

CITY OF MEMPHIS

COUNCIL REGULAR MEETING

Tuesday, May 18, 2021, 3:30 p.m.

SUPPORTING DOCUMENTS

ITEM #	DESCRIPTION	PAGE #
	PLANNING AND DEVELOPMENT Public Hearings & Ordinances	
5	ORDINANCE No. 5784 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 TO BE HELD UNTIL JULY 6, 2021	1
6	ORDINANCE No. 5783 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 SECOND reading Case No. CTHD	56
	CONSENT AGENDA	
1	ORDINANCE No. 5788 amending the City of Memphis Code of Ordinances Chapter 9 “Health Safety” Section 56 “Garbage Collection and Disposal” regarding landlords or property owners, up for F I R S T reading.	1
2	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 SECOND reading	3
3	ORDINANCE No. 5786 fixing the Tax Rate of the City of Memphis for Fiscal Year 2022, up for SECOND reading.	4
4	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 SECOND reading.	5
7	RESOLUTION approving the final plat for WOODLAND HILLS II PD, PHASE 13, PD 19-09 (COUNTY) and accepting Financial Federal Letter of Credit No. 233A in the amount of \$35,600.00 in lieu of bond. Contract No. CR-5369	8

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

8	RESOLUTION approving the engineering plans STONEBRIAR PD, PHASE 10, (COUNTY) and accepting Pinnacle Credit Administration Letter of Credit No. 90663010 in the amount of \$175,700.00 in lieu of bond. Contract No. CR-5370	9
9	RESOLUTION approving public improvement plans for STRATFORD CENTER and accepting accept the Gray Casualty and Surety Company Bond in the amount of \$57,000.00. Contract No. CR-5371	10
10	RESOLUTION approving the engineering plans entitled GARDENS OF GRAY'S CREEK SUBDIVISION, PHASE 3 and accepting the First National Bank and Trust Letter of Credit No. 229A in the amount of \$82,500.00 in lieu of bond. Contract No. CR-5372	11
FISCAL CONSENT AGENDA		
11	RESOLUTION to accept grant funds in the amount of (\$85,000.00) from Tennessee Department of Health for improvements at Davy Crockett Park. (Request for same night minutes)	12
12	RESOLUTION to accept grant funds in the amount of (\$15,000.00) from Nike to support 2021 Community Centers summer camps. (Request for same night minutes)	15
13	RESOLUTION seeking acceptance of a donation in the amount of (\$1,824.00) from 100 Club of Memphis; the donation will fund the purchase of (4) Blackhawk Entry Kits. (Request for same night minutes)	18
14	RESOLUTION seeking acceptance of a donation of obsolete communications equipment estimated value of (\$5,000.00) from Tennessee Valley Regional Communications System City of Chattanooga; this donation will be used to fund MPD operational activities (Request for same night minutes.)	TBD
15	RESOLUTION seeking acceptance of a donation in the amount of (\$5,000.00) from CSX Transportation; this donation will be used to fund MPD operational activities. (Request for same night minutes)	22
16	RESOLUTION to accept and appropriate a donation in the amount of (\$10,000.00) from ADT; to be used by Fire Services to purchase smoke detectors and carbon monoxide detectors. (Request for same night minutes)	26
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19	RESOLUTION approving a contract between MLGW and TVA to support industrial recruitment, development and expansion of business and industry in the Memphis/Shelby County area and payment to the Greater Memphis Chamber. The total funded amount of the contract is \$80,608.00 of which TVA reimburses MLGW \$40,304.00.	36
20	RESOLUTION awarding a purchase order to Brighter Days and Nites, Inc. for steel pole type structure, in the amount of \$68,866.00.	42
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25	RESOLUTION awarding a thirty-six-month purchase order to Universal Scaffold & Equipment, for 600-volt EPR-CPE power cable in the amount of \$4,221,607.00	61
REGULAR AGENDA		
26	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 THIRD and FINAL reading. Robinson. (Held from 1/26; 2/2; 2/16; 3/2) TO BE HELD UNTIL JULY 6, 2021	65
27	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. TO BE HELD UNTIL JULY 6, 2021	71
28	RESOLUTION authorizing a borrowing by the City from the Economic Development Growth Engine Industrial Development Board of the City of Memphis and Shelby County, TN. (“EDGE”) requesting EDGE to issue its Economic Development Bonds not to exceed (\$29,000,000) aggregate principal amount of bonds to fund portion of the City of Memphis project; and authorizing all necessary actions and otherwise providing with respect to the foregoing	See Bond Docs
29	RESOLUTION authorizing a borrowing by the City of Memphis TN from the New Memphis Arena Public Building Authority of Memphis and Shelby County TN requesting the issuance of Public Improvement Capital Appreciation Bonds of not to exceed (\$175,000,000) aggregate principal amount of the New Memphis Arena Public Building Authority of Memphis and Shelby County, TN. Local Government Public Improvement Capital Appreciation Bond (City of Memphis Project) Series 2021to fund portions of the City of Memphis project; and authorizing all necessary actions and otherwise providing with respect to the foregoing	See Bond Docs
30	INITIAL RESOLUTION authorizing the incurrence of indebtedness of not to exceed \$175,000,000 by the execution of a loan agreement with the New Memphis Arena Public Building Authority of Memphis and Shelby County, Tennessee	See Bond Docs
31	RESOLUTION requesting approval of a City owned parcel located at 29 East Mallory Ave. Parcel ID #050077 00004 Memphis, TN. 38109	78
32	RESOLUTION requesting approval of a City owned property known as 0 E. Railroad Ave. Memphis, TN. 38104, Parcel ID #030026 00016 RESOLUTION	83

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

	requesting approval of a City owned property known as 0 E. Railroad Ave. Memphis, TN. 38104, Parcel ID #030026 00016	
33	RESOLUTION to transfer (\$70,000.00) from General Services CIP Project #GS19104 to Parks and Neighborhoods Project #PK21103	86
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35	RESOLUTION approving amendment and extension of (Contract #28278) between the City of Memphis through its Division of Parks and Neighborhoods and Goodwill Homes Community Services, Inc. to manage and Operate Goodwill Homes Senior Center facility	90
36	RESOLUTION approving the agreement between the City of Memphis through its Division of Parks and Neighborhoods and Save One Foundation, dba Memphis Little League (MLL) to manage and operate Will Carruthers Baseball Complex	97
37	RESOLUTION appropriating construction funds in the amount of (\$4,534,304.00) to rehabilitate electrical equipment at the M.C. Stiles WWTF Project #SW04009	116
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39	RESOLUTION approving the recommendation of the IAFF Impasse Committee that the last best offer of the IAFF be approved and that the last best offer of the IAFF be added to the FY 2022 Operating Budget	120
	Minutes of May 5, 2021 Regular Meeting	154

NOTE: BOND DOCUMENTS FOR ITEMS 28, 29 AND 30 ARE CONTAINED IN A SEPARATE BOND DOCUMENTS PACKAGE

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

Ordinance No. 5788

AN ORDINANCE TO AMEND THE CITY OF MEMPHIS CODE OF ORDINANCES CHAPTER 9 "HEALTH AND SAFETY" SECTION 56 "GARBAGE COLLECTION AND DISPOSAL" REGARDING LANDLORDS OR PROPERTY OWNERS

WHEREAS, it is the desire of the Memphis City Council to take action to reduce the amount of illegal dumping in the City of Memphis in order to help improve blight that is present in city neighborhoods on public property, sidewalks, vacant lots, and abandoned properties.

WHEREAS, the placement of personal property outside of a residence following an eviction, also known as an eviction set-out, not only causes evicted residents mental anguish and hardship, it also contributes to blight and the propagation of illegal dumping.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE that Chapter 9 "Health and Safety" also referenced as Sec 9-56 titled "Garbage Collection and Disposal" is hereby amended as follows:

DIVISION 4 DISPOSAL AND REMOVAL OF PERSONAL PROPERTY

Remove Sections 9-56-30 and 9-56-31

SUBSTITUTE/ADD Section 9-56-30 Disposition of abandoned property following an eviction.

Any landlord or property owner is prohibited from leaving an evicted resident's property outside of the residence from which the tenant has been evicted. The landlord or property owner must allow the resident to gather and arrange for transport of their personal belongings and dispose of any abandoned property in one of the following methods immediately following an eviction.

Required methods.

- (a) The landlord shall dispose of abandoned eviction belongings by:
 - (1) transporting them to a licensed landfill or solid waste facility;
 - (2) donating them to charity; or
 - (3) some other legal means.

SUBSTITUTE/ADD Section 9-56-31 Prohibited placement in public way.

Under no circumstances may eviction belongings, abandoned or otherwise, be placed in a public right of-way or on any public property.

Sec. 9-56-32. - Violations for failure to provide notice to city and to remove and dispose of personal property discarded onto city right-of-way.

A. *First offense violations.* Any landlord, property owner, or person who violates this ordinance, where applicable, that commits a first offense violation of sections 9-56-30 or 9-56-31 shall be issued a courtesy citation and assessed the actual costs incurred by the city for the removal and disposal of such property.

B. *Second and subsequent violations.* Any landlord or property owner that commits a second or subsequent violation of sections 9-56-30 or 9-56-31 shall be issued a misdemeanor citation in accordance with article 2 of this chapter and assessed the actual costs incurred by the city for the removal and disposal of such property. Each day that the discarded property remains in a city right-of-way, easement, or on property owned or maintained by the city in violation of this section shall constitute a separate offense punishable up to \$50.00, plus costs, per offense.

C. *Disposal and removal costs.* The actual costs of disposal and removal assessed by the city shall not be less than \$50.00 and shall not exceed \$1,000.00.

D. *Offense of criminal littering.* Criminal littering is littering in an amount more than five pounds (5 lbs.) in weight or seven and one half (7.5) cubic feet in volume and less than or equal to ten pounds (10 lbs.) in weight or fifteen (15) cubic feet in volume.

E. Criminal littering is a Class B misdemeanor.

(The authorized term of imprisonment and fine for a Class B misdemeanor is not greater than six (6) months or a fine not to exceed five hundred dollars (\$500), or both, unless otherwise provided by statute, per TCA § 40-35-111)

F. In addition to the penalties established in this section, the court shall require a person convicted under this section to remove litter from the state or local highway system, public playgrounds, public parks or other appropriate public locations for not more than eighty (80) hours. The court, in its discretion, may also require a person convicted under this section to work in a recycling center or other appropriate location for any stated period of time not to exceed eight (8) hours.

Sponsor
JB Smiley, Jr.
Frank Colvett, Jr.

Chairman
Frank Colvett, Jr.

ORDINANCE No. 5785

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.

Ordinance No. 5786

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 :
 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

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

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

Approvals

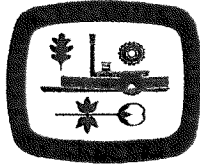
Director _____ Date _____
 Budget Manager _____ Date _____
 Chief Financial Officer _____ Date _____
 Deputy Financial Officer _____ Date _____
 Chief Legal Officer _____ Date _____

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. 5187

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";

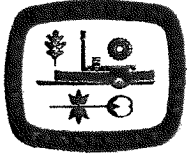
WHEREAS, the sunset clause operates as a mechanism to facilitate a periodic review process to assess and support the need for the Equal Business Opportunity program; and

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



RESOLUTION approving the engineering plans entitled
Woodland Hills II PD, Phase 13, PD 19-09 CO (County)

WHEREAS, **Coastal Fuels, Inc.** is the Developer of certain property within the limits of the unincorporated area of Shelby County, located 800 linear feet west of Woodland Trace Lane, north of Trinity Road as reflected on the final plat entitled **Woodland Hills II PD, Phase 13, PD 19-09 CO (County)** and

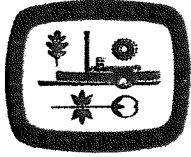
WHEREAS, the developer desires to develop the property reflected on the final plat; and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Coastal Fuels, Inc.** 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 plat for **Woodland Hills II PD, Phase 13, PD 19-09 CO (County)** 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 the **Irrevocable Letter of Credit No. 233A** from **Financial Federal** in the amount of **\$35,600.00** in lieu of bond.



RESOLUTION approving the engineering plans entitled **Stonebriar PD Phase 10**

WHEREAS, **Stonebriar Holdings, LLC.**, the Developer of certain property within the present limits of unincorporated Shelby County, located west side of Meadowbriar Trail and Stone Arch Place / Bridalbrook Lane intersections in Shelby County indicated on the engineering plans entitled **Stonebriar PD, Phase 10** and

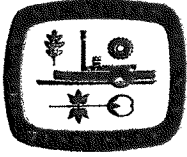
WHEREAS, the developer desires to develop the property reflected on the engineering plans; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Stonebriar PD, Phase 10** are hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and accept the **Pinnacle Credit Administration Letter of Credit No. 90663010** in the amount of **\$175,700.00** in lieu of bond.



RESOLUTION approving the engineering plans entitled **Stratford Center**

WHEREAS, **Memphis Investment Properties, LLC.**, the Developer of certain property within the present limits of the City of Memphis, located on Stratford Road; 200' N. of Summer Ave in the City of Memphis, Tennessee and

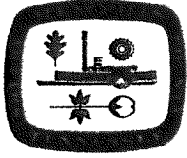
WHEREAS, the developer desires to develop the property reflected on the engineering plans; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Stratford Center** are hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and accept the Bond from **The Gray Casualty and Surety Company** in the amount of **\$57,000.00**.



RESOLUTION approving the engineering plans entitled
Gardens of Gray's Creek Subdivision, Phase 3

WHEREAS, **Afton Homes, LLC**, the Developer of certain property within the present limits of unincorporated area in Shelby County, located approximately 796 linear feet south of Dexter Road / Lenow Road Intersection on the south side of Lenow Road as indicated on the engineering plans entitled **Gardens of Gray's Creek Subdivision, Phase 3** 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 **Afton Homes, LLC** and the City of Memphis covering the public improvements as a part of developing the property; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Gardens of Gray's Creek Subdivision, Phase 3** 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 the First National Bank and Trust Letter of Credit No. 4516 in the amount of \$82,500.00 in lieu of bond.



City Council Item Routing Sheet

Division PARKS Committee Parks & Environment Hearing Date May 18, 2021
 District 7 Super District 8

- Ordinance Resolution Grant Acceptance
 Budget Amendment Commendation Other:

Item Description : Resolution to accept grant funds from Tennessee Department of Health, Healthy Built Environment program. Grant funds will support the installation of outdoor exercise equipment and signage at Davy Crockett Park.
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	Source and Amount of Funds
\$ Amount <u>0.00</u>	\$ Operating Budget 0.00
\$ Revenue to be received <u>85,000.00</u> TN Dept of Health	\$ CIP Project # 0.00
	\$ Federal/State/Other 85,000.00

Approvals

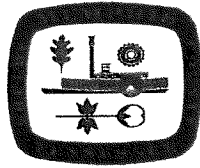
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 Director *Mike Walker* Date 4/30/2021
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 Budget Manager _____ Date _____
 Chief Financial Officer _____ Date _____
 Deputy Financial Officer _____ Date _____
 Chief Legal Officer _____ Date _____

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 Tennessee Department of Health, Healthy Built Environment program. Grant funds will support the installation of outdoor exercise equipment and signage at Davy Crockett Park.

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 Davy Crockett Park in District 7, super district 8.

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

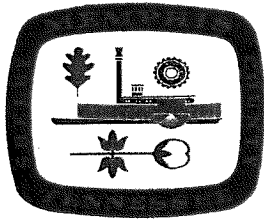
Requires new grant agreement.

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 eighty five thousand dollars (\$85,000.00) from Tennessee Department of Health for improvements at Davy Crockett Park. [District 7, 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 a FY22 Healthy Built Environment award; and

WHEREAS, funding from the Tennessee Department of Health will support capital improvements in the form of outdoor exercise equipment and signage for Davy Crockett Park; and

WHEREAS, it is necessary to accept these funds in the amount of eighty five thousand dollars (\$85,000.00) and amend the Fiscal Year 2022 operating budget grant account PK90097, and allow for expenditures of the same; and

WHEREAS, it is necessary to appropriate these funds in the amount of eighty five thousand dollars (\$85,000.00) for capital improvements for Davy Crockett Park; and

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 eighty five thousand dollars (\$85,000.00) for capital improvements into PK90097, and

BE IT FURTHER RESOLVED that funding of eighty five thousand dollars (\$85,000.00) be allocated and appropriated to PK90097.



City Council Item Routing Sheet

Division PARKS Committee Parks & Environment Hearing Date May 18, 2021
 District all Super District both

- Ordinance Resolution Grant Acceptance
 Budget Amendment Commendation Other:

Item Description : Resolution to accept grant funds from Nike to support community center field trips for summer camp 2021.
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: N/A.

Does this item require city expenditure? No	Source and Amount of Funds
\$ Amount <u>0.00</u>	\$ Operating Budget 0.00
\$ Revenue to be received <u>15,000</u>	\$ CIP Project # 0.00
Nike	\$ Federal/State/Other 15,000

Approvals

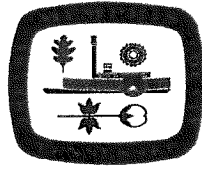
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 Director *Nick Walker* Date 4/30/2021
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 Budget Manager _____ Date _____
 Chief Financial Officer _____ Date _____
 Deputy Financial Officer _____ Date _____
 Chief Legal Officer _____ Date _____

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 Nike to support community center field trips for summer camp 2021.

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 all community centers (all districts).

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

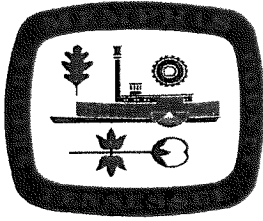
N/A.

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

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 fifteen thousand dollars (\$15,000.00) from Nike to support 2021 community center summer camps. [All districts].

WHEREAS, Nike is a private corporation with interest in supporting recreation efforts for Memphis youth; and

WHEREAS, the City of Memphis, through its Division of Park Services, is a recipient of a FY22 Nike grant award; and

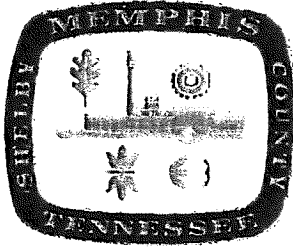
WHEREAS, funding from Nike will support bus transportation for summer camp field trips, allowing City of Memphis community centers to remove any cost barriers to participation in summer camp field trips; and

WHEREAS, it is necessary to accept these funds in the amount of fifteen thousand dollars (\$15,000.00) and amend the Fiscal Year 2022 operating budget grant account PK90098, and allow for expenditures of the same; and

WHEREAS, it is necessary to appropriate these funds in the amount of fifteen thousand dollars (\$15,000.00) for professional services to conduct 2021 summer camp field trips.

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 fifteen thousand dollars (\$15,000.00) for professional services into PK90098, and

BE IT FURTHER RESOLVED that funding of fifteen thousand dollars (\$15,000.00) be allocated and appropriated to PK90098.



Received

T-235

MAY 06 2021

Chief Administrative Office

City Council Item Routing Sheet

RECEIVED
MAY 5 2021
out: 5/6/21 2:50 (LAW)
CITY ATTORNEY'S OFFICE

Division Police Services

Committee

Hearing Date

RECEIVED

Ordinance

Resolution

Grant Acceptance

MAY 06 2021

MAYOR'S OFFICE
CITY OF MEMPHIS

Budget Amendment

Commendation

Other: Click here to enter text.

The City of Memphis Division of Police Services has been awarded a donation in the amount of One Thousand Eight Hundred Twenty-Four dollars and 00/100 (\$1,824.00) from 100 Club of Memphis; and the donation is to be used to fund the purchase of four (4) Blackhawk Entry Kits.

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: N/A

Does this item require city expenditure? No

\$1,824.00 Amount

\$1,824.00 Revenue to be received;

Source and Amount of Funds

\$ Operating Budget

\$ CIP Project #

\$ Federal/State/Other

Approvals

Director [Signature] Date 4/26/2021

Division Chief _____ Date _____

Budget Manager [Signature] Date 4/29/2021

Chief Financial Officer [Signature] Date 5/4/2021

Chief Operating Officer

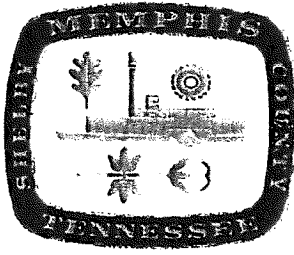
[Signature] Date 5/7/21

Council Committee Chair



Memphis City Council Summary Sheet

1. Resolution seeking acceptance of a donation the City of Memphis Division of Police Services has been awarded a donation in the amount of One Thousand Eight Hundred Twenty-Four dollars and 00/100 (\$1,824.00) from 100 Club of Memphis; and the donation is to be used to fund police operational activities.
2. The City of Memphis Division of Police Services is awarded these funds and will serve as the fiscal agent.
3. Resolution will not change an existing ordinance or resolution.
4. Resolution will not require a new contract or amendment to an existing contract.
5. Resolution will require an expenditure of funds equal to the amount of the donation will require a budget amendment.



RESOLUTION

WHEREAS, the city of Memphis Division of Police Services has been awarded a donation in the amount of One Thousand Eight Hundred Twenty-Four dollars and 00/100 (\$1,824.00) from 100 Club of Memphis; and

WHEREAS, the donation is to be used to fund the purchase of four (4) Blackhawk Entry Kits; and

WHEREAS, it is necessary to accept the donation and amend the Fiscal Year 2021 Operating Budget to establish funds; and

WHEREAS, it is necessary to appropriate the funds in the amount of One Thousand Eight Hundred Twenty-Four and 00/100 (\$1,824.00) received from 100 Club of Memphis as stated in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the donation One Thousand Eight Hundred Twenty-Four dollars and 00/100 (\$1,824.00); be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal year 2021 Operating Budget be and is hereby amended by appropriating the Revenues for the various donations as follows:

REVENUES

Miscellaneous Revenue (049623)

Special Operations 140501-049623 \$1,824.00

EXPENDITURES

Miscellaneous Supplies (052342)

Special Operations 140501-052342 \$1,824.00

1567

26-2840
7289

100 CLUB OF MEMPHIS
PO BOX 770726
MEMPHIS, TN 38177

DATE January 29 2021

PAY in the order of Memphis Police Department \$ 1,824.00

one thousand eight hundred twenty four and 00/100


FIRST TENNESSEE
www.firsttennessee.com
FOR CHECK VERIFICATION DIAL 1-800-264-0730

FOR 4 Blackhawk entry kids

1100156711 10840000261 183440566111

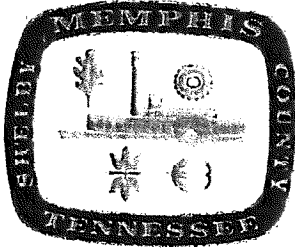
JJ Kovic

MP



Received

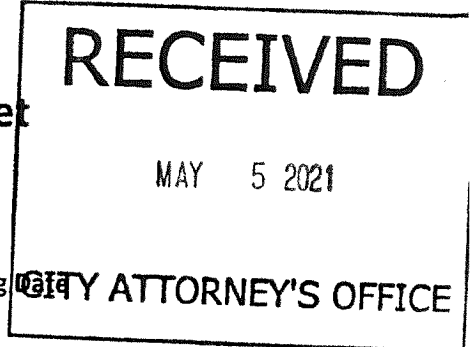
T-236



MAY 06 2021

Chief Administrative Office

City Council Item Routing Sheet



Division Police Services

Committee

Hearing **CITY ATTORNEY'S OFFICE**

RECEIVED Ordinance

Resolution

Grant Acceptance

MAY 06 2021

MAYOR'S OFFICE Budget Amendment
CITY OF MEMPHIS

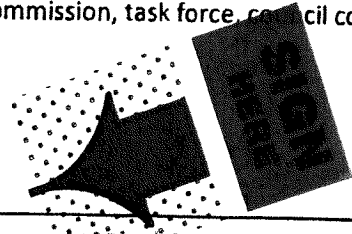
Commendation

Other: [Click here to enter text](#)

The City of Memphis Division of Police Services has been awarded a donation in the amount of Five Thousand dollars and 00/100 (\$5,000.00) from CSX Transportation; and the donation is to be used to fund police operational activities.

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: N/A



Does this item require city expenditure? No	Source and Amount of Funds
\$5,000.00 Amount	\$ Operating Budget
\$5,000.00 Revenue to be received;	\$ CIP Project #
	\$ Federal/State/Other

Approvals

Director John Pyall Date 4/27/2021

Division Chief _____ Date _____

Chief Operating Officer [Signature] Date 5/7/21

Budget Manager Dyonara Morris Date 4/29/2021

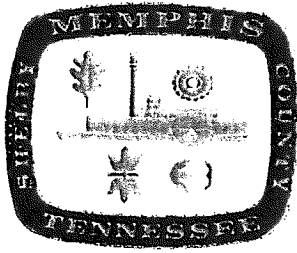
Chief Financial Officer Shirley Ford Date 5/4/2021

Council Committee Chair _____



Memphis City Council Summary Sheet

1. Resolution seeking acceptance of a donation the City of Memphis Division of Police Services Crump Precinct has been awarded a donation in the amount of Five Thousand dollars and 00/100 (\$5,000.00) from CSX Transportation; and the donation is to be used to fund police operational activities.
2. The City of Memphis Division of Police Services is awarded these funds and will serve as the fiscal agent.
3. Resolution will not change an existing ordinance or resolution.
4. Resolution will not require a new contract or amendment to an existing contract.
5. Resolution will require an expenditure of funds equal to the amount of the donation will require a budget amendment.



RESOLUTION

WHEREAS, the city of Memphis Division of Police Services Crump Precinct has been awarded a donation in the amount of Five Thousand dollars and 00/100 (\$5,000.00) from CSX Transportation; and

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

WHEREAS, it is necessary to accept the donation and amend the Fiscal Year 2021 Operating Budget to establish funds; and

WHEREAS, it is necessary to appropriate the funds in the amount of Five Thousand dollars and 00/100 (\$5,000.00) received from CSX Transportation as stated in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the donation Five Thousand dollars and 00/100 (\$5,000.00); be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal year 2021 Operating Budget be and is hereby amended by appropriating the Revenues for the various donations as follows:

REVENUES

Miscellaneous Revenue (049623)

Crump Precinct 140304-049623 \$5,000.00

EXPENDITURES

Miscellaneous Supplies (052342)

Crump Precinct 140304-052342 \$5,000.00



03/30/2021

Memphis Police Department (Crump Station)
125 North Main Street, Rm #1113
MEMPHIS, TN 38103

RE: MPD Crump Station, K-9, and the Cargo Theft Taskforce (CSX, arresting railroad burglary suspects)

Request ID: 67215503

Dear Memphis Police Department (Crump Station),

We are pleased to inform you that a grant from CSX Transportation has been approved for your organization in the amount of \$5,000.00.

By endorsing and depositing the attached check, you warrant that there has been no change in your IRS tax classification as an organization described under the IRS Code Section 501(c)(3), that these funds will be used for tax deductible purposes and that no benefits have been, or will be, received by CSX or any of its subsidiaries or employees unless otherwise specified in your request.

CSX Transportation is pleased to be among your current supporters and wishes you the best in the good work that you do. Please reach out to our support team at csxsupport@cybergrants.com if you require any assistance.

Sincerely,

John Kitchens
CSX Corporate Citizenship

Received From: Office

APR 27 2021



JPMORGAN CHASE BANK, NA.
Detroit, MI

9-32
720

2431005

CSX Transportation
500 Water Street, C420
Jacksonville, FL 32202

VOID AFTER 180 DAYS

<u>Check Date</u>	<u>Check Amount</u>
03/30/2021	\$5,000.00

PAY Five Thousand and xx/100 Dollars

PAY TO THE ORDER OF Memphis Police Department (Crump Station)
125 North Main Street, Rm #1113
MEMPHIS, TN 38103

AUTHORIZED SIGNATURE

⑈02131005⑈ ⑈072000328⑈ ⑈528305775⑈



City Council Item Routing Sheet

Division Fire Committee Pub Safety Hearing Date 6-1-21
 Various Various
 District _____ Super District _____

- Ordinance Resolution Grant Acceptance
 Budget Amendment Commendation Other:

Item Description :
 A resolution to accept and appropriate a donation in the amount of Ten Thousand Dollars (\$10,000.00) from ADT to purchase smoke detectors and carbon monoxide detectors.

Recommended Council Action:
 Approve the resolution

Status of MWBE planned expenditures funding, if applicable:
 There is 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

Does this item require city expenditure? No	Source and Amount of Funds
\$ Amount _____	\$ Operating Budget 10,000.00
\$ Revenue to be received <u>10,000.00</u>	\$ CIP Project # _____
	\$ Federal/State/Other _____

Approvals

Director Neil Stodd Date 5-7-21
 Budget Manager _____ Date _____
 Chief Financial Officer _____ Date _____
 Deputy Financial Officer _____ Date _____
 Chief Legal Officer _____ Date _____

Chief Administrative Officer _____ Date _____
 Council Committee Chair _____ Date _____



**CITY OF MEMPHIS
COUNCIL BUDGET APPROPRIATION
REQUEST FOR COUNCIL APPROPRIATION**

DIVISION: Fire Services DATE: 5/7/2021
 SERVICE CENTER NAME: Logistics SERVICE CENTER: 130301
 INITIATED BY: Vickie Johnson TITLE: Administrator

Fund: 111 Fiscal Month: Budget Transaction No.:

Revenue

ITEM DESCRIPTION/RESOURCE	SERVICE CENTER	ACCOUNT	DECREASE (DEBIT)	INCREASE (CREDIT)
Donated Revenue	130301	049129		10,000.00
			\$0.00	\$10,000.00

Expense

ITEM DESCRIPTION	SERVICE CENTER	ACCOUNT	INCREASE (Debit)	DECREASE (Credit)
Household Supplies	130301	052312	10,000.00	
			\$10,000.00	\$0.00

JUSTIFICATION

Appropriate donation from ADT

APPROVED BY

[Signature]
Requesting Director

5-7-21
DATE

APPROVED BY

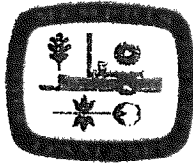
BUDGET MANAGER
(LEAVE BLANK IF NOT INTER-DEPARTMENTAL)

DATE

APPROVED BY

Chief Financial Officer

DATE



Memphis City Council Summary Sheet

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

A resolution to accept and appropriate a donation in the amount of Ten Thousand Dollars (\$10,000.00) from ADT to purchase smoke detectors and carbon monoxide detectors.

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.

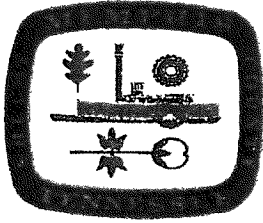
This will not require a new contract or an amendment to an existing contract.

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 WMBE goal.



A resolution to accept and appropriate a donation in the amount of Ten Thousand Dollars (\$10,000.00) from ADT .

WHEREAS, The City of Memphis Division of Fire Services has received funds in the amount of Ten Thousand Dollars (\$10,000.00) from ADT; and

WHEREAS, These funds will be used for the purchase of smoke detectors and carbon monoxide detectors; and

WHEREAS, It is necessary to accept the funding and amend the Fiscal Year 2021 budget to establish funds from ADT; and

WHEREAS, It is necessary to appropriate the fund in the amount of Ten Thousand Dollars (\$10,000.00) for the ADT funds; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the ADT funds in the amount of Ten Thousand Dollars (\$10,000.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2021 budget be and is hereby amended by appropriating the Expenditures and Revenues for the ADT funds in the amount of Ten Thousand Dollars (\$10,000.00) as follows:

Revenue	
Donation	\$10,000.00
Expenses	
Household Supplies	\$10,000.00

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving Change No. 1 to Contract No. 12267, MicroFocus Software with Thomas Consultants, Inc., (formerly Purchase Order# 7017597), in the funded amount of \$387,574.49. (This change is to ratify and renew annual software maintenance, support services, and licenses for the annual maintenance term for the period covering January 1, 2021 through December 31, 2021.)

2. Additional Information

The project scope is to renew software products support by MicroFocus which provides critical tools needed to build, operate, secure, and use MLGW's email, file/folder, and authentication system.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of May 5, 2021 approved Change No. 1 to Contract No. 12267 (*Formerly Purchase Order# 7017597*), MicroFocus License Renewal with Thomas Consultants, Incorporated to ratify and renew the current contract in the funded amount of \$387,574.49, 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 renew software products support by MicroFocus which provides critical tools needed to build, operate, secure, and use MLGW's email, file/folder, and authentication system. This change is to ratify and renew annual software maintenance, support services, and licenses for the annual maintenance term for the period covering January 1, 2021 through December 31, 2021 in the funded amount of \$387,574.49. Maintenance will be renewed annually under this contract. This renewal complies with all applicable laws and policies. The new contract value is \$909,467.53; 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 Contract No. 12267 (*Formerly Purchase Order# 7017597*), MicroFocus License Renewal with Thomas Consultants, Incorporated to ratify and renew the current contract in the funded amount of \$387,574.49 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
May 5, 2021

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. 12267 (*Formerly Purchase Order# 7017597*), MicroFocus License Renewal with Thomas Consultants, Incorporated to renew the current contract in the funded amount of \$387,574.49.

The project scope is to renew software products support by MicroFocus which provides critical tools needed to build, operate, secure, and use MLGW's email, file/folder, and authentication system. This change is to ratify and renew annual software maintenance, support services, and licenses for the annual maintenance term for the period covering January 1, 2021 through December 31, 2021 in the funded amount of \$387,574.49. Maintenance will be renewed annually under this contract. This renewal complies with all applicable laws and policies. The new contract value is \$909,467.53.

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 12267, MicroFocus Software Renewal with Thomas Consultants, Incorporated to renew the current contract in the funded amount of \$387,574.49, 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 adopted by the Board of Light, Gas and Water Commissioners at a regular - ~~regular~~ ^{special} meeting held on 5th day of May, 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. 12 to Contract No. 10908, mobile data with ABB Enterprise Software, Incorporated, in the funded amount of \$175,818.14. (This change is to renew annual software maintenance, license, and support services for the Mobile Dispatching System, Mobile Mapping, and Street Level Routing through the Customer Information System (CIS) for the period covering July 1, 2021 through June 30, 2022. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by ABB Enterprise Software, Incorporated.)

2. Additional Information

The project scope is to provide MLGW with a customer service mobile dispatching system as well as mobile mapping and street level routing with provisions for continuous annual software maintenance, license and support services.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of May 5, 2021 approved Change No. 12 to Contract No. 10908, Mobile Data with ABB Enterprise Software, Incorporated to renew the current contract in the funded amount of \$175,818.14, 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 a customer service mobile dispatching system as well as mobile mapping and street level routing through Customer Information System (CIS) with provisions for continuous annual software maintenance, license and support services. This change is to renew annual software maintenance, license, and support services for the Mobile Dispatching System, Mobile Mapping, and Street Level Routing through the Customer Information System (CIS) covering the period July 1, 2021 through June 30, 2022 in the funded amount of \$175,818.14. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by ABB Enterprise Software, Incorporated. This sole source renewal complies with all applicable laws and policies. The new contract value is \$3,702,329.37; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 12 to Contract No. 10908, Mobile Data with ABB Enterprise Software, Incorporated to renew the current contract in the funded amount of \$175,818.14 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
May 5, 2021

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 12 to Contract No. 10908, Mobile Data with ABB Enterprise Software, Incorporated to renew the current contract in the funded amount of \$175,818.14.

The project scope is to provide MLGW with a customer service mobile dispatching system as well as mobile mapping and street level routing through Customer Information System (CIS) with provisions for continuous annual software maintenance, license and support services. This change is to renew annual software maintenance, license, and support services for the Mobile Dispatching System, Mobile Mapping, and Street Level Routing through the Customer Information System (CIS) covering the period July 1, 2021 through June 30, 2022 in the funded amount of \$175,818.14. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by ABB Enterprise Software, Incorporated. This sole source renewal complies with all applicable laws and policies. The new contract value is \$3,702,329.37.

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. 12 to Contract No. 10908, Mobile Data with ABB Enterprise Software, Incorporated to renew the current contract in the funded amount of \$175,818.14, 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 adopted by the Board of Light, Gas and Water Commissioners at a regular - ~~special~~ meeting held on 5th day of May, 2021, at which a quorum was present.


Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving a contract between MLGW and TVA to support industrial recruitment, development and expansion of business and industry in the Memphis/Shelby County area and payment to the Greater Memphis Chamber. The total funded amount of the contract is \$80,608.00 of which TVA reimburses MLGW \$40,304.00.

2. Additional Information

The Greater Memphis Chamber's economic development staff will execute various programs to stimulate new jobs, new capital investments, and opportunities to retain jobs whenever possible.

RESOLUTION

WHEREAS, the Board of Memphis Light, Gas and Water Commissioners in their meeting of May 5, 2021, approved for MLGW to pay the Greater Memphis Chamber \$80,608 and TVA will reimburse MLGW \$40,304 to allow MLGW to leverage its money with TVA funds to reinforce local economic development efforts by attracting new companies and investment and supporting existing business growth. The effort is outlined in a Scope of Services submitted by the Greater Memphis Chamber; and further

WHEREAS, it is recommended that these funds be paid to support the Greater Memphis Chamber, in partnership with MLGW and TVA, to achieve ongoing economic success and prosperity through business and industry recruitment, make local companies more globally competitive, drive the advancement of the Memphis technology community, and help create an environment that promotes the retention/expansion of local business.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that the Secretary - Treasurer is hereby authorized and directed to have a check issued in the amount of \$80,608, payable to the Greater Memphis Chamber, provided that no part of this funding shall be used to lobby public officials or to oppose or promote ballot initiatives, with the agreement that TVA will reimburse MLGW \$40,304.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
May 5, 2021

The Manager of Economic and Community Development submitted for consideration of the Board, approval of contract 15952 between MLGW and TVA to support industrial recruitment, development and expansion of business and industry in the Memphis/Shelby County area. The contract provides for MLGW to pay the Greater Memphis Chamber \$80,608 and TVA will reimburse MLGW \$40,304. This allows MLGW to leverage its money with TVA funds to reinforce local economic development efforts by attracting new companies and investment and supporting existing business growth. The effort is outlined in a Scope of Services submitted by the Greater Memphis Chamber.

The Manager of Economic and Community Development recommends that these funds be paid to support the Greater Memphis Chamber, in partnership with MLGW and TVA, to achieve ongoing economic success and prosperity through business and industry recruitment, make local companies more globally competitive, drive the advancement of the Memphis technology community, and help create an environment that promotes the retention/expansion of local business.

These funds are included in the 2021 Budget.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, the Secretary-Treasurer is hereby authorized and directed to have a check issued in the amount of \$80,608, payable to the Greater Memphis Chamber, provided that no part of this funding shall be used

for lobbying public officials or to oppose or promote ballot initiatives, with the agreement that TVA will reimburse MLGW \$40,304.

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 5th day of May, 2021, at which a quorum was present.


Secretary - Treasurer

ATTACHMENT "A"
GREATER MEMPHIS CHAMBER
Economic Development & Workforce Development
MLGW – TVA 2021 Scope of Work

Key Initiatives

The Greater Memphis Chamber's economic development staff will execute various programs to stimulate new jobs, new capital investments and opportunities to retain jobs whenever possible.

- New Business Recruitment and Marketing
- Existing Business Development and Expansion
- RFI Fulfillment
- One-Stop-Shop and site visit Management
- Workforce Development

Action Items

The Chamber will continue to manage the One-Stop-Shop team activities and data for the Memphis, Shelby County Economic Development team, consisting of, but not limited to TVA, MLGW, WIN, EDGE and TNECD. This will include site visits from companies considering Memphis, Shelby County for a new facility.

The Chamber will fulfill all request for information and data requested by our partners, site selection consultants, real estate brokers and corporate executives. This will include GIS mapping, real estate data, community data, compiling requested information and presentation development.

The Chamber will reactivate the Existing Industry Program. Working with our partners we will visit MLGW's key accounts and other top employers.

The Chamber will execute a business recruitment plan to inform targeted executives, site selection consultants and broker of the advantages of doing business in Memphis:

- Recruitment and Existing Industries Activities
 - Two Domestic Key Market Visits, we will work with our partners to determine the cities and audiences.
 - Quarterly Up-Dates to Site Selections Consultants and corporate executives
 - Sponsor IEDC Annual Conference in Nashville in October 3-6
 - Blue Carpet Tour of Memphis August 8 – 10
 - Project Gratitude will visit headquarters of top Memphis employers with headquarters elsewhere.

The Chamber's economic develop activities and initiatives take place daily with the facilitation of an average of 120 project each year.

Accountability

The Chief Economic Development Officer is responsible for goals and objectives of their departments as set forth by its board of directors.

Workforce & Talent Development: The Chamber's Workforce Development Staff will continue to assist local companies in identifying employees for existing and future job openings. In addition to leveraging our vast network of workforce partners to source talent for immediate openings, we will primarily focus on the following: Workforce Approach to Business Retention Expansion (BRE), Education and Upskill901.

Workforce Approach - BRE:

- Proactive outreach to existing companies via company calls and management of sector councils.
- The Chamber will continue to assist key sector employers in recognizing skills gaps in their industries.
- In response to the impact of COVID-19 the Chamber will also focus on opportunities to re-skill workers to meet new business demands.
- Partner with Memphis Light, Gas and Water on outreach to significant energy users to solve for business concerns.

Education:

- In support of the K-12 school system, the Chamber works to ensure school curriculum incorporates in-demand skills identified by industry.
- The Workforce Development team leads the coordination of National Manufacturing Day which allows High School students the opportunity to gain exposure to career opportunities in manufacturing.
- Partner with post-secondary and training providers to ensure that available programs and classes offer in-demand skills as well as industry recognized certifications and credentials.
- Connected SCS with companies to develop partnerships that would offer students opportunities for shadowing, career exploration, internships, on-the-job training, mentoring, summer, part-time and permanent employment upon graduation.

Upskill 901:

- The Chamber continues to manage the convening of 200+ community stakeholders working on solving the skills gap, overcoming barriers to obtaining and retaining gainful employment as well as positioning Memphis/Shelby County as national workforce benchmark.
- The Chamber will also work in partnership with local leaders to champion the recovery of Memphis' workforce post the pandemic.
- The Chamber will work to further economic and workforce development by facilitating the strengthening of a collaborative workforce eco-system.

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 steel pole type structure, in the amount of \$68,866.00.

2. Additional Information

The steel pole type structure is used to increase conductor height due to increased operating temperature on our transmission lines and to maintain required ground clearance on existing transmission lines between Substation 34 and Substation 33.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of May 5, 2021 approved a purchase order for the purchase of steel pole type structure 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 steel pole type structure is used to increase conductor height due to increased operating temperature on our transmission lines and to maintain required ground clearance on existing transmission lines between Substation 34 and Substation 33; and

WHEREAS, bids were opened on March 10, 2021. Notice to Bidders was advertised. Ten (10) bids were solicited and three (3) bids were received with the most responsive 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 a purchase order for steel pole type structure from Brighter Days and Nites, Inc. for the sum of \$68,866.00 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
May 5, 2021

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 \$68,866.00 for steel pole type structure.

The steel pole type structure is used to increase conductor height due to increased operating temperature on our transmission lines and to maintain required ground clearance on existing transmission lines between Substation 34 and Substation 33.

Bids were opened on March 10, 2021. Notice to Bidders was advertised. Ten (10) bids were solicited and three (3) bids were received with the most responsive 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 Transmission Line is \$2,910,000.00; the amount spent to date is \$5,564.34; leaving a balance available of \$2,904,435.66 to be spent in 2021; of which \$68,866.00 will be spent on this purchase order in 2021; leaving a balance of \$2,835,569.66 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 contract to Brighter Days and Nites, Inc. is approved for furnishing:

135 ft. steel electric transmission monopole structure fabricated in accordance with attached Memphis Light, Gas and Water Division Specification T161-002 dated February 9, 2007 and Drawing No. T161-SP-68, Sheets 1 and 2.

Total award amount is \$68,866.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; delivery 24-26 weeks after receipt of order; terms net 15 days.

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 - ~~regular~~ ^{special} meeting held on 5th day of May, 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.12251, aerator maintenance to R.P. Services, Inc., in the funded amount of \$300,000.00.

2. Additional Information

The project scope is to furnish all supervision, labor, tools equipment and transportation necessary to mechanically and hydro-clean aerator structures, floors, media and dosing assemblies of biological films, flock, and aquatic plant growth.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of May 5, 2021, awarded Contract No. 12251, Aerator Maintenance to R. P. Services, Incorporated in the funded amount of \$300,000.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to furnish all supervision, labor, tools equipment and transportation necessary to mechanically and hydro-clean aerator structures, floors, media and dosing assemblies of biological films, flock, and aquatic plant growth.

WHEREAS, the Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on News on February 2, 2021. MLGW solicited three (3) bids; and received two (2) bids on February 23, 2021. The best bid was from R. P. Services, Incorporated in the amount of \$300,000.00. During the Evaluation Process, the lowest bidder, Action Environmental, was deemed non-compliant due to them not bidding in accordance with MLGW's Specifications. Therefore, the contract was awarded to the best bid from R. P. Services, Incorporated in the amount of \$300,000.00. The term of this contract is for one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewal terms. 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. 12251, Aerator Maintenance to R. P. Services, Incorporated in the funded amount of \$300,000.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
May 5, 2021

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12251, Aerator Maintenance to R. P. Services, Incorporated in the funded amount of \$300,000.00.

The project scope is to furnish all supervision, labor, tools equipment and transportation necessary to mechanically and hydro-clean aerator structures, floors, media and dosing assemblies of biological films, flock, and aquatic plant growth.

The Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on February 2, 2021. MLGW solicited three (3) bids; and received two (2) bids on February 23, 2021. The best bid was from R. P. Services, Incorporated in the amount of \$300,000.00. During the Evaluation Process, the lowest bidder, Action Environmental, was deemed non-compliant due to them not bidding in accordance with MLGW's Specifications. Therefore, the contract was awarded to the best bid from R. P. Services, Incorporated in the amount of \$300,000.00. The term of this contract is for one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewal terms. 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. 12251, Aerator Maintenance to R. P. Services, Incorporated in the funded amount of \$300,000.00, 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 adopted by the Board of Light, Gas and Water Commissioners, at a regular ~~special~~ meeting held on 5th day of May, 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. 12245, 2021 well abandonment to Layne Christensen Company, in the funded amount of \$149,920.00.

2. Additional Information

The project scope is the abandonment of four MLGW Water Production Wells in full compliance with the Tennessee Department of Environment and Conservation's Well Construction Standards, Chapter 0400-45-09, and Shelby County's Rules and Regulations of Wells. The Contractor shall furnish all permits, notices, material, equipment, labor, transportation, erosion control and all other appurtenances necessary for the completion of this work.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of May 5, 2021, awarded Contract No. 12245, 2021 Well Abandonment to Layne Christensen Company in the funded amount of \$149,920.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is the abandonment of four (4) MLGW Water Production Wells in full compliance with the Tennessee Department of Environment and Conservation's Well Construction Standards, Chapter 0400-45-09, and Shelby County's Rules and Regulations of Wells. The Contractor shall furnish all permits, notices, material, equipment, labor, transportation, erosion control and all other appurtenances necessary for the completion of this work.

WHEREAS, the Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on January 15, 2021. MLGW solicited four (4) bids; and received a single bid on February 9, 2021 from Layne Christensen Company in the amount of \$149,920.00. In compliance with negotiations with MLGW's Single Bidder Provision of the MLGW Procurement Policy, staff attempted to negotiate the bid amount. However, during negotiations, a determination was made that the bid amount was a fair and competitive market bid. The term of this contract is for one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewal terms. 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. 12245, 2021 Well Abandonment to Layne Christensen Company in the funded amount of \$149,920.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
May 5, 2021

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12245, 2021 Well Abandonment to Layne Christensen Company in the funded amount of \$149,920.00.

The project scope is the abandonment of four (4) MLGW Water Production Wells in full compliance with the Tennessee Department of Environment and Conservation's Well Construction Standards, Chapter 0400-45-09, and Shelby County's Rules and Regulations of Wells. The Contractor shall furnish all permits, notices, material, equipment, labor, transportation, erosion control and all other appurtenances necessary for the completion of this work.

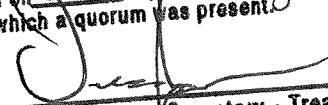
The Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on January 15, 2021. MLGW solicited four (4) bids; and received a single bid on February 9, 2021 from Layne Christensen Company in the amount of \$149,920.00. In compliance with negotiations with MLGW's Single Bidder Provision of the MLGW Procurement Policy, staff attempted to negotiate the bid amount. However, during negotiations, a determination was made that the bid amount was a fair and competitive market bid. The term of this contract is for one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewal terms. 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. 12245, 2021 Well Abandonment to Layne Christensen Company in the funded amount of \$149,920.00, 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 adopted by the Board of Light, Gas and Water Commissioners at a regular - ~~special~~ meeting held on 5th day of May, 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.12246, Morton filter valve replacement to Landmark Construction General Contractors, Inc., in the funded amount of \$176,000.00.

2. Additional Information

The project scope is to provide mobilization, supervision, labor, transportation, tools, equipment, manufacturer's technical representatives, personal protective training and equipment, and confined space requirements; including all boltings and gaskets and other appurtenances to remove and install valves in the basement of MLGW's Morton Pumping Station located at 3150 Hawkins Mills Road, Memphis, Tennessee.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of May 5, 2021, awarded Contract No. 12246, Morton Filter Valve Replacement to Landmark Construction General Contractors, Incorporated in the funded amount of \$176,000.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to provide mobilization, supervision, labor, transportation, tools, equipment, manufacturer's technical representatives, personal protective training and equipment, and confined space requirements; including all boltings and gaskets and other appurtenances to remove and install valves in the basement of MLGW's Morton Pumping Station located at 3150 Hawkins Mills Road, Memphis, Tennessee.

WHEREAS, the Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on January 29, 2021. MLGW solicited six (6) bids; and received three (3) bids on February 23, 2021. The lowest and best bid was from Landmark Construction General Contractors, Incorporated in the funded amount of \$176,000.00. The term of this contract is for twelve (12) months from the date of the Notice to Proceed. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12246, Morton Filter Valve Replacement to Landmark Construction General Contractors, Incorporated in the funded amount of \$176,000.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
May 5, 2021

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12246, Morton Filter Valve Replacement to Landmark Construction General Contractors, Incorporated in the funded amount of \$176,000.00.

The project scope is to provide mobilization, supervision, labor, transportation, tools, equipment, manufacturer's technical representatives, personal protective training and equipment, and confined space requirements; including all boltings and gaskets and other appurtenances to remove and install valves in the basement of MLGW's Morton Pumping Station located at 3150 Hawkins Mills Road, Memphis, Tennessee.

The Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on January 29, 2021. MLGW solicited six (6) bids; and received three (3) bids on February 23, 2021. The lowest and best bid was from Landmark Construction General Contractors, Incorporated in the funded amount of \$176,000.00. The term of this contract is for twelve (12) months from the date of the Notice to Proceed. This award complies with all applicable laws and policies.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12246, Morton Filter Valve Replacement to Landmark Construction General Contractors, Incorporated in the funded amount of \$176,000.00, 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 adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 5th day of May 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. 12239, Trane renewal chiller rebuild for the Netters Business Operations Center to Trane U.S., Inc., in the funded amount of \$139,878.00.

2. Additional Information

Vendor will rebuild the existing HVAC chiller which is needed between 50,000 and 100,000 hours of operation to assure reliable long-term operation of the building's cooling system. An additional five-year warranty is provided after installation.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of May 5, 2021, awarded Contract No. 12239, Trane Renewal Chiller Rebuild for the Netters Business Operations Center to Trane U.S., Incorporated, in the funded amount of \$139,878.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to allow Trane U.S., Incorporated as a single source provider to rebuild the existing HVAC chiller which is needed between 50,000 and 100,000 hours of operation to assure reliable long-term operation of the building's cooling system. An additional five-year warranty is provided after installation. MLGW is requesting approval of this single source award, which can only be provided by Trane U.S., Incorporated due to Trane being the existing chiller equipment manufacturer. The term of this contract is for one (1) year from the date of the Notice to Proceed in the funded amount of \$139,878.00. This single source award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12239, Trane Renewal Chiller Rebuild for the Netters Business Operations Center to Trane U.S., Incorporated, in the funded amount of \$139,878.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
May 5, 2021

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12239, Trane Renewal Chiller Rebuild for the Netters Business Operations Center to Trane U.S., Incorporated, in the funded amount of \$139,878.00.

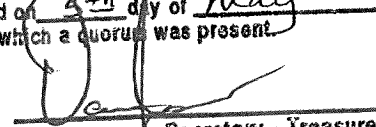
The project scope is to allow Trane U.S., Incorporated as a single source provider to rebuild the existing HVAC chiller which is needed between 50,000 and 100,000 hours of operation to assure reliable long-term operation of the building's cooling system. An additional five-year warranty is provided after installation. MLGW is requesting approval of this single source award, which can only be provided by Trane U.S., Incorporated due to Trane being the existing chiller equipment manufacturer. The term of this contract is for one (1) year from the date of the Notice to Proceed in the funded amount of \$139,878.00. This single source award complies with all applicable laws and policies.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No 12239, Trane Renewal Chiller Rebuild for the Netters Business Operations Center to Trane U.S., Incorporated, in the funded amount of \$139,878.00, 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 adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 5th day of May, 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 & Equipment, for 600-volt EPR-CPE power cable in the amount of \$4,221,607.00.

2. Additional Information

The 600-volt EPR-CPE cable will be ordered as needed to replenish storeroom inventory and to meet material needs for new electrical service requests.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of May 5, 2021 approved a thirty-six (36) month purchase order to supply EPR-CPE 600 volt power cable 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 600 volt EPR-CPE cable will be ordered as needed to replenish storeroom inventory and to meet material needs for new electrical service requests; and

WHEREAS, bids were opened on February 24, 2021. Notice to Bidders was advertised. Twenty (20) bids were solicited and seven (7) bids were received with the most responsive and best complying bidder being the firm of Universal Scaffold & 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 a thirty-six (36) month purchase order for EPR-CPE 600 volt power cable from Universal Scaffold & Equipment for the sum of \$1,407,202.33 chargeable to the MLGW 2021 fiscal year budget and the balance of \$2,814,404.67 chargeable to subsequent budget years as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
May 5, 2021

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 & Equipment in the amount of \$4,221,607.00 for 600 volt EPR-CPE power cable.

The 600 volt EPR-CPE cable will be ordered as needed to replenish store room inventory and to meet material needs for new electrical service requests.

Bids were opened on February 24, 2021. Notice to Bidders was advertised. Twenty (20) bids were solicited and seven (7) bids were received with the most responsive and best complying bidder being the firm of Universal Scaffold & Equipment. This award complies with all applicable laws and policies.

The 2021 budgeted amount for General Power Service is \$8,614,000.00; the amount spent to date is \$102,745.99; leaving a balance of \$8,511,254.01 available to be spent in 2021; of which \$1,407,202.33 will be spent on this purchase order in 2021; leaving a balance of \$7,104,051.68 after award; the remaining balance of \$2,814,404.67 to be spent from subsequent budget years as approved; and

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

THAT, subject to the consent and approval of the Council of the City of Memphis, award of a thirty-six (36) month purchase order to Universal Scaffold & Equipment is approved for furnishing:

#2 single conductor cable 600 volt power cable in accordance with Specification No. 35-51XX dated January 5, 2018;

#1/0 AWG single conductor cable 600 volt power cable in accordance with Specification No. 35-51XX dated January 5, 2018;

#4/0 AWG single conductor cable 600 volt power cable in accordance with Specification No. 35-51XX dated January 5, 2018;

500 KCMIL single conductor cable 600 volt power cable in accordance with Specification No. 35-51XX dated January 5, 2018;

#6 AWG single conductor cable 600 volt power cable in accordance with Specification No. 35-51XX dated January 5, 2018;

Three (3) conductors of 500 KCMIL quadraplex assembly cable in accordance with Specification No. 35-51XX dated January 5, 2018;

Total award amount is \$4,221,607.00; f.o.b. Memphis, Tennessee, our dock, transportation prepaid; said price being firm except for metals adjustments at the time of shipment; terms net 30 days.

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 5th day of May, 2021, at which a quorum was present.


Secretary - Treasurer

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. _____
**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.

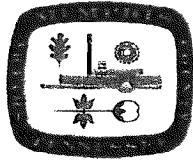
VI. Savings Clause

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.

Frank Colvett
Chairman

Sponsor:

Edmund Ford, Sr.
Dr. Jeff Warren



Memphis City Council Summary Sheet

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

This is a Resolution requesting the approval for the sale of a City owned parcel located at 29 E. Mallory Avenue in Memphis, Shelby County, Tennessee and further described as Parcel ID # 05077 00004

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

General Services

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

This is not a change to an existing ordinance or resolution.

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

Council District 6 and Super district 8

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

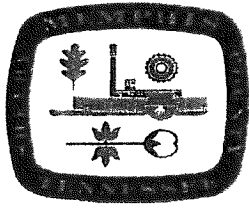
This item does not require a new contract or amend an existing contract.

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

This does not require expenditure of funds nor a budget amendment.

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

N/A



**A Resolution approving the sale of 29 E. Mallory Avenue- Parcel ID #050077
00004 Memphis, Tennessee 38109**

Whereas the City of Memphis owns a surplus parcel located at 29 E. Mallory Avenue and is further identified by Shelby County Tax Assessor as Parcel 050077 00004 containing 0.172ac, more or less;

Whereas the sale of the City owned parcel will increase the General Fund, generate tax revenue, and eliminate blight and maintenance cost for the City of Memphis;

Whereas Otis Burnette, on behalf of the Fifty Four Foundation, an adjacent property owner, submitted an offer of Five Hundred Dollars (\$500.00) for the Parcel along with a Fifty Dollars (\$50.00) Earnest Money deposit to the City of Memphis Real Estate Center; and

Whereas it is deemed to be in the best interest of the Citizens of the City of Memphis and County of Shelby that this request be considered subject to terms and conditions set forth in the Offer to Purchase and in City Ordinance 2-16-1(E).

Now, therefore be it resolved by the Council of the City of Memphis that the offer made by Otis Burnette on behalf of the Fifty Four Foundation on the above described property is hereby accepted subject to the City Ordinance 2-16-1(E) which states in part, "The city real estate manager shall be authorized to convey property to a selected adjacent property owner, without necessity of competitive bidding, for approval by the city council with one reading under the following circumstance: The selected adjacent property owner is willing and capable of paying the value of the adjacent property to be acquired based on valuation determined by the city real estate department."

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

Summary Notes for 29 E Mallory Ave

Notes for the sale of 29 E Mallory Ave

1 surplus parcel being sold at 29 E Mallory Ave Parcel ID: 050077 00004

Purchaser: Otis Burnette on behalf of the Fifty Four Foundation. The Fifty Four Foundation is a fund-raising entity for the Moolah Shrine Temple #54, the adjacent property owner at 15 East Mallory. The Fifty Four Foundation intends to purchase the parcel and remove the blighted structure in order to expand and improve its nearby campus and provide further services to the Mallory Heights community.

Property was acquired by the City of Memphis in Tax Sale 1503 TX-2017.

Council District 6/ Edmund Ford, Sr.

Super Council District 8/ J.B Smiley

An analysis of comparable sales was performed to arrive at a sales price of \$500, price reflected to account for the demolition of the derelict structure.

Parcel being sold:

Parcel ID #	Sales Price	
050077 00004	\$500.00	

The total sale price for 29 E Mallory Avenue is \$500.00.

The purchaser has deposited the earnest money of \$50.00 (10% of the Sales Price)

Requesting Council to approve the sale.

City Council Resolution



Sheanandra Y. Ford
Shelby County Register of Deeds

CITY OF MEMPHIS

Owner:
Parcel Address: 29 E MALLORY AVE
Parcel ID: 056077 00004
2021 Appraisal: \$15,700
Tax District: MEMPHIS
Year Built: 1923
Lot Number: 6
Subdivision: NEW SOUTH MEMPHIS BLK 5
Flat BK & PG: UNKNOWN
Dimensions: 50 X 150
Total Acres: 0.172
Owner Address: 125 N MAIN ST
MEMPHIS TN
38103 2026

Map prepared on 1/8/2021



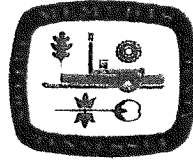


Shelandra Y Ford
Shelby County Register of Deeds

Owner: CITY OF MEMPHIS
 Parcel Address: 29 E MALLORY AVE
 Parcel ID: 060077 00004
 2021 Appraisal: \$15,700
 Tax District: MEMPHIS
 Year Built: 1923
 Lot Number: 6
 Subdivision: NEW SOUTH MEMPHIS BLK 5

 Plat BK & PG: UNKNOWN
 Dimensions: 50 X 150
 Total Acres: 0.172
 Owner Address: 125 N MAIN ST
 MEMPHIS TN
 38103 2026





Memphis City Council Summary Sheet

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

A Resolution approving the sale of a city owned property known as 0 E. Railroad Avenue Memphis, TN 38104, Parcel ID # 030026 00016.

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

General Services

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

N/A

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

Super
District 5 / District 9

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

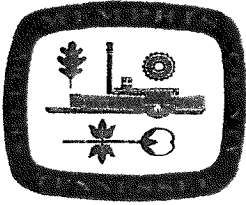
N/A

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

N/A

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

N/A



A Resolution approving the sale of a city owned property known as 0 E. Railroad Avenue Memphis, TN 38104, Parcel ID# 030026 00016

WHEREAS, the City of Memphis owns the property known as 0 E. Railroad Avenue, Memphis, TN 38104 ("The Property") and is further identified by Shelby County Tax Assessor as Parcel # 030026 00016 containing 0.226 acres, more or less;

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

WHEREAS, Jake R. & Jeanine H. Muhundro, submitted an offer of Two Thousand One Hundred Sixty Three Dollars (\$2,163.00) and submitted an earnest money deposit of ten percent equaling \$216.30; and

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

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

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

City Council Resolution

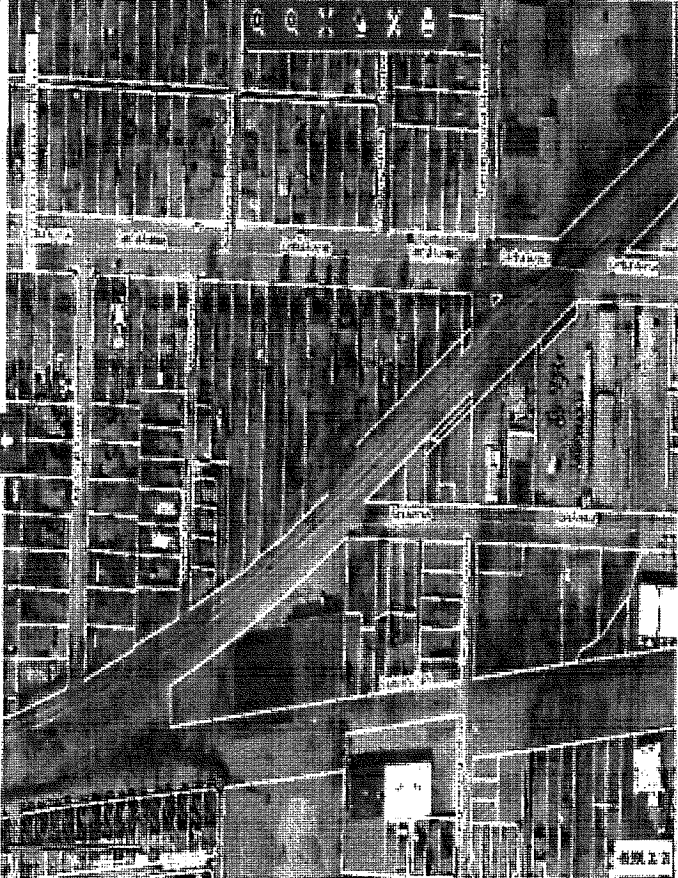
Shalandra Y Ford
Shelby County Register/Deed

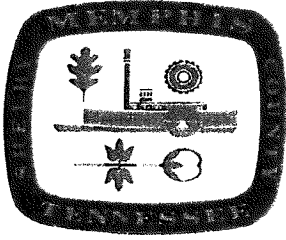
Search **Details** Layers

Property Details

Owner Name:	CITY OF MEMPHIS
Property Address:	0 E RAILROAD
Parcel ID:	03026 00016
Appraisal:	\$26,907
Tax District:	MEMPHIS
Tax Map:	158K
Year Built:	
Lot Number:	0 5
Subdivision:	HIGBEE HIGHLANDS
Plot Book & Page:	14893/114
Dimensions:	76 X 130
Total Acres:	0.226
Owner Address:	GENERAL DELIVERY MEMPHIS TN 38101 0899
Class:	EXEMPT
Use:	- VACANT LAND
Longitude:	-89.8457617
Latitude:	35.12545755

[Assessor Info](#)
[Metrolink Tax Info](#)
[County Map Info](#)
[Google View](#)
[Search Index](#) [Recent](#) [Previous](#) [Records](#)





Memphis City Council Summary Sheet: A Resolution transferring \$70,000 from CIP Project #GS19104, FY19 Major Mod (Carpentry), earmarked for the Lichterman Green House to Parks and Neighborhoods CIP Project #PK21103.

Memphis City Council Summary Sheet

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

A Resolution transferring \$70,000 from CIP Project #GS19104, FY19 Major Mod (Carpentry), earmarked for the Lichterman Green House to Parks and Neighborhoods CIP Project #PK21103.

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

General Services

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

Does not change an existing ordinance or resolution

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

Requires new contracts

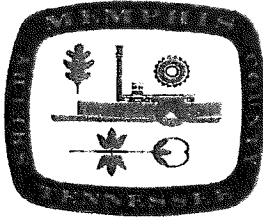
5. State whether this requires an expenditure of funds/requires a budget amendment.

Budget amendment is needed to transfer allocations and appropriations.

6. Council District 2, Super District 9

7. MWBE Goals? N/A

City Council Resolution – Transferring \$70,000 of General Services CIP funds
#GS19104 to Parks and Neighborhoods #PK21103



A Resolution transferring \$70,000 from CIP Project #GS19104, FY19 Major Mod (Carpentry), earmarked for the Lichterman Green House to Parks and Neighborhoods CIP Project #PK21103.

WHEREAS, the Council of the City of Memphis included CIP Project #GS19104, FY19 Major Mod (Carpentry), as part of the FY 2019 Capital Improvement Program budget; and

WHEREAS, CIP Project #GS19104, FY19 Major Mod (Carpentry) included funding earmarked for the Lichterman Green House construction; and

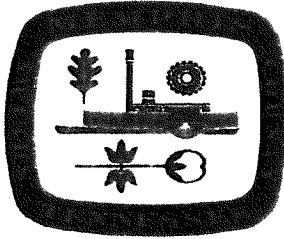
WHEREAS, all bids, for the construction of the Green House, came in over the earmarked \$70,000 of General Services CIP Project #GS19104 – FY19 Major Mod (Carpentry); and

WHEREAS, Parks & Neighborhoods will complete the project; and

WHEREAS, General Services has agreed to transfer the allocations and appropriations totaling \$70,000 from CIP Project #GS19104, FY19 Major Mod (Carpentry), to PK21103, Parks & Neighborhoods to assist in the construction of the Lichterman Green House.

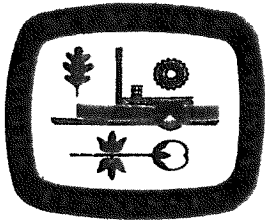
NOW, THEREFORE, BE IT RESOLVED that there be and is hereby transferred allocations and appropriations totaling \$70,000 from CIP Project #GS19104, FY19 Major Mod (Carpentry), to CIP Project number PK21103 and credited as follows:

Project Title:	Contract Construction
Project Number:	PK21103
Amount:	\$70,000



Memphis City Council Summary Sheet

1. **Description of the Item (Resolution, Ordinance, etc.)**
Resolution to ^{transfer} ownership of Memphis Zoo tram from the City of Memphis to the Memphis Zoological Society.
2. **Initiating Party (e.g. Public Works, at request of City Council, etc.)**
Parks and Neighborhoods
3. **State whether this is a change to an existing ordinance or resolution, if applicable.**
(Not Applicable)
4. **State whether this requires a new contract, or amends an existing contract, if applicable.**
This will not require a contract.
5. **State whether this requires an expenditure of funds/requires a budget amendment.**
This will not require an expenditure of funds.
6. Council District 5, Super District 9
7. MWBE Goals? N/A



***Resolution to Transfer Ownership of Memphis Zoo Tram to
the Memphis Zoological Society***

WHEREAS, the City of Memphis did purchase a tram for the Memphis Zoological Society for use at the Memphis Zoo as part of the Fiscal Year 2011 Capital Acquisition Budget; and

WHEREAS, the value of the tram purchased in 2011 does exceed \$10,000 and ownership is in the name of the City of Memphis; and

WHEREAS, the Memphis Zoological Society desires to trade-in the current tram for purchase of a new tram; and

WHEREAS, the Administration requests that the Council approve the transfer of ownership from the City of Memphis to the Memphis Zoological Society for the express purpose of selling or trading said tram to acquire a new tram.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that it hereby approves the transfer of ownership of the tram purchased as part of the 2011 Capital Acquisition Budget from the City of Memphis to Memphis Zoological Society.



Memphis City Council Summary Sheet

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

Resolution to amend and extend management agreement (contract #28278) with Goodwill Homes Community Services for an additional five (5) years with one option for an additional five (5) year period.

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

Parks Division

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.

Goodwill Homes Community Services, Inc. will continue to operate the Goodwill Homes Senior Center located in council district 6, super district 8.

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

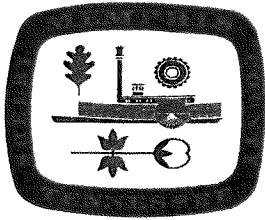
Amends existing contract #28278

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

This resolution would require an expenditure of funds and is included in the FY22 Parks Division budget request.

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

MWBE goal is not applicable.



Resolution approving amendment and extension of Contract No. 28278 between the City of Memphis through its Division of Parks and Neighborhoods and Goodwill Homes Community Services, Inc. to manage and operate the Goodwill Homes Senior Center facility.

WHEREAS, the City of Memphis, through its Division of Parks and Neighborhoods, owns the Senior Center Facility (Goodwill Homes Senior Center) located at 163 West Raines Road, Memphis, Tennessee, 38109, for the purpose of providing positive environments and a variety of activities for senior citizens on a daily basis; and

WHEREAS, the City of Memphis has an existing agreement with Goodwill Homes Community Services, Inc., to manage and operate the Goodwill Homes Senior Center facility; and

WHEREAS, Goodwill Homes has provided positive and successful senior citizen programming and services at the Goodwill Homes Senior Center facility since its inception in 1991, serving thousands of Memphis seniors; and

WHEREAS, the Division of Parks and Neighborhoods desires to amend and to extend the Agreement with Goodwill Homes Community Services, Inc. for an additional five (5) years from the date of execution, with one (1) option for an additional five (5) year period for the purpose of continued management and operation of the Goodwill Homes Senior Center facility; and

WHEREAS, City of Memphis Ordinance No. 4763, Article 1, Section 23-1(d) requires (for Management Agreements with terms exceeding two (2) years), the approval of the Council of the City of Memphis.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that this Amendment between the City of Memphis and Goodwill Homes Community Services, Inc., for management and operations of Goodwill Homes Senior Center facility, as agreed to by the parties, is hereby approved in accordance with the terms set forth therein outlining committed operational, financial and other stipulated criteria as to both parties in the approved Agreement.

AMENDMENT CONTRACT NO. 28278

Between

CITY OF MEMPHIS

And

GOODWILL HOMES COMMUNITY SERVICES, INC.

THIS AMENDMENT is made and entered into this _____ day of _____, 2021, by and between the City of Memphis, a Tennessee municipal corporation (hereinafter referred to as "City"), and Goodwill Homes Community Services, Inc., a Tennessee non-profit entity, (hereinafter to as "Goodwill").

RECITALS:

1. WHEREAS, City and Goodwill entered into Contract No. 28278 (hereafter "Contract") for the operation of Goodwill Senior Center (hereafter "Senior Center"); and,
2. WHEREAS, the parties desire to amend the Contract to relieve Goodwill of the responsibility for the expense of utilities and for the responsibility of routine repairs; and,
3. Whereas, the parties hereby acknowledge that this document constitutes an Amendment to the Contract.

NOW, THEREFORE, for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. The Division of Parks and Neighborhoods desires to extend the Agreement with Goodwill Homes Community Services, Inc. for an additional five (5) years with one option for an additional five (5) year period for the purpose of continued management and operation of the Goodwill Homes Senior Center facility; and
2. The City of Memphis and Goodwill Homes Community Services, Inc. both desire the contract to continue to relieve Goodwill of the responsibility for the expense of utilities and that the City of Memphis General Services be responsible for all the routine repairs and major structural repairs, as typically performed on the other City facilities; and
3. The Contract section III Funding, is hereby amended as follows:
 - a. Item 3.01. Delete referenced Exhibit A and replace with amended Exhibit A attached.

4. Goodwill is obligated to adopt the goals of the City of Memphis Parks & Neighborhoods MWBE program as a provision of this Agreement.

5. All other terms and conditions set forth in the original Agreement, not in conflict with this Amendment, shall remain in full force and effect. Nothing in this Amendment relieves either party of their respective obligations under the Agreement.

6. This Amendment, together with the Contract, constitutes the entire agreement between the parties, and supersedes all other prior or contemporaneous communication between the parties relating to the subject matter of this Extension and Agreement. Each party to this Extension and Amendment hereby agrees to execute any document or instruments reasonably required by the other party to evidence the foregoing.

IN WITNESS WHEREOF, the parties, by and through their duly authorized representatives, have executed this **EXTENSION AND AMENDMENT TO CONTRACT NO. 28278 BETWEEN THE CITY OF MEMPHIS AND GOODWILL HOMES COMMUNITY SERVICES, INC.** as of the date above written.

CITY OF MEMPHIS, TENNESSEE

GOODWILL HOMES COMMUNITY SERVICES, INC.

By: _____
Mayor

DocuSigned by:
By: Susan Mills 4/19/2021
C2A120CCD04143B
Susan Mills, Chief Executive Officer

Approved as to Form:

Chief Legal Officer/City Attorney

Attest:

Comptroller

Amended Exhibit A

Projected Annual Budget

Maintenance Tech	35,000.00
Program Salaries	69,656.00
Fringes	12,558.00
Telephone Services	5,300.00
Internet Services	2,302.00
Insurances	16,000.00
Fire and Security Monitoring	5,584.00
Air and Heating Contract	4,500.00
Equipment Rental	3,500.00
Equipment Maintenance and Repair	16,500.00
Building Maintenance and minor Repair	18,500.00
Maintenance Supplies	10,600.00
Total Projected Expenditures	200,000.00

PROGRAM PLAN FOR SERVICES AND ACTIVITIES

Goodwill Homes Community Services, Inc. operates a Senior Citizens Center and an Adult Day Care Program at 163 West Raines Road, Memphis, Tennessee 38109. The boundary lines for the clients are South Parkway north, Holmes Road south, Elvis Presley east and Swinnea Road west.

Goodwill Homes Senior Center addresses the need, for social and recreational opportunities, educational activities, health promotions, and a variety of outreach services, for targeted low-income adults aged 55 years and older. The Senior Center is an essential link in the aging network, offering service activities and access to many community resources.

The Senior Center targets adults aged 55 or older in Southwest Shelby County. Most of the seniors in the services area are minority, low-income and frail. These seniors are in need of this

program to enhance their dignity and self-worth. Goodwill Homes Senior Center provides a linkage and access to resources to meet these needs. The goal of Goodwill Homes Senior Center is to prevent institutionalization and isolation among low-income elderly.

The clients served by the Senior Center are classified as either semi-retired (ages 55 through 59) or retired (ages 60 and above). The participants are primarily low-income African Americans.

The Adult Day Care Program provides day care for individual's ages 60 years and older and younger adults with physical, mental, or emotional disabilities. The Adult Day Care offers highly structured activities and personal care for seniors, while younger adults with disabilities are provided with structured activities to enhance their self-sufficiency and self-esteem. The Day Care is the only affordable program in Southwest Shelby.

The Senior Center program is operational five days per week, Monday through Friday, 7:00 a.m. to 5:00 p.m. The Senior Center is also open some nights and weekends depending upon the dates and hours for community meetings.

Services and programs to be provided by GOODWILL for the citizens of Memphis and Shelby County shall include, but not limited to

- a) Recreational programs
- b) Health and fitness programs
- c) Educational programs
- d) Information and referral services
- e) Congregate meal services
- f) Volunteer service activities
- g) Outreach activities
- h) Employment referral services
- i) Nutrition Education/Screening
- j) Adult Day Care
- k) Transportation services (Adult Day Care)
- l) Telephone reassurance

Certification of Signature

“I, Susan Mills, hereby certify that the faxed/electronic/copied signature below is my legally enforceable signature.”

DocuSigned by:
Susan Mills
G2A1206CDD4F43B
Signature

CEO

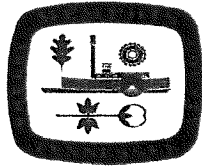
Title

Goodwill Homes Community Services, Inc.

Company

4/19/2021

Date



Memphis City Council Summary Sheet

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

Resolution to enter a new lease agreement with Save One Foundation dba Memphis Little League to utilize the entire property complex located at Will Carruthers Baseball Complex for five (5) years with two five (5) year options

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

Parks Division

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.

Save One Foundation dba Memphis Little League will continue to operate the Will Carruthers Baseball Complex located in council district 6, super district 8.

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

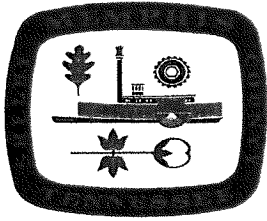
This resolution requires a new contract

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

No funding is required

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

MWBE goal is not applicable.



Resolution approves the agreement between the City of Memphis through its Division of Parks and Neighborhoods and Save One Foundation dba Memphis Little League (MLL) to manage and operate Will Carruthers Baseball Complex.

WHEREAS, the City of Memphis owns and operates, through its Division of Parks and Neighborhoods, the entire property complex located at Will Carruthers Baseball Complex (WCBC), 3880 Neely Rd, Memphis, TN 38109, which includes five (5) baseball field playing surfaces, spectator viewing areas, concessions, restrooms and parking areas; and

WHEREAS, the City of Memphis and Save One Foundation dba Memphis Little League (MLL), have established positive collaboration in serving and providing sporting, recreational and athletic opportunities to its youth and others in the Memphis community; and

WHEREAS, MLL has utilized the WCBC for youth baseball and other related sporting events and youth activities and desires extensive future operations and management use of the facility at MLL's full operational and capital costs (i.e. no cost to the City); and

WHEREAS, The initial period of this agreement shall be for five (5) years from the date of execution, with two (2) consecutive five (5) year options to renew, which shall be exercised separately upon mutual approval of the parties, providing for a total potential term of fifteen (15) years ; and

WHEREAS, City of Memphis Ordinance No. 4763, Article 1, Section 23-1(d) requires (for Management Agreements with terms exceeding two (2) years), the approval of the Council of the City of Memphis to enter into this Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that this Agreement between the City of Memphis and Save One Foundation dba Memphis Little League, for management and operations of the Will Carruthers Baseball Complex, as agreed to by the parties, is hereby approved in accordance with the terms set forth therein outlining committed operational, financial and other stipulated criteria as to both parties in the approved Agreement.



JIM STRICKLAND
MAYOR

DIVISION OF PARKS & NEIGHBORHOODS
NICK WALKER

From: Nick Walker, Director, Parks and Neighborhoods Division
To: Jim Strickland, Mayor
Via: Doug McGowen, Chief Operation Officer
DATE: April 6, 2021
SUBJECT: Memphis Little League Lease Agreement

1. Statement of Opportunity

The Division of Parks and Neighborhoods has established positive collaboration with Memphis Little League (MLL) to provide recreational and athletic opportunities to youth and others through the property complex located at 3380 Neely Road. The Division and MLL desire to formalize this agreement to govern MLL's use of related facilities.

2. Prior Parks & Neighborhoods Action

The Division of Parks and Neighborhoods has collaborated with MLL in past years and wish to continue collaboration through a formalized agreement.

3. EBO Participation

There is no funding associated this agreement.

4. COO Action

The COO is requested to ask the Mayor to approve this contract.

City of Memphis



BID AND CONTRACT AGENDA SHEET

FY 21

Original staples to

1. Division: Parks and Neighborhoods Date: 4/6/2021
 Division Contact Person: Andrew Fisher Phone #: 9016364203
 Print Name

2. Contractor: Save One Foundation dba Memphis Little League Address: 7535 Appling Estate Drive
 City/State/ Zip Code: Memphis, TN 38133
 Contractor's Contact Name: Kerry Cobb Contractor's Email Address: kerrye@cwapparealeast.com

3. BID REJECTION:
 For purchase/construction of _____
 Explanation of rejection _____

Request to Re-advertise _____

4. CONTRACT AWARD RECOMMENDATION: RFQ/RFP # _____ Vendor # _____
 Check Box: Low Best* Only Negotiated

Contract Amount: \$0.00
 Purpose: Lease Agreement for MLI, use of the property complex located at 3380 Neely Rd

Special Instructions: _____
 *Justification for rejection of low bids attached. (Attach a copy of bid tabulation)

5. CHANGE ORDER/AMENDMENT/ENCUMBRANCE/FINAL PAYMENT: Contract# _____
 For: No payment/encubrance necessary

Special Instructions: _____

6. Submit Invoices to:
 Dept. Contact Person _____ Address _____
 City/State/Zip Code _____

<input type="checkbox"/>	Extension	Original Contract Amount	_____	Final Payment Due:	\$ _____
<input type="checkbox"/>	Change Order	Previous C. O. Total	_____	Retainage:	\$ _____
<input type="checkbox"/>	Cancel Contract	Prev. Amend./Encum. Toll.	_____		
<input type="checkbox"/>	Transfer to PO	C. O. #	_____	Attached	_____
<input type="checkbox"/>	Amendment	Encumbrance Amount	_____		
<input type="checkbox"/>	Encumber	Adjusted Contract Amount	_____		
<input type="checkbox"/>	Unencumber				

COST & SOURCE OF FUNDS

Type	Line #	Fund	Serv. Ctr	Account #	Project #	Task #	Award #	Amount
(1)	No Funding	0111	151604	052528				\$ -
(2)								
(3)								
(4)								
(5)								
(6)								

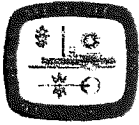
Appropriating Resolution Attached: Other Attachments

CHECKED & APPROVED BY : Andrew J. Fisher 4/6/2021 Service Center Approval Date
Nick Walker 4/6/2021 Division Director Date

Director, OBDC Approval _____ Date _____ Chief Administrative Officer _____ Date _____

City Engineer _____ Date _____ Contract Analyst-Print _____ Purchasing Agent or CPO _____ Date _____

FUNDING/PURCHASING APPROVAL:
 Funds are available.
 Funds to be appropriated/transferred.



City of Memphis – Division of Parks & Neighborhoods
Youth and Family Services

LEASE AGREEMENT

THIS LEASE AGREEMENT is made and entered into this _____ day of _____ 2020, by and between the City of Memphis, Division of Parks & Neighborhoods, (hereafter “City”) and the **Save One Foundation dba Memphis Little League**, (hereinafter “MLL”) for the use and management of Will Carruthers Baseball Complex (hereafter “WCBC”).

RECITALS

WHEREAS, The City of Memphis, through its Division of Parks & Neighborhoods, owns and operates the entire property complex located at 3380 Neely Road, which includes five (5) baseball/softball fields, spectator viewing areas, bathroom and concession facilities and parking areas; and,

WHEREAS, The City of Memphis and MLL, have established positive collaboration in serving and providing sporting, recreational and athletic opportunities to its youth and others in the Memphis community; and,

WHEREAS, The City of Memphis and MLL desire to formalize and enter into this agreement to set forth terms and conditions upon which shall govern MLL’s use of WCBC and related facilities

NOW, THEREFORE, in consideration of the premises and mutual promises contained herein, and for the good and valuable consideration, the receipt and legal sufficiency of which hereby agree as follows:

Section 1. Permitted Uses.

1.01. **Scope of Use.** City hereby grants MLL the authority to manage/operate and use WCBC on a non-exclusive primary priority basis (at no cost to MLL and no fees payable to the City) specifically for baseball, softball, related field sports, various assemblies related to sports, cultural or community interest, band, dance, musical events and other directly related MLL activities. MLL’s use is specific to the 5 ball fields, restroom, concession facilities and parking areas. MLL shall not use or permit the use of such designated areas for any other purpose without prior written approval from the Division of Parks & Neighborhoods.

- 1.02. Use by Others. MLL shall allow other nonprofit youth groups within the Memphis community and non-profit neighborhood based groups to use WCBC as a meeting and recreation location. MLL may charge a reasonable fee for rentals and events held at WCBC based on its normal and customary fee structure and scheduling availability. Annual Rate/Charge Schedules must be provided to the City and adhered to in all MLL rental transactions.

- 1.03. Shelby County Middle and High School (hereafter SCS) Use. MLL shall allow use of the WCBC for league game play to SCS as the parties may agree. SCS will have primary scheduling priority for league game play during the months of March and April. All games for SCS will be scheduled through MLL. MLL shall have primary scheduling except as explicitly provided to SCS in this paragraph.

- 1.04. Non-exclusive Use. The City in no way relinquishes its right to assure that all citizens have equal access to WCBC and hereby retains the right to allow and approve use by others that are not pre-scheduled by MLL, provided that, in such instances, the City shall be responsible for operations, cleanup and maintenance associated with each specific event, WCBC following such uses.

- 1.05. Special Events. Individuals and/or organizations not associated with MLL who desire to use WCBC for special events must make application to MLL which shall have the exclusive right to grant or deny such application in accordance with Parks & Neighborhoods will direct any potential applicants desiring use of WCBC to MLL for scheduling purposes and to ensure that such application will not conflict with previously scheduled MLL activities. For informative purposes, MLL will provide Parks & Neighborhoods with a monthly event schedule reflecting all MLL and non MLL events/activities.

- 1.06. City of Memphis – Parks & Neighborhoods Use. The City of Memphis may schedule and use WCBC for any event as desired, based on scheduling and coordination availability with MLL. Any City of Memphis event must be scheduled with MLL and coordinated appropriately with due regard to the overall WCBC event programming. MLL agrees to allow the City to host various events per calendar year at WCBC at no cost to the City, barring scheduling conflicts. As such, the City does not have the right to cancel events already scheduled by MLL in order to host a City event.

Section 2. Term and Termination.

- 2.01. This initial period of this agreement shall be for five (5) years from the date of execution, with two five (5) year options to renew, which shall be exercised separately upon mutual written approval of both parties. This agreement has a total potential term of fifteen (15) years.
- 2.02. Either Party may terminate this agreement for any reason with one-hundred and eighty (180) days written notice.
- 2.03. Within one hundred and eighty (180) days of expiration or termination of this agreement and subject to the approval of the City, MLL may remove any permanent structure(s) built solely with MLL funds; provided that, such structures are removed at the sole expense of MLL without damage to City property. Such expense shall include restoring the facility to its original condition. MLL shall be responsible for any and all damage to the facility resulting from the removal of such permanent structures. Notwithstanding the foregoing, MLL may remove all furnishing provided by MLL from such structures within the referenced one hundred and eighty (180) day period.

Section 3. Operations and Maintenance.

3.01. Repairs, Maintenance and Operations by MLL. MLL agrees as follows:

- a) (1) Remove/Replace or Repair all bleachers not ADA compatible.
 - (2) Maintain field lighting system and lights, and where necessary, make corrections or replacement of flawed systems/lights.
 - (3) Ensure spectator area is ADA accessible from parking areas and appropriate signage is in place.
 - (4) Provide water connections, as desired by MLL.
 - (5) Maintain and service existing public restroom facilities on property.
 - (6) Maintain and service existing concessions facility on property.
- b) MLL shall provide ongoing routine maintenance to WCBC properties as described below and maintain WCBC facilities in good condition at its own cost and expense. Representatives from Parks & Neighborhoods shall meet with MLL each year during the term of this Agreement and provide a list of projects, which in the opinion of the City, need or are anticipated to need maintenance. Those projects designated as such will be funded by MLL. Projects designated by the City shall not exceed \$5,000.00 per year. The intent of the parties is for MLL to provide upkeep of the current

conditions and not for MLL to be required to make improvements. Notwithstanding the foregoing, MLL shall provide the following ongoing maintenance:

- (1) Mowing: Playing field areas, where necessary and applicable.
 - (2) Irrigation: Playing field areas, where necessary and applicable.
 - (3) Fertilizing: Playing field areas, where necessary and applicable.
 - (4) Aerating: Playing field areas, where necessary and applicable.
 - (5) Dumpsters: Provide adequate dumpsters and scheduled trash collection at the expense of MLL.
 - (6) Annual pesticide inspections and spraying of pesticides and herbicides:
Spraying shall be done on an as needed basis.
- c) MLL shall be responsible for providing daily litter control in its permitted use area during practice, league play and the tournament season and keep the area free of litter. If the City determines litter control is not being provided effectively, the City will provide 24 hours' notice to MLL to clean up the litter. If it is not done satisfactorily, the City will provide the service and bill MLL for the cost of such service.
- d) If the City determines there are "maintenance needs" in addition to those identified at the beginning of or during any season or year, Parks & Neighborhoods will inform key MLL, by phone, electronic mail, or mail, of such maintenance needs. Response times to correct these needs shall be as follows:
- (1) Needs that do not present a safety concern must be corrected within 30 days;
 - (2) Needs that present a less than significant liability/safety concern must be signed and public access restricted, as needed from the area of concern within 24 hours. The problem shall be corrected within 7 days;
 - (3) Needs that present a significant liability / safety concern must be properly signed and public access restricted, to minimize potential liability. The problem shall be corrected within 24 hours;
 - (4) Graffiti shall be removed within 48 hours of notification, provided the weather and safety permits same.

If MLL does not correct any maintenance/vandalism needs within the time allowed, the City may have such needs corrected and bill MLL for the full cost of such repairs.

- e) MLL shall be responsible for and agrees to pay all operating costs in its

management/operations of WCBC, which shall include utilities, general

maintenance, staffing, and all other cost incurred via the operations of WCBC. In some instances, or if applicable, these costs will be payable via reimbursement to the City. Moreover, if MLL shall perform or make available the services for routine maintenance to the infrastructure, such as permanent public restroom, paved walkways, and the field lighting system.

3.02. Repairs by City. Upon written notice to MLL, the City reserves the right to make any repairs or undertake any maintenance it deems necessary to preserve the integrity of WCBC based upon the failure of MLL to comply with this section. In the event the City is required to undertake such action, all resulting costs shall be invoiced to MLL for immediate payment. City also agrees to make following repairs at the City's expense, and

(1) Will assure that water fountains are properly working, that park benches are in suitable appearance and condition, and that any fixed or portable rest rooms are in proper condition, and

(2) Will make repairs to parking lot (i.e., potholes, light replacement, signage, landscaping), include ADA parking spaces, and maintain general upkeep.

Section 4. Parking, Traffic Control & Security

4.01. During MLL scheduled events at WCBC, MLL will assign members of their organization as necessary to manage and control parking, prevent cars from parking in "No Parking" areas, keep fire lanes and access for emergency vehicles clear, ensure congestion in the parking lot (s) is minimized, and monitor the handicapped parking spaces for appropriate use.

4.02. MLL will ensure that all events at WCBC authorized by MLL will have sufficient and adequate security and insurance coverage for the general safety and protection of the facility and all citizens participating in or attending events as spectators or guests. These provisions should also be required by MLL authorized third-party contractual users of WCBC.

Section 5. Audits and Inspections

5.01 Site Inspections. City shall have the right, through its authorized employees or agents, to inspect the WCBC premises from time to time to determine if it is being operated and maintained in accordance with this Agreement. MLL shall furnish keys for all locks to the Division of Parks & Neighborhoods for a minimum of two (2) on-site visits per year, or as may be coordinated by the parties.

5.02 Books and Records. City reserves the right to inspect and audit the records of MLL regarding its performance under this Agreement. MLL shall make and keep as the same accurate, full, complete records and books of accounts of revenue and income, costs and expenses that specifically relate to performance under this Agreement. Records and Books of account, together with any and all other memoranda pertaining thereto that may be kept, maintained or possessed by MLL shall be open to examination during regular business by the City or its representatives for the purposes of inspecting, auditing, verifying or copying the same or making extracts there from. MLL shall make and keep said records and books of accounts for a period of three (3) years after completion of the contractual obligations under this Agreement.

Section 6. Insurance & Indemnification

6.01 MLL shall maintain during the term of this Agreement, at its own costs and expenses, the following insurance policies issued by insurance companies licensed in the State of Tennessee and acceptable to the City. All such insurances shall be evidenced by certificates and/or policies, as determined by the City, which shall name the City of Memphis as additional insured and shall be mailed to the City of Memphis, Attn: Risk Management as shown below.

MLL shall not commence any work under this contract until it has obtained and caused its subcontractors to procure and keep in force all insurance required. MLL’s failure to maintain the following insurance coverage during the term hereof, shall be cause for immediate termination of this Agreement.

MLL shall provide notice to City within three (3) business days following receipt of any notice of cancellation or material change in MLL’s insurance policy from MLL’s insurer. Such notice shall be provided to City by registered mail, return receipt requested to the following address:

Division of Parks & Neighborhoods, Recreation Department, 2599 Avery, Memphis, TN 38112.

Each certificate or policy shall state in writing the following clause: **“The City of Memphis, its officials, agents, employees and representatives shall be named as additional insured on all liability policies.”** The additional insured endorsements shall be attached to the Certificate of Insurance.

In addition, MLL will provide the City with a required \$2 Million Liability Certificate of Insurance (COI), (for the specific Premises) to include endorsement therein per the City of Memphis Risk Management Insurance Guidelines.

6.02. Workers Compensation To the extent applicable, MLL shall maintain in force Workers' Compensation coverage in accordance with the Statutory Requirements and Limits of the State of Tennessee and shall require all subcontractors to do likewise with Minimums of:

Employers Liability	\$100,000	Each Accident
	\$500,000	Disease - Policy Limit

\$100,000 Disease - Each Employee

6.03 Automobile Liability. If applicable, automobile coverage with minimum limit of \$1,000,000.

6.04 Commercial General Liability. Comprehensive General Liability insurance, including premises and operations, contractual liability, independent contractor's liability, and broad form property damage liability coverage with minimum limits of:

- \$2,000,000 General Aggregate
- \$1,000,000 Products-Completed Operations
- \$1,000,000 Personal and Advertising Injury
- \$1,000,000 Each Occurrence (Bodily Injury and Property Damage)
- \$ 50,000 Fire Damage any one fire
- \$ 50,000 Medical expense any one person

6.05. Property Insurance. MLL shall be responsible for maintaining any and all property insurance on their own equipment and shall require its subcontractors to do likewise. MLL shall require all subcontractors to carry insurance as outlined above, in case they are not protected by policies carried by MLL.

MLL shall be required to provide copies of the requisite insurance contemporaneously with the execution of this Agreement and will provide policies upon request

City reserves the right to reasonably require increases in coverage limits if same becomes necessary.

MLL shall indemnify, defend, save and hold harmless the City, its officers, employees, and agents, from and against any and all claims, demands, suits, actions, penalties, damages, settlements, costs, expenses, or other liabilities of any kind and character arising out of or in connection with the breach of this Agreement by MLL, its employees, subcontractors, or agents, or any negligent act or omission of MLL, its employees, subcontractors, or agents, which occurs pursuant to the performance of this Agreement, and this indemnification shall survive the expiration or earlier termination of this Agreement. The provisions of this paragraph shall not apply to any loss or damage caused by the acts, errors, or omissions of the City, its officers, employees and agents.

MLL shall provide notice to City within three (3) business days following receipt of any notice of cancellation or material change in MLL's insurance policy from MLL's insurer. Such notice shall be provided to City by registered mail, return receipt requested, to the following addresses:

City of Memphis
Risk Management Department

170 N. Main Street, 5th Floor
Memphis, TN 38103

City of Memphis
Purchasing Department
125 N. Main, Room 354
Memphis, TN 38103

Each certificate or policy shall state in writing the following clause:

"The City of Memphis, its officials, agents, employees and representatives shall be named as additional insured on all liability policies:

The additional insured endorsements shall be attached to the Certificate of Insurance.

Section 7. Notice

7.01 All notices or requests to City shall be given in writing to:

Director Nick Walker
Division of Parks & Neighborhoods
2599 Avery Avenue
Memphis, Tennessee 38112
(901) 636-4200

and copied to:

City Attorney
125 North Main Street, Room 336
Memphis, TN 38103

Phone (901) 636-6614

Notices and requests to MLL shall be given to:

Chairman/Vice President
Memphis Little League
7535 Appling Estate Dr.
Memphis, TN 38133
(901) 830-5538

Section 8. Miscellaneous Provisions

8.01 Surrender of Premises. Upon the expiration of this Agreement or if it terminated sooner, MLL shall deliver WCBC to the City in good condition, reasonable use, wear and tear accepted.

8.02 Ownership of the Property and Improvements. MLL agrees that any and all improvements thereto, paid for in whole or in part by MLL, shall become the property of the City upon the expiration or termination of this Agreement, except as provided in Paragraph 2.03 above. MLL further acknowledges WCBC shall remain the property of the City of Memphis and that MLL shall not encumber such property or make any alterations or improvements to WCBC without the prior written approval of the City's Director of Division of Parks & Neighborhoods.

8.03 Scheduling. MLL shall furnish the City a schedule of all games, practices, tournaments and any and all uses of WCBC two (2) months prior to the beginning of the season or as soon as practicable. MLL may revise the schedule after it is submitted to the City.

8.04 Meetings. MLL officials shall schedule and meet with Parks & Neighborhoods representatives periodically for purposes of reviewing and planning WCBC issues such as the number of MLL participants and events; maintenance needs; planned capital improvements; concerns expressed by citizens and neighborhoods; and policies and practices to be followed.

8.05 Advertising/ Annual Rate/Charge Schedules. All advertising shall be subject to approval by the City prior to placement. Annual Rate/Charge Schedules for public rental and use of WCBC shall be provided to City in January of each year, and as soon as practical as changes occur. Such charges shall be reasonable and customary.

8.06 Entire Agreement. This Agreement contains the entire agreement of the Parties hereto and there are no other promises or conditions in any other agreements whether oral or written.

This Agreement supersedes any prior written or oral agreements between the Parties pertaining to the subject matter hereof.

8.07 Relationship of Parties. This Agreement does not and shall not be construed to create a partnership or joint venture between the Parties hereto.

8.08 Third Party Beneficiaries. This Agreement does not create any relationship with, or any rights in favor of, any third party.

8.09 Assignment. MLL shall not assign or transfer its interest in this Agreement without the prior written consent of the City.

8.10 Amendment. This Agreement may be modified or amended only by a document in writing executed by an authorized representative of the Parties hereto.

8.11 Park Ordinance. MLL agrees to comply with applicable park rules and the city ordinance related to park hours. Park hours shall be from 6:00 am to 10:00 pm from November 1 through March 14 and 6:00 am to 10:00 pm from March 15 through October 31.

8.12 Nondiscrimination. MLL agrees and warrants that no person shall be excluded from participation in or be otherwise subjected to discrimination in Arrow's use of the Premises or performance of this Agreement on the grounds of disability, race, gender, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional or statutory law, or local ordinances and policies of the City of Memphis. Upon a finding of such discrimination, this Agreement shall be immediately terminated.

8.13 Governing Law. Arrow is assumed to be familiar with and agrees that at all times it will observe and comply with all federal, state and local laws, ordinances, and regulations applicable to its performance of this Agreement. This Agreement will be interpreted in accordance with the laws of the State of Tennessee. By execution of this Agreement, Arrow agrees that all actions it might institute against the City, whether sounding in contract or in tort, relating to the validity,

construction, interpretation and enforcement of this Agreement will be instituted and litigated in the Courts of Shelby County, Tennessee, and in no other.

8.14 Force Majeure. The obligations of the parties hereunder are subject to prevention by causes beyond the parties' control that could not be avoided by the exercise of due care including, but not limited to, acts of God, natural disasters, riots, wars, epidemics, pandemics or any other similar cause.

8.15 Unenforceability. If any provision of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a Court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to have been written, construed and enforced as so limited.

8.16 No Waiver. The failure of either party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that Party's right to subsequently enforce and compel strict compliance with every provision of this Agreement.

8.17 Captions. The headings and captions contained in this Agreement are for reference purposes only and shall not limit or extend the meaning or terms of any paragraph or section herein contained.

8.18 (a) Americans With Disabilities Act (ADA) Compliance. MLL hereby acknowledges that WCBC is not currently fully ADA compliant and agrees that any upgrades, modifications or improvements to WCBC undertaken by MLL shall be consistent with applicable ADA guidelines. ADA requirements and all other relevant building and construction codes must be addressed during any improvements or modifications to WCBC. Documents reflecting the design and final construction of such upgrades, modifications or improvements must be submitted by MLL to Parks & Neighborhoods (Planning and Development Office) for a review, and final approval and acceptance by the City.

(b) MLL further acknowledges and agrees that any complaint received by City or MLL related to any MLL sponsored program at WCBC during the term of this Agreement shall be the responsibility of MLL with regard to inquiries or directives issued by the United States Department of Justice ("DOJ").

8.19 Capital Upgrades, Expansion or Modification. MLL agrees to provide to the City and coordinate with the City all applicable plans and detailed drawings and required construction documentation that will accompany all capital upgrades, expansions or modifications to WCBC. All such plans and coordination will be initially directed to the Administrator of Parks & Neighborhoods Division Planning and Development Office and shall be subject to City's final approval.

THIS SPACE INTENTIONALLY LEFT BLANK



March 27, 2021

Workers Compensation:

Save One Foundation dba Memphis Little League is a non-profit organization with (0) paid employees on staff and as such, workers compensation coverage is not required.

Auto Liability:

Save one Foundation dba Memphis Little League does not own any vehicles and as such auto liability coverage is not required.

INSURANCE WAIVER REQUEST FORM

Vendor Name: Save One Foundation dba Memphis Little League	Contract No.:
Contract Type: <input checked="" type="checkbox"/> Original <input type="checkbox"/> Extension/Amendment	
Brief Description of Scope of Work (if extension, describe any change in SOW): Non profit organization providing youth baseball for ages 5 to 14. This league serves for youths living in the Memphis Urban communities.	

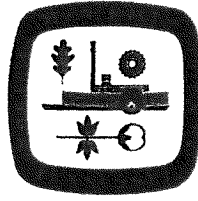
Please select all insurance coverage(s) for which vendor seeks a complete waiver for required coverage or reduction in coverage amount. Provide the reason for the waiver of the coverage(s). Please note requested reduction in coverage amount, if any.

- Worker's Compensation** / Reason: _____
- Automobile Liability** / Reason: _____
No cars allowed inside complex; no autos to be utilized in the provision of contract services
- Professional Liability** / Reason: _____
- Umbrella Coverage** / Reason: _____
- Cyber Liability** / Reason: _____
- Other (specify)** _____ / Reason: _____

ALL INSURANCE WAIVER REQUESTS MUST INCLUDE A COPY OF THE SCOPE OF WORK, CONTRACT INSURANCE REQUIREMENTS, VENDOR'S CURRENT CERTIFICATE OF INSURANCE, AND THIS WAIVER REQUEST FORM.

Request Form Submitted by: Kerry Cobb	Submission Date: 3/24/2021
Division/Department: Parks & Neighborhoods	

LEGAL DEPARTMENT USE ONLY	
Attorney Review By: Cheryl Hearn	Review Date: 3/24/2021
Attorney Comments, if any: 	
WAIVER REQUEST APPROVED <input checked="" type="checkbox"/> WAIVER REQUEST DENIED <input type="checkbox"/>	
Signature: Jennifer Sink (cmh) Jennifer Sink, City Attorney/Chief Legal Officer	Date: 3/30/21



Memphis City Council Summary Sheet

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

This is a resolution to appropriate construction funds for the Stiles Plant Modification, project number SW04009, needed to rehabilitate electrical equipment at the grit tank and influent pump station generator at the M.C. Stiles WWTF.

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

Public Works

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

This resolution does not change any existing ordinance or resolution.

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

The project will impact council district 6 and super district 8. It serves all or portions of districts 2, 3, 4, 6, 8 and 9.

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

This request will require a new construction contract.

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

Yes, this requires an expenditure of funds and budget amendment.

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

The City's goal setting committee assigned a 21% MBE goal and 3% WBE goal. The contract is being awarded to Shelby Electric Co. who will meet the MWBE goal by utilizing Industrial Sales and Service (MBE) and York Construction Services (WBE).



RESOLUTION

This is a resolution to appropriate construction funds to rehabilitate electrical equipment at the M.C. Stiles WWTF

WHEREAS, the Council of the City of Memphis approved FY21 Stiles Plant Modification, project number SW04009, as part of the Fiscal Year 2021 Capital Improvement Budget; and

WHEREAS, bids were received on March 3, 2021 for the grit tank MCC replacement and influent pump station generator at the M.C. Stiles WWTF with the lowest complying bid \$4,122,093.33 submitted by Shelby Electric Co., Inc.; and

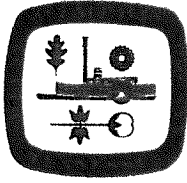
WHEREAS, it is necessary to appropriate \$4,534,304.00 funded by Sewer Capital Pay GO in Stiles Plant Modification, project number SW04009 as follows:

Contract Amount	\$4,122,094.00
Project Contingencies	<u>\$ 412,210.00</u>
Total Amount	\$4,534,304.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2021 Capital Improvement Budget be and is hereby amended by appropriating the amount of \$4,534,304.00 to Stiles Plant Modification, project number SW04009, to rehabilitate electrical equipment at the M.C. Stiles WWTF; and

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$4,534,304.00 funded by Sewer Capital Pay Go chargeable to the FY2021 Capital Improvement Budget and credited as follows:

Project Title:	Stiles Plant Modification
Project Number:	SW04009
Amount:	\$4,534,304.00



Memphis City Council Summary Sheet

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

This is a resolution to transfer and appropriate \$500,000.00 to begin work on the renovation of the Historic Melrose High School. (District 4 and Super District 8)

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

This request is initiated Public Works.

by

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

N/A

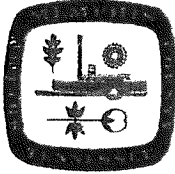
4. State whether this requires a new contract, or amends an existing contract, if applicable.

This project requires a new contract currently being negotiated.

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

This resolution requires an expenditure of funds and budget amendment.

6. MWBE Goals? N/A



A resolution to transfer \$500,000 from Old Melrose Site Rehab PW04117 to the Historic Melrose Rehab CD01102 and appropriate funds.

WHEREAS, the Memphis City Council did, as part of the FY 2018 CIP Budget, approve an allocation of \$500,000 for Old Melrose Site Rehab, project number PW04117, to fund the rehabilitation of the Old Melrose High School site, located at 843 Dallas Street, which would improve the safety and well-being of the Orange Mound community; and

WHEREAS, the Division of Housing and Community Development (“HCD”) has been working with the Orange Mound community and neighborhood stakeholders for about four years to create a new vision for the Old Melrose site; and

WHEREAS, the proposed renovation plan, developed in cooperation with Memphis Public Libraries, will preserve the historic nature of the building, create a branch library and an African-American genealogy center on the first floor, and create a warm, lit shell condition on the upper two floors for possible future redevelopment; and

WHEREAS, the Accelerate Memphis program includes \$10,000,000 for the Historic Melrose Rehab, project number CD01102, which funds should be available sometime during the FY 2022 budget year; and

WHEREAS, HCD wishes to begin work immediately on the proposed renovation plan and utilize existing funds for life-safety analyses of the building, including testing for mold and asbestos and examining the integrity of the roof structure and need for seismic upgrades, as well as to begin architectural and engineering design; and

WHEREAS, it is necessary to transfer \$500,000 from Old Melrose Site Rehab, project number PW04117, to the Historic Melrose Rehab, project number CD01102, for the purposes stated above;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the Fiscal Year 2021 Capital Improvement Budget be and is hereby amended by transferring the amount of Five Hundred Thousand Dollars (\$500,000) of Capital Improvement fund allocations from the Old Melrose Site Rehab, project number PW04117, to the Historic Melrose Rehab, project number CD01102, and furthermore by appropriating said funds, for the purpose of building inspections and beginning design for the Historic Melrose High School site as follows:

<u>Historic Melrose Rehab – CD01102</u>	
Architecture & Engineering	<u>\$500,000</u>
TOTAL	<u>\$500,000</u>



City of Memphis 2021 Impasse Committee Administration Presentation

Division: Fire Services

Association: IAFF - Local 1784

May 10, 2021

Agenda

- Process Overview
- FY22 Financial Outlook
- City Total Economic Package
- Q & A

Process Overview

Pre- Impasse Process

Meetings with Associations to discuss wage proposals (Feb – March)

Administration submit proposed Total Economic Package to Associations

Total Economic Packages presented in Mayor’s budget

Impasse Process

Association declare impasse

Committee Hearing of 3 Council Members to recommend either the Administration or Association total economic package to full council

Full Council Members decide which total economic package to include in the budget

Roles and Responsibilities

IAFF

Advocate
for their
1,462
members

IAFF Salary
Increases Since
2016 = 10.0%

Administration

Advocate
for all
8,300
employees

Avg General Employee
Salary Increases Since
2016 = 4.5%

City Council

Select
total
economic
package

FY22 General Fund Highlights

Proposed FY22 Revenue Budget reflects the lingering impact of the COVID-19.

While some revenue line items are projected with increases, others are trending down.

For Example:



\$3.0 m- Decrease in the MFD Ambulances Services revenue



\$ 3.0 m – Expiration of MFD SAFER Grant

Noted increased expenses includes:

- \$ 6.8m – 2% Salary Increases for Police & Fire (0% for General)
- \$ 5.9m –Part Time Salaries
- \$ 3.7m – Engineering Services
- \$ 2.0m – GVIP Program
- \$ 1.0m – Phone Communications

If IAFF association request is approved, Council will need to find an additional \$1.6 M in FY22 and \$2.9 M in FY23 for salary increases

The coronavirus outbreak has triggered unprecedented mass layoffs and furloughs. Here are the major companies that have announced they are downsizing their workforces.

Taylor Borden 24 hours ago



Service Master | **Affected Workers: 124 | Closure/Layoff Date: Apr 30, 2021**

American Stairways | **Affected Workers: 32 | Closure/Layoff Date: Mar 12, 2021**

National Express | **Affected Workers: 489 | Closure/Layoff Date: start layoffs - Mar 13, 2020**

iQor Global Services 3 | **Affected Workers: 130 | Closure/Layoff Date: Nov 27, 2020**

HMSHost North America | **Affected Workers: 260 | Closure/Layoff Date: Oct 16, 2020**

Delaware North Companies Inc. | **Affected Workers: 583 | Closure/Layoff Date: Mar 23, 2020**

IAFF History of Increases

Date	Increase
January 1, 2016	2.0%*
June 1, 2016	1.0%*
July 1, 2016	2.0%*
July 1, 2017	1.0%*
July 1, 2018	0%
July 1, 2019	4.0%
July 1, 2020	0%

IAFF Increases Since 2016 = 10.0%

Avg General Employee Increases
Since 2016 = 4.5%

IAFF Average Pensionable Salary

2020 IAFF average total earnings \$81,257

89.5% (\$72,723) were pension earnings

10.5% (\$8,534) were non-pension overtime

Average IAFF Earnings Analysis for 2020 CY		
Total Earnings	\$81,257	100.0%
Base Salary	\$60,872	74.9%
Other Pension Earnings* (Non-Overtime)	\$11,851	14.6%
Overtime (Non-Pension Earnings)	\$8,534	10.5%
* includes College Incentive, Longevity Pay, Shift Pay, Job Incentive Pay, Hazardous Duty Pay, Deferred Holiday Pay, etc.		

2020 Salary Survey – IAFF

Job Title	Memphis	Bartlett	Germantown	Southaven	Shelby County Govt	Collierville
Fire Driver	\$60,686	\$41,590	\$65,879	\$45,260	\$62,635	\$65,174
Fire Inspector	\$67,583			\$56,389	\$70,725	\$51,612
Fire Investigator	\$75,523				\$74,360	\$73,265
Fire Lieutenant	\$68,898	\$47,794	\$73,392	\$42,099	\$69,310	\$70,808
Fire Private	\$57,088	\$35,286	\$62,743	\$34,070	\$53,375	\$58,199
Fire Recruit	\$36,015	\$40,474	\$44,120	\$27,165	\$44,625	\$30,900
Fire_LEP Private II	\$55,134				\$58,954	\$46,492
Firefighter/Paramedic	\$62,225		\$70,002	\$35,485		\$68,661
Firefighter_LEP Paramedic	\$60,096					
Material Fire Spec	\$42,314				\$31,666	
Paramedic	\$41,512	\$42,694		\$39,042		
Incumbent Count	1,566	101	77	129	224	69

2020 IAFF average total earnings \$81,257

Health Care Total Cost

(Plan Year 2022 Projected Cost Share)

IAFF Member on our Health Insurance

City Pays
\$11,568

Per Year Per

Plan Year '22	Per Employee Per Month Cost
(1) Allowed charges (claims after discount)	\$1,322
(2) EE plan share (ded, coins, copays)	(\$202)
(3) Net claims	\$1,120
(4) Administrative Fees	\$53
(5) Premium	\$1,174
(6) HRA /HSA Funding	\$27
(7) Wellness Incentives	\$7
(8) Employee Contribution	(\$244)
(9) Net City costs	\$964
(10) EE out of pocket after HRA [-(2)-(8)-(6)]	\$419
(11) Total plan costs [(1)+(4)+(7)]	\$1,383
(12) EE cost share [(10)/(11)]	30%
(13) City cost share [1-(13)]	70%

What IAFF Wants

- **3% raises for 2 years in a row**
- **Cost an extra \$4.5 M with no funding source**
- **Maintain status quo – No additional vacation for their members**

FY	IAFF Proposal Cost	Compression	Total
FY 21	\$2,671,655	\$191,392	\$2,863,047
FY 22	\$2, 751,805	\$197,134	\$2,948,938

IAFF Total Proposal Cost	Compression	Total
FY 21/22 \$5,423,460	\$388,526	\$5,811,986

Your Decision

City Position

City's Offer is 2% raise and 3 additional vacation days

Proposal Cost	Compression	Total
\$2,404,490	\$172,253	\$2,576,742

TERM OF AGREEMENT:

- The City of Memphis proposes a 1-year MOU agreement

We also request to remove the current bonus day program, and replace it with an enhanced vacation program that adds 3 days.

- COM employees on average received 2.5 bonus days per year
- MFD typically paid out 2.5 bonus days per year, instead of 4 days
- Fire bid vacation the same as they do today
- Same rules as vacation, gives more time sooner
- No loss to the employee – still retire with 75 days

Recap

If IAFF association request is approved,

Council will need to find an additional
\$1.6 M in FY22 and \$2.9 M in FY23
to cover the raises.

Thank you for your time and attention.

If you have any questions please contact:

Phyllis Taylor Thomas, PHR, IPMA-SCP
Officer, EEO, Labor, Diversity & Inclusion
Phyllis.thomas@memphistn.gov

125 N. Main St., Room 414

Memphis, TN 38103

901-573-1824

APPENDIX

IAFF Impasse Non-Economic Items

IAFF Position

Non-Economic - Article 2 – Union Rights

Sect 2 - IAFF proposing to have the 7 members of the negotiating team (Shall be temporarily assigned to the union office, five (5) business days prior to and for the duration of negotiations beginning on March 1st. Team members will be paid at their straight time rate for all non-duty hours actually worked at the bargaining table).

Sect 3 - Union President and Vice President – wanting to add Secretary/Treasurer, shall be maintained on the Fire Division Payroll under the jurisdiction of the Director of Fire.

Art. 13 – Sick Leave –Sect. 40 Hour Employees - wanting to strike/remove language from (1982 concerning all accumulated sick leave days will be converted to accumulated sick leave hours based on following formulas. 40 hr. employees and 56 hour employees to be struck).

And wanting to change language concerning accumulated sick leave hours being adjusted upward or downward when going from 40 hour and 56 hour shift employment to reflect 8 , 12 and 24 hour shift employment. Changing 56 hour emp to 24 hour, changing 40 hour emp to 8 or 12 hour throughout the whole article.

Art. 30 – Vacations – Only changing 56 hour Shift employees to 24 Hour and changing 40 hour Shift employees to 8 hour

Strickland Administration

Labor Negotiations Philosophy

Our Philosophy

- Participate in the process
- Use data to make decisions
- When we can, where we can, we will work to improve compensation and benefits

Interest-Based Bargaining Guidelines

- Relevant information must be shared
- Focus on issues, not personalities
- Focus on the present and future, not the past
- Focus on the interests underlying the issues, not only on positions
- Focus on mutual interests
- Evaluate options based on objective and agreed-upon criteria

2019 Background

Basic Information			Assoc	City	
UNION	# of EE's	# of Comp EE's	Last Offer	Last Offer	Total Cost Difference
IAFF	1574	58	3.8%	3.0%	\$925,078
IUOE-WTP (PCI only)	19	1	12.0%	12.0%	\$0
IUOE Total	281	98	3.0 %	1.0%	\$519,401
MACHINISTS	82	28	3.0%	1.0%	\$155,629
CWA	133	18	4.0%	3.0%	\$99,758
IBEW Total	126	40	3.0%	1.0%	\$250,852
MPA	1694	282	5.0%	3.0%	\$3,024,704
AFSCME Total	875	47	4.0%	1.0%	\$1,228,297

2019 Impasse Committees:

- Assoc Won: Police, Fire, CWA, ASCFME, and IAMAW
- City Won: IUOE and IBEW

2019 Final Outcome at Full Council:

- Assoc Won: Police and Fire
- City Won: , CWA, ASCFME, and IAMAW IUOE and IBEW
- Police, Fire and CWA awarded with 4% raise
- All other employees awarded with 1% raise

Total Fund Gap 2019 \$5,433,466

2020 Background

Basic Information			Assoc	City	
UNION	# of EE's	# of Comp EE's	Last Offer	Last Offer	Total Cost Difference
IAFF	1574	58	3% begin Jan 1, 2021	0.0%	\$2,039,252
IUOE-WTP (PCI only)	19	1	3%		
IUOE Total	281	98	20% for Lab Analyst	0.0%	\$765,927
MACHINISTS	82	28	2.0%	0.0%	\$163,785
CWA	133	18	0.0%	0.0%	\$0
IBEW Total	126	40	3.3%	0.0%	\$436,410
MPA	1694	282	3.0%	0.0%	\$3,024,704
AFSCME Total	875	47	4.0%	0.0%	\$2,300,029

2020 Impasse Committees:

Assoc Won: IUOE Animal Shelter

City Won: Police, Fire, CWA, ASCFME, and IAMAW
IUOE and IBEW

2020 Final Outcome at Full Council:

- Assoc Won: IUOE Animal Shelter
- City Won: Police, Fire, CWA, ASCFME, IAMAW, IUOE and IBEW
- No raises awarded

Total Fund Gap 2020: \$10,081,190

FY22 Financial Outlook

The City continues to face financial challenges and uncertainties:

The FY21 budget called for a \$37m use of the General Fund unrestricted fund balance in order to balance the adopted budget for FY21.

The FY21 budget contained \$25+m of one-time funding sources (\$10m state and \$15m+ federal)

The City will continue to maintain compliance of a 100% ADC funding level, ADC is projected at approximately \$7m less than FY21.

FY22 will be the first full fiscal year of the State Hall Income Tax phase out representing a \$2.5m reduction in an unreplaced revenue source.

- While state sales tax is trending over budget for FY21, other revenue sources are trending below budget (mixed drink tax, court fees and court cost, and concessions).

The City is in the process of forecasting FY21 projected results and formulating FY22 budget. Additional information will be provided during labor negotiations as forecast and budgets are developed and formalized.

2021 Negotiations Timeline

AFSCME, CRAFTS, CWA, IAFF, IAMAW, IUOE & MPA

DATES	NEGOTIATIONS TASK
2/24	Meeting with Divisions
2/26	Association Kick-Off Meetings
3/1 – 3/31 (Spring Break 3/29 – 4/2)	Negotiation Period
3/31	Negotiation Deadline
4/1 – 4/9	Cooling Off Period April 2 nd Good Friday; April 5 th – MLK Day (April 9 th is the 7 th consecutive day)
4/9	Total Economic Package Letters
4/20	Mayor's Budget Presentation
4/30 (7 business days)	Labor Impasse Notice Deadline

Teams and Contacts

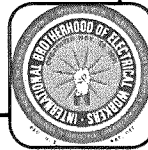
- Chandell Ryan, Esq.
- Lan Chen, Esq.

AFSCME



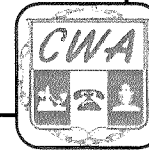
- Sean Hunt, Esq.
- John O'Conner / John (Brad) Parker

Crafts



- Chandley Crawford, Esq.
- Deputy Chief Michael Hardy

CWA



- Robert Myers, Esq./ Joseph Fletcher, Esq.
- Donald Pannell / Ken Newton, Bat. Fire Chief, Markus Smith, Deputy Chief

IAFF



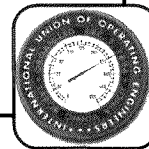
- Alan Crone, Esq.
- Keith Staples, Chief Deputy

IAMAW



- Dennis Hawkins, Esq.
- Gerald Spencer

IUOE



- Tannera Gibson, Esq.
- Deputy Chief Hampton

MPA



Ground Rules

1. Ground Rules must be agreed upon before moving forward with negotiations
2. Advise EDI of any proposed changes to ground rules before agreeing with changes

Original ground rules agreement should be maintained in the notebook and a copy should be distributed to the Chief Negotiator of the Labor Association



2020 Employee Connection Survey Results

City of Memphis – Overall

December 14, 2020





Overall, how are you doing? Please list three words to describe how you are feeling now.

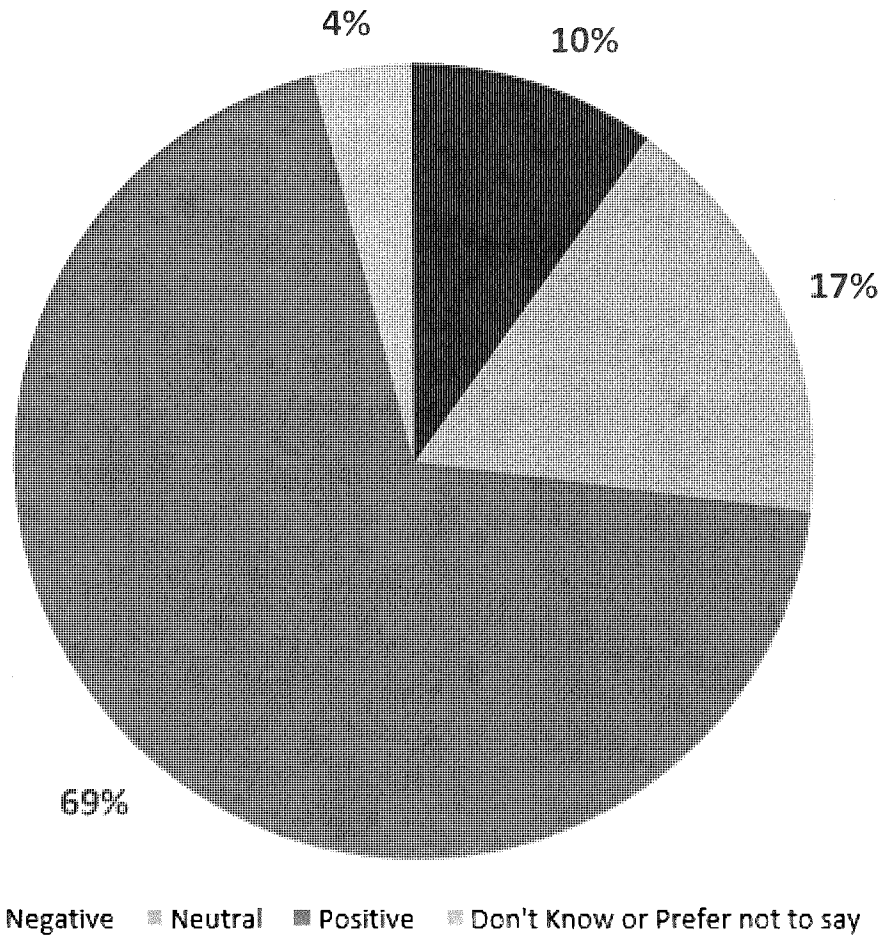
City of Memphis – Overall





Communications about COVID-19 from my manager or supervisor have been helpful to me

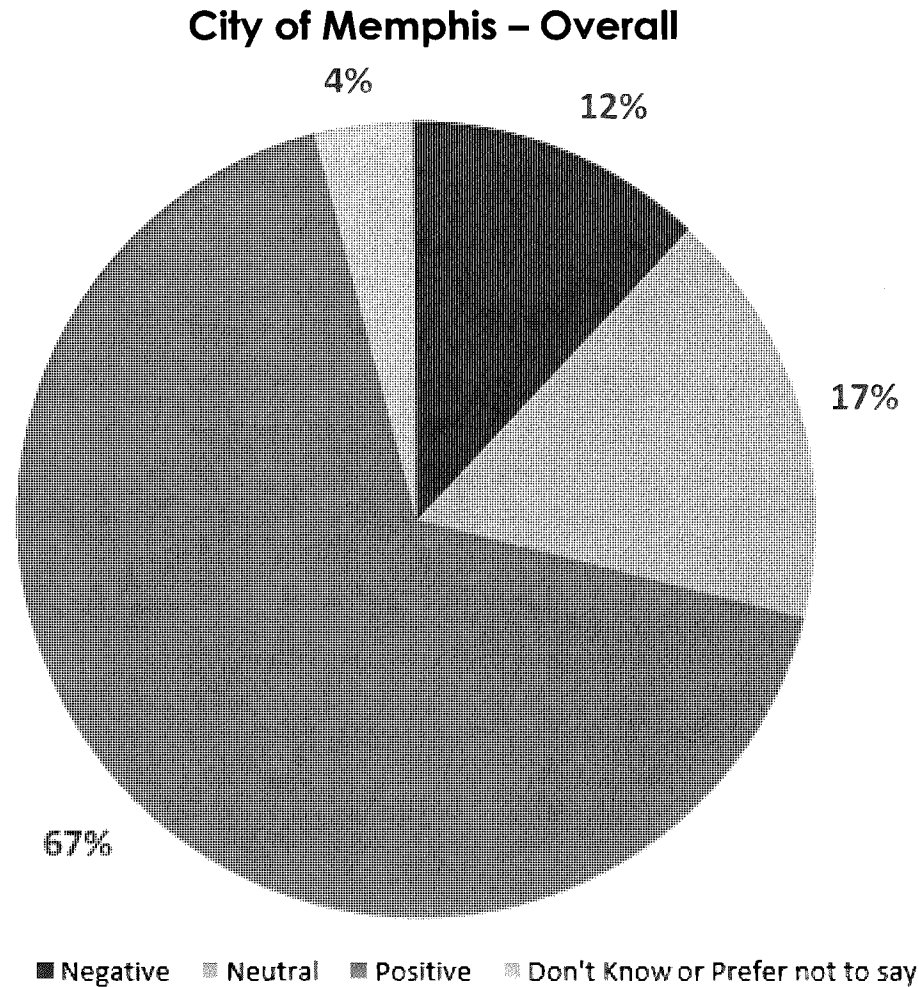
City of Memphis – Overall



Negative = "Strongly Disagree or Disagree" | Neutral = "Neither Agree nor Disagree" | Positive = "Strongly Agree or Agree"



The City of Memphis has done a good job adapting to the work changes that have been necessary due to COVID-19

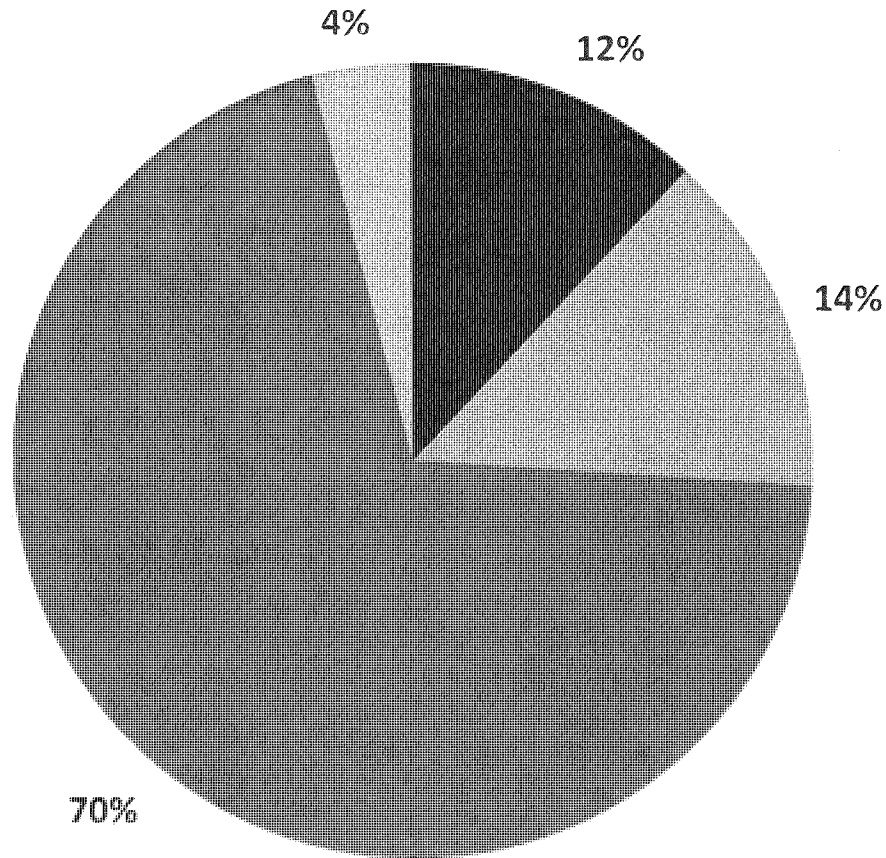


Negative = "Strongly Disagree or Disagree" | Neutral = "Neither Agree nor Disagree" | Positive = "Strongly Agree or Agree"



My division has done a good job adapting to the work changes that have been necessary due to COVID-19

City of Memphis – Overall



■ Negative ■ Neutral ■ Positive ■ Don't Know or Prefer not to say

Negative = "Strongly Disagree or Disagree" | Neutral = "Neither Agree nor Disagree" | Positive = "Strongly Agree or Agree"

PERKS

Your City of Memphis I.D. badge is your key to special discounts from businesses like French Riviera, Raleigh Tire, AT&T, Sprint and T-Mobile. City of Memphis employees can also take advantage of free rides on MATA.

TUITION REIMBURSEMENT

Our tuition reimbursement program offers full-time employees up to \$3,000 for earning a degree or up to \$2,000 for earning a certificate.

PROFESSIONAL DEVELOPMENT

Through the Professional Development Institute's extensive course catalog, employees can build the skills and expertise they need to expand their career path.

RETIREMENT

Employees are eligible to receive pay for up to 90 accrued sick days. Employees hired before Jan. 1, 2009 are eligible for a Defined Benefit Retirement Plan, guaranteeing a monthly pension upon retirement. Employees hired after Jan. 1, 2009 may participate in the Hybrid Retirement plan that guarantees an annuity payment at retirement.

HEALTHCARE

The City offers pre-65 retired healthcare through a private exchange that provides \$5,000 to individuals or \$10,000 to families through a Health Reimbursement Account ("HRA"). Line of Duty retirees may participate in the Group Medical Plan or elect an HRA of \$10,000 for individuals or \$20,000 for families.

HEALTH & WELLNESS

Our wellness incentives offer employees and spouses up to \$1,500 a year for completing wellness activities. The City of Memphis Employee Clinics provide free, quality care and treatment for common ailments. In addition to our four free on-site fitness centers, we offer subsidies for memberships at various fitness clubs around town.

CITY OF MEMPHIS



FINANCIAL WELLNESS

To foster financial wellness, we have a student loan reduction program that contributes \$500/month to an employee's student loans. We also frequently host financial wellness seminars covering topics such as budgeting, debt recovery, saving for an emergency and planning for retirement.

ANNUITY

The City provides a free \$10,000 Death Benefit plus one month's wages for full- and part-time employees; a \$5,000 Death Benefit for retirees; and a Line of Duty Death Benefit of \$150,000-\$350,000 dependent upon salary.

EMPLOYEE RECOGNITION

In addition to awarding cash bonuses of up to \$2,500 for exceptional performance, we honor employees' milestones and achievements at the annual Ovation Awards ceremony.

DISABILITY COVERAGE

Our free long-term disability coverage is competitive with Shelby County and Nashville, and our competitive voluntary short-term disability insurance pays up to 70% of wages.



Memphis Fire Fighters Association – IAFF Local 1784

**MEMPHIS CITY COUNCIL
IMPASSE PRESENTATION
2021**



Memphis Fire Fighters Association – IAFF Local 1784

History of Memphis Firefighter Cost of Living Increases

<u>2010</u> City 0%	<u>2014</u> City 0%	<u>2018</u> City 0%
<u>2011</u> City cut 4.6%	<u>2015</u> City 0%	<u>2019</u> City 3% Council Budget 1%
<u>2012</u> 0%	<u>2016</u> Council Impasse 5%	<u>2020</u> City 0%
<u>2013</u> Restore 4.6% cut	<u>2017</u> City 1%	<u>2021</u> ???



Memphis Fire Fighters Association – IAFF Local 1784

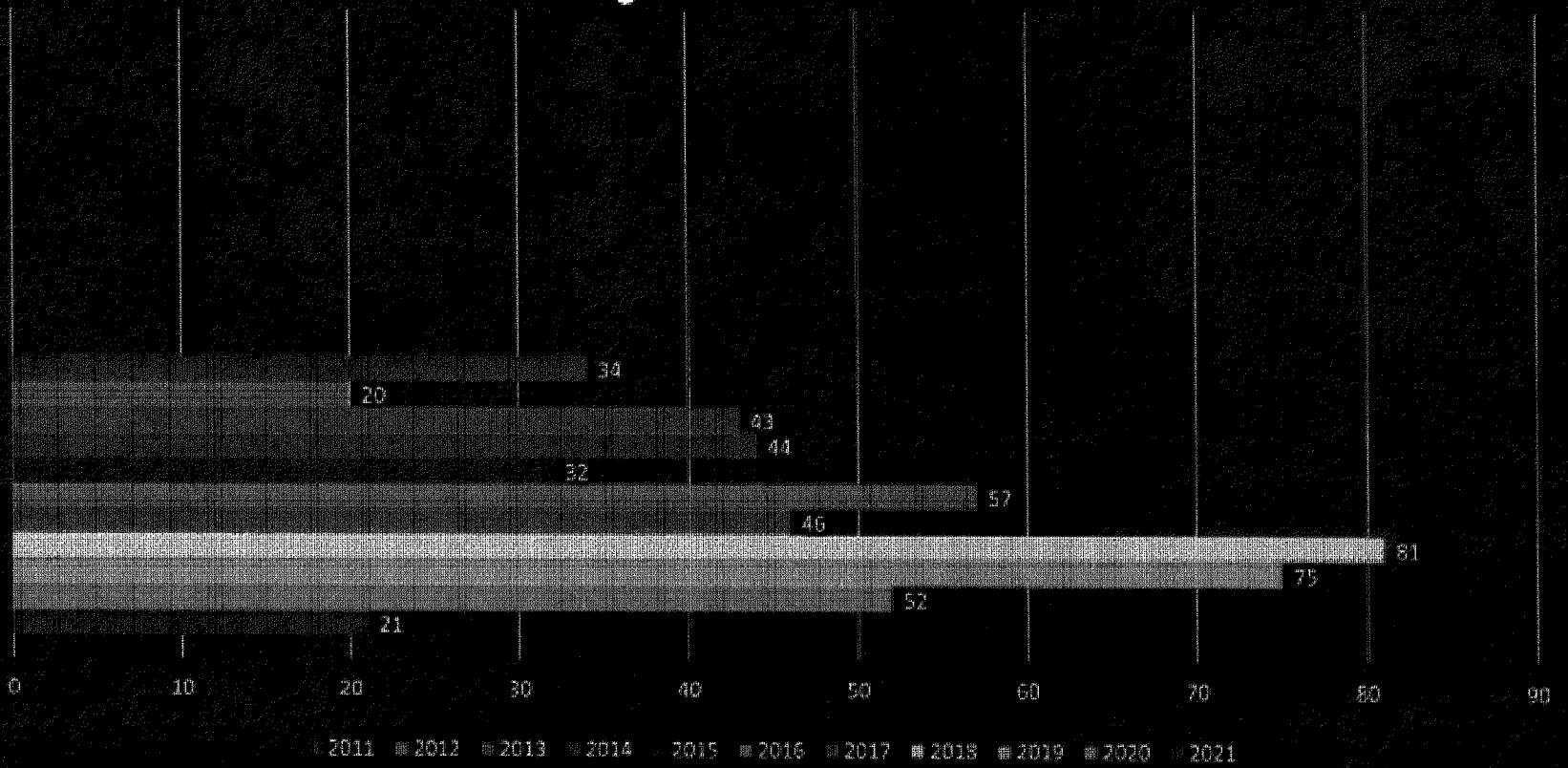
	Memphis	Collierville	Germantown	Arlington	Shelby County	Bartlett
Fire Recruit	\$36,015	\$52,970	\$44,120	\$37,796	\$44,785	\$40,470
Firefighter	\$57,087	\$58,200	\$62,743	\$43,796	\$59,053	\$55,451
Firefighter/Paramedic	\$62,225	\$70,716	\$70,002	\$54,152	\$65,533	\$55,019
Driver	\$60,685	\$72,839	\$65,878	\$50,520	\$62,635	\$60,468
Driver (Paramedic)	N/A	\$78,387	\$72,102	N/A	\$62,115	N/A
Lieutenant	\$68,897	\$78,387	\$73,392	\$57,786	\$69,406	\$69,197
Lieutenant (Paramedic)	\$68,897	\$78,387	\$78,787	N/A	\$75,886	\$70,770

Firefighter	Firefighter/Paramedic	Driver	Lieutenant
Germantown	Collierville	Collierville	Collierville
Shelby County	Germantown	Germantown	Germantown
Collierville	Shelby County	Shelby County	Shelby County
Memphis	Memphis	Memphis	Bartlett
Bartlett	Bartlett	Bartlett	Memphis
Arlington	Arlington	Arlington	Arlington



Memphis Fire Fighters Association – IAFF Local 1784

Resignations (CY 2011-2021)





Memphis Fire Fighters Association – IAFF Local 1784

	City's Final Offer	Union's Final Offer
Article 13 (Sick Leave)	Require documentation if an employee is "out of the house" for more than three hours while off on sick leave	Clarify language that an employee must call in sick no less than 30 minutes prior to the start of their shift; created a 12-hour employee accrual column; deleted old language from 1982; added language for 12-hour shift employees
Article 30 (Vacations)	Add three vacation days but require employees to sell those three days and delete all language related to bonus days in Article 13 (sick leave)	Add vacation accrual category for 12-hour employees to match the practice already in place
Article 35 (Wages)	2% increase effective 7/1/2021	3% increase effective 7/1/2021 3% increase effective 7/1/2022 Negotiation wages in Spring 2023 for 7/1/2023
Article 47 (Term)	1-year agreement	3-year agreement

MINUTES

TELEPHONIC MEETING OF APRIL 20, 2021 RECESSED MEETING TO
May 4, 2021 MEETING OF THE CITY COUNCIL CITY OF MEMPHIS

APRIL 20, 2021

3:39 P.M. MEETING RECONVENED

(After the meeting was re-opened for the transaction of business and a quorum was declared present, Councilwoman Swearingen made a motion to adjourn the April 20, 2021 City Council Meeting; this was seconded by Councilman Warren, without objection.)

(Chairman Colvett adjourned the April 20, 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 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.

ADJOURNED MEETING AT 3:40 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

May 4, 2021

3:30 P.M. SCHEDULED SESSION

3:39 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 Swearengen, 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 Pastor Josh Forbes, from the Life Church-Austin Peay.
Councilwoman Rhonda Logan thanked Pastor Forbes for being the Chaplain of the Day.
Chairman Colvett read the Proclamation for the Chaplain of the Day.
Chairman Colvett asked Councilman Warren to lead the Pledge of Allegiance.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council’s deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

Approval of the Minutes of the regular meeting of April 20, 2021 with the following motion:

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

APPROVED

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. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 3/16; 4/6)**

CASE NO. SUP 20-16

Held until June 15, 2021

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)**

Held until June 15, 2021

8. **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

Held until July 6, 2021

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)**

Held until July 6, 2021

- 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)**

Held until July 6, 2021

- 40. **RESOLUTION FOR CITY OF MEMPHIS CAPITAL IMPROVEMENT PROGRAM FOR FY2022-FY2026. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION.**

Held until June 1, 2021

- 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

WITHDRAWN

- 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)**

WITHDRAWN

- 1. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF NORTH THIRD STREET BETWEEN LOONEY AVENUE AND CHELSEA AVENUE FOR TOMMY PACELLO. THIS RESOLUTION IS SPONSORED BY COUNCILMAN CARLISLE. (REQUEST FOR SAME NIGHT MINUTES).**

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

APPROVED

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.**

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

APPROVED

47. **APPOINTMENT**

CITY OF MEMPHIS CHIEF OF POLICE SERVICES

CHIEF CERELYN "CJ" DAVIS - (REQUEST FOR SAME NIGHT MINUTES).

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

APPROVED

FISCAL CONSENT AGENDA- Items 12-16 may be acted upon by one motion

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)**

APPROVED

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)**

APPROVED

- 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)**

APPROVED

- 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)**

APPROVED

- 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)**

APPROVED

ROLL CALL FISCAL CONSENT ITEMS

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

APPROVED

- 43. **RESOLUTION REALLOCATING AND APPROPRIATING \$20,000.00 IN AWARDED CITY COUNCIL COMMUNITY GRANT FUNDS FOR FY21. THIS RESOLUTION IS SPONSORED BY COUNCILMAN FORD. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED, as amended

- 44. **RESOLUTION APPROVING THE LEASE BETWEEN WITHERS COLLECTION INC. AND THE DOWNTOWN MEMPHIS COMMISSION, MANAGER OF THE**

BEALE STREET HISTORIC DISTRICT. THIS RESOLUTION IS SPONSORED BY GENERAL SERVICES DIVISION. (REQUEST FOR SAME NIGHT MINUTES)

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

APPROVED

45. RESOLUTION OPPOSING THE CLOSURE OF SCOTT STREET BRIDGE. THIS RESOLUTION IS SPONSORED BY COUNCILMEN CANALE, CARLISLE, MORGAN AND WARREN. (REQUEST FOR SAME NIGHT MINUTES)

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

APPROVED

46. RESOLUTION ACCEPTING, ALLOCATING AND APPROPRIATING FEDERAL GRANT FUNDS IN THE AMOUNT OF \$15,000,000.00 FROM THE STATE OF TN, TN DEPARTMENT OF HEALTH FOR ENHANCING DETECTION EXPANSION – ELC. THIS RESOLUTION IS SPONSORED BY EXECUTIVEDIVISION. (REQUEST FOR SAME NIGHT MINUTES)

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

APPROVED

CONSENT AGENDA – Items #4 - #7 and #10 - #11 may be acted upon by one motion: See Page 6029 for Roll Call Consent Items.

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.

APPROVED, 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.**

APPROVED, 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.**

APPROVED, on 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)**

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

APPROVED, on First reading

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.

APPROVED

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.

APPROVED

ROLL CALL CONSENT AGENDA ITEMS

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

APPROVED

MLGW FISCAL CONSENT AGENDA -ITEMS 17-34, may be acted upon by one motion:

17. **RESOLUTION RATIFYING AND AWARDDING CONTRACT NO.12249, ESOURCE MEMBERSHIP AGREEMENT THROUGH TVPPA TO ESOURCE COMPANIES, LLC, IN THE FUNDED AMOUNT OF \$1,361,376.00.**

APPROVED

18. **RESOLUTION AWARDING A PURCHASE ORDER TO MYTHICS, INC., FOR ORACLE APPLICATION LICENSE EXPANSION, IN THE AMOUNT OF \$257,689.38.**

APPROVED

19. **RESOLUTION AWARDING CONTRACT NO. 12295, ORACLE MAINTENANCE AND SUPPORT 2021 TO MYTHICS, INC., IN THE FUNDED AMOUNT OF \$5,922,550.53.**

APPROVED

20. **RESOLUTION APPROVING AN ANNUAL SALARY IN THE AMOUNT OF \$97,157.00 FOR IT BUSINESS CONSULTANT, POSITION NO. 07053.**

APPROVED

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.)**

APPROVED

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.)**

APPROVED

23. **RESOLUTION AWARDING A PURCHASE ORDER TO PRIME CONTROLS FOR ELECTRIC CABINETS AND SPARE PARTS, IN THE AMOUNT OF \$295,413.61.**

APPROVED

24. **RESOLUTION AWARDING A PURCHASE ORDER TO BRIGHTER DAYS AND NITES, INC., FOR GAS VALVE ACTUATORS, IN THE AMOUNT OF \$63,713.00.**

APPROVED

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.)**

APPROVED

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.)**

APPROVED

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.)**

APPROVED

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.)**

APPROVED

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.)**

APPROVED

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.)**

APPROVED

31. **RESOLUTION AWARDED A PURCHASE ORDER TO SCRUGGS EQUIPMENT COMPANY, INC., FOR THE PURCHASE OF HYDRAULIC FRONT MOUNTED TRUCK WINCHES, IN THE AMOUNT OF \$103,800.00.**

APPROVED

- 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.**

APPROVED

- 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.**

APPROVED

- 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.**

APPROVED

ROLL CALL MLGW FISCAL CONSENT ITEMS

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

APPROVED

- 35. **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

MOTION: Carlisle

SECOND: Morgan

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

APPROVED

- 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.**

MOTION: Warren

SECOND: Carlisle

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

APPROVED

- 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)**

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

APPROVED

(Vice Chairwoman Swearingen read comment cards for the following people:)

Catherine Jones, 3297 Dartmouth, Memphis, Tennessee, 38125
 Dustin Kane, 360 N. Avalon Street. Memphis, Tennessee 38112

(After comment cards were read, the Chairman called for Item #48 to be read and voted upon.)

- 48. **RESOLUTION APPROVING A MLGW SETTLEMENT IN THE AMOUNT OF \$150,000.00. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

(Special Item #1 - Vice Chairwoman Swearingen made a motion to approve same night minutes for Items #1, Items #12-16, and Items #43-#48 from tonight's meeting.)

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

APPROVED

MEETING ADJOURNED AT 5:00 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