

**ORDINANCE TO AMEND THE CITY OF MEMPHIS CODE OF ORDINANCES CHAPTER 15 "GARBAGE, TRASH, REFUSE AND SOLID WASTE" ARTICLE I, DIVISION 4 "DISPOSAL AND REMOVAL OF PERSONAL PROPERTY" 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 improper placement of an evicted person's personal property on sidewalks, streets, utility easements and public rights of way following an eviction, also known as an eviction set-out, contributes to blight and the propagation of illegal dumping.

WHEREAS. It is necessary to amend certain sections of the Memphis City Code that were enacted by Ordinance No. 5705 on September 25, 2018.

NOW, THEREFORE BE IT ORDAINED by the Memphis City Council that

**Section 1.** Chapter 15, Article 1, Division 4 "**DISPOSAL AND REMOVAL OF PERSONAL PROPERTY**" of the Official Memphis Code of Ordinances ("City Code"), also referenced in the unofficial republication of City Ordinances by Municipal Code Corporation ("MuniCode") as Title 9, Chapter 9- 56, Article I, Division 4 titled "**DISPOSAL AND REMOVAL OF PERSONAL PROPERTY**" is hereby amended as follows:

**DIVISION 4 DISPOSAL AND REMOVAL OF PERSONAL PROPERTY**

Sections 15-30, 15-31, 15-32 and 15-33 of the City Code and corresponding MuniCode Sections 9-56-30, 9-56-31, 9-56-32 and 9-56-33 shall be deleted in their entirety and substituted with new sections 15-30 [9-56-30], 15-31 [9-56-31] and 15-32 [9-56-32], which shall read as follows:

**Section 15-30 [ 9-56-30] Disposition of abandoned property following an eviction.**

In accordance with state law a landlord or property owner is prohibited from disturbing a tenant's personal property for forty-eight (48) hours after the entry of a judgment for possession in favor of the landlord or property owner. After such forty-eight (48) hour period, a landlord or property owner or their designated representative(s) may discard the personal property remaining in the premises, only by placing such personal property:

- A. On the premises from which the defendant or tenant is being removed;
- B. In an appropriate area clear of the entrance to the premises; and
- C. At a reasonable distance from any sidewalk, street, utility easement, public right of way or public property appurtenant to the premises.

Under no circumstances may eviction belongings, abandoned or otherwise, be placed on a sidewalk, street, utility easement or public right of way or on any public property appurtenant to the premises or otherwise.

Eviction belongings, abandoned or otherwise shall not be allowed to remain on the premises for which a judgment for possession was entered for more than seventy-two hours after placement on the premises from which the defendant or tenant is being removed. Continued placement of such property after the expiration of the seventy-two (72) hour period shall constitute a public nuisance that is injurious to the health, safety and public welfare and the City may avail itself of all or any legal remedies to abate such nuisances, including but not limited to (i) injunctive relief, (ii) self-help removal of the property; (iii) imposition of a lien and recovery of the City's costs in effecting such self-help removal or (iv) pursuit of all remedies available under this Code of Ordinances or state law.

**Sec.15-31 [ 9-56-31]. - Violations for failure to remove and dispose of personal property discarded onto City right-of-way.**

- A. *Violations.* Any landlord, property owner, or person who violates this ordinance, where applicable, shall be issued a misdemeanor citation in accordance with Article II of this chapter and assessed a civil penalty equal to 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.
- B. *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.
- C. Criminal littering is a Class B misdemeanor punishable by no more than (six) 6 months imprisonment, a fine not to exceed five hundred dollars (\$500), or both, unless otherwise provided by statute in accordance with TCA § 40-35-111.
- D. In addition to the penalties established in this section, the court, to the extent authorized by applicable law, 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.

**Section 15-32 [ 9-56-32]. Disposal and removal by City.**

- A. In addition to the penalties set forth in section 15-31 [9-56-31], upon failure of any landlord or property owner to discard and remove such property in the manner set forth in section 15-30 [9-56-30], the solid waste division is hereby authorized and directed to have such property removed and disposed, and to provide a statement of costs to the director of finance or his designee. A lien is hereby declared on such property for all costs and expenses incurred by the city provided that, such costs and expenses shall not exceed the amounts set forth in subsection 15-31. A. [9-56-31.A] together with a reasonable attorney's fee if the City is required to institute suit to enforce this ordinance or to exercise its rights to enforce the lien. .
- B. Upon receipt of the statement of costs of disposal and removal by the city, the director of finance or his designee may transmit a true copy thereof to the city attorney, who

shall forthwith institute suit or take such other action as may be necessary to enforce the lien on such property.

C. All uncollected costs for the current year shall be certified to the city treasurer on or before December 31 of each year. It shall be the duty of the city treasurer to collect, as a special tax, the amount so certified at the time city taxes levied against the property for which the disposal and removal was performed for the next succeeding year are collected. The cost of disposal and removal pursuant to this section is hereby declared to be a special tax to be collected as general taxes levied by the city

Section 15-34 [ 9-56-34] shall be renumbered 15-33 [ 9-56-33].

Sections 15-34 [ 9-56-34]—15-40 [ 9-56-40] shall be reserved.

**Section 2.** Inconsistency. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed and this ordinance shall supersede and replace any ordinances of the City to the extent that such ordinances are inconsistent with the provisions of this ordinance.

**Section 3. Ordinance Status.** The Memphis City Code (the “City Code”) is the official code of the City of Memphis. This ordinance amends, modifies or supplements provisions of the City Code. This ordinance shall be maintained by the Comptroller in the official records of the City and until amended, modified, supplemented or codified by a subsequent ordinance, it shall be evidence of the official action of the Memphis City Council. The original of this ordinance deposited with or any copy hereof certified under the hand or facsimile signature of the Comptroller to be a true and correct copy may be read in evidence in all courts of the State without further proof of its validity as an official ordinance of the City.

**Section 4.** Severability. The provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

**Section 5.** Effective Date. 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  
JB Smiley, Jr.  
Patrice J. Robinson  
Michalyn Easter-Thomas  
Rhonda Logan  
Martavius Jones  
Dr. Jeff Warren

Chairman  
Frank Colvett, Jr.

Joint Ordinance No.: 5784

A JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE AS ADOPTED BY THE CITY OF MEMPHIS AUGUST 10, 2010, AND BY SHELBY COUNTY AUGUST 9, 2010, AS AMENDED, TO REVISE AND ENHANCE THE JOINT ZONING AND SUBDIVISION REGULATIONS AS RECOMMENDED BY THE MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING & DEVELOPMENT AND THE LAND USE CONTROL BOARD.

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**WHEREAS**, By the provisions of chapter 165 of the Private Acts of the General Assembly of the State of Tennessee for the year 1921, authority was conferred upon the legislative body of the City of Memphis, Tennessee, to establish districts or zones within the corporate territory of the City of Memphis and to establish zoning regulations pertaining thereto, and to amend said zones or districts and zoning regulations pertaining thereto from time to time; and

**WHEREAS**, By the provisions of chapter 613 of the Private Acts of the General Assembly of the State of Tennessee for the year 1931, the legislative bodies of the City of Memphis and the County of Shelby were given authority to establish districts or zones within the territory in Shelby County, Tennessee, outside of, but within five miles of the corporate limits of the City of Memphis, Tennessee, and to establish zoning regulations pertaining thereto, and to amend said zones or districts and zoning regulations pertaining thereto from time to time; and

**WHEREAS**, By the provisions of chapter 625 of the Private Acts of the General Assembly of the State of Tennessee for the year 1935, authority was conferred upon the legislative body of the County of Shelby, to establish districts or zones within the unincorporated territory of Shelby County and outside the five-mile zone of the corporate limits of the City of Memphis, Tennessee, and to amend said zones or districts and zoning regulations pertaining thereto from time to time; and

**WHEREAS**, by the provisions of chapter 470 of the Private Acts of 1967, the General Assembly of the State of Tennessee conferred upon the legislative body of Shelby County the authority to regulate the subdivision or resubdivision of land into two or more parts; and

**WHEREAS**, by the provisions of section 2 of chapter 470 of the Private Acts of 1967, the General Assembly of the State of Tennessee conferred upon the legislative bodies of the City of Memphis and the County of Shelby the authority to regulate the subdivision and resubdivision of land within three miles of the corporate limits of the City of Memphis into two or more parts; and

**WHEREAS**, by provisions of T.C.A. title 54, ch. 10 [§ 54-10-101 et seq.], the General Assembly of the State of Tennessee conferred on the legislative body of Shelby County the authority to open, close or change public roads within the areas subject to its jurisdiction; and

**WHEREAS**, the Unified Development Code was adopted by the city of Memphis on August 10, 2010, and by Shelby County on August 9, 2010, as the new regulations for zoning and subdivisions in the city of Memphis and unincorporated Shelby County; and

**WHEREAS**, the Executive Office of Shelby County is one of the entities identified by the Unified Development Code as one that may initiate amendments to the Code; and

**APPENDIX A**

(additions indicated in bold, underline; deletions indicated in strikethrough)

Amend Section 2.5.2:

Insert a new use category, "**Oil pipeline**," and permit this use by right in all zoning districts. Also, add a reference to a new use standard for this use in the far-right column, a new Sub-Section **2.6.2L**.

Insert a new Section 2.6.2L:

**2.6.2L Oil Pipelines**

**Oil pipelines shall be no closer than 1500 feet of any school, place of worship, park, family recreation center, or any residential use, as measured from the center line of the oil pipeline to the building footprint of the school, place of worship, park, family recreation center, or residence.**

Amend Section 12.3.1:

**OIL PIPELINE: any tube, usually cylindrical, through which petroleum flows from one point to another.**

Ordinance No. 5790

**ORDINANCE TO AMEND THE CITY OF MEMPHIS CODE OF ORDINANCES CHAPTER 15 "GARBAGE, TRASH, REFUSE AND SOLID WASTE" ARTICLE I, DIVISION 4 "DISPOSAL AND REMOVAL OF PERSONAL PROPERTY" REGARDING LANDLORDS OR PROPERTY OWNERS**

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- A. On the premises from which the defendant or tenant is being removed;
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- B. *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.
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- B. Upon receipt of the statement of costs of disposal and removal by the city, the director of finance or his designee may transmit a true copy thereof to the city attorney, who

shall forthwith institute suit or take such other action as may be necessary to enforce the lien on such property.

C. All uncollected costs for the current year shall be certified to the city treasurer on or before December 31 of each year. It shall be the duty of the city treasurer to collect, as a special tax, the amount so certified at the time city taxes levied against the property for which the disposal and removal was performed for the next succeeding year are collected. The cost of disposal and removal pursuant to this section is hereby declared to be a special tax to be collected as general taxes levied by the city

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Sections 15-34 [ 9-56-34]—15-40 [ 9-56-40] shall be reserved.

**Section 2. Inconsistency.** All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed and this ordinance shall supersede and replace any ordinances of the City to the extent that such ordinances are inconsistent with the provisions of this ordinance.

**Section 3. Ordinance Status.** The Memphis City Code (the "City Code") is the official code of the City of Memphis. This ordinance amends, modifies or supplements provisions of the City Code. This ordinance shall be maintained by the Comptroller in the official records of the City and until amended, modified, supplemented or codified by a subsequent ordinance, it shall be evidence of the official action of the Memphis City Council. The original of this ordinance deposited with or any copy hereof certified under the hand or facsimile signature of the Comptroller to be a true and correct copy may be read in evidence in all courts of the State without further proof of its validity as an official ordinance of the City.

**Section 4. Severability.** The provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

**Section 5. Effective Date.** 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  
JB Smiley, Jr.  
Patrice J. Robinson  
Michalyn Easter-Thomas  
Rhonda Logan  
Martavius Jones  
Dr. Jeff Warren

Chairman  
Frank Colvett, Jr.



ORDINANCE NO: 5789

**ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, SO AS TO MAKE CERTAIN CHANGES IN THE USE DISTRICTS PROVIDED IN SAID ORDINANCE**

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**WHEREAS**, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: VEHD**; and

**WHEREAS**, the Memphis Landmarks Commission and the Memphis and Shelby County Land Use Control Board has filed their recommendations and the Division of Planning and Development has filed its report and recommendation with the Council of the City of Memphis; and

**WHEREAS**, the Council of the City of Memphis has reviewed the aforementioned amendment pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said amendment is consistent with the Memphis 3.0 General Plan; and

**WHEREAS**, the provisions of the Code of Ordinances, City of Memphis, Tennessee, as amended, relating to the proposed amendment, have been complied with.

**NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF MEMPHIS:**

**SECTION 1:**

**THAT**, the Memphis and Shelby County Unified Development Code, Ordinance No. 5367 of the Code of Ordinances, City of Memphis, as amended, be and the same hereby is amended with respect to Use Districts, as follows:

**BY TAKING THE FOLLOWING PROPERTIES OUT OF THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6), RESIDENTIAL URBAN – 1 (RU-1), , RESIDENTIAL URBAN – 3 (RU-3), RESIDENTIAL WORK (RW), AND COMMERCIAL MIXED USE – 1 (CMU-1) DISTRICTS AND INCLUDING THEM IN THE RESIDENTIAL SINGLE-FAMILY HISTORIC – 6 (R-6[H]), RESIDENTIAL URBAN HISTORIC – 1 (RU-1[H]), , RESIDENTIAL URBAN HISTORIC – 3 (RU-3[H]), RESIDENTIAL WORK HISTORIC (RW[H]), AND COMMERCIAL MIXED USE HISTORIC – 1 (CMU-1[H]) DISTRICTS.**

The following properties located in the City of Memphis, Tennessee being more particularly described as follows:

**BOUNDARY**

PROPERTIES GENERALLY BOUND BY CYPRESS CREEK TO THE NORTH, UNIVERSITY & SPRINGDALE STREETS TO THE EAST, NORTH PARKWAY & JACKSON AVENUE TO THE SOUTH, AND NORTH WATKINS STREET TO THE WEST AND AS ILLUSTRATED ON THE BOUNDARY MAP ATTACHMENT.

**SECTION 2:**

**THAT**, the Administrator of the Land Use and Development Services department of the Division of Planning and Development be, and is hereby directed to make the necessary changes in the Official Use District Maps to conform to the changes herein made; that all official maps and records of the Memphis and Shelby County Land Use Control Board and the City of Memphis be, and they hereby are, amended and changed so as to show the aforementioned amendment of the said Zoning Ordinance.

**SECTION 3:**

**THAT** this ordinance take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller, and become effective as otherwise provided by law.

**ATTEST:**

**CC: Division of Planning and Development**  
**– Land Use and Development Services**  
**– Office of Construction Code Enforcement**  
**Shelby County Assessor**

**RESOLUTION APPROVING THE SUNNY PINES PLANNED DEVELOPMENT AT 751 ST. PAUL AVENUE, KNOWN AS CASE NUMBER PD 21-3.**

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**WHEREAS**, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to grant a special use permit for a planned development for certain stated purposes in the various zoning districts; and

**WHEREAS**, Ryan Fleming of Jules Verne, LLC, filed an application with the Memphis and Shelby County Division of Planning and Development for a special use permit for a planned residential development; and

**WHEREAS**, the Division of Planning and Development has received and reviewed the application in accordance with procedures, objectives, and standards for planned developments as set forth in Chapter 9.6 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and consistency of its design and amenities with the public interest; and has submitted its findings and recommendation, including recommended outline plan conditions, concerning the above considerations to the Memphis and Shelby County Land Use Control Board; and

**WHEREAS**, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on April 8, 2021, and said Board has submitted its recommendation, including recommended outline plan conditions, concerning the above considerations to the Council of the City of Memphis; and

**WHEREAS**, the Council of the City of Memphis has reviewed the aforementioned application pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said development is consistent with the Memphis 3.0 General Plan; and

**WHEREAS**, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and has determined that said development meets the objectives, standards, and criteria for a special use permit, and said development is consistent with the public interests.

**NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS**, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit for a planned residential development is hereby granted in accordance with the attached outline plan conditions.

**BE IT FURTHER RESOLVED**, that the requirements of said aforementioned clause of the Unified Development Code shall be deemed to have been complied with; that the outline plan shall bind the applicant, owner, mortgagee, if any, and the City Council with respect to the contents of said plan; and the applicant and/or owner may file a final plan in accordance with said outline plan and the provisions of Section 9.6.11 of the Unified Development Code.

## OUTLINE PLAN CONDITIONS

- I. Building Envelope Standards
  - A. A maximum of seven two-family lots shall be permitted. They shall not be subject to minimum lot area or width standards.
  - B. All lots shall have minimum front setbacks of 10 feet and maximum front setbacks of 20 feet.
  - C. The apartment lot shall have minimum side setbacks of 7 feet.
  - D. The two-family lots shall have minimum rear setbacks of 10 feet.
  - E. The rear property line of the two-family lots shall be located a minimum of 10 feet from the existing structures.
    - i. The Zoning Administrator may require that the rear yard of each two-family lot be individually enclosed with high-quality fencing.
  - F. No structure built after approval of this planned development shall be located closer than seven feet to any other structure.
  - G. Each apartment that fronts Boyd shall have a front balcony or porch/patio (depending on its floor) with a minimum area of 6 by 8 feet. The Zoning Administrator may require that patios be enclosed by a short wall of high-quality materials.
  - H. Any apartment building that fronts Boyd shall have a foundation height of at least 18 inches, as measured from top of grade to the first finished floor.
  - I. A maximum height of two stories shall be permitted on all lots.
  - J. The apartment lot shall have a minimum building frontage of 50%.
  - K. The apartment complex shall have an asphalt-shingled gable roof.
- II. General Development Standards
  - A. The existing St. Paul sidewalk shall be brought into good repair, including any necessary replacement – prior to the recording of a final plan. Street trees shall not be required along St. Paul.
  - B. A streetscape plate – either S - 1, 2, 3, 4, 13, 14, or 15 – shall be installed along Boyd. The Zoning Administrator may reduce the width of the streetscape plate if it is determined that strict adherence is impractical due to site constraints, including the location of a structure built prior to approval of this planned development.
  - C. Off-street parking shall be provided to all dwelling units within this planned development, including those within the apartment complex and the existing two-family homes.
    - i. The minimum number of parking spaces per dwelling unit shall be in accordance with Section 4.5.3.
    - ii. The Zoning Administrator may require walkways, gates, and/or similar facilities to provide convenient access between the parking area and all dwelling units.
    - iii. The parking area shall be lighted in a manner appropriate for a residential district.
    - iv. The Zoning Administrator may require that bicycle parking – if provided – be covered to protect bicycles from the elements.
    - v. A landscape buffer with a minimum width of 3 feet shall be provided where two-family lots border the parking area.
  - D. A Type A landscape buffer shall be provided along the southern border of the development. The Zoning Administrator may accept existing fencing in partial fulfillment of this condition.
  - E. All existing chain link fencing shall be removed. No chain link fencing shall be permitted.
- III. Infrastructure and Public Improvements
  - A. The Zoning Administrator may require right-of-way dedication and improvement at Boyd and the corner of Boyd and St. Paul – in accordance with the standards of the City Engineer.
  - B. A property owners' association shall be formed concurrently with the recording of the final plan. Said association shall be responsible for the perpetual maintenance of the shared parking area.

The parking area shall be a common open space owned by the property owners' association.

- i. This condition may be modified by the Zoning Administrator if the applicant presents an equivalent, alternative parking plan that guarantees: 1) perpetual maintenance of the parking and 2) parking access to all dwelling units.

IV. Final Plan

- A. The existing two-family homes shall not be issued demolition permits without an amendment to this planned development, subject to approval by City Council.
- B. All standards of the Unified Development Code not modified by these conditions shall apply in accordance with the underlying zoning.
- C. The final plan – subject to administrative review and approval – shall include the outline plan conditions, the site plan, the landscape plan, the lighting plan, and elevations of structures and other facilities.
- D. The owner is responsible for giving any new tenants a hard copy list of what they are expected to do regarding maintenance of the property. The tenants shall sign off that they have received it.

**RESOLUTION APPROVING THE CORO VISTA PLANNED DEVELOPMENT AT 1560 DREW ROAD AND AN ADJACENT PARCEL, KNOWN AS CASE NUMBER PD 21-5.**

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**WHEREAS**, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to grant a special use permit for a planned development for certain stated purposes in the various zoning districts; and

**WHEREAS**, Coro Vista, LLC, filed an application with the Memphis and Shelby County Division of Planning and Development for a special use permit for a planned residential development; and

**WHEREAS**, the Division of Planning and Development has received and reviewed the application in accordance with procedures, objectives, and standards for planned developments as set forth in Chapter 9.6 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and consistency of its design and amenities with the public interest; and has submitted its findings and recommendation, including recommended outline plan conditions, concerning the above considerations to the Memphis and Shelby County Land Use Control Board; and

**WHEREAS**, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on June 10, 2021, and said Board has submitted its recommendation, including recommended outline plan conditions, concerning the above considerations to the Council of the City of Memphis; and

**WHEREAS**, the Council of the City of Memphis has reviewed the aforementioned application pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said development is consistent with the Memphis 3.0 General Plan; and

**WHEREAS**, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and has determined that said development meets the objectives, standards, and criteria for a special use permit, and said development is consistent with the public interests.

**NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS**, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit for a planned residential development is hereby granted in accordance with the attached outline plan conditions.

**BE IT FURTHER RESOLVED**, that the requirements of said aforementioned clause of the Unified Development Code shall be deemed to have been complied with; that the outline plan shall bind the applicant, owner, mortgagee, if any, and the City Council with respect to the contents of said plan; and the applicant and/or owner may file a final plan in accordance with said outline plan and the provisions of Section 9.6.11 of the Unified Development Code.

## OUTLINE PLAN CONDITIONS

- I. Uses Permitted
  - A. Areas 1 and 2: As if zoned Residential Single-Family – 10.
  - B. Area 3: As if zoned Residential Single-Family – 6.
  - C. Area 4: As if zoned Residential Urban – 3.
  - D. Areas 5 – 8: As if zoned Open Space.
- II. Building Envelope Standards
  - A. Areas 1 and 2: As if zoned Residential Single-Family – 10.
  - B. Area 3:
    - 1. Minimum front setback: 15 feet
    - 2. Minimum interior side setback: 3.5 feet
    - 3. Minimum street side setback: 10 feet
    - 4. Minimum rear setback: 15 feet
      - a. Garages – either detached or attached – may encroach into the rear setback provided they are sited exactly 5 feet from the rear property line.
    - 5. Minimum lot width: 35 feet
    - 6. Maximum building height: 40 feet
    - 7. Minimum lot area: 3,500 square feet
    - 8. All lots must take vehicle access from a rear alley, except corner lots which may be permitted side street vehicle access.
  - C. Area 4: As if zoned Civic.
  - D. Areas 5 – 8: As if zoned Open Space.
- III. Final Plan
  - A. Unless modified by the outline plan conditions, all standards of the Unified Development Code shall apply.
  - B. Existing vegetation shall be incorporated into the landscape plan. New plantings shall emphasize native species.
  - C. Any final plan shall include a plan set that demonstrates compliance with the outline plan conditions, as well as substantial conformance with the proposed conceptual design.
  - D. A property owner's association shall be created concurrently with the recording of a final plan.

**RESOLUTION APPROVING THE M-TOWN PLANNED DEVELOPMENT AT 771 AND 775 TANGLEWOOD ST., KNOWN AS CASE NUMBER PD 21-11.**

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**WHEREAS**, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to grant a special use permit for a planned development for certain stated purposes in the various zoning districts; and

**WHEREAS**, M-Town Properties, LLC, filed an application with the Memphis and Shelby County Division of Planning and Development for a special use permit for a planned residential development; and

**WHEREAS**, the Division of Planning and Development has received and reviewed the application in accordance with procedures, objectives, and standards for planned developments as set forth in Chapter 9.6 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and consistency of its design and amenities with the public interest; and has submitted its findings and recommendation, including recommended outline plan conditions, concerning the above considerations to the Memphis and Shelby County Land Use Control Board; and

**WHEREAS**, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on June 10, 2021, and said Board has submitted its recommendation, including recommended outline plan conditions, concerning the above considerations to the Council of the City of Memphis; and

**WHEREAS**, the Council of the City of Memphis has reviewed the aforementioned application pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said development is consistent with the Memphis 3.0 General Plan; and

**WHEREAS**, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and has determined that said development meets the objectives, standards, and criteria for a special use permit, and said development is consistent with the public interests.

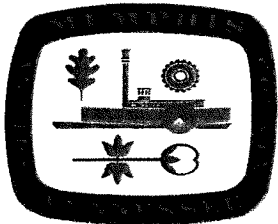
**NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS**, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit for a planned residential development is hereby granted in accordance with the attached outline plan conditions.

**BE IT FURTHER RESOLVED**, that the requirements of said aforementioned clause of the Unified Development Code shall be deemed to have been complied with; that the outline plan shall bind the applicant, owner, mortgagee, if any, and the City Council with respect to the contents of said plan; and the applicant and/or owner may file a final plan in accordance with said outline plan and the provisions of Section 9.6.11 of the Unified Development Code.



## OUTLINE PLAN CONDITIONS

- I. Uses Permitted
  - A. Uses shall be permitted in accordance with the underlying zoning, with the exception that no short-term rental housing shall be permitted.
- II. Building Envelope Standards
  - A. The minimum lot size shall be 1900 square feet.
  - B. The minimum lot width shall be 18 feet.
  - C. Minimum front setbacks shall be 10 feet.
  - D. Minimum side and rear setbacks shall be 3.5 feet, with the following exception:
    - i. Lot 1 shall have no minimum street side setback.
  - E. Street-facing garages and carports shall not be permitted.
  - F. Unenclosed front porches with a minimum depth of 8 feet shall be required.
    - i. Such porches may be permitted to encroach into setbacks in accordance with Unified Development Code standards.
  - G. Finished ground floors shall be raised a minimum of 18 inches above the top of grade.
- III. General Development Standards
  - A. A modified S-13, S-14, or S-15 streetscape plate, including curb and gutter, shall be installed along the site's Tanglewood frontage, subject to approval of the Zoning Administrator. Improvement of Saulsbury shall not be required.
    - i. Dedication of right-of-way or pedestrian easements may be required by the Zoning Administrator.
  - B. Curbs cuts shall be subject to approval of the Zoning Administrator and City Engineer. A maximum of one lot may have vehicular access from Saulsbury.
- IV. Final Plan
  - A. The applicant shall make a good faith effort to close the adjacent alley from York to Saulsbury, subject to administrative approval.
  - B. If any common open space is provided, a home owners' association shall be required to own and maintain said land. Any such association shall be created concurrently with the recording of a final plan.
  - C. Unless modified by the outline plan conditions, all standards of the Unified Development Code shall apply.
  - D. Any construction, and similar work, within the Cooper-Young Historic District shall be subject to the approval of the Landmarks Commission in accordance with the Cooper-Young Historic District design guidelines.
  - E. A final plan shall be submitted that demonstrates compliance with the outline plan conditions, as well as substantial conformance with the proposed conceptual design.



## RESOLUTION

**A resolution approving the physical closure of part of St. Nick Rd., adjacent to 584 and 585 St. Nick Road, approximately 200' north of Poplar Avenue, known as case number SAC 21-1.**

**WHEREAS**, the City of Memphis is the owner of real property known as part of St. Nick Road in Memphis, Tennessee, and being more particularly described as follows:

Beginning at a point on the west line of Saint Nick Drive (50' R.O.W), a distance of 196.70 feet from Poplar Avenue, said point being the southeast corner of the Prewitt property (inst. # 16074152); thence northwardly along the east line of said Prewitt property a distance of 18.00 feet to a point; thence eastwardly a distance of 50.00 feet to a point on the east line of Saint Nick Drive, said point being on the west line of the James property (inst. # 18083706); thence southwardly along the west line of said James property a distance of 18.00 feet to the southwest corner of said James property; thence westward a distance of 50.00 feet to the point of beginning and containing 900 square feet.

**WHEREAS**, the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and desires to close the hereinabove described public right-of-way, and it is deemed to be in the best interest of the City of Memphis that said public right-of-way be vacated, and revert to the abutting property owners; and

**WHEREAS**, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on May 13, 2021, and said Board has submitted its recommendation to the Council of the City of Memphis subject to the following conditions:

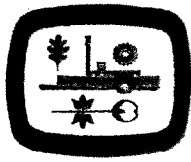
**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that the above described public right-of-way be and is hereby closed for public use, subject to the conditions on the following page:

1. Any existing utilities shall be relocated at the applicant's expense or overlaid with an easement.

2. The gate and turn-around(s) shall be constructed subject to the standards of the City Engineer; Fire Department; and Memphis Light, Gas, and Water Division prior to vacation of the subject right-of-way.
3. This approval shall expire three years following the date of approval if the subject right-of-way has not by that point been vacated.
4. Pedestrian access shall remain unimpeded to the general public on at least one sidewalk. Said sidewalk(s) shall be overlaid with a pedestrian easement.
5. The City shall be held harmless for any damages to the gate or vehicles that have struck the gate.

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to execute all Quitclaim Deeds to the owners of the properties abutting on the above described public right-of-way, said Deeds not to be delivered until the conditions herein stated have been met by applicant.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be sent to the Lawyers Title Insurance Company, the Memphis Title Company, the Chicago Title Company, the Security Title Company, and the Shelby County Property Assessor's Office.



RESOLUTION approving the engineering plans entitled  
**Amazon Delivery Center - DNA-4 (3140 Victory Ridge Cove)  
Traffic Signal**

WHEREAS, **Seefried Properties** 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 **Amazon Delivery Center - DNA-4 (3140 Victory Ridge Cove) Traffic Signal** and

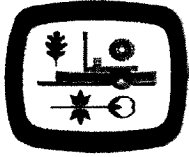
WHEREAS, the developer desires to develop the property reflected on the final plat; and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Seefried Properties** 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 **Amazon Delivery Center - DNA-4 (3140 Victory Ridge Cove) Traffic Signal** 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 **Western Surety Company Bond** in the amount of **\$68,800.00**.



RESOLUTION approving the engineering plans entitled  
**Memphis Terminal Lhoist North America of Missouri, Inc.**

WHEREAS, **Lhoist North America of Missouri, Inc.** is the Developer of certain property within the present limits of the City of Memphis, located at 1151 Channel Avenue, 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 **Lhoist North America of Missouri, 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 engineering plans for **Memphis Terminal Lhoist North America of Missouri, Inc.** 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 **Western Surety Company Bond** in the amount of **\$75,700.00**.



**RESOLUTION accepting public improvements for **Davenport PD**  
and authorizing release of bond.**

WHEREAS, **IDI Services Group, LLC** the Developer has completed the public improvement with the City of Memphis located on the northeast corner of Tchulahoma Road and Holmes Road in the City of Memphis, Tennessee as indicated on the final plat entitled **Davenport PD** 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 **Davenport PD [CR-5268]** and the completion of the public improvements therein, be and the same are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the **Letter of Credit** in the amount of \$94,900.00 held as security for the standard improvement contract is ordered released.



# City Council Item Routing Sheet

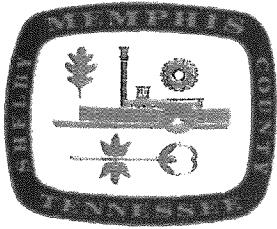
Division Library Committee Public Service, Youth Initiatives, Libraries Hearing Date 7/6/21  
 District All Districts Super District All

- Ordinance       Resolution       Grant Acceptance  
 Budget Amendment       Commendation       Other:

<b>Item Description :</b> The City of Memphis/Library Division has been awarded a donation of a software platform to track Friends of the Library memberships and volunteer activities. Estimated monetary value of the Hands On Connect software platform is Seven Thousand Eight Hundred Eighty Dollars and Zero Cents (\$7880.00).	
<b>Recommended Council Action:</b> Accept the donation.	
<b>Status of MWBE planned expenditures funding, if applicable:</b> N/A	
<b>Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:</b> No previous actions.	
<b>Does this item require city expenditure? No</b> \$ Amount <u>0.00</u> \$ Revenue to be received <u>0.00</u>	<b>Source and Amount of Funds</b> \$ Operating Budget \$ CIP Project # \$ Federal/State/Other

### Approvals

Director [Signature] Date 6/15/21      Chief Administrative Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Budget Manager \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_      Council Committee Chair \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Legal Officer \_\_\_\_\_ Date \_\_\_\_\_



**A resolution to accept a donation of a software platform from the Memphis Library Foundation. The City of Memphis, Division of Library Services, Memphis Public Library & Information Center has been awarded a donation with an estimated value of Seven Thousand Eight Hundred Eighty Dollars and Zero Cents (\$7880.00.) The Hands On Connect software platform will track Friends of the Library memberships and all volunteer activities.**

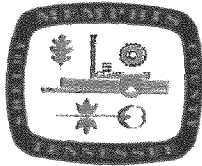
**WHEREAS**, the City of Memphis, Division of Library Services, Memphis Public Library & Information Center has been awarded a donation of a software platform with an estimated monetary value of Seven Thousand Eight Hundred Eighty Dollars and Zero Cents (\$7880.00) from the Memphis Library Foundation; and

**WHEREAS**, the Hands On Connect software donation will be used to track volunteer and membership activities; and

**WHEREAS**, it is necessary to accept the donation for Fiscal Year 2022; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the donation of the Hands On Connect software platform with an estimated monetary value of Seven Thousand Eight Hundred Eighty Dollars and Zero Cents (\$7,880.00) from the Memphis Library Foundation be accepted by the City of Memphis.





## Memphis City Council Summary Sheet

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

The City of Memphis/Library Division has been awarded a donation of a software platform with an estimated monetary value of Seven Thousand Eight Hundred Eighty Dollars and Zero Cents(\$7880.00).

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

Library Division

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

This will not change an existing ordinance or resolution.

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

Donation will impact all Council Districts.

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

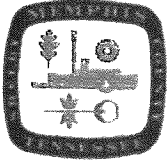
This will not require a new contract or impact an existing contract.

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

This will not require an expenditure of funds equal to the amount of the donation and donation will not require a budget amendment.

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

N/A



# City Council Item Routing Sheet

Division Library Committee Public Service, Youth Initiatives, Libraries Hearing Date 7/6/21  
 District All Super District All

- Ordinance       Resolution       Grant Acceptance  
 Budget Amendment       Commendation       Other:

**Item Description :**  
 A Resolution to accept, allocate and appropriate grant funds in the amount of six thousand one hundred dollars and zero cents (\$6,100.00) for the City of Memphis /Memphis Public Library & Information Center from the State of Tennessee, Office of the Secretary of State, Tennessee State Library and Archives. These funds will be used for Professional Fees, Grants & Awards and Supplies for digital literacy training at public libraries.

**Recommended Council Action:**  
 Adopt Resolution

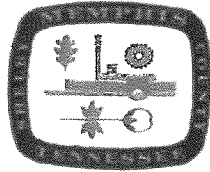
**Status of MWBE planned expenditures funding, if applicable:**  
 N/A

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

Does this item require city expenditure? No	Source and Amount of Funds
\$ Amount <u>\$6,100.00</u>	\$ Operating Budget
\$ Revenue to be received <u>\$6,100.00</u>	\$ CIP Project #
	\$ Federal/State/Other \$6,100.00

### Approvals

Director [Signature] Date 6/9/21 Chief Administrative Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Budget Manager \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_ Council Committee Chair \_\_\_\_\_  
 Chief Legal Officer \_\_\_\_\_ Date \_\_\_\_\_



## Memphis City Council Summary Sheet

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

A resolution to accept, allocate and appropriate grant funds in the amount of \$6,100.00 from the State of Tennessee, Office of the Secretary of State, Tennessee State Library and Archives (TSLA).

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

Library Division

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

This is a new FY22 resolution that supports digital literacy and training.

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

Funds will impact all Council Districts.

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

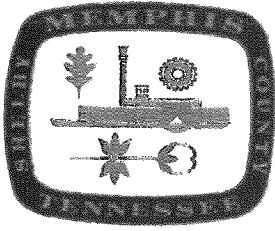
This requires a new contract between the City of Memphis and the State of Tennessee, Office of the Secretary of State, Tennessee State Library and Archives.

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

Yes, this requires a budget amendment.

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

N/A



**A Resolution to accept, allocate and appropriate grant funds in the amount of six thousand one hundred dollars and zero cents (\$6,100.00) for the City of Memphis /Memphis Public Library & Information Center from the the State of Tennessee, Office of the Secretary of State, Tennessee State Library and Archives.**

**WHEREAS**, the City of Memphis, Division of Library Services, Memphis Public Library & Information Center has received grant funds in the amount of six thousand one hundred dollars and zero cents (\$6,100.00) from the State of Tennessee, Office of the Secretary of State, Tennessee State Library and Archives; and

**WHEREAS**, these funds will be used for Professional Fees, Grants & Awards and Supplies for digital literacy training at public libraries; and

**WHEREAS**, the Memphis Public Library will provide a partial match of funds; and

**WHEREAS**, it is necessary to accept, allocate, and appropriate the grant funds in the amount of six thousand one hundred dollars and zero cents (\$6,100.00) for Professional Fees, Grants & Awards and Supplies for digital literacy training at public libraries; and

**NOW, THEREFORE, BE IT RESOLVED** by the council of the City of Memphis that grant funds in the amount of six thousand one hundred dollars and zero cents (\$6,100.00) for Professional Fees, Grants & Awards and Supplies for digital training at public libraries be accepted by the City of Memphis;

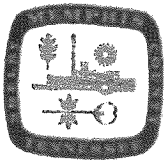
**BE IT FURTHER RESOLVED**, that the Fiscal Year 2022 Operating Budget be and is hereby amended by allocating and appropriating the revenues and expenditures in the amount six thousand one hundred dollars and zero cents (\$6,100.00).

**Revenue**

Tennessee State Library and Archives	<u>\$6,100.00</u>
<b>TOTAL</b>	<b>\$6,100.00</b>

**Expenditures**

Professional Fees, Grants & Awards and Supplies	<u>\$6,100.00</u>
<b>TOTAL</b>	<b>\$6,100.00</b>



# City Council Item Routing Sheet

Division Fire Committee Pub Safety Hearing Date 7-20-21  
 Various Various  
 District \_\_\_\_\_ Super District \_\_\_\_\_

- Ordinance  Resolution  Grant Acceptance  
 Budget Amendment  Commendation  Other:

Item Description :  
 A resolution to accept a donation of two (2) Ford Expeditions from Memphis Fire Department Foundation with an estimated cost of Ninety-Eight Thousand Nine Hundred Two Dollars and no/100 (\$98,902.00) to be used by EMS for the RADAR program.

Recommended Council Action:  
 Approve the resolution

Status of MWBE planned expenditures funding, if applicable:  
 There is no MWBE goal.

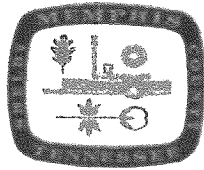
Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:  
 None

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

### Approvals

Director [Signature] Date 6-17-21  
 Budget Manager \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Legal Officer \_\_\_\_\_ Date \_\_\_\_\_

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



## Memphis City Council Summary Sheet

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

A resolution to accept a donation of two (2) Ford Expeditions having an estimated value of Ninety-Eight Thousand Nine Hundred Two Dollars and no/100 (\$98,902.00) for EMS RADAR Program.

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

Fire Services is the initiating party.

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

There is no change to an existing ordinance or resolution.

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

This will impact all council and super districts.

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

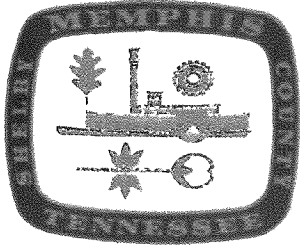
This will not require a new contract or an amendment to an existing contract.

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

This does not requires an expenditure or budget adjustment.

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

There is no WMBE goal.



## **RESOLUTION – FIRE SERVICES**

### **Resolution to accept two (2) 2021 Ford Expeditions from the Memphis Fire Department Foundation for the EMS RADAR program.**

**WHEREAS**, the City of Memphis Division of Fire Services has been awarded a donation of two (2) Ford Expeditions from Memphis Fire Department Foundation. All donations have an estimated value of Ninety-Eight Thousand Nine Hundred Two Dollars and 00/100 (\$98,902.00); and

**WHEREAS**, the donation is designated to be used by EMS for the RADAR program to reduce non-emergency calls by placing two doctors with two paramedics to respond to alpha calls; and

**WHEREAS**, it is necessary to accept the donation; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the donation of two (2) Ford Expeditions be accepted by the City of Memphis.



# City Council Item Routing Sheet

Division Fire Committee Safety Hearing Date 7-20-21  
 District Various Super District Various

- Ordinance                       Resolution                       Grant Acceptance  
 Budget Amendment               Commendation                   Other:

**Item Description :**  
 Resolution to accept and appropriate grant funding in the amount of Eight Hundred Dollars (\$800) from the State of Tennessee for In-Service Training for one (1) employee not included in the original resolution.

**Recommended Council Action:**  
 Accept the resolution

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

**Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:**  
 Original resolution passed on 6-1-21 in the amount of \$1,135,200.

Does this item require city expenditure? No	Source and Amount of Funds
\$ Amount _____	\$ Operating Budget
\$ Revenue to be received <u>\$800</u>	\$ CIP Project #
	\$ Federal/State/Other <u>\$800</u>

### Approvals

Director [Signature] Date 6-22-21

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

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

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

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

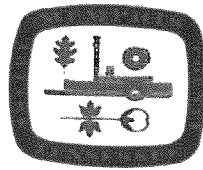
**Chief Administrative Officer**

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

**Council Committee Chair**

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





## Memphis City Council Summary Sheet

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

A resolution to accept and appropriate grant funding in the amount of \$800 from the State of Tennessee for In-Service Training.

**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 an additional resolution for one employee not on the original resolution that passed on 6-1-21 in the amount of \$1,135,200.

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

All council and super districts.

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

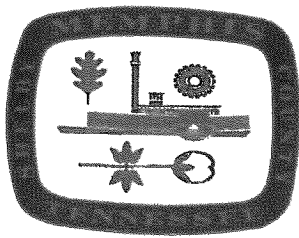
This will not require a new contract.

**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



**A resolution to accept and appropriate grant funding in the amount of Eight Hundred Dollars (\$800.00) from the State of Tennessee for In-Service Training for 1 employee.**

### **RESOLUTION**

**WHEREAS**, the City of Memphis Division of Fire Services has received funds in the amount of Eight Hundred Dollars (\$800.00) from the State of Tennessee; and

**WHEREAS**, these funds will be used for In-Service Training for one (1) Fire Service personnel who has met the 40-hour minimum in-service training requirement and was inadvertently missing from the initial list sent to the State; and

**WHEREAS**, it is necessary to accept the grant funding and amend the Fiscal Year 2022 Misc Grant Budget to establish funds for the In-Service Training Grant; and

**WHEREAS**, it is necessary to accept, allocate, and appropriate the grant funds in the amount Eight Hundred Dollars (\$800.00) for the In-Service Training Grant.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the In-Service Training Grant funds in the amount of Eight Hundred Dollars (\$800.00) be accepted by the City of Memphis.

**BE IT FURTHER RESOLVED**, that the Fiscal Year 2022 Misc Grant Fund budget be and is hereby amended by allocating and appropriating the Expenditures and Revenues for the In-Service Training Grant in the amount of Eight Hundred Dollars (\$800.00) as follows:

Revenue

In-Service State Grant	\$800.00
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Expenses

Full Time Salaries	\$800.00
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## Memphis City Council Summary Sheet for MLGW Items

**1. Description of the Item**

Resolution approving Change No. 2 to Contract No. 11793, Over-the-Phone Language Interpreter Service with Universe Technical Translation, Incorporated. (This change is to extend the current contract for a one-year term for the period covering August 1, 2021 through July 31, 2022. In addition, this change is to increase the current contract value in the funded amount of \$132,000.00, which includes a 2% annual inflation rate as approved in the contract. These changes are due to the service usage and call volume increasing by various areas at the Division and the community offices' COVID-19 Restrictions.)

**2. Additional Information**

The project scope is to provide a qualified, real-time, over-the-phone language interpreter service 24 hours a day, 7 days a week including holidays for multiple Division departments with the primary user of such services being the MLGW Customer Care Center. Employees use these services to communicate and assist customers whose primary language is not English.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 16, 2021 approved Change No. 2 to Contract No. Contract No. 11793, Over-the-Phone Language Interpreter Service with Universe Technical Translation, Incorporated to extend and increase the current contract value in the funded amount of \$132,000.00, and is now recommending to the Council of the City of Memphis that it approves said extension and increase as approved; and

WHEREAS, the project scope is to provide a qualified, real-time, over-the-phone language interpreter service 24 hours a day, 7 days a week including holidays for multiple Division departments with the primary user of such services being the MLGW Customer Care Center. Employees use these services to communicate and assist customers whose primary language is not English. This change is to extend the current contract for a one (1) year term for the period covering August 1, 2021 through July 31, 2022. In addition, this change is to increase the current contract value in the funded amount of \$132,000.00, which includes a 2% annual inflation rate as approved in the contract. These changes are due to the service usage and call volume increasing by various areas at the Division and the community offices' COVID-19 Restrictions. The extension will also allow time to secure a new contract. This extension and increase complies with all applicable laws and policies. The new contract value is \$352,200.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 2 to Contract No. 11793, Over-the-Phone Language Interpreter Service with Universe Technical Translation, Incorporated to extend and increase the current contract value in the funded amount of \$132,000.00 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 16, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 2 to Contract No. 11793, Over-the-Phone Language Interpreter Service with Universe Technical Translation, Incorporated to extend and increase the current contract value in the funded amount of \$132,000.00.

The project scope is to provide a qualified, real-time, over-the-phone language interpreter service 24 hours a day, 7 days a week including holidays for multiple Division departments with the primary user of such services being the MLGW Customer Care Center. Employees use these services to communicate and assist customers whose primary language is not English. This change is to extend the current contract for a one (1) year term for the period covering August 1, 2021 through July 31, 2022. In addition, this change is to increase the current contract value in the funded amount of \$132,000.00, which includes a 2% annual inflation rate as approved in the contract. These changes are due to the service usage and call volume increasing by various areas at the Division and the community offices' COVID-19 Restrictions. The extension will also allow time to secure a new contract. This extension and increase complies with all applicable laws and policies. The new contract value is \$352,200.00.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 2 to Contract No. 11793, Over-the-Phone Language Interpreter Service with Universe Technical Translation, Incorporated to extend and increase the current contract value in the funded amount of \$132,000.00, as outlined in the above preamble, is approved; and further

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

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 16th 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. 3 to Contract No. 11594, PowerPlan Maintenance Agreement with PowerPlan, Incorporated, in the funded amount of \$1,671,850.78. (This change is to renew maintenance licenses for a five- year period covering December 19, 2021 through December 18, 2026 in the amount of \$1,387,142.62. In addition, this change is to extend the PowerPlan Advanced Support (AMS) term for the period covering September 30, 2021 through December 18, 2026 in the amount of \$273,420.49 to align the start and end date for both support packages. Lastly, MLGW is paying a pro-rated amount of \$11,287.67 to align the PowerPlan Advanced Support (AMS) term from September 30, 2021 through December 18, 2026. The annual escalation rate fee shall not exceed 3% each year for both support packages. MLGW is also requesting continuous maintenance of the acquired system, which can only be performed by PowerPlan, Incorporated.)

### 2. Additional Information

The project scope is to provide a PowerPlan master software license, maintenance, and service support. This software provides integration and automation interfaces used for Accounting, Utility Property, Plant and Equipment.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 16, 2021 approved Change No. 3 to Contract No. 11594, PowerPlan Maintenance Agreement with PowerPlan, Incorporated to renew and increase the current contract in the funded amount of \$1,671,850.78, and is now recommending to the Council of the City of Memphis that it approve said renewal and change as approved; and

WHEREAS, the project scope is to provide a PowerPlan master software license, maintenance, and service support for the MSS ERP Replacement System. This software provides integration and automation interfaces used for Accounting, Utility Property, Plant and Equipment as a part of Project Inspire. The interfaces are written in PowerBuilder, which provides the ability to create databases using an object-oriented interface. This change is to renew maintenance licenses for a five (5) year period covering December 19, 2021 through December 18, 2026 in the amount of \$1,387,142.62. In addition, this change is to extend the PowerPlan Advanced Support (AMS) term for the period covering September 30, 2021 through December 18, 2026 in the amount of \$273,420.49 to align the start and end date for both support packages. Lastly, MLGW is paying a pro-rated amount of \$11,287.67 to align the PowerPlan Advanced Support (AMS) term from September 30, 2021 through December 18, 2021. The contract value will increase in the funded amount of \$1,671,850.78. The annual escalation rate fee shall not exceed 3% each year for both support packages. MLGW is also requesting continuous maintenance of the acquired system, which can only be performed by PowerPlan, Incorporated. This sole source renewal and change complies with all applicable laws and policies. The new contract value is \$3,457,509.78; and



NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 3 to Contract No. 11594, PowerPlan Maintenance Agreement with PowerPlan, Incorporated to renew and change the current contract in the funded amount of \$1,671,850.78 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 16, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 3 to Contract No. 11594, PowerPlan Maintenance Agreement with PowerPlan, Incorporated to renew and increase the current contract in the funded amount of \$1,671,850.78.

The project scope is to provide a PowerPlan master software license, maintenance, and service support for the MSS ERP Replacement System. This software provides integration and automation interfaces used for Accounting, Utility Property, Plant and Equipment as a part of Project Inspire. The interfaces are written in PowerBuilder, which provides the ability to create databases using an object-oriented interface. This change is to renew maintenance licenses for a five (5) year period covering December 19, 2021 through December 18, 2026 in the amount of \$1,387,142.62. In addition, this change is to extend the PowerPlan Advanced Support (AMS) term for the period covering September 30, 2021 through December 18, 2026 in the amount of \$273,420.49 to align the start and end date for both support packages. Lastly, MLGW is paying a pro-rated amount of \$11,287.67 to align the PowerPlan Advanced Support (AMS) term from September 30, 2021 through December 18, 2021. The contract value will increase in the funded amount of \$1,671,850.78. The annual escalation rate fee shall not exceed 3% each year for both support packages. MLGW is also requesting continuous maintenance of the acquired system, which can only be performed by PowerPlan, Incorporated. This sole source renewal and change complies with all applicable laws and policies. The new contract value is \$3,457,509.78.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, Change No. 3 to Contract No. 11594, PowerPlan Maintenance Agreement with PowerPlan, Incorporated to renew and increase the current contract in the funded amount of \$1,671,850.78, 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 11th 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. 2 to Contract No. 12265 (formerly Purchase Order No. 50107968), Autodesk with DLT Solutions, LLC, in the funded amount of \$106,627.80. (This change is to add 20 Autodesk Software licenses for Substation Engineering. In addition, this contract will now no longer have an annual renewal term and instead will have a three-year subscription term to align the contract start and end dates with the existing enterprise agreement with DLT. The contract value will increase in the funded amount of \$106,627.80. The contract term will remain through April 26, 2024. MLGW is requesting continuous maintenance of the acquired software, which can only be performed by DLT Solutions, LLC.)

### 2. Additional Information

The project scope is to provide an enterprise license agreement for Autodesk products to provide software licenses, maintenance, and support services for all Engineering areas that use these products. Autodesk is used by MLGW Engineers to design and update utility drawings for our internal and external customers.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 16, 2021 approved Change No. 2 to Contract No. 12265 (*formerly Purchase Order Requisition No. 50107968*), Autodesk with DLT Solutions, LLC to increase the contract value in the funded amount of \$106,627.80, and is now recommending to the Council of the City of Memphis that it approves said change as approved; and

WHEREAS, the project scope is to provide an enterprise license agreement for Autodesk products to provide software licenses, maintenance, and support services for all Engineering areas that use these products. Autodesk is used by MLGW Engineers to design and update utility drawings for our internal and external customers. This change is to add 20 Autodesk Software licenses for Substation Engineering. This software is used by the engineers to make designs and updates to all substations. In addition, this change will change the term of the contract from an annual renewal term for the Autocad Software to a three (3) year subscription term to align the contract start and end dates with the existing enterprise agreement with DLT. The contract value will increase in the funded amount of \$106,627.80. The contract term will remain through April 26, 2024. MLGW is requesting continuous maintenance of the acquired software, which can only be performed by DLT Solutions, LLC. This sole source change complies with all applicable laws and policies. The new contract value is \$451,617.90; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 2 to Contract No. 12265, Autodesk with DLT Solutions, LLC to change the current contract in the funded amount of \$106,627.80 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 16, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 2 to Contract No. 12265 (*formerly Purchase Order Requisition No. 50107968*), Autodesk with DLT Solutions, LLC to increase the contract value in the funded amount of \$106,627.80.

The project scope is to provide an enterprise license agreement for Autodesk products to provide software licenses, maintenance, and support services for all Engineering areas that use these products. Autodesk is used by MLGW Engineers to design and update utility drawings for our internal and external customers. This change is to add 20 Autodesk Software licenses for Substation Engineering. This software is used by the engineers to make designs and updates to all substations. In addition, this change will change the term of the contract from an annual renewal term for the Autocad Software to a three (3) year subscription term to align the contract start and end dates with the existing enterprise agreement with DLT. The contract value will increase in the funded amount of \$106,627.80. The contract term will remain through April 26, 2024. MLGW is requesting continuous maintenance of the acquired software, which can only be performed by DLT Solutions, LLC. This sole source change complies with all applicable laws and policies. The new contract value is \$451,617.90.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 2 to Contract No. 12265, Autodesk with DLT Solutions, LLC to increase the current contract value in the funded amount of \$106,627.80, as outlined in the above preamble, is approved; and further

THAT, the President, or his designated representative is authorized to execute the 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 10th 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 twenty-four-month purchase order to Mac Papers for customer utility bill envelopes, in the amount of \$381,585.36.

### **2. Additional Information**

A twenty-four (24) month purchase order will be executed for the purchase of customer utility bill mailing and return envelopes. The utility bill envelopes are used for the monthly distribution of billing statements for electric, gas and water to residents in Shelby County, Tennessee.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of June 16, 2021, approved a twenty-four (24) month purchase order for utility bill mailing and return envelopes and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in MLGW 2021 fiscal year budget and subsequent budget years as approved; and

**WHEREAS**, a twenty-four (24) month purchase order will be executed for the purchase of customer utility bill mailing and return envelopes. The utility bill envelopes are used for the monthly distribution of billing statements for electric, gas and water to residents in Shelby County, Tennessee; and

**WHEREAS**, bids were opened on April 28, 2021. Notice to Bidders was advertised. Eight (8) bids were solicited and two (2) bids were received with the lowest and best complying bidder being the firm of Mac Papers. 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 twenty-four (24) month purchase order for utility bill mailing and return envelopes from Mac Papers for the sum of \$62,234.93 chargeable to the MLGW 2021 fiscal year budget and the balance of \$319,350.43 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 16, 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 twenty-four (24) month purchase order to Mac Papers in the amount of \$381,585.36 for customer utility bill envelopes.

A twenty-four (24) month purchase order will be executed for the purchase of customer utility bill mailing and return envelopes. The utility bill envelopes are used for the monthly distribution of billing statements for electric, gas and water to residents in Shelby County, Tennessee.

Bids were opened on April 28, 2021. Notice to Bidders was advertised. Eight (8) bids were solicited and two (2) bids were received with the lowest and best complying bidder being the firm of Mac Papers. This award complies with all applicable laws and policies.

The 2021 budget amount for the purchase of Communication Production and Distribution is \$562,380.00; the amount spent-to-date is \$153,368.11; leaving a balance of \$409,011.89 available to be spent in 2021; of which \$62,234.93 will be spent on this purchase order in 2021; leaving a balance of \$346,776.96 after award; the remaining balance of \$319,350.43 will be charged to subsequent budget years as approved; and

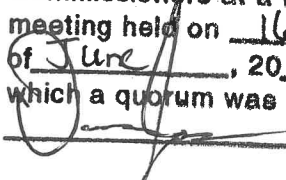
**NOW THEREFORE BE IT RESOLVED BY** the Board of Light, Gas and Water Commissioners:

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

12,480,000 - Utility Bill #10 Mailing Envelopes furnished in accordance with MLGW Specifications dated March 9, 2021,

12,480,000 - Utility Bill #9 Return Envelopes furnished in accordance with  
MLGW Specifications dated March 9, 2021,

Totaling \$381,585.36; f.o.b. Memphis, Tennessee, our dock, transportation prepaid; said  
prices being firm for the first twelve (12) month period with up to a 5% increase for the  
second year; terms net 30 days.

I hereby certify that the foregoing is a  
true copy of a resolution accepted by  
the Board of Light, Gas and Water  
Commissioners at a regular-special  
meeting held on 16<sup>th</sup> 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. 12247, Gas Transmission ROW Mowing and Tree Trimming to ABC Professional Tree Services, Inc. in the funded amount of \$663,400.00.

### **2. Additional Information**

The project scope is to furnish all supervision, labor, transportation, material, equipment, tools and supplies as required to perform grass mowing and tree trimming on MLGW's gas transmission line rights-of-way on an as-needed basis in Memphis and Shelby County, Tennessee.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 16, 2021, awarded Contract No. 12247, Gas Transmission ROW Mowing and Tree Trimming to ABC Professional Tree Services, Inc. in the funded amount of \$663,400.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to furnish all supervision, labor, transportation, material, equipment, tools and supplies as required to perform grass mowing and tree trimming on MLGW's transmission line rights-of-way on an as-needed basis in Memphis and Shelby County, Tennessee.

WHEREAS, the Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on January 22, 2021. MLGW solicited eleven (11) bids; and received four (4) bids on March 2, 2021. The lowest and best bid was received from ABC Professional Tree Services, Inc. in the amount of \$663,400.00. 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. 12247, Gas Transmission ROW Mowing and Tree Trimming to ABC Professional Tree Services, Inc. in the funded amount of \$663,400.00 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 16, 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. 12247, Gas Transmission ROW Mowing and Tree Trimming to ABC Professional Tree Services, Inc. in the funded amount of \$663,400.00.

The project scope is to furnish all supervision, labor, transportation, material, equipment, tools and supplies as required to perform grass mowing and tree trimming on MLGW's transmission line rights-of-way on an as-needed basis in Memphis and Shelby County, Tennessee.

The Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on January 22, 2021. MLGW solicited eleven (11) bids; and received four (4) bids on March 2, 2021. The lowest and best bid was received from ABC Professional Tree Services, Inc. in the amount of \$663,400.00. 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. 12247, Gas Transmission ROW Mowing and Tree Trimming to ABC Professional Tree Services, Inc. in the funded amount of \$663,400.00, 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 16th 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. 12198, Electric Underground Distribution, Splicing and Trenchless Construction to Standard Electric Company, in the funded amount of \$69,744,720.35.

### 2. Additional Information

The project scope is to furnish all supervision, labor, equipment, tools, supplies, transportation of equipment and materials supplied by the Contractor and/or MLGW to construct and maintain the underground electric distribution system facilities as directed by MLGW.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 16, 2021, awarded Contract No. 12198, Electric Underground Distribution, Splicing and Trenchless Construction to Standard Electric Company, Incorporated in the funded amount of \$69,744,720.35, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to furnish all supervision, labor, equipment, tools, supplies, transportation of equipment and materials supplied by the Contractor and/or MLGW to construct and maintain the underground electric distribution system facilities as directed by MLGW.

WHEREAS, the Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on August 28, 2020. MLGW solicited seven (7) bids; and received a single bid on September 29, 2020 from Standard Electric Company, Incorporated in the amount of \$71,837,324.35. In compliance with negotiations with MLGW's Single Bidder Provision of the MLGW Procurement Policy, staff negotiated an amount of \$69,744,720.35. The term of this contract is for 60 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. 12198, Electric Underground Distribution, Splicing and Trenchless Construction to Standard Electric Company, Incorporated in the funded amount of \$69,744,720.35 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 16, 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. 12198, Electric Underground Distribution, Splicing and Trenchless Construction to Standard Electric Company, Incorporated in the funded amount of \$69,744,720.35.

The project scope is to furnish all supervision, labor, equipment, tools, supplies, transportation of equipment and materials supplied by the Contractor and/or MLGW to construct and maintain the underground electric distribution system facilities as directed by MLGW.

The Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on August 28, 2020. MLGW solicited seven (7) bids; and received a single bid on September 29, 2020 from Standard Electric Company, Incorporated in the amount of \$71,837,324.35. In compliance with negotiations with MLGW's Single Bidder Provision of the MLGW Procurement Policy, staff negotiated an amount of \$69,744,720.35. The term of this contract is for 60 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. 12198, Electric Underground Distribution, Splicing and Trenchless Construction to Standard Electric Company, Incorporated in the funded amount of \$69,744,720.35, 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 21<sup>st</sup> 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 thirty-six-month purchase order to Harcros Chemicals, Inc. for fluor silicic acid, in the amount of \$951,240.60.

**2. Additional Information**

The fluor silicic acid is used for fluoridation of MLGW's potable water system which is required by a City Council ordinance and regulated by the Tennessee Department of Environmental Conservation.

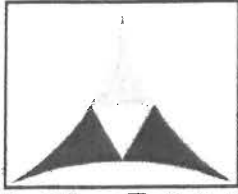
## RESOLUTION

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of June 16, 2021 approved a purchase order for a thirty-six (36) month supply of fluorosilicic acid and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in MLGW 2021 fiscal year budget and subsequent budget years as approved; and

**WHEREAS**, the fluorosilicic acid is used for fluoridation of MLGW's potable water system which is required by a City Council ordinance and regulated by the Tennessee Department of Environmental Conservation.

**WHEREAS**, bids were opened on April 7, 2021. Notice to Bidders was advertised. Four (4) bids were solicited and three (3) bids were received with the lowest and best complying bidder being the firm of Harcros Chemicals, Inc. This award complies with all applicable laws and policies; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved the purchase of fluorosilicic acid from Harcros Chemicals, Inc. for the sum of \$300,000.00 chargeable to the MLGW 2021 fiscal year budget and the remaining balance of \$651,240.60 chargeable to subsequent budget years as approved.

**MLGW****SERVING YOU IS  
WHAT WE DO**

## Interdepartmental Memorandum

WATER ENGINEERING & OPERATIONS

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TO: A'Ricka Jackson

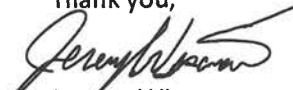
FROM: Jeremy Wiseman, Supervisor, Water Operations

DATE: May 20, 2021

SUBJECT: Fluorosilicic Acid Award Recommendation (RFQ 1044228)

It is our recommendation to the Manager of Procurement and Contracts to proceed with the necessary requirements to award a three (3) year contract to Harcros Chemicals Inc. to supply up to 2,700 tons of Fluorosilicic Acid to be used in MLGW's water treatment facilities, in full accordance with MLGW specifications at a price of \$335.27 per ton for year 1 and a 5% cap for each additional two years. The total bid price shall not exceed \$951,240.60 for the three year period.

Thank you,

  
Jeremy Wiseman

c: Blake Hanks  
Quinton Clark



**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 16, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a thirty-six (36) month purchase order to Harcros Chemicals, Inc. in the amount of \$951,240.60 for fluorosilicic acid.

The fluorosilicic acid is used for fluoridation of MLGW's potable water system which is required by a City Council ordinance and regulated by the Tennessee Department of Environmental Conservation.

Bids were opened on April 7, 2021. Notice to Bidders was advertised. Four (4) bids were solicited and three (3) bids were received with the lowest and best complying bidder being the firm of Harcros Chemicals, Inc. This award complies with all applicable laws and policies.

The 2021 budgeted amount for Water Operations / Water Plant and Maintenance Supply is \$1,100,004.00; amount spent-to-date is \$311,661.74; leaving a balance of \$788,342.26 available to be spent in 2021; of which \$300,000.00 will be spent on this purchase order in 2021; leaving a balance of \$488,342.26 after award; the balance of \$651,240.60 to be charged to subsequent budget years as approved; and

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

THAT, subject to the consent and approval of the Council of the City of Memphis, award of thirty-six (36) month purchase order to Harcros Chemicals, Inc. is approved for furnishing:

2,700 - Tons of Fluorosilicic acid furnished in accordance with MLGW specifications dated February 12, 2021; a copy of the unit prices to be placed on file in MLGW's Accounting Department.

The total award for thirty-six (36) months amounts to approximately \$951,240.60; f.o.b. Memphis, Tennessee, our dock, transportation prepaid; said prices being firm for the first twelve (12) month period with a 5% increase for years two and three; terms Net 30 days; delivery as requested.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-~~special~~ meeting held on 16<sup>th</sup> day of June, 2021, at which a quorum was present.

[Signature]  
Secretary-Treasurer

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

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

Resolution awarding a purchase order to IAC Supply Solutions, Inc. for replacement of 750 kVA transformers in the amount of \$76,284.00.

### **2. Additional Information**

The transformer units will be installed on a high service pump with a 6-pulse variable frequency drive and squirrel cage induction motor. The 750 kVA transformers will be used with variable frequency drives which are used to control the speed of our high service pumps at MLGW Water Pumping Stations.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of June 16, 2021 approved the purchase for replacement of 750 kVA transformers 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 transformer units will be installed on a high service pump with a 6-pulse variable frequency drive and squirrel cage induction motor. The 750 kVA transformers will be used with variable frequency drives which are used to control the speed of our high service pumps at MLGW Water Pumping Stations; and

**WHEREAS**, bids were opened on April 21, 2021. Notice to Bidders was advertised. Fifteen (15) bids were solicited and two (2) bids were received with the most responsive and best complying bidder being the firm IAC Supply Solutions, Inc. This award complies with all applicable laws and policies; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved the purchase of 750 kVA transformers replacements from IAC Supply Solutions, Inc. in the sum of \$76,284.00 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 16, 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 IAC Supply Solutions, Inc. in the amount of \$76,284.00 for replacement of 750 kVA transformers.

The transformer units will be installed on a high service pump with a 6-pulse variable frequency drive and squirrel cage induction motor. The 750 kVA transformers will be used with variable frequency drives which are used to control the speed of our high service pumps at MLGW Water Pumping Stations.

Bids were opened on April 21, 2021. Notice to Bidders was advertised. Fifteen (15) bids were solicited and two (2) bids were received with the most responsive and best complying bidder being the firm IAC Supply Solutions, Inc. This award complies with all applicable laws and policies.

The 2021 budgeted amount for Water Pumping Stations \$7,803,750.00; the amount spent to date is \$130,018.05; leaving a balance available of \$7,673,731.95; of which \$76,284.00 will be spent on this purchase order in 2021; leaving a balance of \$7,597,447.95 after award; and

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

THAT, subject to the consent and approval of the Council of the City of Memphis, award of purchase order to IAC Supply Solutions, Inc. is approved for furnishing:

2 - 750 kVA pad mount, dry type transformer, 2400VAC delta/480VAC wye, 3 phase, 60hz, 5.5% impedance, 30kV BIL, 40deg C Operation, ASD duty, 220deg C Insulation, in accordance with MLGW specification for 750 kVA Transformer Replacement,

Total award amount \$76,284.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; delivery 10-12 weeks; terms net 30 days.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 16<sup>th</sup> 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. 12227, High Volume Outage Call Management to Intrado Corporation, in the funded amount of \$2,500,000.00.

### 2. Additional Information

The project scope is to provide hosted high-volume call Interactive Voice Recording (IVR) services to eliminate busy signals received by MLGW customers reporting electric outages and outside electric hazards during peak outage report periods. The system provides hosted automated customer callback capabilities. This expands the capacity of MLGW's outage reporting system.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 16, 2021 awarded Contract No. 12227, High Volume Outage Call Management to Intrado Corporation in the funded amount of \$2,500,000.00, and is now recommending to the Council of the City of Memphis that it approves said award as proposed; and

WHEREAS, the project scope is to provide hosted high-volume call Interactive Voice Recording (IVR) services to eliminate busy signals received by MLGW customers reporting electric outages and outside electric hazards during peak outage report period. The system provides hosted automated customer callback capabilities. This expands the capacity of MLGW's outage reporting system; and

WHEREAS, the Request for Proposals was advertised using MLGW's On-Line Bid Notification System on March 31, 2021. MLGW solicited eight (8) companies; and received two (2) proposals on May 3, 2021 with the most responsive proposal being from Intrado Corporation in the amount of \$2,500,000.00. Proposals were evaluated on the following criteria: 1) Response to general requirements; 2) Response to application functional requirements; 3) Implementation training and support; 4) Contractor experience; 5) Stability of the contractor and product; 6) Proposed hardware and network infrastructure; 7) Implementation methodology; and 8) Life cycle cost. The term of this contract is for 60 months from the date of the Notice to Proceed, with provisions for annual maintenance and support. 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. 12227, High Volume Outage Call Management to Intrado Corporation in the funded amount of \$2,500,000.00 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 16, 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. 12227, High Volume Outage Call Management to Intrado Corporation in the funded amount of \$2,500,000.00.

The project scope is to provide hosted high-volume call Interactive Voice Recording (IVR) services to eliminate busy signals received by MLGW customers reporting electric outages and outside electric hazards during peak outage report periods. The system provides hosted automated customer callback capabilities. This expands the capacity of MLGW's outage reporting system.

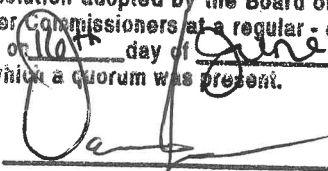
The Request for Proposals was advertised using MLGW's On-Line Bid Notification System on March 31, 2021. MLGW solicited eight (8) companies; and received two (2) proposals on May 3, 2021 with the most responsive proposal being from Intrado Corporation in the amount of \$2,500,000.00. Proposals were evaluated on the following criteria: 1) Response to general requirements; 2) Response to application functional requirements; 3) Implementation training and support; 4) Contractor experience; 5) Stability of the contractor and product; 6) Proposed hardware and network infrastructure; 7) Implementation methodology; and 8) Life cycle cost. The term of this contract is for 60 months from the date of the Notice to Proceed, with provisions for annual maintenance and support. 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. 12227, High Volume Outage Call Management to Intrado Corporation in the funded amount of \$2,500,000.00 as outlined in the above preamble, is approved; and further

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

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 11th 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. 11817, High Volume Outage Call Management with Intrado Interactive Services Corporation, in the funded amount of \$300,000.00. (This change is to extend the current contract through August 31, 2021, with no increase in the current rates, to allow time to secure a new contract.)

### 2. Additional Information

The project scope is to provide hosted high-volume call Interactive Voice Recording (IVR) services to eliminate busy signals received by MLGW customers reporting electric outages and outside electric hazards during peak outage report periods. The system provides hosted automated customer callback capabilities. This expands the capacity of MLGW's outage reporting system.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 16, 2021 approved Change No. 1 to Contract No. 11817, High Volume Outage Call Management with Intrado Interactive Services Corporation (*formerly West Corporation dba 21<sup>st</sup> Century Company*) to extend and increase the current contract in the funded amount of \$300,000.00, and is now recommending to the Council of the City of Memphis that it approve said extension as approved; and

WHEREAS, the project scope is to provide hosted high-volume call Interactive Voice Recording (IVR) services to eliminate busy signals received by MLGW customers reporting electric outages and outside electric hazards during peak outage report periods. The system provides hosted automated customer callback capabilities. This expands the capacity of MLGW's outage reporting system. This change is to extend the current contract for one (1) month through August 31, 2021 to allow time to secure a new contract. In addition, this change is to increase the current contract value in the funded amount of \$300,000.00, with no increase in the current rates. This change is due to the unexpected number of large storms and outage events during the contract term. This extension complies with all applicable laws and policies. The new contract value is \$2,522,200.00; 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. 11817, High Volume Outage Call Management with Intrado Interactive Services Corporation (*formerly West Corporation dba 21<sup>st</sup> Century Company*) to extend and increase the current contract in the funded amount of \$300,000.00 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 16, 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. 11817, High Volume Outage Call Management with Intrado Interactive Services Corporation (*formerly West Corporation dba 21<sup>st</sup> Century Company*) to extend and increase the current contract in the funded amount of \$300,000.00.

The project scope is to provide hosted high-volume call Interactive Voice Recording (IVR) services to eliminate busy signals received by MLGW customers reporting electric outages and outside electric hazards during peak outage report periods. The system provides hosted automated customer callback capabilities. This expands the capacity of MLGW's outage reporting system. This change is to extend the current contract for one (1) month through August 31, 2021 to allow time to secure a new contract. In addition, this change is to increase the current contract value in the funded amount of \$300,000.00, with no increase in the current rates. This change is due to the unexpected number of large storms and outage events during the contract term. This extension complies with all applicable laws and policies. The new contract value is \$2,522,200.00.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, Change No. 1 to Contract No. High Volume Outage Call Management with Intrado Interactive Services Corporation (*formerly West Corporation dba 21<sup>st</sup> Century Company*) to extend and increase the current contract in the funded amount of \$300,000.00, as outlined in the foregoing preamble, is approved; and further,

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

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, Change No. 1 to Contract No. 11817, High Volume Outage Call Management with Intrado Interactive Services Corporation (*formerly West Corporation dba 21<sup>st</sup> Century Company*) to extend and increase the current contract in the funded amount of \$300,000.00, as outlined in the foregoing preamble, is approved; and further,

THAT, The President, or his designated representative is authorized to execute the 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 10<sup>th</sup> 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 Brighter Days and Nites, Inc. for drain valves and actuators, in the amount of \$124,790.00.

### **2. Additional Information**

The drain valves and actuators are used during backwashing of our water filters. This is a cleaning process which is required after the filter has been in service for a set amount of time. The current valves are leaking and need to be replaced at MLGW's Sheahan Pumping Station.



**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 16, 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 \$124,790.00 for drain valves and actuators.

The drain valves and actuators are used during backwashing of our water filters. This is a cleaning process which is required after the filter has been in service for a set amount of time. The current valves are leaking and need to be replaced at MLGW's Sheahan Pumping Station.

Bids were opened on April 14, 2021. Notice to Bidders was advertised. Six (6) bids were solicited and six (6) bids were received with the most responsive and best complying bidder being the firm of Brighter Days and Nites, Inc. This award complies with all applicable laws and policies.

The 2021 budgeted amount for Water Pumping Stations \$7,804,000.00; the amount spent to date is \$105,743.73; leaving a balance available of \$7,698,256.27; of which \$124,790.00 will be spent on this purchase order in 2021; leaving a balance of \$7,573,466.27 after award; and

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

THAT, subject to the consent and approval of the Council of the City of Memphis, award of purchase order to Brighter Days and Nites, Inc. is approved for furnishing:

10 - Drain valves and actuators in accordance with MLGW's Specification for Sheahan Pumping Station Filter Gallery and Replacement Actuators.

## RESOLUTION

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of June 16, 2021 approved the purchase of drain valves and actuators and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2021 fiscal year budget; and

**WHEREAS**, the drain valves and actuators are used during backwashing of our water filters. This is a cleaning process which is required after the filter has been in service for a set amount of time. The current valves are leaking and need to be replaced at MLGW's Sheahan Pumping Station; and

**WHEREAS**, bids were opened on April 14, 2021. Notice to Bidders was advertised. Six (6) bids were solicited and six (6) bids were received with the most responsive and best complying bidder being the firm of Brighter Days and Nites, Inc. This award complies with all applicable laws and policies; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved the purchase of drain valves and actuators from Brighter Days and Nites, Inc. in the sum of \$124,790.00 chargeable to the MLGW 2021 fiscal year budget.

## Memphis City Council Summary Sheet for MLGW Items

### 1. Description of the Item

Resolution approving Change No. 2 to Contract No. 12017, Security Automation Installation and Service Agreement with Access Control Integration, Inc., in the funded amount of \$100,000.00. (This change is to ratify and renew the current contract for the second of three additional one-year terms covering the period of July 10, 2021 through July 9, 2022. This renewal also includes changes in the product line due to discontinued products by the manufacturer.)

### 2. Additional Information

The project scope is to install, repair, replace, and maintain security systems located at various MLGW locations.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 16, 2021 approved Change No. 2 to Contract No. 12017, Security Automation Installation and Service Agreement with Access Control Integration, Inc. to ratify and renew the current contract in the funded amount of \$100,000.00, 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 install, repair, replace, and maintain security systems located at various MLGW locations. This change is to ratify and renew the current contract for the second of three (3) additional one-year terms covering the period of July 10, 2021 through July 9, 2022 in the funded amount of \$100,000.00. This renewal also includes changes in the product line due to discontinued products by the manufacturer. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$510,000.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 2 to Contract No. 12017, Security Automation Installation and Service Agreement with Access Control Integration, Inc. to ratify and renew the current contract in the funded amount of \$100,000.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 16, 2021**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 2 to Contract No. 12017, Security Automation Installation and Service Agreement with Access Control Integration, Inc. to ratify and renew the current contract in the funded amount of \$100,000.00.

The project scope is to install, repair, replace, and maintain security systems located at various MLGW locations. This change is to ratify and renew the current contract for the second of three (3) additional one-year terms covering the period of July 10, 2021 through July 9, 2022 in the funded amount of \$100,000.00. This renewal also includes changes in the product line due to discontinued products by the manufacturer. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$510,000.00.

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. 2 to Contract No. 12017, Security Automation Installation and Service Agreement with Access Control Integration, Inc. to ratify and renew the current contract in the funded amount of \$100,000.00 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 16<sup>th</sup> day of June, 2021, at which a quorum was present.

  
Secretary - Treasurer

Total award amount \$124,790.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; delivery 10-12 weeks; terms net 15 day.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 16<sup>th</sup> 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 giving contract authority to settle claims by and against MLGW in the amount of up to \$550,000.00 through a commitment to acquire certain maintenance services over a period of ten years.

**2. Additional Information**

The MLGW President and CEO is hereby authorized to execute and deliver one or more agreements in connection with the settlement of such claims, including an Operations and Maintenance Agreement pursuant to which MLGW will agree to pay for certain maintenance services over a period of ten years.

## **CITY COUNCIL RESOLUTION**

**WHEREAS**, the Vice President and General Counsel (Compliance Officer) of Memphis Light, Gas & Water has requested authority to settle one or more claims in an amount in excess of \$50,000.

**NOW, THEREFORE, BE IT RESOLVED THAT**, MLGW's Vice President and General Counsel (Compliance Officer) is hereby given contract authority to settle claims by and against MLGW in the amount of up to \$550,000.00 through a commitment to acquire certain maintenance services over a period of ten years.

**BE IT FURTHER RESOLVED, THAT** the President and CEO is hereby authorized to execute and deliver one or more agreements in connection with the settlement of such claims, including an Operations and Maintenance Agreement pursuant to which MLGW will agree to pay for certain maintenance services over a period of ten years.

**RESOLVED, THAT** the President and CEO and the Vice President and General Counsel are hereby approved to execute and deliver such other ancillary documents as they, in their discretion, deem necessary and appropriate.



**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 Vice President and General Counsel (Compliance Officer) requested litigation settlement authority in an amount in excess of \$50,000.00.

**NOW, THEREFORE, BE IT RESOLVED THAT**, MLGW's Vice President and General Counsel is hereby given contract authority to settle claims by and against MLGW in the amount of up to \$550,000.00 through a commitment to acquire certain maintenance services over a period of ten years.

**BE IT FURTHER RESOLVED, THAT** the President and CEO is hereby authorized to execute and deliver one or more agreements in connection with the settlement of such claims, including an Operations and Maintenance Agreement pursuant to which MLGW will agree to pay for certain maintenance services over a period of ten years.

**RESOLVED, THAT** the President and CEO and the Vice President and General Counsel are hereby approved to execute and deliver such other ancillary documents as they, in their discretion, deem necessary and appropriate.

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~~ <sup>special</sup> meeting held on 02nd day of June, 2021, at which a quorum was present.

  
Secretary - Treasurer

Supplier Diversity Summary

Board Meeting: June 16, 2021

Board Item	Contract Number	Contract Name	Contract Type	Successful Bidder	Supplier Diversity Goal	Supplier Diversity Participation	Supplier Diversity Vendor(s)	Business Classification
3	11296	Enterprise GIS Software Selection and Installation	Change	Environmental System Research Institute (ESRI)	0%	0%	N/A	N/A
2	11594	PowerPlan Maintenance Agreement	Change	PowerPlan, Incorporated	0%	0%	N/A	N/A
1	11793	Over-the-Phone Language Interpreter Service	Change / Extension	Universe Technical Translation, Incorporated	0%	100%	Universe Technical Translation, Incorporated	WBE
11	11817	High Volume Outage Call Management	Change / Extension	Intrado Interactive Services Corporation	0%	0%	N/A	N/A
13	12017	Security Automation Installation and Service Agreement	Ratification / Renewal	Access Control Integration, Inc.	0%	0%	N/A	N/A
7	12198	Electric Underground Distribution, Splicing and Trenchless Construction	Award	Standard Electric Company, Inc.	30%	100%	Standard Electric Company, Inc.	LSB
10	12227	High Volume Outage Call Management	Award	Intrado Corporation	0%	0%	N/A	N/A
6	12247	Gas Transmission ROW Mowing and Tree Trimming	Award	ABC Professional Tree Services, Inc.	20%	100%	ABC Professional Tree Services, Inc.	MBE
4	12265	Autodesk	Change	DLI Solutions, LLC	0%	0%	N/A	N/A

Contracts Management Supplier Diversity Participation is highlighted in yellow.

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

**Ordinance No. 5771**

**SUBSTITUTE ORDINANCE OF THE CITY OF MEMPHIS TO AMEND THE CITY OF MEMPHIS CODE OF ORDINANCE CHAPTER 21, MOTOR TRAFFIC AND VEHICLES, ARTICLE III, OPERATION OF VEHICLES GENERALLY TO ADD SECTION 21-134 TO BE ENTITLED "NON-DRIVER PARTICIPATION IN DRAG RACING AND RECKLESS DRIVING EXHIBITIONS", TO SET PENALTIES FOR VIOLATIONS, AND FOR OTHER PURPOSES.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) Violations.

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

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

(c) Penalties.

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

(d) Exemptions.



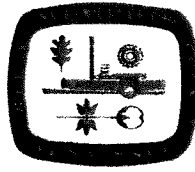
This section shall not apply to licensed or duly authorized racetracks, drag strips, or other designated areas set aside by proper authorities for such purposes.

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

**SECTION 3. BE IT FURTHER ORDAINED**, that this Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairperson of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller and become effective as otherwise provided by law.

SPONSOR  
Ford Canale  
Rhonda Logan  
Jeff Warren

Chairman  
Frank Colvett



## 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 property located at 223 Dixie Road in Memphis, Shelby County, Tennessee and further described as Parcel ID # 075010 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

Summary Notes for 223 Dixie Road

Notes for the sale of 223 Dixie Road

1 surplus parcel being sold at 223 Dixie Road Parcel ID: 075010 00011

Purchaser: Alfred Ivery, on behalf of Ivery Enterprises, a non-profit organization which provides low-income housing. 223 Dixie Road is Mr. Alfred Ivery's childhood home.

Property was acquired by the City of Memphis in Chancery Court Case 9434-3.

Council District 6 / Edmund Ford, Sr.  
Super District 8 / JB Smiley, Jr.

An analysis of comparable sales was performed to arrive at a sales price of \$550.

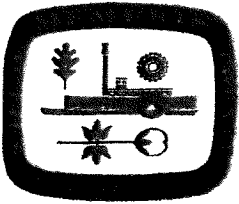
Parcel being sold:

Parcel ID #	Sales Price	
075010 00011	\$550.00	

The total sale price for 223 Dixie Road is \$550.00.

The purchaser has deposited the earnest money of \$55.00 ( 10% of the Sales Price)

Requesting Council to approve the sale.



**A Resolution approving the sale of 223 Dixie Road Parcel ID #075010 00011  
Memphis, Tennessee 38109**

Whereas the City of Memphis owns a surplus parcel located at 223 Dixie Road and is further identified by Shelby County Tax Assessor as Parcel 075010 00011 containing 0.164 ac, more or less; and

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; and

Whereas Alfred Ivery on behalf of Ivery Enterprises, a non-profit organization which provides low-income housing, submitted an offer of Five Hundred Fifty Dollars (\$550.00) for the Parcel along with a Fifty-Five Dollars (\$55.00) 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 said sale be accepted subject to City Ordinance Section 2-291(A) of the City's Code of ordinance; 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."

*Resolved*, by the Council of the City of Memphis that the offer made by Alfred Ivery, of Shelby County Tennessee on the above described property 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.

City Council Resolution



Sheldandra Y. Ford  
Shelby County Register of Deeds

CITY OF MEMPHIS

Owner: CITY OF MEMPHIS  
Parcel Address: 223 DIXIE RD  
Parcel ID: 075010 000 11  
2021 Appraisal: \$12,900  
Tax District: MEMPHIS  
Year Built: 1958  
Lot Number: E PT 33  
Subdivision: FLYNN  
Flat BK & PG: UNKNOWN  
Dimensions: 0.164 AC 60X118.96 BAL TO ST  
Total Acres: 0.164  
Owner Address: 125 N MAIN ST  
MEMPHIS TN  
38101

Map prepared on 5/24/2021

