

RESOLUTION approving the engineering plans entitled  
**Woodland Hills II PD, Phase 14, PD 19-09 CO (County)**

WHEREAS, **Coastal Fuels, Inc.** is the Developer of certain property within the present 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 14, PD 19-09 CO (County)** and

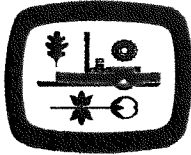
WHEREAS, the developer desires to develop the property reflected on the final plat; and

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 14, 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. 234A** from **Financial Federal** in the amount of **\$39,600.00** in lieu of bond.



RESOLUTION approving the engineering plans  
entitled: **20255 Hospitality Hub**

WHEREAS, **Hospitality Hub**, the Developer of certain property within the present limits of the City of Memphis, located at **590 North Washington Avenue** in the City of Memphis, Tennessee and

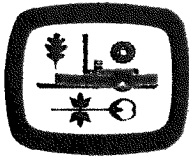
WHEREAS, the developer desires to develop the property reflected on the engineering plans;  
and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **20255 Hospitality Hub** 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 **20255 Hospitality Hub** 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 **Cashiers Check** in the amount of **\$72,400.00 in lieu of bond**.



**RESOLUTION accepting public improvements for English Towne C-P, Lot 3, Part of Tract 3 and authorizing release of the bond**

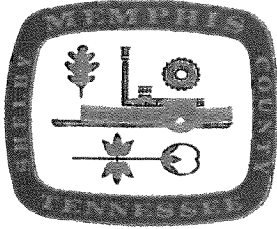
WHEREAS, **Pedigo Construction, LLC** the Developer has completed the public improvement with the City of Memphis, located south side of Stage Road, approximately 1,545.50 linear feet east of Stage Road and Covington Pike intersection, in the City of Memphis, Tennessee as reflected on the final plat entitled **English Towne C-P, Lot 3, Part of Tract 3** and

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

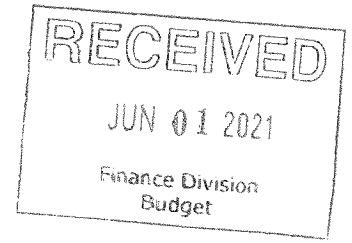
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **English Towne C-P, Lot 3, Part of Tract 3 [CR-5296]** and the completion of the public improvements therein, be and the same are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the **Cash Bond** in the amount of **\$93,900.00** held as security for the standard improvement contract is ordered released.

G125



### City Council Item Routing Sheet



Division: City Council Executive Committee: Budget Hearing Date: 06/15/2021  
(Office of Youth Services)

Ordinance

Resolution

Grant Acceptance

Budget Amendment

Commendation

Other: Click here to enter text.

DISTRICT: ALL

SUPER DISTRICT: BOTH

**Item Description:** Resolution seeks approval for the City of Memphis to receive \$20,000 for the next three years from the Cummins Grant Agreement. The funds will be used in the Memphis Office of Youth Services MPLOY Youth Summer Program to increase the number of student participants.

**Recommended Council Action:** Approval of Resolution

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

**Does this item require city expenditure? No**  
\$Click here to enter text.  
\$Click here to enter text.

Source and Amount of Funds:	
Total \$60,000 from Cummins Grant Agreement	
<u>Received</u>	<u>For</u>
2021 - \$20,000	<u>FY22</u>
2022 - \$20,000	<u>FY23</u>
2023 - \$20,000	<u>FY24</u>

#### Approvals

Director [Signature] Date 6-1-21

Chief Operating Officer

Division Chief \_\_\_\_\_ Date \_\_\_\_\_  
Budget Manager [Signature] Date 6/2/21 \_\_\_\_\_ Date \_\_\_\_\_

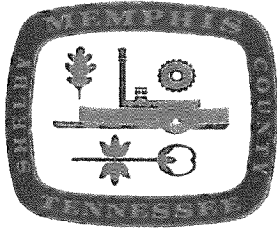
Council Committee Chair

Chief Financial Officer [Signature] Date 06/02/2021 \_\_\_\_\_ Date \_\_\_\_\_

Chief Legal Officer

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

Memphis City Council Summary Sheet Template 8-28-12

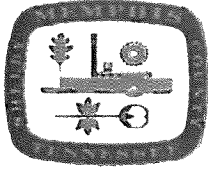


## Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**  
Resolution seeks approval for the City of Memphis to receive \$60,000 divided over the next three years from the Cummins Grant Agreement. The funds will be used in the Memphis Office of Youth Services MPLOY Youth Summer Program to increase the number of student participants.
  
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**  
Youth Services – Executive Division.
  
- 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.**  
Not Applicable
  
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**  
Not Applicable

6. Will impact all districts.

7. MWBE Goals? N/A



**A Resolution to accept \$60,000 for the MPLOY Youth Summer Program from the Cummins Grant Agreement for the next three years. Divided by \$20,000 over the next three summers (FY22, FY23, and FY24).**

**WHEREAS**, The City of Memphis Office of Youth Services' MPLOY Youth Summer Program will receive grant funds in the amount of Sixty Thousand Dollars and zero cents (\$60,000) divided over the next three years from the Cummins Grantor Agency; and

**WHEREAS**, the use of the \$60,000 will be divided by \$20,000, and will be used for FY22 GR90102, FY23 GR90103, and FY24 GR90104. The funds will be used to increase the number of student participants in the summer program; and

**WHEREAS**, it is necessary to accept, allocate, and appropriate the grant funds in the amount of Sixty Thousand dollars and zero cents from Cummins for the reimbursement of youth services salaries to increase the number of student participants in the summer program;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the funds of \$60,000 for the Memphis Office of Youth Services by the Cummins Grant Agreement be accepted to increase the number of student participants in the MPLOY Youth Summer Program.

**Revenue**

Cummins Foundation Inc./Cummins Inc.	\$60,000
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**Expenses**

MPLOY Year 1- 2021	\$20,000
MPLOY Year 2- 2022	\$20,000
MPLOY Year 3- 2023	\$20,000

## Memphis City Council Summary Sheet for MLGW Items

1. **Description of the Item**

Resolution approving Change No. 1 to Contract No. 12032, Electronic Bill Presentment and Payment Services with Fidelity Information Services, LLC (FIS Global), in the funded not-to-exceed amount of \$77,483.00. (This change is to ratify and expand the scope of work to adhere and comply with the National Automated Clearing House Association ("NACHA") new WEB Debit Account Validation Rule with a fraudulent transaction detection system to screen WEB debits based on agreed upon rates not-to-exceed the amount of \$77,483.00 effective March 19, 2021. The contract term will remain through August 31, 2023.)

2. **Additional Information**

The project scope is to provide Electronic Bill Presentment and Payment (EBPP) Services for payment processing using (1) web; (2) IVR; and (3) mobile as the methods of payment.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021 approved Change No. 1 to Contract No. 12032, MLGW Electronic Bill & Presentment with Fidelity Information Services, LLC (FIS Global) to ratify and change the current contract in the funded not-to-exceed amount of \$77,483.00, and is now recommending to the Council of the City of Memphis that it approves said ratification and change as approved; and

WHEREAS, the project scope is to provide Electronic Bill Presentment and Payment (EBPP) Services for payment processing using (1) web; (2) IVR; and (3) mobile as the methods of payment. This change is to ratify and expand the scope of work to adhere and comply with the National Automated Clearing House Association (“NACHA”) new WEB Debit Account Validation Rule with a fraudulent transaction detection system to screen WEB debits based on agreed upon rates not-to-exceed the amount of \$77,483.00 effective March 19, 2021. The contract term will remain through August 31, 2023. This change complies with all applicable laws and policies. The new contract value is \$3,677,483.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 12032, MLGW Electronic Bill & Presentment with Fidelity Information Services, LLC (FIS Global) to ratify and change the current contract in the funded not-to-exceed amount of \$77,483.00 as approved.



**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12032, MLGW Electronic Bill & Presentment with Fidelity Information Services, LLC (FIS Global) to ratify and change the current contract in the funded not-to-exceed amount of \$77,483.00.

The project scope is to provide Electronic Bill Presentment and Payment (EBPP) Services for payment processing using (1) web; (2) IVR; and (3) mobile as the methods of payment. This change is to ratify and expand the scope of work to adhere and comply with the National Automated Clearing House Association ("NACHA") new WEB Debit Account Validation Rule with a fraudulent transaction detection system to screen WEB debits based on agreed upon rates not-to-exceed the amount of \$77,483.00 effective March 19, 2021. The contract term will remain through August 31, 2023. This change complies with all applicable laws and policies. The new contract value is \$3,677,483.00.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 to Contract No. 12032, MLGW Electronic Bill & Presentment with Fidelity Information Services, LLC (FIS Global) to ratify and change the current contract in the funded not-to-exceed amount of \$77,483.00 as outlined in the above preamble, is approved; and further

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

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 2nd day of June, 2021, at which a quorum was present.

  
Secretary - Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution approving Change No. 5 to Contract No. 11914, MLGW Utility Payment Centers with FirsTech, Incorporated, in the funded amount of \$317,109.00. (This change is to extend the current contract for an additional six months through May 14, 2022 to allow time to secure a new contract for authorized pay agents and to build the new vendor system interface with the Customer Information System (CIS) application. In addition, this change is to increase the contract value in the funded amount with no increase in fees from the previous year, due to an increase of in-person payments made at authorized pay agents' locations and the addition of additional authorized pay agents.)

### 2. Additional Information

The project scope is to provide authorized pay agents for Shelby County to accept, process, and transmit MLGW utility bill payments for credit to customer accounts and deposit to banks (cash, check, money order or cashier's check).

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021 approved Change No. 5 to Contract No. 11914, MLGW Utility Payment Centers with FirsTech, Incorporated to extend the current contract in the funded amount of \$317,109.00, and is now recommending to the Council of the City of Memphis that it approves said extension as approved; and

WHEREAS, the project scope is to provide authorized pay agents for Shelby County to accept, process, and transmit MLGW utility bill payments for credit to customer accounts and deposit to banks (cash, check, money order or cashier's check). This change is to extend the current contract for an additional six (6) months through May 14, 2022 to allow time to secure a new contract for authorized pay agents and build the new vendor system interface with the Customer Information System (CIS) application. In addition, this change is to increase the contract value in the funded amount of \$317,109.00, with no increase in fees from the previous year, due to an increase of in-person payments made at authorized pay agents' locations and the addition of additional authorized pay agents. This extension complies with all applicable laws and policies. The new contract value is \$1,401,461.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 5 to Contract No. 11914, MLGW Utility Payment Centers with FirsTech, Incorporated to extend the current contract in the funded amount of \$317,109.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 5 to Contract No. 11914, MLGW Utility Payment Centers with FirsTech, Incorporated to extend the current contract in the funded amount of \$317,109.00.

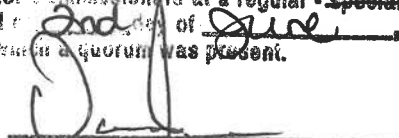
The project scope is to provide authorized pay agents for Shelby County to accept, process, and transmit MLGW utility bill payments for credit to customer accounts and deposit to banks (cash, check, money order or cashier's check). This change is to extend the current contract for an additional six (6) months through May 14, 2022 to allow time to secure a new contract for authorized pay agents and build the new vendor system interface with the Customer Information System (CIS) application. In addition, this change is to increase the contract value in the funded amount of \$317,109.00, with no increase in fees from the previous year, due to an increase of in-person payments made at authorized pay agents' locations and the addition of additional authorized pay agents. This extension complies with all applicable laws and policies. The new contract value is \$1,401,461.00.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 5 to Contract No. 11914, MLGW Utility Payment Centers with FirsTech, Incorporated to extend the current contract in the funded amount of \$317,109.00 as outlined in the above preamble, is approved; and further

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

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 2nd day of June, 2021, at which a quorum was present.

  
Secretary - Treasurer

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

### **1. Description of the Item**

Resolution approving Change No. 1 to Contract No. 12166, VMWare SLED Consulting and Learning Credits with Thomas Consultants, Inc., in the funded amount of \$590,257.20. (This change is to renew the current contract term for the period covering September 14, 2021 through September 13, 2022 in the amount of \$84,906.23 for Technical Account Manager support. In addition, this change is to add funding to the current contract value in the amount of \$505,350.97 to upgrade Desktop Team Support and NSX Technical Account Specialist upgrades to assist with virtual firewalls and load balancers. The vendor will continue to provide annual maintenance and support services.)

### **2. Additional Information**

The project scope is to provide consulting and learning credits for MLGW's virtual infrastructure. The learning credits are used to fund VMware Consulting services for MLGW employees to attend training classes.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021 approved Change No. 1 to Contract No. 12166, VMware SLED Consulting and Learning Credits with Thomas Consultants, Incorporated to renew and change the current contract in the funded amount of \$590,257.20, and is now recommending to the Council of the City of Memphis that it approves said renewal and change as approved; and

WHEREAS, the project scope is to provide consulting and learning credits for MLGW's virtual infrastructure. The learning credits are used to fund VMware Consulting services for MLGW employees to attend training classes. This change is to renew the current contract term for the period covering September 14, 2021 through September 13, 2022 in the amount of \$84,906.23 for Technical Account Manager (TAM) Support. In addition, this change is to add funding to the current contract value in the amount of \$505,350.97 to upgrade Desktop Team Support (\$84,906.23) and NSX TAS upgrades (\$420,444.74). VMware NSX is a virtual network and security platform that provides additional security and monitoring capabilities while online (virtual firewalls and load balancers). Our existing Technical Account Manager (TAM) is an expert engineer that assists with upgrades, technical issues, resolving health checks in the virtual server infrastructure, and provides online help when we have outages to assist with support calls. NSX Technical Account Specialist (TAS) is an expert at assisting with the NSX product while MLGW staff is trained and experienced to design, troubleshoot, and implement internal firewalls for the MLGW internal virtual network. The vendor will continue to provide annual maintenance and support services. The total funded amount of this renewal and change is \$590,257.20. This renewal and change complies with all applicable laws and policies. The new contract value is \$681,826.27; 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. 12166, VMware SLED Consulting and Learning Credits with Thomas Consultants, Incorporated to renew and change the current contract in the funded amount of \$590,257.20 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12166, VMware SLED Consulting and Learning Credits with Thomas Consultants, Incorporated to renew and change the current contract in the funded amount of \$590,257.20.

The project scope is to provide consulting and learning credits for MLGW's virtual infrastructure. The learning credits are used to fund VMware Consulting services for MLGW employees to attend training classes. This change is to renew the current contract term for the period covering September 14, 2021 through September 13, 2022 in the amount of \$84,906.23 for Technical Account Manager (TAM) Support. In addition, this change is to add funding to the current contract value in the amount of \$505,350.97 to upgrade Desktop Team Support (\$84,906.23) and NSX TAS upgrades (\$420,444.74). VMware NSX is a virtual network and security platform that provides additional security and monitoring capabilities while online (virtual firewalls and load balancers). Our existing Technical Account Manager (TAM) is an expert engineer that assists with upgrades, technical issues, resolving health checks in the virtual server infrastructure, and provides online help when we have outages to assist with support calls. NSX Technical Account Specialist (TAS) is an expert at assisting with the NSX product while MLGW staff is trained and experienced to design, troubleshoot, and implement internal firewalls for the MLGW internal virtual network. The vendor will continue to provide annual maintenance and support services. The total funded amount of this renewal and change is \$590,257.20. This renewal and change complies with all applicable laws and policies. The new contract value is \$681,826.27.



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. 12166, VMware SLED Consulting and Learning Credits with Thomas Consultants, Incorporated to renew and change the current contract in the funded amount of \$590,257.20, as outlined in the foregoing preamble, is approved and further,

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

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - ~~special~~ meeting held on 20 day of June, 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.12209, courier services to Express Courier International, Inc. d/b/a LSO Final Mile, in the funded amount of \$150,166.17.

### 2. Additional Information

The project scope is to provide pick-up and delivery services of MLGW Division's mail, field instruments, utility bills and other documents in Memphis and Shelby County, Tennessee in accordance as outlined in the Contract Documents and Specifications.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021, awarded Contract No. 12209, Courier Services to Express Courier International, Incorporated dba LSO Final Mile in the funded amount of \$150,166.17, 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 pick-up and delivery services of MLGW Division's mail, field instruments, utility bills and other documents in Memphis and Shelby County, Tennessee in accordance as outlined in the Contract Documents and Specifications.

WHEREAS, the Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on October 7, 2020. MLGW solicited eight (8) bids; and received two (2) bids on November 18, 2020. During the evaluation process, it was determined that the lowest bidder, U.S. Cable and Logistics, did not meet the qualifications in accordance with MLGW's Specifications. Therefore, the contract was awarded to the best bid received from Express Courier International, Incorporated dba LSO Final Mile in the amount of \$150,166.17. 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. 12209, Courier Services to Express Courier International, Incorporated dba LSO Final Mile in the funded amount of \$150,166.17 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12209, Courier Services to Express Courier International, Incorporated dba LSO Final Mile in the funded amount of \$150,166.17.

The project scope is to provide pick-up and delivery services of MLGW Division's mail, field instruments, utility bills and other documents in Memphis and Shelby County, Tennessee in accordance as outlined in the Contract Documents and Specifications.

The Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on October 7, 2020. MLGW solicited eight (8) bids; and received two (2) bids on November 18, 2020. During the evaluation process, it was determined that the lowest bidder, U.S. Cable and Logistics, did not meet the qualifications in accordance with MLGW's Specifications. Therefore, the contract was awarded to the best bid received from Express Courier International, Incorporated dba LSO Final Mile in the amount of \$150,166.17. 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. 12209, Courier Services to Express Courier International, Incorporated dba LSO Final Mile in the funded amount of \$150,166.17, 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 2nd day of June, 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.12277, Drilled Pier Installation to Chris-Hill Construction Company, in the funded amount of \$967,415.00.

### 2. Additional Information

The project scope is to furnish supervision, labor, equipment and materials to install drilled pier foundations that are too large for in-house crews to install, which also includes tying of rebar, drilling, installation of anchor bolts, if needed and placement of concrete pier foundations for MLGW transmission and large substation structures.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021, awarded Contract No. 12277, Drilled Pier Foundations Installation to Chris-Hill Construction Company in the funded amount of \$967,415.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to furnish supervision, labor, equipment and materials to install drilled pier foundations that are too large for in-house crews to install, which also includes tying of rebar, drilling, installation of anchor bolts, if needed and placement of concrete pier foundations in accordance as outlined in the Contract Documents and Specifications.

WHEREAS, the Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on News on February 26, 2021. MLGW solicited seven (7) bids; and received a single bid on March 30, 2021 from Chris-Hill Construction Company in the amount of \$1,130,580.00. In compliance with negotiations with MLGW's Single Bidder Provision of the MLGW Procurement Policy, staff negotiated an amount of \$967,415.00. 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. 12277, Drilled Pier Foundations Installation to Chris-Hill Construction Company in the funded amount of \$967,415.00 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12277, Drilled Pier Foundations Installation to Chris-Hill Construction Company in the funded amount of \$967,415.00.

The project scope is to furnish supervision, labor, equipment and materials to install drilled pier foundations that are too large for in-house crews to install, which also includes tying of rebar, drilling, installation of anchor bolts, if needed and placement of concrete pier foundations in accordance as outlined in the Contract Documents and Specifications.

The Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on February 26, 2021. MLGW solicited seven (7) bids; and received a single bid on March 30, 2021 from Chris-Hill Construction Company in the amount of \$1,130,580.00. In compliance with negotiations with MLGW's Single Bidder Provision of the MLGW Procurement Policy, staff negotiated an amount of \$967,415.00. 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.

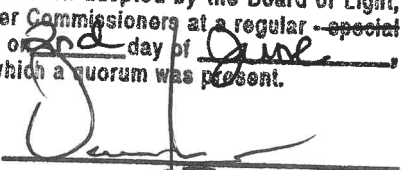


NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12277, Drilled Pier Foundations Installation to Chris-Hill Construction Company in the funded amount of \$967,415.00, 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 ~~regular~~ <sup>special</sup> meeting held on 2nd day of June, 2021, at which a quorum was present.

  
Secretary - Treasurer

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

### **1. Description of the Item**

Resolution approving Change No. 1 to Contract No. 12192, Professional Engineering Services for Gas Engineering with Energy Land & Infrastructure, LLC, in the funded amount of \$50,000.00. (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering June 17, 2021 through June 16, 2022, based on agreed upon rates.)

### **2. Additional Information**

The project scope is to provide professional engineering services for the Gas Engineering and Operations Department on an as-needed basis.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021 approved Change No. 1 to Contract No. 12192, Professional Engineering Services for Gas Engineering with Energy Land & Infrastructure, LLC to ratify and renew the current contract in the funded amount of \$50,000.00, and is now recommending to the Council of the City of Memphis that it approves said ratification and renewal as approved; and

WHEREAS, the project scope is to provide professional engineering services for the Gas Engineering and Operations Department on an as-needed basis. This change is to ratify and renew the current contract for the first of four (4) annual renewal terms for the period covering June 17, 2021 through June 16, 2022 in the funded amount of \$50,000.00, based on agreed upon rates. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$150,000.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 1 of Contract No. 12192, Professional Engineering Services for Gas Engineering with Energy Land & Infrastructure, LLC to ratify and renew the current contract in the funded amount of \$50,000.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12192, Professional Engineering Services for Gas Engineering with Energy Land & Infrastructure, LLC to ratify and renew the current contract in the funded amount of \$50,000.00.

The project scope is to provide professional engineering services for the Gas Engineering and Operations Department on an as-needed basis. This change is to ratify and renew the current contract for the first of four (4) annual renewal terms for the period covering June 17, 2021 through June 16, 2022 in the funded amount of \$50,000.00, based on agreed upon rates. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$150,000.00.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 to Contract No. 12192, Professional Engineering Services for Gas Engineering with Energy Land & Infrastructure, LLC to ratify and renew the current contract in the funded amount of \$50,000.00, as outlined in the foregoing preamble, is approved and further,

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

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 2nd day of June, 2021, at which a quorum was present.

  
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Secretary - Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution awarding Contract No.12248, Morton HSP Motor and VFD Replacement to Barnes and Brower, Incorporated, in the funded amount of \$1,249,537.00.

### 2. Additional Information

The project scope is to provide the following: purchase and install two High Service Pump Motors-Allen-Bradley Powerflex 7000 Variable Frequency Drive Power and Control System; install a climate controlled VFD enclosure with Trane outdoor package type air conditioning system; purchase and replace two 20" butterfly valves and two 20" check valves for #3 and #4 High Service Pumps at MLGW's Morton Pumping Station located at 3150 Hawkins Mills Road, Memphis, Tennessee 38128.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021, awarded Contract No. 12248, Morton HSP Motor and VFD Replacement to Barnes and Brower, Incorporated in the funded amount of \$1,249,537.00, 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 the following: purchase and install two (2) High Service Pump Motors-Allen-Bradley Powerflex 7000 Variable Frequency Drive Power and Control System; install a climate controlled VFD enclosure with Trane outdoor package type air conditioning system; purchase and replace two (2) 20" butterfly valves and two (2) 20" check valves for #3 and #4 High Service Pumps at MLGW's Morton Pumping Station located at 3150 Hawkins Mills Road, Memphis, Tennessee 38128. All work and related appurtenances must be done in compliance and in accordance with the Contract Documents, Plans and Specifications.

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 thirteen (13) bids; and received six (6) bids on March 23, 2021. The lowest bid was from A & B Construction Company, Incorporated; however, the company withdrew their bid because their electrical sub-contractor did not include the cost of the motors in the bid. Therefore, the contract was awarded to the next lowest bid received from Barnes and Brower, Incorporated in the amount of \$1,249,537.00. The term of this contract is for 24 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. 12248, Morton HSP Motor and VFD Replacement to Barnes and Brower, Incorporated in the funded amount of \$1,249,537.00 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12248, Morton HSP Motor and VFD Replacement to Barnes and Brower, Incorporated in the funded amount of \$1,249,537.00.

The project scope is to provide the following: purchase and install two (2) High Service Pump Motors-Allen-Bradley Powerflex 7000 Variable Frequency Drive Power and Control System; install a climate controlled VFD enclosure with Trane outdoor package type air conditioning system; purchase and replace two (2) 20" butterfly valves and two (2) 20" check valves for #3 and #4 High Service Pumps at MLGW's Morton Pumping Station located at 3150 Hawkins Mills Road, Memphis, Tennessee 38128. All work and related appurtenances must be done in compliance and in accordance with the Contract Documents, Plans and Specifications.

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 thirteen (13) bids; and received six (6) bids on March 23, 2021. The lowest bid was from A & B Construction Company, Incorporated; however, the company withdrew their bid because their electrical sub-contractor did not include the cost of the motors in the bid. Therefore, the contract was awarded to the next lowest bid received from Barnes and Brower, Incorporated in the amount of \$1,249,537.00. The term of this contract is for 24 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. 12248, Morton HSP Motor and VFD Replacement to Barnes and Brower, Incorporated in the funded amount of \$1,249,537.00, 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 2nd day of June, 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.12258, Shaw #2 VFD Replacement to Barnes and Brower, Incorporated, in the funded amount of \$693,694.00.

### 2. Additional Information

The project scope is to purchase and install a new 2400V variable frequency drive and motor for the #2 High Service Pump located at MLGW's Shaw Pumping Station, 10300 Humphreys Road, Cordova, TN 38018. The Contractor will also be responsible for removing the existing frequency drive, motor and any other related electrical work in accordance with the specifications.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021, awarded Contract No. 12258, Shaw #2 VFD Replacement to Barnes and Brower, Incorporated in the funded amount of \$693,694.00, 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 purchase and install a new 2400V variable frequency drive and motor for the #2 High Service Pump located at MLGW's Shaw Pumping Station, 10300 Humphreys Road, Cordova, TN 38018. The Contractor will also be responsible for removing the existing frequency drive, motor and any other related electrical work in accordance as outlined in the Contract Documents and Specifications.

WHEREAS, the Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on February 5, 2021. MLGW solicited ten (10) bids; and received four (4) bids on March 23, 2021. The lowest and best bid was from Barnes and Brower, Incorporated in the amount of \$693,694.00. The term of this contract is for 12 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12258, Shaw #2 VFD Replacement to Barnes and Brower, Incorporated in the funded amount of \$693,694.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12258, Shaw #2 VFD Replacement to Barnes and Brower, Incorporated in the funded amount of \$693,694.00.

The project scope is to purchase and install a new 2400V variable frequency drive and motor for the #2 High Service Pump located at MLGW's Shaw Pumping Station, 10300 Humphreys Road, Cordova, TN 38018. The Contractor will also be responsible for removing the existing frequency drive, motor and any other related electrical work in accordance as outlined in the Contract Documents and Specifications.

The Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on February 5, 2021. MLGW solicited ten (10) bids; and received four (4) bids on March 23, 2021. The lowest and best bid was from Barnes and Brower, Incorporated in the amount of \$693,694.00. The term of this contract is for 12 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12258, Shaw #2 VFD Replacement to Barnes and Brower, Incorporated in the funded amount of \$693,694.00, 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 2nd day of JUNE, 2021, at which a quorum was present.

  
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Secretary - Treasurer

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

### **1. Description of the Item**

Resolution awarding a purchase order to Brighter Days and Nites, Inc. for steel transmission monopole structures, in the amount of \$97,944.00.

### **2. Additional Information**

Tennessee Valley Authority (TVA) will reconductor their line installed on MLGW's structures between Substation No. 35 and 69. The increased loading of this new conductor will cause MLGW's tower to become overstressed. The two new towers will carry the load to keep the stress within the design code. This is part of the TVA combined cycle system impacts which will be reimbursed by TVA.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021 approved a purchase order for the purchase of steel transmission monopole structures 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**, Tennessee Valley Authority (TVA) will reconductor their line installed on MLGW's structures between Substation No. 35 and 69. The increased loading of this new conductor will cause MLGW's tower to become overstressed. The two (2) new towers will carry the load to keep the stress within the design code. This is part of the Tennessee Valley Authority (TVA) combined cycle system impacts which will be reimbursed by TVA; and

**WHEREAS**, bids were opened on April 14, 2021 This is part of the Tennessee Valley Authority (TVA) combined cycle system impacts which will be reimbursed by TVA.

1. Notice to Bidders was advertised. Ten (10) bids were solicited and two (2) bids were received with the lowest and best complying bidder being the firm of Brighter Days and Nites, Inc. This award complies with all applicable laws and policies; and

**NOW THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved a purchase order for steel transmission monopole structures from Brighter Days and Nites, Inc. in the sum of \$97,944.00 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  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Brighter Days and Nites, Inc. in the amount of \$97,944.00 for steel transmission monopole structures.

Tennessee Valley Authority (TVA) will reconductor their line installed on MLGW's structures between Substation No. 35 and 69. The increased loading of this new conductor will cause MLGW's tower to become overstressed. The two (2) new towers will carry the load to keep the stress within the design code. This is part of the Tennessee Valley Authority (TVA) combined cycle system impacts which will be reimbursed by TVA.

Bids were opened on April 14, 2021. Notice to Bidders was advertised. Ten (10) bids were solicited and two (2) bids were received with the lowest and best complying bidder being the firm of Brighter Days and Nites, Inc. This award complies with all applicable laws and policies.

The 2021 budgeted amount for Transmission Lines is \$408,519.00; the amount spent to date is \$7,994.45; leaving a balance available of \$400,524.55 to be spent in 2021; of which \$97,944.00 will be spent on this purchase order in 2021; leaving a balance of \$302,580.55 after award; and

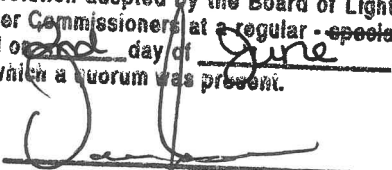
**NOW THEREFORE BE IT RESOLVED BY** the Board of Light, Gas and Water Commissioners:

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:

2 - 116 ft. steel electric transmission monopole structures fabricated in accordance with Memphis Light, Gas and Water Division Specification T161-002 dated February 9, 2007 and Drawing No. T161-SP-69;

Total award amount is \$97,944.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; delivery 16-18 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 - special meeting held on 21 day of June, 2021, at which a quorum was present.

  
Secretary - Treasurer



## Memphis City Council Summary Sheet for MLGW Items

### 1. **Description of the Item**

Resolution awarding a purchase order to Phenix Technologies, Inc. for a dielectric personal protection equipment (PPE) testing lab system, in the amount of \$539,720.00.

### 2. **Additional Information**

The dielectric PPE testing lab system is used to test electric personal protection equipment in compliance with Occupational Safety and Health Administration (OSHA) guidelines. The dielectric PPE testing lab system will replace the existing dielectric PPE testing lab system which is no longer supported due to age and some parts of the unit are not fully functional.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021, approved the purchase for dielectric personal protection equipment (PPE) testing lab system 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 dielectric PPE testing lab system is used to test electric personal protection equipment in compliance with Occupational Safety and Health Administration (OSHA) guidelines. The dielectric PPE testing lab system will replace the existing dielectric PPE testing lab system which is no longer supported due to age and some parts of the unit are not fully functional; and

**WHEREAS**, a bid was opened on April 28, 2021 for dielectric personal protection equipment testing lab from Phenix Technologies in accordance with MLGW's Sole/Single Source Policy. The dielectric personal protection equipment testing lab has been deemed sole/single source by MLGW's Electric Substation Engineering and Operations because MLGW's currently use Phenix Technologies for dielectric testing lab equipment which is proprietary due to the testing equipment must be manufactured with all in-house major components such as high voltage transformers and transfer switches in power supply assembly. No major components are to be fabricated by a third-party supplier which ensures timely replacement, repair and diagnostics of key components without being reliant on a supply chain disruption and helps eliminate poor

timelessness of response from a potentially disinterested third- party manufacturer. 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 dielectric personal protection equipment (PPE) testing lab system from Phenix Technologies, Inc. for the sum of \$161,916.00 chargeable to the MLGW 2021 fiscal year budget and the balance of \$377,804.00 chargeable to subsequent budget years as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Phenix Technologies, Inc. for a dielectric personal protection equipment (PPE) testing lab system in the amount of \$539,720.00.

The dielectric PPE testing lab system is used to test electric personal protection equipment in compliance with Occupational Safety and Health Administration (OSHA) guidelines. The dielectric PPE testing lab system will replace the existing dielectric PPE testing lab system which is no longer supported due to age and some parts of the unit are not fully functional.

A bid was opened on April 28, 2021 for a dielectric PPE testing lab from Phenix Technologies in accordance with MLGW's Sole/Single Source Policy. The dielectric PPE testing lab has been deemed a sole/single source by MLGW's Electric Substation Engineering and Operations because MLGW currently utilizes Phenix Technologies, Inc. for dielectric testing lab equipment which is proprietary due to the testing equipment that must be manufactured with all in-house major components such as high voltage transformers and transfer switches in power supply assembly. No major components are fabricated by a third-party supplier which ensures timely replacement, repair and diagnostics of key components without being reliant on a supply chain disruption and helps eliminate poor timelessness of response from a potentially disinterested third-party manufacturer. This award complies with all applicable laws and policies.

The 2021 budgeted amount for Control Area Laboratory and Test Equipment is \$216,702.00; the amount spent to date is \$107,524.67; leaving a balance available of \$109,177.33 to be spent in 2021; of which will be spent on this purchase order in 2021; leaving a negative (\$52,738.67); the remaining balance of \$377,804.00 will be chargeable to subsequent budget years as approved; and


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

THAT, subject to the consent and approval of the Council of the City of Memphis, award of a purchase order to Phenix Technologies, Inc. is approved for furnishing:

1 – Phenix Technologies dielectric personal protection testing laboratory system in accordance to MLGW’s specifications;

Totaling \$539,720.00; f.o.b. Memphis, Tennessee, transportation prepaid and added; our dock; said prices being firm; terms 30% Down, 70 % Net 30 days after delivery.

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 2nd day of June, 2021, at which a quorum was present.

  
Secretary - Treasurer

## Memphis City Council Summary Sheet for MLGW Items

**1. Description of the Item**

Resolution awarding a purchase order to Trench Limited for the purchase of current limiting reactors, in the amount of \$118,080.00.

**2. Additional Information**

The current limiting reactors are used for the purpose of limiting fault currents or restricting the fault levels of power substation auxiliary systems. The reason for limiting fault levels is to ensure that the system will remain within the fault capability of the power substation. The new current limiting reactors will be used to replace MLGW's older model current oil filled non-seismic rated reactors with dry type air-core seismic rated three-phase reactors at MLGW's E.H. Crump Substation No. 21.

## RESOLUTION

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021, approved the purchase of current limiting reactors 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 current limiting reactors are used for the purpose of limiting fault currents or restricting the fault levels of power substation auxiliary systems. The reason for limiting fault levels is to ensure that the system will remain within the fault capability of the power substation. The new current limiting reactors will be used to replace MLGW's older model current oil filled non-seismic rated reactors with dry type air-core seismic rated three-phase reactors at MLGW's E.H. Crump Substation No. 21; and

**WHEREAS**, bids were opened on March 31, 2021. Notice to Bidders was advertised. Four (4) bids were solicited and three (3) bids were received with the most responsive and best complying bidder being the firm of Trench Limited. This award complies with all applicable laws and policies; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved the purchase of current limiting reactors from Trench Limited in the sum of \$118,080.00 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**  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Trench Limited in the amount of \$118,080.00 for the purchase of current limiting reactors.

The current limiting reactors are used for the purpose of limiting fault currents or restricting the fault levels of power substation auxiliary systems. The reason for limiting fault levels is to ensure that the system will remain within the fault capability of the power substation. The new current limiting reactors will be used to replace MLGW's older model current oil filled non-seismic rated reactors with dry type air-core seismic rated three-phase reactors at MLGW's E.H. Crump Substation No. 21.

Bids were opened on March 31, 2021. Notice to Bidders was advertised. Four (4) bids were solicited and three (3) bids were received with the most responsive and best complying bidder being the firm of Trench Limited. This award complies with all applicable laws and policies.

The 2021 budgeted amount for Electric Substation is \$515,000.00; the amount spent to date is \$94,598.88; leaving a balance available of \$420,401.12; of which \$118,080.00 will be spent on this purchase order in 2021; leaving a balance of \$302,321.12 after award; and

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

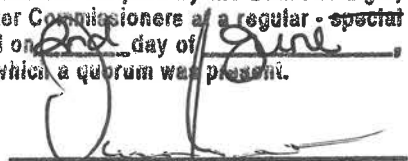
THAT, subject to the consent and approval of the Council of the City of Memphis, award of contract to Trench Limited is approved for furnishing:



3 – Current limiting reactors, 12.47 kV, 600 Ampere, 0.622 Ohm, 373.2V drop, 3-phase, outdoor, dry-type, air-core, vertically arranged outdoor assembly with mounting pedestal and insulators in accordance with MLGW's Specifications date February 19, 2021;

Totaling \$118,080.00; f.o.b. Tennessee, US (DDP TN, US) According to INCOTERMS, ICC Publication No. 715, 2020 Edition; transportation prepaid; said prices being firm for 30 days; delivery in 26 weeks after receipt of order.

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 2nd day of June, 2021, at which a quorum was present.

  
Secretary - Treasurer

## Memphis City Council Summary Sheet for MLGW Items

**1. Description of the Item**

Resolution awarding a purchase order to Engineered Sealing Components, LLC, for a substation capacitor bank, in the amount of \$95,565.25.

**2. Additional Information**

The capacitor bank controls voltage on the distribution system and improves system efficiency. The capacitor bank will be used as a replacement for outdated equipment that has reached its end of life cycle (EOL) at Substation No. 38 on Frayser-Raleigh Road.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021 approved the purchase of a substation capacitor bank 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 capacitor bank controls voltage on the distribution system and improves system efficiency. The capacitor bank will be used as a replacement for outdated equipment that has reached its end of life cycle (EOL) at Substation No. 38; and

**WHEREAS**, bids were opened on March 31, 2021. Notice to Bidders was advertised. Twelve (12) bids were solicited and three (3) bids were received with the most responsive and best complying bidder being the firm of Engineered Sealing Components, LLC. This award complies with all applicable laws and policies; and

**NOW THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved the purchase of a substation capacitor bank from Engineered Sealing Components, LLC for the sum of \$95,565.25 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  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Engineered Sealing Components, LLC in the amount of \$95,565.25 for a substation capacitor bank.

The capacitor bank controls voltage on the distribution system and improves system efficiency. The capacitor bank will be used as a replacement for outdated equipment that has reached its end of life cycle (EOL) at Substation No.38.

Bids were opened on March 31, 2021. Notice to Bidders was advertised. Twelve (12) bids were solicited and three (3) bids were received with the most responsive and best complying bidder being the firm of Engineered Sealing Components, LLC. This award complies with all applicable laws and policies.

The 2021 budgeted amount for Electric Substation is \$408,519.00; the amount spent to date is \$99,546.68; leaving a balance available of \$308,972.32; of which \$95,565.25 will be spent on this purchase order in 2021; leaving a balance of \$213,407.07 after award; and

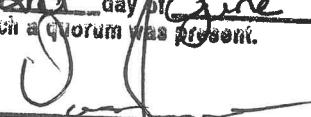
**NOW THEREFORE BE IT RESOLVED BY** the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, award of contract to Engineered Sealing Components, LLC is approved for furnishing:

1 - Substation capacitor bank, 13.2 kV, 6000 KVAR, three-phase ungrounded-wye open rack, with Southern States type 38M SF6 gas cap switcher (R) switching equipment in accordance with MLGW Specification and Data Sheet "CBZ1" dated October 25, 2018;

Totaling \$95,565.25; f.o.b. Memphis, Tennessee, our dock, transportation prepaid; said prices being firm; delivery in 22 weeks; 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 2nd day of June, 2021, at which a quorum was present.

  
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Secretary - Treasurer

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution approving Change No. 1 to Contract No. 12024, Employee Dental Plan with Cigna Health and Life Insurance Company, in the funded amount of \$2,815,464.00. (This change is to renew the current contract for first of two annual renewals covering the period January 1, 2022 through December 31, 2022 with an overall 5.50% increase in rates which includes quoted rate of 1.5% commissions and a rate cap of 4.0%. The original dental RFP was for a five-year term for the period covering January 1, 2019 through December 31, 2023. The first three years are at a flat guarantee rate (same rate for three years) and a rate cap of +5.5 for years two and three. The 1.5% commission is paid to Stanley Blue Group (Broker) as outlined in the contract. The Division's annual contribution will be \$10.00 per active employee per month. Active employees will pay the balance of the monthly premium. The retirees will pay 100% of their premium.)

### 2. Additional Information

The project scope is to provide insured dental services to eligible MLGW active and retired employees, as well as, their spouses and/or dependents.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 2, 2021 approved Change No. 1 to Contract No. 12024, MLGW Employee Dental Plan with Cigna Health and Life Insurance Company to renew the current contract in the funded amount of \$2,815,464.00, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to provide insured dental services to eligible MLGW active and retired employees, as well as, their spouses and/or dependents. The initial term of this contract was for three (3) years with an option of two (2) annual renewals or one (1) two (2) year renewal. The contract term will not exceed 60 months. This change is to renew the current contract for first of two (2) annual renewals covering the period January 1, 2022 through December 31, 2022 in the funded amount of \$2,815,464.00, with an overall 5.50% increase in rates which includes quoted rate of 1.5% commissions and a rate cap of 4.0%. The original dental RFP was for a five (5) year term for the period covering January 1, 2019 through December 31, 2023. The first three (3) years are at a flat guarantee rate (same rate for three years) and a rate cap of +5.5 for years two (2) and three (3). The 1.5% commission is paid to Stanley Blue Group (Broker) as outlined in the contract. The Division's annual contribution will be \$10.00 per active employee per month. Active employees will pay the balance of the monthly premium. The retirees will pay 100% of their premium. This renewal complies with all applicable laws and policies. The new contract value is \$10,808,205.24; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 12024, MLGW Employee Dental Plan with Cigna Health and Life Insurance Company to renew the current contract in the funded amount of \$2,815,464.00 as approved.



**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 2, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12024, MLGW Employee Dental Plan with Cigna Health and Life Insurance Company to renew the current contract in the funded amount of \$2,815,464.00.

The project scope is to provide insured dental services to eligible MLGW active and retired employees, as well as, their spouses and/or dependents. The initial term of this contract was for three (3) years with an option of two (2) annual renewals or one (1) two (2) year renewal. The contract term will not exceed 60 months. This change is to renew the current contract for first of two (2) annual renewals covering the period January 1, 2022 through December 31, 2022 in the funded amount of \$2,815,464.00, with an overall 5.50% increase in rates which includes quoted rate of 1.5% commissions and a rate cap of 4.0%. The original dental RFP was for a five (5) year term for the period covering January 1, 2019 through December 31, 2023. The first three (3) years are at a flat guarantee rate (same rate for three years) and a rate cap of +5.5 for years two (2) and three (3). The 1.5% commission is paid to Stanley Blue Group (Broker) as outlined in the contract. The Division's annual contribution will be \$10.00 per active employee per month. Active employees will pay the balance of the monthly premium. The retirees will pay 100% of their premium. This renewal complies with all applicable laws and policies. The new contract value is \$10,808,205.24.

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. 12024, MLGW Employee Dental Plan with Cigna Health and Life Insurance Company to renew the current contract in the funded amount of \$2,815,464.00 as outlined in the above preamble, is approved; and further

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

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular ~~special~~ meeting held on 20 day of June, 2021, at which a quorum was present.

  
Secretary - Treasurer

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.

## RESOLUTION for City of Memphis

### Capital Improvement Program

#### Fiscal Year 2022

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**BE IT FURTHER RESOLVED**, that this resolution take effect from and after the date it shall have been passed by the Council, signed by the Chairperson of the Council, certified and delivered to the office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by the law.

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Frank Colvett, Chairperson of Memphis City Council

ATTEST:

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Dywuana Morris, Comptroller, City of Memphis



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



T140

Received

**RECEIVED** MAY 11 2021  
 Chief Administrative Office  
 MAY 19 2021  
 out: 5/20/21 10:28 (LAW)  
 Hearing Date 6-1-21  
**CITY ATTORNEY'S OFFICE**

### City Council Item Routing Sheet

Division Fire Committee Public Safety  
 District Various Super District Various

- Ordinance       Resolution       Grant Acceptance  
 Budget Amendment       Commendation       Other:

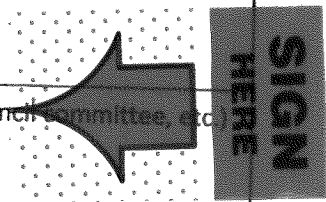
**RECEIVED**  
 MAY 17 2021  
 Finance Division  
 Budget

**Item Description :**  
 A resolution transferring an allocation of \$500,000.00 from FY21 Fire Station Repair Cover to Security/Cameras for fencing and appropriating in G.O. Bonds.

**Recommended Council Action:**  
 Accept the resolution, transfer allocation; and appropriate funds.

**Status of MWBE planned expenditures funding, if applicable:**  
 South Memphis Fence Co., Inc. is MBE/SBE

**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? <u>Yes</u>	<b>Source and Amount of Funds</b>
\$ Amount <u>\$500,000.00</u>	\$ Operating Budget
\$ Revenue to be received <u>N/A</u>	\$ CIP Project # <u>FS02034</u> \$500,000.00
	\$ Federal/State/Other <u>N/A</u>

**Approvals**

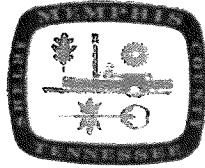
Director [Signature] Date 5-10-21

Budget Manager [Signature] Date 5/17/2021 Chief Administrative Officer

Chief Financial Officer [Signature] Date 5/10/2021 [Signature] Date 5/17/21

Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_ Council Committee Chair

Chief Legal Officer [Signature] Date 5-10-21 \_\_\_\_\_ Date \_\_\_\_\_



## Memphis City Council Summary Sheet

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

A resolution transferring an allocation of \$500,000.00 from FY21 Fire Station Improvement Cover to Security/Cameras and appropriating in G.O. Bonds.

*appropriating*

**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 districts and super districts.

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

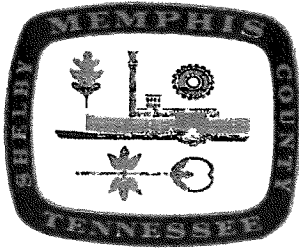
This will not require a new contract. Emergency purchased was approved with Memphis Fence Co., Inc.

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

This requires an expenditure of funds and a budget adjustment.

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

South Memphis Fence Co., Inc. is MBE/SBE.



## **RESOLUTION - FIRE SERVICES**

**A resolution transferring an allocation of \$500,000.00 from FY21 Fire Station Improvement Cover to Security/Cameras and appropriating in G.O. Bonds Project Number FS02034, Security/Cameras.**

**WHEREAS**, there is a need to install fencing at fire stations in an effort to deter further crime activity, Project Number FS02034, Security/Cameras, has been established in the FY21 Capital Improvement budget; and

**WHEREAS**, this was approved as an emergency purchase with South Memphis Fence Co., Inc.; and

**WHEREAS**, it is necessary to transfer an allocation of \$500,000.00 from FY21 Fire Station Improvement Cover, CIP Project FS21100 and appropriate \$500,000.00 in General Obligation Bonds for Project FS02034, Security/Cameras for the purchase of fencing;

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that there be and is hereby transferred an allocation of \$500,000.00 from FY21 Fire Station Improvement Cover, CIP Project FS21100 to FS02034 Security/Cameras and appropriating same to Other Costs in General Obligation Bonds chargeable to the FY 2021 Capital Improvement Budget and credited as follows:

<b>Project Title</b>	<b>Security/Cameras</b>
<b>Project Number</b>	<b>FS02034</b>
<b>G.O. Bonds</b>	<b>\$500,000.00</b>



Received

MAY 20 2021

T142

Chief Administrative Office

RECEIVED

MAY 19 2021

out: 5-20-21 10:28 (Law)

City Council Item Routing Sheet

CITY ATTORNEY'S OFFICE 6-1-21

Division Fire Committee Public Safety Hearing Date
District 3 Super District 8

- Ordinance Resolution Grant Acceptance
Budget Amendment Commendation Other:

Item Description :
A resolution appropriating \$80,000 in G.O. Bonds to FS02011 Replace Fire Station #43 for Furniture Fixtures and Equipment.

Recommended Council Action:
Accept the resolution and appropriate funds.

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

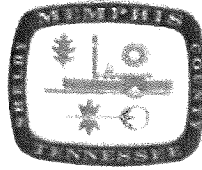
Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:
N/A

Table with 2 columns: Does this item require city expenditure? and Source and Amount of Funds. Includes amounts like \$80,000.00 and CIP Project # FS02011 \$80,000.00.

Approvals

Director Date 5-10-21
Budget Manager Kametris Wyatt Date 5/18/2021
Chief Financial Officer Date 05/18/2021
Deputy Financial Officer Date
Chief Legal Officer Date 5-10-21
Operating Chief Administrative Officer Date 5/18/21
Council Committee Chair Date





## Memphis City Council Summary Sheet

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

A resolution appropriating \$80,000.00 in G.O. Bonds to Replace Fire Station #43.

**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 council district 3 and super district 8.

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

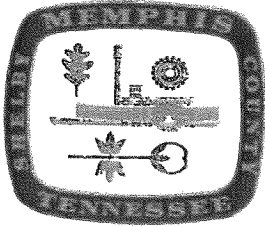
This will not require a new contract.

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

This requires an expenditure of funds and a budget adjustment.

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

N/A



## **Resolution – Fire Services**

**A resolution appropriating \$80,000.00 to FS02011 Replace Fire Station #43 for Furniture Fixtures and Equipment.**

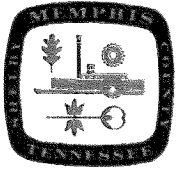
**WHEREAS**, the Council of the City of Memphis did include Fire Station #43, CIP Project Number FS02011, as part of the Fiscal Year 2021 Capital Improvement Program Budget; and

**WHEREAS**, Fire Services has received quotes for furniture, fixtures, and equipment in the amount of \$80,000.00; and

**WHEREAS**, it is necessary to appropriate \$80,000.00, CIP Project Number FS02011, Furniture Fixtures and Equipment funded by G.O. Bonds General for Replace Fire Station #43 Project.

**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 \$80,000.00 in Replace Fire Station #43, CIP Project Number FS02011 funded by G.O. Bonds.

<b>Project Title:</b>	<b>Replace Fire Station #43</b>
<b>CIP Project Number:</b>	<b>FS02011</b>
<b>Cost:</b>	<b>\$80,000.00</b>



G119

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MAY 12 2021

MAY 19 2021

Chief Administrative Office

out: 5-20-21 10:28 (AM)

Hearing Date June 1, 2021

### City Council Item Routing Sheet

Division General Services

Committee PW, SW, GS

District 6

Super District 8

CITY ATTORNEY'S OFFICE

RECEIVED  
MAY 17 2021  
Finance Division  
Budget

- Ordinance
- Resolution
- Grant Acceptance
- Budget Amendment
- Commendation
- Other:

**Item Description:**  
 This is a resolution requesting the approval for the sale of City owned surplus property acquired from Tax Sale #7. The property is located at 689 Saxon Avenue in Memphis, Shelby County, Tennessee, 38126 and further described as Parcel #025036 00011. The proceeds from the sale shall be deposited into the General Fund.

**Recommended Council Action:**  
 Approve

**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:**  
 No previous actions have been taken by any other entity.

Does this item require city expenditure? No	Source and Amount of Funds
\$ Amount _____	\$ Operating Budget
\$ Revenue to be received <u>\$800.00</u>	\$ CIP Project #
	\$ Federal/State/Other

#### Approvals

Director [Signature] Date 5/16/21

Budget Manager [Signature] Date 5/17/2021

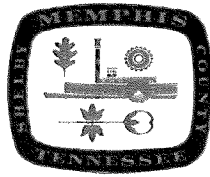
Chief Financial Officer [Signature] Date 05/18/2021

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

Chief Legal Officer [Signature] Date 5-20-21

Chief Administrative Officer [Signature] Date 5/17/21

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



## 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 689 Saxon Avenue in Memphis, Shelby County, Tennessee and further described as Parcel ID # 025036 00011

**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 689 Saxon Avenue- Parcel ID #025036 00011  
Memphis, Tennessee 38126**

**Whereas** the City of Memphis owns a surplus parcel located at 689 Saxon Avenue and is further identified by Shelby County Tax Assessor as Parcel 025036 00011 containing 0.074<sup>R</sup>aces, 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** SOUTH CITY MEMPHIS, LLC, a limited liability company submitted an offer of Eight Hundred Dollars (\$800.00) for the Parcel along with Eighty Dollars (\$80.00) 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 2-291 (A)1.

**Now, therefore be it resolved** by the Council of the City of Memphis that the offer made by SOUTH CITY MEMPHIS, LLC, on the above described Parcel is hereby accepted subject to the City Ordinance 2-291-1(A), which states in part, "The city real estate manager shall place a value on all properties being considered for sale in a manner herein determined and on all properties having an estimated and probable value of \$10,000.00 or less shall place a value without obtaining an independent appraisal."

**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.

Shelandra Y. Ford  
Shelby County Register of Deeds

MEMPHIS CITY OF TAX SALE #7

Owner:  
Parcel Address: 689 SAXON  
Parcel ID: 025036 00011  
2021 Appraisal: \$3,500  
Tax District: MEMPHIS  
Year Built:  
Lot Number: E PT 16  
Subdivision: HENRY MOORE  
  
Plat BK & PG: UNKNOWN  
Dimensions: 25X129  
Total Acres: 0.074  
Owner Address: 125 N MAIN ST STE 314  
MEMPHIS TN  
38103 2026

Map prepared on 3/29/2021





G120 RECEIVED  
 Received MAY 12 2021  
 MAY 19 2021 Chief Administrative Office  
 out. 5-20-21 10:28 (CAJ)  
 June 1, 2021

**City Council Item Routing Sheet**

Division General Services Committee PW, SW, GS  
 District 6 Super District 8

CITY ATTORNEY'S OFFICE RECEIVED  
 MAY 17 2021  
 Finance Division Budget

- Ordinance       Resolution       Grant Acceptance  
 Budget Amendment       Commendation       Other:

**Item Description:**  
 This is a resolution requesting the approval for the sale of City owned surplus property originally acquired for the Division of Housing and Community Development. The property is located at 1475 Gabay Street in Memphis, Shelby County, Tennessee, 38106 and further described as Parcel #034038 00007. The proceeds from the sale shall be deposited into the General Fund.

**Recommended Council Action:**  
 Approve

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

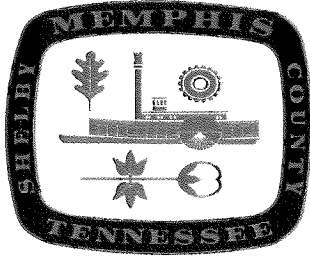
**Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:**  
 No previous actions have been taken by any other entity.

<b>Does this item require city expenditure? No</b>	<b>Source and Amount of Funds</b>
\$ Amount _____	\$ Operating Budget _____
\$ Revenue to be received <u>\$1,500.00</u>	\$ CIP Project # _____
	\$ Federal/State/Other _____

**Approvals**

Director [Signature] Date 5/12/21  
 Budget Manager Kumetis Nyath Date 5/17/2021  
 Chief Financial Officer [Signature] Date 5/18/2021  
 Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Legal Officer [Signature] Date 5-14-21

Chief Administrative Officer [Signature] Date 5/17/21  
 Council Committee Chair \_\_\_\_\_ Date \_\_\_\_\_



## 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 surplus parcel known as 1475 Gabay Street in Memphis, Shelby County, Tennessee 38106 and further described as Parcel ID # 034038 00007.

**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 item is not a change to an existing ordinance.

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

Council District 6 and Super District 8

**5. State whether this requires 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 1475 Gabay Street- Parcel ID #034038 00007  
Memphis, Tennessee 38109**

**Whereas** the City of Memphis owns a surplus parcel located at 1475 Gabay Street and is further identified by Shelby County Tax Assessor as Parcel #034038 00007 containing 0.047ac, 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** Thomas Pinkney submitted an offer of One Thousand Five Hundred Dollars (\$1,500.00) for the Parcel along with a One Hundred Fifty Dollars (\$150.00) 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 Thomas Pinkney 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: Thomas Pinkney is willing and capable of paying the value of the 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.

**Search**


Property  
Details

**Layers**

Property Address    1475 GABAY  
Parcel ID            034038 00007  
Owner Name         MEMPHIS CITY OF  
                          DIV OF HOUSING &  
                          COMM DEV  
2020 Appraised    \$3,000  
Value  
Property/Assessment [Click Here](#)  
Details  
Deed Information   [Click Here](#)  
County Tax         [Click Here](#)  
City Tax            [Click Here](#)

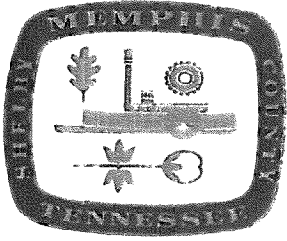


CONTACT

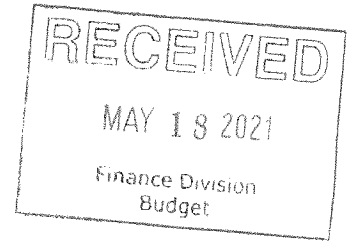
 1075 Mullois Station Road  
Memphis, TN 38134

Satellite Office  
157 Poplar Ave  
Memphis, TN 381

[Send us a message](#)



T141



### City Council Item Routing Sheet

June 1, 2021

Division: ~~City Council~~ Committee: Budget Hearing Date: ~~click here to enter text~~

General Services

Ordinance

Resolution

Grant Acceptance

Budget Amendment

Commendation

Other: ~~click here to enter text~~

District: 5 Super District: 9

<b>Item Description:</b> A Resolution transferring \$750,000 from CIP Project #GS21101, FY21 Major Mod (Roofing), to CIP Project #GS20101 FY20 Major Mod (Roofing), earmarked for the Memphis Zoo Hippo Barn Enclosure.	
<b>Recommended Council Action:</b>	
Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: No previous actions have been taken by any other entity.	
<b>Does this item require city expenditure? Yes</b> \$750,000 <del>click here to enter text</del>	<b>Source and Amount of Funds:</b> FY21 GO Bonds = \$750,000

#### Approvals

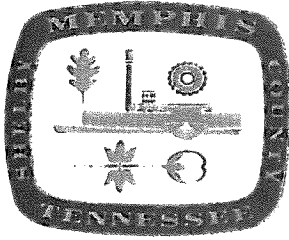
Director [Signature] Date 5/17/21 Chief Operating Officer

Division Chief \_\_\_\_\_ Date \_\_\_\_\_

Budget Manager Kumetris Wyatt Date 5/18/2021 \_\_\_\_\_ Date \_\_\_\_\_

Chief Financial Officer [Signature] Date 05/21/2021 Council Committee Chair \_\_\_\_\_ Date \_\_\_\_\_

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



A Resolution transferring \$750,000 from CIP Project #GS21101, FY21 Major Mod (Roofing), to CIP Project #GS20101 FY20 Major Mod (Roofing), earmarked for the Memphis Zoo Hippo Barn Enclosure.

## Memphis City Council Summary Sheet

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

A Resolution transferring \$750,000 from CIP Project #GS21101, FY21 Major Mod (Roofing), to CIP Project #GS20101 FY20 Major Mod (Roofing), earmarked for the Memphis Zoo Hippo Barn Enclosure.

**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.**

n/a

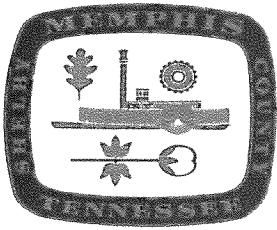
**5. State whether this requires an expenditure of funds/requires a budget amendment.**

Budget amendment is needed to transfer allocations and appropriations.

6. Council Districts: The Memphis Zoo is located in District 5 / Super District 9.

7. MWBE Goals, if applicable: N/A

City Council Resolution – A Resolution transferring \$750,000 from CIP Project #GS21101, FY21 Major Mod (Roofing), to CIP Project #GS20101 FY20 Major Mod (Roofing), earmarked for the Memphis Zoo Hippo Barn Enclosure.



**WHEREAS**, the Council of the City of Memphis included CIP Project #GS21101, FY21 Major Mod (Roofing), as part of the FY 2021 Capital Improvement Program budget; and

**WHEREAS**, the CIP Projects in #GS20101, FY20 Major Mod (Roofing) that shared the total budgeted amount exceeded the budget; and

**WHEREAS**, all bids for the construction of the Zoo Hippo Barn came in over the budgeted amount of General Services CIP Project #GS20101, FY20 Major Mod (Roofing); and

**WHEREAS**, available funding remains in CIP Project #GS21101, FY21 Major Mod (Roofing); and

**WHEREAS**, General Services requests to transfer allocations and appropriations totaling \$750,000 from CIP Project #GS21101, FY21 Major Mod (Roofing), to CIP Project #GS20101-Zoo Hippo Barn to cover the Zoo Hippo Barn project;

**NOW, THEREFORE, BE IT RESOLVED** that there be and is hereby transferred allocations and appropriations totaling \$750,000 from CIP Project #GS21101, FY21 Major Mod (Roofing), to CIP Project #GS20101-Zoo Hippo Barn and credited as follows:

<b>Project Title:</b>	<b>Zoo Hippo Barn</b>
<b>Project Number:</b>	<b>GS20101</b>
<b>Amount:</b>	<b>\$750,000</b>

Ordinance No. \_\_\_\_\_

**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.

