michael Reeve, PE, Reeves Design Services, LLC – Representative

Request: To allow a truck fueling establishment

LUCB and DPD recommendation: APPROVAL, with conditions

MOTION: Canale

SECOND: Smiley

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

**APPROVED**

- 6. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED AT 969 EAST MCLEMORE AVENUE, CONTAINING +/-0.61 ACRES IN THE COMMERCIAL PLANNED DEVELOPMENT DISTRICT. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. PD 2021-006

Applicant: DCC Rentals, LLC – Derrick Craig

Request: Commercial Planned Development

LUCB and DPD recommendation: APPROVAL, with conditions

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

**APPROVED**

- 7. **ORDINANCE REZONING THE NORTHWEST CORNER OF FRAYSER BOULEVARD AND ARDMORE STREET; CONTAINING 0.7 ACRES IN THE RESIDENTIAL – 6 AND RESIDENTIAL – 10 DISTRICTS 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 21-04  
ORDINANCE NO. 5780

Applicant: National Cities Corporation  
David Bray of the Bray Firm – Representative

Request: Commercial Mixed Use – 1

LUCB and DPD recommendation: APPROVAL

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

**APPROVED**

- 8. **ORDINANCE 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 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 21-01  
ORDINANCE NO. 5781

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

**APPROVED**

**(Councilwoman Johnson made a motion to divide the question and vote on the Item #9 – Case No. CTHD separately; without objection.)**

**(Councilwoman Robinson made a motion to divide the question and vote on Item #10 – Case No. ZTA 21-01 separately; without objection.)**

**CONSENT AGENDA – Items #11 & #12 may be acted upon by one motion: See Page 6004 for Roll Call Consent Item.**

- 11. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF PARK AVENUE BETWEEN INMAN ROAD AND HAYNES STREET FOR MRS. IRENE TUGGLE MASON. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN SWEARENGEN. (REQUEST FOR SAME NIGHT MINUTES)**

**APPROVED**

- 12. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF LANIER LANE BETWEEN WILLOW ROAD AND MALLORY AVENUE FOR DR. LULAH M. HEDGEMAN. THIS RESOLUTION IS SPONSORED BY COUNCILMAN CANALE.**

**APPROVED**

**ROLL CALL CONSENT ITEM**

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

**APPROVED**

- 10. **ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE AS ADOPTED BY THE CITY OF MEMPHIS AUGUST 10, 2010, AND BY SHELBY COUNTY AUGUST 9, 2010 AS AMENDED, TO REVISE AND ENHANCE THE JOINT ZONING AND SUBDIVISION REGULATIONS AS RECOMMENDED BY THE MEMPHIS AND SHELBY COUNTY DIVISION OF PLANNING AND DEVELOPMENT AND THE LAND USE CONTROL BOARD. THIS TEXT AMENDMENT AFFECTS ALL PROPERTY WITHIN THE CITY OF MEMPHIS AND UNINCORPORATED SHELBY COUNTY, UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. ZTA 21-01  
ORDINANCE NO. 5784

MOTION: Canale

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

**APPROVED**, on First reading

- 9. **ORDINANCE APPROVING A NEW HISTORIC OVERLAY DISTRICT LOCATED IN THE AREA ROUGHLY BOUND BY AUTUMN AVENUE TO THE NORTH, NORTH CLAYBROOK STREET TO THE EAST, POPLAR AVENUE TO THE SOUTH, AND INTERSTATE 240 TO THE WEST; CONTAINING +/-81.30 ACRES IN THE HISTORIC (H) OVERLAY DISTRICT UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. CTHD  
ORDINANCE NO. 5783

Held until May 4, 2021

- 1. **PRESENTATION OF THE FISCAL YEAR 2022 BUDGET BY MAYOR JIM STRICKLAND.**

(No action was required on this item)

**(Councilwoman Logan made a motion to divide the question and vote on the Item #13 – Surplus Police Motorcycles separately; without objection.)**

- 13. **RESOLUTION TO TRANSFER FOUR CITY OF MEMPHIS SURPLUS POLICE MOTORCYCLES TO THE CITY OF COLLIERVILLE TO BE USED FOR CITY OF COLLIERVILLE POLICE TRAINING. THIS RESOLUTION IS SPONSORED BY FINANCE AND PUBLIC SAFETY DIVISIONS. (REQUEST FOR SAME NIGHT MINUTES)**

**WITHDRAWN**

**FISCAL CONSENT AGENDA – Item #14 may be acted upon by one motion:**

- 14. **RESOLUTION TO ACCEPT AWARD IN THE AMOUNT OF (\$533,940.00) FROM BCBST FOUNDATION TO SUPPORT OUR BEST SHOT VACCINE CAMPAIGN. THIS RESOLUTION IS SPONSORED BY EXECUTIVE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

**APPROVED**

**ROLL CALL FISCAL CONSENT ITEMS**

MOTION: Warren  
SECOND: Robinson



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

**APPROVED**

- 33. **RESOLUTION REQUESTING THE ADMINISTRATION TO PROVIDE A VIRTUAL QUESTION-ANSWER BASED PUBLIC FORUM WITH THE DIVISION OF POLICE SERVICES DIRECTOR CANDIDATES PRIOR TO THE SELECTION OF THE NEW DIVISION OF POLICE SERVICES DIRECTOR. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS EASTER-THOMAS, LOGAN, SMILEY, AND SWEARENGEN. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Easter-Thomas

SECOND: Logan

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

**APPROVED**

- 34. **RESOLUTION APPROPRIATING \$3,049,712.00 TO CONSTRUCT THE MEDICAL CENTER STREETScape, PROJECT #EN01026. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF ENGINEERING. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Robinson

SECOND: Jones

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

**APPROVED**

**(Councilman Jones made a motion to divide the question and vote on Item #22–MLGW Amending Rate Schedule separately; without objection.)**

**MLGW FISCAL CONSENT AGENDA – Items 15 - #21, may be acted upon by one motion:**

- 15. **RESOLUTION APPROVING PAYMENT OF ANNUAL SEWER DISCHARGE FEE FOR THE 2020 FILTER BACKWASH DISCHARGE TO CITY OF MEMPHIS IN THE AMOUNT OF \$572,504.87.**

**APPROVED**

- 16. **RESOLUTION AWARDDING CONTRACT NO. 12284, UNIFORM RENTAL AND CLEANING, TO CLEAN UNIFORMS, IN THE FUNDED AMOUNT OF \$101,640.00.**

**APPROVED**

- 17. **RESOLUTION APPROVING CHANGE NO. 15 TO CONTRACT NO. 10793, PROFESSIONAL PORTFOLIO SOFTWARE WITH ADVENT SOFTWARE, INCORPORATED, IN THE FUNDED AMOUNT OF \$33,408.11. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR AN ADDITIONAL YEAR FOR THE PERIOD COVERING MAY 11, 2021 THROUGH MAY 10, 2022. MLGW IS REQUESTING APPROVAL OF CONTINUOUS MAINTENANCE SUPPORT OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY ADVENT SOFTWARE, INCORPORATED.)**

**APPROVED**

- 18. **RESOLUTION AWARDDING CONTRACT NO.12233, WATER LABORATORY EMERGENCY GENERATOR REPLACEMENT TO BARNES AND BROWER, INC., IN THE FUNDED AMOUNT OF \$152,464.00.**

**APPROVED**

- 19. **RESOLUTION AWARDDING A PURCHASE ORDER TO SUMMIT TRUCK GROUP FOR THE PURCHASE OF CAB AND CHASSIS DUMP BODY TRUCKS IN THE AMOUNT OF \$367,556.00.**

**APPROVED**

- 20. **RESOLUTION AWARDDING A PURCHASE ORDER TO AUTONATION FORD MEMPHIS, FOR TRANSPORTATION FLEET VEHICLES IN THE AMOUNT OF \$1,688,329.33.**

**APPROVED**

- 21. **RESOLUTION AWARDDING A PURCHASE ORDER TO INSPIRED E-LEARNING FOR MLGW'S ONLINE ETHICS AND COMPLIANCE TRAINING PROGRAMS FOR THIRTY-SIX-MONTH SUBSCRIPTION IN THE AMOUNT OF \$91,334.00.**

**APPROVED**

**ROLL CALL MLGW FISCAL CONSENT ITEMS**

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

**APPROVED**

- 22. **RESOLUTION APPROVING AN AMENDED RATE SCHEDULE FOR THE LAW FIRM OF BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC FOR LEGAL SERVICES RENDERED CONCERNING WATER RIGHTS LITIGATION, PATENTS, ENVIRONMENTAL, TORT AND CONTRACT LITIGATION, REGULATORY MATTERS AND OTHER LEGAL MATTERS UNIQUELY RELATED TO THE UTILITY INDUSTRY.**

Held until May 4, 2021

- 23. **APPOINTMENTS**

**MEMPHIS & SHELBY COUNTY NEW ARENA PUBLIC BUILDING AUTHORITY**

APPOINTMENT

SENATOR RAUMESH AKBARI  
JERRY HALL  
ANDRE TURNER

**MEMPHIS & SHELBY COUNTY SPORTS AUTHORITY**

APPOINTMENTS

CHARLES EWING  
CHRISTOPHER HEARN

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

**APPROVED**

- 26. **RESOLUTION REQUESTING AN AMENDMENT TO THE FISCAL YEAR 2021 GENERAL FUNDS OPERATING BUDGET IN THE AMOUNT (\$1,000,000.00) FOR**

**THE INFORMATION TECHNOLOGY DIVISION. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION.**

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

**APPROVED**

27. **RESOLUTION AUTHORIZING A BORROWING BY THE CITY FROM EDGE, REQUESTING EDGE TO ISSUE REVENUE BONDS OF NOT-TO-EXCEED (\$75,000,000.00) AGGREGATE PRINCIPAL AMOUNT TO FUND A PORTION OF LIBERTY PARK PROJECT. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION.**

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

**APPROVED**

28. **RESOLUTION APPROVING THE SALE OF TWO CITY OWNED PARCELS KNOWN AS 0 WASHINGTON AVE AND 0 JOY PLACE, MEMPHIS, TN 38104. PARCEL ID#'S 017017 00001Z AND 017017 000011Z RESPECTIVELY. THIS RESOLUTION IS SPONSORED BY GENERAL SERVICES.**

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

**APPROVED**

29. **RESOLUTION APPROVING THE SALE OF A CITY OWNED PROPERTY KNOWN AS 2472 ZANONE AVENUE MEMPHIS, TN 38114, PARCEL ID#029053 00019. THIS RESOLUTION IS SPONSORED BY GENERAL SERVICES.**

MOTION: Smiley  
SECOND: Warren

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

**APPROVED**

30. **RESOLUTION APPROVING PROPOSED CONSOLIDATION PLAN FY2022 ANNUAL ACTION PLAN APPROPRIATING FEDERAL ENTITLEMENT FUNDS IN THE AMOUNT OF \$15,983,863.00 TO THE FY2022 HOUSING AND COMMUNITY DEVELOPMENT BUDGET. THIS RESOLUTION IS SPONSORED BY HOUSING AND COMMUNITY DEVELOPMENT.**

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

**APPROVED**

31. **RESOLUTION ACKNOWLEDGING AND ESTABLISHING COMMUNITIES THAT ARE IN IMMEDIATE NEED OF BEAUTIFICATION AND BLIGHT REMEDIATION. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS CANALE, CARLISLE, COLVETT, EASTER-THOMAS, FORD, JOHNSON, JONES, LOGAN, ROBINSON, SMILEY, SWEARENGEN AND WARREN.**

(Special Item #1 – Councilman Morgan made a motion to amend Item #31; the was seconded by Councilman Warren.)

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

**APPROVED**

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

**APPROVED**

32. **RESOLUTION APPROVING THE CREATION OF THE MEMPHIS ACADEMY OF CIVIC ENGAGEMENT. THIS RESOLUTION IS SPONSORED BY COUNCILMAN SMILEY.**

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

**APPROVED**

**(Special Item #2 - Vice Chairwoman Swearengen made a motion to approve same night minutes for Items #11, #12 #14, #33 and #34 from tonight's meeting.)**

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

**APPROVED**

(Vice Chairwoman Swearengen read comment cards for the following people:  
Joe Kent, 5111 Flamingo, Memphis, Tennessee, 38117

**(Councilman Carlisle made a motion to recess the April 20, 2021 meeting until May 4, 2021; this was seconded by Councilwoman Logan.)**

**RECESSED MEETING AT 5:57 p.m.**

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

\_\_\_\_\_  
CHAIRMAN

Attest:

\_\_\_\_\_  
Deputy Comptroller/Council Records

**CITY OF MEMPHIS  
NOTICE OF REGULAR MEETING  
OF  
THE MEMPHIS CITY COUNCIL  
Tuesday, April 20, 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 APRIL 20, 2021 MEMPHIS CITY COUNCIL MEETING**

Take notice, the Memphis City Council will meet on **Tuesday, April 20 2021 at 8:00 a.m.** However, due to Coronavirus disease (COVID-19) health and safety concerns, the public is not permitted to attend the meeting in-person. Instead, the public is permitted to participate in the meeting in the following manner: (I) Electronically, via live-stream, (II) Radio, via 88.5 FM (WQOX), and (III) Electronically, via digital archive.

**A. Electronically, via live-stream**

**To view the Tuesday, April 20, 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 8:00 a.m., click on the April 20, 2021 Memphis City Council meeting
- (4) Begin viewing the April 20, 2021 Memphis City Council meeting electronically via live-stream
- (5) Click on the April 20, 2021 “Agenda” tab to view the agenda documents

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

**To listen to the Tuesday, April 20, 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 April 20, 2021 Memphis City Council meeting by radio via 88.5 FM (WQOX)

#### **C. Electronically, via digital archive**

**To listen to the Tuesday, April 20, 2021 Memphis City Council meeting electronically, via digital archive, follow the steps below:**

- (1) Access the internet **after** the April 20, 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 April 20, 2021 “City Council Full Meeting” tab
- (4) Begin viewing the April 20, 2021 Memphis City Council meeting electronically via digital archive
- (5) Click on the April 20, 2021 “Agenda” tab to view the agenda documents
- (6) Click on the April 20, 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.