

WHEREAS, on occasion the Memphis City Council sees fit to honor those who have done extraordinary things, and **Jessica Ramsey**, a Tokyo 2020 Olympic Games shot put competitor, is certainly worthy of this distinction; and

WHEREAS, **Jessica Ramsey**, a native of Boynton Beach, Florida, relocated to Memphis following a job transfer and trained in the area in preparation for the Tokyo Olympic Games; and

WHEREAS, **Jessica Ramsey**, a graduate of Western Kentucky University (WKU), holds school records in the women's shot put, hammer, weight throw, and discus, as well as being a seven-time Sun Belt Champion, placing first in indoor and outdoor shot put in 2013 and 2014, and in discus, hammer, and weight throw in 2014, as well as being the first WKU track and field student-athlete to qualify for the NCAA Outdoor Championships in at least three individual events during her senior year in 2014; and

WHEREAS, in June 2021, **Jessica Ramsey** qualified to represent Team USA in the shot put at the Tokyo Olympics by placing first at the US Olympics Trials Championships in Eugene, Oregon, with a throw of 20.12m (66 feet, ¼ inch), which was a personal best as well as a new meet record; in Tokyo, Jessica went on to qualify for the shot put finals at the Olympic Games, finishing in the top 12 in the competition; and

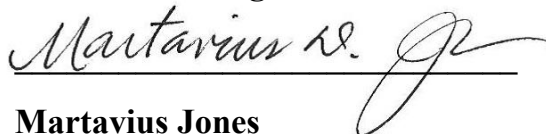
WHEREAS, in addition to her spectacular feat of competing in the Olympic Games, **Jessica Ramsey** also gives back to her community, serving as a court-appointed special advocate for CASA of Lafayette County, Mississippi, an organization which helps children involved in the foster care and court systems, and as a volunteer assistant coach for the throws group for the University of Mississippi Track & Field team.

NOW THEREFORE, BE IT RESOLVED that the Memphis City Council does join with family, friends, and the entire community in Memphis and beyond in recognizing and congratulating

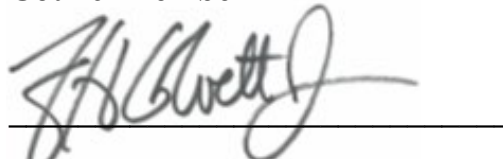
Jessica Ramsey

for her participation in the Tokyo 2020 Olympic Games representing Team USA in shot put.

ADOPTED: August 17, 2021



Martavius Jones
Councilmember



Frank Colvett, Jr.
Chairman

RESOLUTION

WHEREAS, the Memphis City Council desires to adopt an Ordinance To Amend The Unified Development Code To Create A Well Head Overlay Protection District For The City Of Memphis;

WHEREAS, in accordance with the City's Charter, the UDC and applicable law the Council desires to submit the proposed ordinance to the Land Use Control Board for review and recommendation;

NOW THEREFORE BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the Zoning Administrator submit the attached ordinance to the Land Use Control Board for review and recommendation in accordance with its requirements for notice and meeting schedules and that the Zoning Administrator in consultation with MLGW prepare and submit a report to the Land Use Control Board providing an explanation of the ordinance and such recommendation, if any, that the Zoning Administrator and MLGW desires to make for consideration by the Land Use Control Board.

Sponsor: Planning and Zoning Committee

FRANK COLVETT, JR.
CHAIRMAN

ORDINANCE NO. _____

ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO
CREATE A WELL HEAD OVERLAY PROTECTION DISTRICT FOR
THE CITY OF MEMPHIS

I. STATUTORY AUTHORITY, FINDING OF FACT, PURPOSES
AND OBJECTIVES.

(A) *Statutory authority.*

(1) The Federal Safe Drinking Water Act, P.L. 93-523 (the “Act”) delegates responsibility to protect public water systems within the United States to the United States Environmental Protection Agency (the “EPA”) and requires each state to adopt and submit to the Administrator of the EPA a state program to protect wellhead areas within their jurisdiction from contaminants which may have any adverse effect on the health of its inhabitants.

Pursuant to the Act, the state of Tennessee adopted the Tennessee Safe Drinking Water Act of 1983, Tenn. Code Ann. §§ 68-221-701, *et seq.* (the “Tennessee Water Act”).

The Tennessee Water Act vests control and responsibility in the Commissioner of the Tennessee Department of Environment and Conservation (“TDEC”), as an agent of EPA to protect all waters of the State and to provide general supervision of all public water systems throughout the state.

The Tennessee Water Act defines waters of the State as all water, public or private, on or beneath the surface of the ground, which are contained within, flow through, or border upon Tennessee, or any portion thereof, and therefore includes waters within or that flow through any aquifers below the boundaries of the City and County;

TDEC adopted rules and regulations for Drinking Water Source Protection, Tenn. Comp. R. & Regs. 0400-45-01-.34 (“TDEC

Regulations”), in which TDEC adopted a state program to protect wellheads in the State.

The EPA approved the State of Tennessee as the entity with primary responsibility for public water systems in Tennessee in accordance with the Tennessee Water Act and the TDEC Regulations.

Memphis Light Gas & Water Division has been authorized under Section 679 of the City’s Charter the power and authority to construct, purchase, improve, operate and maintain a public water plant or system within the City, including, without limitation, wells, pumping plants, reservoirs, pipes, and all accessory apparatus, buildings and lands, rights-of-way and easements, and all other appurtenances usual to such plants or systems, for the purpose of producing, distributing, supplying or selling water to the City of Memphis, or to any person, firm, public or private corporation, or to any other user or consumer, in the City of Memphis or elsewhere in Shelby County.

The MLGW’s Water System is a “public water system” (“PWS”) under the Act, the Tennessee Water Act and the TDEC Regulations; the water system and MLGW as a supplier of water are subject to the provisions of the Act, the Tennessee Water Act and TDEC Regulations;

MLGW as manager of the City’s PWS has developed and submitted to TDEC, from time to time, Well Head Protection Plans as required by the TDEC Regulations; the current well head protection plan has been approved by TDEC and is in full force and effect within MLGW’s areas of operation within the City and County.

TDEC Regulations authorize municipalities in consultation with managers of a public water system to adopt ordinances, subject to TDEC approval, which limit the future location of any potential contamination source or activities within the area designated as Zone 1 of a protection plan.

The Council desires to adopt reasonable regulations to protect the most vulnerable areas surrounding the City’s well heads while

accommodating the constitutional property rights of owners of real property in the City to engage in responsible and proper development activities thereon.

(B) *Finding of facts.*

(1) Protection of ground water supplies can be achieved by designating areas around well heads within which certain land use activities are restricted or prohibited.

(2) An area immediately surrounding a well head is necessary and requires a higher degree of regulation. This area shall be designated Zone 1.

(3) An area incorporating and adjacent to Zone 1, which represents a capture zone, approved by TDEC that is determined on the basis of groundwater flow and direction, is designated as Zone 2 and does not require the highest degree of regulation.

(4) A potential contaminant source inventory has been completed for well head areas and within the corporate limits of the City of Memphis and included in the well head protection plan prepared by MLGW and approved by TDEC.

(C) *Statement of purpose.*

(1) The purpose of this Ordinance is to protect the public water supply for the City of Memphis from land uses at or near City wells within the Wellhead Protection Areas, Zone 1 and 2, which may, as a result of normal or abnormal operation thereof, cause release to the ground waters of the City any pollutant, material or contaminant substance defined in Tennessee Code Annotated 69-3-101 *et seq.* The City of Memphis creates the Well Head Protection Overlay District to implement the stated purposes.

(2) The Wellhead Protection Overlay District shall be deemed an overlay on the existing zoning districts as described and mapped by the Unified Development Code.

(3) This Ordinance is also enacted to create a system for regulation or restriction of land use activities at or near City wells that store, handle or produce hazardous and regulated substances identified in the City's Well Head Protection Plan with an emphasis on providing the highest level of protection for areas designated Zone 1 in said plan.

(4) This Ordinance also requires the use of best management practices for the protection of ground water sources. The City of Memphis designates an officer of Memphis Light Gas and Water Division, who shall be appointed by the Mayor and approved by the City Council, as the responsible agent to act for the City (“Well Head Administrator”) in the administration of this overlay ordinance.

(4) The Wellhead Protection Overlay District is enacted to comply with and carry out the objectives of the Act, the Tennessee Water Act and the TDEC regulations.

II. DEFINITIONS.

For the purpose of this Ordinance, the definitions in the Tennessee Water Act, Tenn. Code Ann § 68-221-703, which are hereby adopted by reference, shall apply in the administration of this ordinance unless the context clearly indicates or requires a different meaning. The following additional definitions shall also apply in the same manner:

AQUIFER. A geologic formation, group of formations or part of a formation capable of storing and yielding groundwater to wells or springs.

BEST MANAGEMENT PRACTICES. Operational procedures for handling, storage and disposal of regulated substances and procedures which are designed to minimize the impact of certain activities or land uses on groundwater quality and quantity.

CERTIFICATE OF CONFORMANCE. A document issued by the Wellhead Administrator for the City of Memphis which certifies that a proposed development meets or exceeds the requirements of this Ordinance and the TDEC regulations.

CONSTRUCTION. Includes building, erecting, moving or any physical operations on the premises which are required for construction. Excavation, fill, paving and the like shall be considered part of construction.

HAZARDOUS/CONTAMINANT MATERIALS. Any pollutant, material or contaminant substance defined in Tennessee Code Annotated §§ 69-3-101, et seq.

POTENTIAL CONTAMINANT SOURCES. Any land uses or activities described in the guidance document published by TDEC and referred to in the TDEC Regulations.

RESPONSIBLE AGENT OF THE CITY. The Well Head Administrator, as the responsible agent for the City, reviews all development applications and plans within the Wellhead Protection Area, makes any necessary interpretation of Wellhead Protection Area, Zone 1 and Zone 2, reviews any other related matters that may arise in the administration of this Ordinance and makes recommendations to the land use control board and/or the applicable governing body regarding proposed land uses within a WPA.

SITE PLAN SUBMISSION AND ADMINISTRATION REQUIREMENTS. The plans to be included in any application for a development and special use permit hereunder, which are specified in this ordinance.

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC). The state agency, authorized by the United States Environmental Protection Agency to adopt and enforce provisions of the Federal Safe Drinking Water Act which mandates the protection of public water supplies that utilize a ground water source.

WELLHEAD PROTECTION OVERLAY MAP. A map generated and maintained by MLGW illustrating the location of Wellhead Protection Areas, Zone 1 and Zone 2. The map is available for inspection at the office of the Wellhead Administrator.

WELLHEAD. The specific location of the source area for water which is withdrawn from a well or spring.

WELLHEAD PROTECTION AREA (WPA). The surface and subsurface area surrounding a water well or wellfield, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such well or wellfield. The areas of the City of Memphis, designated as Wellhead Protection Area, Zone 1 and Zone 2.

WELLHEAD PROTECTION OVERLAY DISTRICT. An overlay district on the existing zoning districts which represents the area covered by Wellhead Protection Areas, Zone 1 and Zone 2.

III. AUTHORITY AND APPLICABILITY.

(A) *Application*

Except for activities and land uses exempted by this Ordinance or state law, the regulations set forth in this Ordinance shall apply to all land uses and activities located or proposed within the area(s) delineated as the Wellhead Protection Area(s) in the City of Memphis on a map available for inspection at the offices of the Well Head Administrator located at MLGW's main offices.

(B) *Basis for establishing the Wellhead Protection Area.*

(1) The Tennessee Wellhead Protection Regulations (Rule 0400-45-01-.34) require that every Public Water System (PWS) in the state set up a two-zone protection system for its groundwater sources.

(2) MLGW, utilizing the groundwater flow model with the approval of TDEC, has established a two-zone protection system for the City of Memphis's groundwater resources.

(C) *Requirement for development and use permit.*

(1) A special development and use permit shall be required in conformity with this Ordinance prior to the commencement of any development activity within a WPA. No special development and use permit shall be issued without first obtaining a certificate of compliance from the Well Head Administrator.

(2) Prior to site plan approval by the Land Use Control Board, the applicant of a non-exempt project shall obtain a certificate of conformance with this ordinance from the Well Head Administrator in a timely manner for all proposed development and land-use activities in Wellhead Protection Areas (Zone 1 and Zone 2) within the City of Memphis.

(3) If, upon review of the site plan, the Well Head Administrator determines that additional information is necessary to completely evaluate the proposed development, the Well Head Administrator may refer the development plan to MLGW's water division staff for review and investigation prior to making a decision on the plan for a certificate of conformance.

(D) *Compliance.* No structure or use shall hereafter be located, extended, converted or structurally altered in a Well Head Protection Area without full compliance with the terms of this Ordinance and other applicable regulations.

(E) *Interpretation of Wellhead Protection Area.*

(1) Where interpretation is needed as to the exact location of any boundary of Wellhead Protection Area, Zone 1 and Zone 2, the Well Head Administrator shall make the necessary interpretation. The Well Head Administrator shall also be responsible for review of all development plans within Wellhead Protection Areas and other related matters that may arise in the administration of this Ordinance.

(3) The person contesting the location of the Wellhead Protection Area, Zone 1 and Zone 2, shall be afforded reasonable opportunity before the Land Use Control Board to present any technical evidence he or she may wish to support his or her position. Any proposed adjustments shall be based on the same modeling techniques used by MLGW in the latest approved delineation of Zone 1 and Zone 2 by TDEC.

(F) *Conflict with other provisions.*

(1) The requirements of Well Head Protection Areas (Zone 1 and Zone 2) are additional to those contained in the basic underlying zoning districts.

(2) Where any conflicts exist between the provisions of this Ordinance and any other provisions of the Unified Development Code and any other ordinance of the City of Memphis, these provisions shall govern.

(G) *Exempt Land Uses and Activities.* Notwithstanding any provision of this Ordinance or any other Ordinance applicable to the City to the contrary, the requirements of this ordinance shall not apply to existing oil pipelines, including any activities related to the maintenance, repair, or replacement thereof, or construction of new oil pipelines in existing rights-of-way or easements for existing oil pipelines even if such pipelines, easements or rights-of-way are within any existing or future zoning setbacks. This ordinance does not apply to any new or existing pipeline that is located within the property boundaries of an oil refinery, oil terminal, associated docks or processing facilities, or a retail service station and providing service to that oil refinery, oil terminal, associated docks or processing facilities, or retail service station.

(H) *Applicant's responsibility.* It shall be the responsibility of any person owning real property and/or owning or operating a business within the City of Memphis to make a determination of the applicability of Wellhead Protection Area Overlay Districts as it pertains to the property and/or business under his or her ownership or operation before changing the use and development of the property and his or her failure to do so shall not excuse any violations of this ordinance.

(I) *Penalties for violation.* Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall be subject to enforcement action by TDEC and/or the City.

(J) *Abrogation and greater restrictions.* This Ordinance is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions.

(K) *Nonconforming and Vested uses.* Nonconforming and/or vested uses may continue in the overlay district in the form in which they exist at the time of the adoption of this ordinance in accordance with state law. In the event such nonconforming and/or vested uses shall pose a

direct hazard to the public water supply, the City of Memphis may take any action permitted by law to abate the hazard.

IV. REVIEW OF APPLICATIONS FOR DEVELOPMENT AND USE PERMITS

Application Requirements

- A. An application for a development and special use permit shall be submitted with a site plan in accordance with Section 9.3.3, Application Requirements of the UDC and Part VI of this Ordinance.
- B. The Zoning Administrator in consultation with the Well Head Administrator shall establish and publish specific submittal requirements for development and special use permits applications.
- A. Upon completion of the technical review, the Well Head Administrator may meet with the applicant to discuss any changes in development design and/or requirements.
- B. The Zoning Administrator shall prepare a report that reviews the application in light of comments provided by the Well Head Administrator, and in light of any plans to be considered and the general requirements of this Ordinance. The report, site plan or outline plan, special use request and any related application materials shall be forwarded to the Land Use Control Board.

1.1.1 Land Use Control Board Action

- A. Not less than 35 or more than 75 days after an application has been determined complete, the Land Use Control Board shall hold a public hearing and give notice in accordance with Section 9.3.4, of the UDC Public Hearings and Notification.
- B. The Land Use Control Board shall, after deliberation and prior to the close of the public hearing, recommend approval, rejection, approval with conditions or take the matter under advisement or defer decision in accordance with Sub-Section C below.
- C. The Land Use Control Board may defer a decision for a period not to exceed three months after the initial public hearing at the request of the applicant. The Board may defer a decision for a

period not to exceed one month without the consent of the applicant.

1.1.2 Governing Body Action

- A. The LUCB's recommendation and conditions of approval shall be forwarded to the appropriate governing body within 14 days from the close of the public hearing, or the receipt of a revised site plan reflecting the LUCB's action, whichever is later; however, in no instance shall the matter be forwarded to the appropriate governing body any more than 60 days after the LUCB's action. If a revised site plan has not been submitted to the Division of Planning and Development within 60 days of LUCB action, the site plan reviewed by the LUCB shall be forwarded to the appropriate governing body. If there is no objection/appeal, no public hearing is required before the governing bodies.
- B. The governing bodies shall approve or disapprove the development and special use permit and shall set forth any conditions imposed.
- C. **Upon Appeal**
 - 1. Appeals of Land Use Control Board approval for items that otherwise would not go to the governing bodies may be made by an individual who was either present at the Land Use Control Board meeting and made a vocal objection or submitted written comments to the Division of Planning and Development prior to the Land Use Control Board meeting. A written notice of appeal shall be filed with the Zoning Administrator within 14 days after the date of the close of the public hearing.
 - 2. If an appeal is filed by the applicant, or opponents to the proposed development and special use, the governing body shall hold a public hearing and give notice in accordance with Section 9.3.4, Public Hearings and Notification, on the application after receipt of the decision of the Land Use Control Board and the recommendations of the Well Head Administrator. The governing body shall approve or disapprove the development and special use permit and shall set forth any conditions imposed.

1.1.3 Approval Criteria

No development and special use permit shall be approved unless the following findings are made concerning the application:

- A. The project will not be a significant potential contaminant source, which may have an adverse effect on the health of persons in proximity of the proposed use and development.
- B. The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.
- C. The project will use appropriate measures for spill response, notification and prevention and for implementation of best management practices appropriate for the proposed development.
- D. The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance.
- E. The project complies with all additional standards imposed on it by any particular provisions authorizing such use.
- F. The governing body may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to insure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code.

1.1.4 Permissible Conditions of Approval by Governing Body

- A. In granting approval of a development and special use permit hereunder, the governing body may impose reasonable conditions on the project if it would be listed on MLGW's potential contaminant source inventory if approved, which serve to assure that the required findings are upheld. Such conditions may require an applicant for such a project to submit and obtain approval from TDEC of a pollution prevention plan, which shall include provisions for spill response, notification and prevention and implementation of best management practices appropriate for the proposed development and use before commencement of any development activities. Any such pollution prevention plan shall be consistent with and subject to TDEC Regulations for Drinking Water Source Protection pertaining to "Prohibitions in Source Water Protection Areas."

B. Any additional condition approved by the governing body shall become a part of the permit and be of equal importance in the responsibility of the applicant or subsequent assigns to adhere to its terms.

a. The Zoning Administrator, following consultation with the Well Head Administrator, if appropriate, shall act on the revised plan within 21 days.

1.1.5 Revisions to Approved Special Use Permits

Revisions to approved Special Use Permits shall be classified as minor modifications, which may be approved by the Well Head Administrator and the Zoning Administrator; major modifications, which may be approved by the Land Use Control Board; and amendments, which require the approval of the governing bodies.

A. Amendments

Any revision to an approved Development and Special Use Permit that does not meet the provisions for Major or Minor Modifications set out below shall be processed as an amendment.

B. Major Modifications

Time extensions (see Sub-Section 9.6.14B) to and requests to exceed the 24-month limitation on discontinuance (see Sub-Section 9.6.14C) of approved special use permits shall be processed as major modifications, subject to the provisions of Chapter 9.16. In addition, revisions to site plans, elevations or conditions approved in accordance with approved development and special use permits that do not meet the standards below set out for minor modifications (see Sub-Section 9.6.12C) shall be processed as major modifications.

C. Minor Modifications

1. Modifications may be approved by the Zoning Administrator in consultation with the Well Head Administrator if they are within the scope and intent of the original approval. Minor modifications shall include, but are not limited to, the following:

- a. A less than five percent increase, or any decrease, in the development area.
 - b. The relocation of any structure, dedicated street, easement or landscape screen in any direction from the location shown on the site plan for the distances specified below based on the size of the development:
 1. Less than 25 feet for site plans of two or less acres;
 2. Less than 50 feet for site plans of more than two but less than eight acres;
 3. Less than 100 feet for site plans of eight acres but less than 20 acres; and
 4. Less than 150 feet for site plans of 20 acres or more.
 5. The correction of drafting errors on the approved plan.
 - c. Modifications to the parking or landscaped areas that meet the provisions of this Code.
2. The following items shall be considered by the Well Head Administrator and the Zoning Administrator in approving minor modifications:
 - a. Compliance with all applicable requirements of this development code;
 - b. That the modification will not have a substantial or undue adverse effect upon adjacent properties, the neighborhood, traffic conditions, parking, public infrastructure, and other matters affecting the public health, safety and general welfare; and
 - c. That the proposed modification will not result in the destruction, loss, or damage of any significant natural, scenic, or historic district, site, or feature.
 3. The Zoning Administrator in consultation with the Well Head Administrator may include conditions to insure compatibility of the proposed modification with surrounding properties, uses, and the purpose and intent of this development code.
 4. The Zoning Administrator shall notify the applicant whether the proposed revision qualifies for administrative approval and the basis for the determination.

5. The Zoning Administrator shall distribute copies of the revised plan to the appropriate agencies.
6. The Zoning Administrator, following consultation with the Well Head Administrator, if appropriate, shall act on the revised plan within 21 days
7. Effect of Special Use Decisions

- A. If the governing body votes to deny an application, there may be no subsequent similar application submitted by any party for any part of the subject property until 5 years have elapsed from the date of denial, or from the date any appeal thereof becomes final, whichever is later. This 5-year period shall also apply to: 1) those cases on which the Land Use Control Board conducts a vote but are withdrawn before the governing body may act and 2) those cases involving modifications (see Sub-Section 9.6.11E and Section 9.6.12) and appeals (see Sub-Section 9.23.1C) on which the Land Use Control Board conducts a vote and no further action by the governing body is taken. The governing bodies may waive the time-lapse requirements of this section where it is in the public interest to do so. For the purpose of this Sub-Section, “similar application” shall be interpreted to include, but is not limited to, those applications requesting a use not permitted in the underlying zoning district or permitted by issuance of a special use permit, a same or similar use, pursuant to the use categories provided in this Code.
- B. Unless otherwise conditioned, the development and special use permit and any conditions imposed, shall run with the land and shall be binding on the original applicant as well as any successors, assigns, and heirs.
- C. A development and special use permit shall be noted on the Wellhead Protection Overlay Map.
- D. The issuance of a development and special use permit for a particular use shall not allow the development of the site for the special use, but shall merely authorize the filing of applications for required permits and approvals, including, but not limited to, building permits and certificates of occupancy.
- E. The Zoning Administrator shall not issue a certificate of construction for a special use permit if any of the conditions imposed by the governing body in the approval have not been met.

1.1.6 Period of Validity

- A. Development and special use permits shall be implemented within 24 months of final approval or such permits shall be void, unless conditioned otherwise. Where applicable, an application for a time extension may be filed as a Major Modification subject to Sub-Section 9.6.12B. An application for a time extension shall be filed before the date of expiration or within 12 months after the date of expiration and shall further be subject to the provisions of Chapter 9.16. Only one 24-month time extension is permitted.
- B. If a development and special use permit has not been in use for any consecutive 24-month period, the permit shall be void. The applicant, at the time of a request for a certificate of occupancy, shall be responsible for providing proof to the Building Official of such continued use.

1.1.7 Revocation of a Special Use Permit or Planned Development

- A. If any conditions of a development and special use permit or other requirements of this ordinance are violated, the governing body may revoke all or a portion of a development and special use permit.
- B. Revocation may occur after an evidentiary hearing is conducted by the governing body. The governing body may refer the matter to the Land Use Control Board for a recommendation on the revocation prior to its evidentiary hearing. All hearings associated with a revocation shall be open to the public with certified notice mailed to the owner of the property that is the subject of the special use permit or planned development. Mailed notice shall be in accordance with Paragraph 9.3.4D(1).
- C. A development and special use permit may be revoked upon a constitutional majority vote of the governing body approving the development.
- D. Violation of a condition of approval shall be considered a violation of this development code and thereby subject to the provisions of Article 11, Enforcement, as well as this section.

1.1.8 Coordination with Variances

An application to the Board of Adjustment for a variance may be submitted concurrently with a request to the Land Use Control

Board for a special use permit. However, decisions shall be rendered separately for any variance and the special use permit.

1.1.9 Coordination with Zoning Change Applications

An application for a special use permit may be reviewed concurrently with a zoning change application. However, decisions shall be rendered with separate votes.

V. VARIANCE REGULATIONS.

(A) The provisions of this section shall apply exclusively to areas of Wellhead Protection Overlay Districts. In applying for a variance, the following provisions apply.

(B) Board of Adjustment:

(1) The Board of Adjustment (the “Board”) shall hear and decide requests for variances from the requirements of this chapter. The Board shall not consider any application for a variance from the provisions of this Ordinance until the Well Head Administrator has had an opportunity to review the application and make a written recommendation to the Board. The Well Head Administrator shall have 45 working days from the filing of any application for a variance from this Ordinance to review and issue its recommendation. The application shall be advertised for public hearing for the next regularly scheduled Board meeting following the expiration of the 45-day period.

(2) Variances may be issued for the use of property upon a determination from the Board that the proposed use will not cause, materially contribute to or create a material risk of any adverse effect upon the municipal water source, under reasonably possible hydrologic or geologic conditions. All technological evidence shall be based on the most recent modeling techniques defined in Wellhead Protection Area, Zone 1 and Zone 2 reports, approved by TDEC.

(3) In reviewing a variance application, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:

(a) The practical difficulty and hardship on the property owner related to the use and enjoyment of the property caused by the regulation or restriction as enacted within the Wellhead Protection Areas, Zone 1 and Zone 2;

(b) When it is alleged there is an error in any requirement, decision or determination made by the Well Head Administrator in the enforcement or administration of this Ordinance;

(c) That no variance may be requested nor granted as a means to circumvent the intentions of this Ordinance or as a remedy for a violation of this Ordinance;

(d) May attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this Ordinance;

(4) In reviewing a variance application, the Board of Adjustment shall consider the recommendation of the Wellhead Administrator.

VI. SITE PLAN SUBMISSION AND ADMINISTRATION REQUIREMENTS.

(A) *Preliminary plan.*

(1) The applicant shall submit a preliminary site plan describing the concept for the development of the entire tract to the Land Use Control Board;

(2) The preliminary site plan shall conform with the site plan requirements set forth in this part and include the following additional requirements:

(a) Be drawn to a scale of one inch equals 100 feet;

(b) Including the following:

1. Location of all existing public water supply wells within 1,000 feet;

2. Location of Wellhead Protection Zone 1 and Zone 2 areas within 500 feet of property; and

3. Location of septic tanks (including size and capacity) and/or sewage lift stations, force mains and grease traps.

(c) Provide the regulations used to control the uses permitted in the project and the uses specifically prohibited;

(d) Provide a complete list of the types and volumes of all hazardous materials (including fuels) used, stored, processed, handled or disposed of, other than those volumes and types associated with normal household use;

(e) Provide a description of the types of wastes generated and method of disposal including: solid wastes, hazardous wastes, sewage and non-sewage wastewater discharges;

(f) Provide plans and documents containing information to show compliance with the performance standards;

(g) Provide other additional information as may be required by reviewing agencies regarding: the proposed use, its potential impact to water quality, hydrogeologic information, monitoring and mitigation measures.

(B) *Final plan.*

(1) After approval of the preliminary plan, but prior to the issuance of any construction permit and/or commencement of construction, the applicant shall have approval of the Memphis City Council and a final plan covering the entire tract or that portion proposed for development.

(2) The final plan shall:

(a) Provide a complete list of the types and volumes of all hazardous materials (including fuel) used, stored, processed, handled or disposed, other than those volumes and types associated with normal household use;

(b) Provide a description of the types of wastes generated and method of disposal including: solid wastes, hazardous wastes, sewage and non-sewage wastewater discharges;

(c) Provide plans and documents containing information to show compliance with the performance standards;

(d) Provide other additional information as may be required by reviewing agencies regarding: the proposed use, its potential impact to water quality, hydrogeologic information, monitoring and mitigation measures.

(3) The applicant may, if desired, submit only one final plan for the purpose of securing approval of the development plan if the plan submitted complies with all the requirements of the final plan. The Memphis City Council may amend or condition the plan and grant final approval of such a plan, as amended or conditioned after only one review.

VII. MISCELLANEOUS

(A) **COMPLIANCE WITH TDEC REGULATIONS.** MLGW shall comply with TDEC's regulations requiring submission of an updated Well Head Protection Plan whenever there are changes in land management issues after adoption of ordinances by the local governing body. Any revision of the existing plan shall modify its provisions to address and incorporate the changes required by this ordinance. A copy of this ordinance shall be attached to any revised Plan.

(B) **SEVERABILITY.** If any clause, section, paragraph, sentence or part of this Ordinance shall be held or declared to be unconstitutional and void, such holding or declaration shall not affect the remaining parts of this Ordinance; it being hereby declared to be the legislative intent to have passed the remainder of this Ordinance notwithstanding the parts so held or declared to be invalid, if any.

(C) **ENACTMENT OF CITY ORDINANCE.** This Ordinance shall take effect from and after the date it shall have 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; provided however if approval by TDEC is required the effective date of this ordinance shall be deferred until the first day of the month next following TDEC's approval.

SPONSOR: Planning and Zoning Committee

FRANK COLVETT, JR.
CHAIRMAN



RESOLUTION approving final plat entitled
Callis Cutoff Phase 6 (PD 16-08) and authorizing release of the cash bond

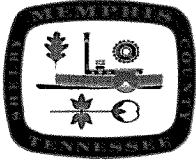
WHEREAS, **Lightman Majestic Retail**, the Developer has completed the public improvements with the City of Memphis, located east of Tournament Drive, 2,600 linear feet east of South Germantown Road as reflected on the final plat entitled **Callis Cutoff Phase 6 (PD 16-08) [CR-5259]**

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 final plat for **Callis Cutoff Phase 6 (PD 16-08) [CR-5259]** and the completion of the public improvements therein, be and the same are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the **Cash Bond** in the amount of **\$143,700.00** held as security is ordered released.



RESOLUTION approving the engineering plans entitled:
Holmes/Airways [ASPR] (Frito Lay) Airways Blvd Parcel 09440000161

WHEREAS, **Holmes Land Investors, LLC** the Developer of certain property within the present limits of the City of Memphis, located at North Front Street between the Henry Avenue and Keel Street intersections in the City of Memphis, Tennessee and

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

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

and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Holmes Airways (ASPR) - Frito Lay - Airways Boulevard Parcel 09440000161** 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 **Performance Bond No. US00104965SU21A** from **XL Specialty Insurance Company** in the amount of **\$108,900.00**.



RESOLUTION approving the engineering plans entitled:
Princeton Heights LLC

WHEREAS, **Princeton Heights LLC** the Developer of certain property in the present limits of Memphis, Tennessee as reflected on the plat and located at 5030 Princeton Road in the City of Memphis

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 **Princeton Heights LLC** and the City of Memphis covering the public improvements as a part of developing the property;

and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the final plat for **Princeton Heights LLC**; be and is hereby.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and accept **Performance Bond No. SU1174967** from **ARCH Insurance Company** in the amount of **\$129,800.00**.



RESOLUTION approving the engineering plans
entitled: **Phase 1 - Highland Streetscapes**

WHEREAS, **University Neighborhoods Development Corporation** the Developer of certain property in the present limits of Memphis, Tennessee as reflected on the plans and located on South Highland Street in the City of Memphis

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 **University Neighborhoods Development Corporation** 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 Phase 1 - Highland Streetscapes 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 **Performance Bond No. 107491322** from **Traveler Casualty and Surety Company of America** in the amount of **\$975,900.00**.



RESOLUTION approving the engineering plans entitled:
North Front Street Infrastructure Improvements

WHEREAS, **Memphis/Shelby County Community Redevelopment Agency (CRA)**, the Developer of certain property within the present limits of the City of Memphis, located at North Front Street between the Henry Avenue and Keel Street intersections in the City of Memphis, Tennessee and

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

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Memphis/Shelby County Community Redevelopment Agency (CRA)** 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 **(CRA) North Front Street Infrastructure Improvements** 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 Performance Bond No. 9322945 from **The Fidelity and Deposit Company of Maryland** in the amount of **\$2,159,250.00**.



Memphis City Council Summary Sheet

1. Resolution seeking acceptance of funds from the State of Tennessee in the amount of \$1,515,200.00 specifically for the In-Service Training Program for training of 1894 commissioned officers.
2. The City of Memphis Division of Police Services requests approval of the grant per project PD90248.
3. The resolution amends FY2022 Operating budget to establish and appropriate grant funds.
4. Resolution will not change an existing ordinance or resolution.
5. Resolution will not require a new contract or amendment to an existing contract.
6. This grant requires an expenditure of grant funds for payment to commissioned officers who completed In-Service Training in calendar year 2020 but will not require a budget amendment.
7. MWBE — N/A
8. All Districts



RESOLUTION

WHEREAS, the City of Memphis Division of Police Services receives funds for In-Service Training for Commissioned Officers; and

WHEREAS, 1,894 Memphis Police Commissioned Officers have successfully completed their In-Service Training at a unit price per Officer of \$800.00 for a total of \$1,515,200.00; and

WHEREAS, it is necessary for the Memphis Police Division to accept State funds for In-Service Training for Commissioned Officers; and

WHEREAS, it is necessary to appropriate Special Revenue funding of One Million Five Hundred Fifteen Thousand Two Hundred Dollars (\$1,515,200.00) in Fiscal Year 2022 Operating Budget for the Police In-Service Training as stated in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Special Revenue for the Police In-Service Training; be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal year 2022 Operating Budget be and is hereby amended by appropriating the Revenues for Special Revenue as follows: *Fund 205*

REVENUES

In-Service Grant	\$1,515,200.00
Total Special Revenues	\$1,515,200.00

EXPENDITURES

Personnel	\$1,515,200.00
Total Expenditures	\$1,515,200.00



Memphis City Council Summary Sheet

1. Resolution seeking acceptance of reimbursement in the amount of Two Million Two Hundred Thousand dollars and 00/100 (\$2,200,000.00) from Shelby County 9-1-1 Emergency Communications District Board of Directors to Memphis Police Emergency Communications 9-1-1 Bureau ; reimbursement is to be used to procure a Hexagon ONCALL Hosted CAD upgrade
2. The City of Memphis Division of Police Services is awarded these funds and will serve as the fiscal agent.
3. Resolution will not change an existing ordinance or resolution.
4. Resolution will not require a new contract or amendment to an existing contract.
5. Resolution will require an expenditure of funds equal to the amount of the reimbursement will require a budget amendment.



RESOLUTION

WHEREAS, Memphis Police Emergency Communications 9-1-1 Bureau will be reimbursed the amount of Two Million Two Hundred Thousand dollars and 00/100 (\$2,200,000.00) from Shelby County 9-1-1 Emergency Communications District Board of Directors; and

WHEREAS, the reimbursement is to be used to procure a Hexagon ONCALL Hosted CAD upgrade; and

WHEREAS, it is necessary to accept the funds and amend the Fiscal Year 2022 Operating Budget to establish funds; and

WHEREAS, it is necessary to appropriate the funds in the amount of Two Million Two Hundred Thousand dollars and 00/100 (\$2,200,000.00) received from Shelby County 9-1-1 Emergency Communications District Board of Directors as stated in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the amount of Two Million Two Hundred Thousand dollars and 00/100 (\$2,200,000.00); be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal year 2022 Operating Budget be and is hereby amended by appropriating the Revenues for the various donations as follows:

REVENUES

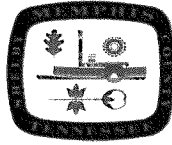
Miscellaneous Revenue (048100)

Communications	140202-048100	\$2,200,000.00
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EXPENDITURES

Miscellaneous Supplies (052342)

Communications	140202-052342	\$2,200,000.00
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Memphis City Council Summary Sheet

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

Resolution to accept additional grant funds in the amount of \$469,319.00 from Tennessee Department of Transportation, Amendment 2, for the STP Group 6 Resurfacing, project number PW01264.

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

This project was initiated by the Public Works Division and is being administered by the Engineering Division.

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

This request is a change to an existing resolution.

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

The project is located in Council District 3, 4,5 and Super Districts 8 and 9.

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

This resolution amends an existing contract with TDOT, contract number 31561 dated November 17, 2014.

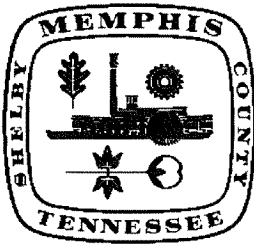
6. State whether this requires an expenditure of funds/requires a budget amendment

Requires a budget amendment.

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

MWBE goal is 8%.

8. Same night meeting minutes are requested.



RESOLUTION

A Resolution to accept additional grant funds in the amount of \$469,319 from the Tennessee Department of Transportation. Amendment Number Two (2) to provide additional construction funding for the STP Group 6 Resurfacing, Project PW01264.

WHEREAS, the Council of the City of Memphis approved STP Group 6 Resurfacing, project number PW01264 as part of the Fiscal Year 2022 Capital Improvement Program; and

WHEREAS, the State of Tennessee, Department of Transportation has submitted a second amendment for additional funding to resurface segments of Cooper Street and Getwell Road, Airways Boulevard and Mendenhall Road; and

WHEREAS, on November 17, 2014 the City of Memphis entered into a contract with the State of Tennessee Department of Transportation, in which the State agreed to fund 80% of the project cost with a local match of 20% for the STP Group 6 Resurfacing, project number PW01264; and

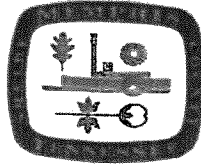
WHEREAS, the State has submitted contract amendment number two(2) for additional construction funds in the amount of \$586,649.00, of which 20% local match is required; and

WHEREAS, it is necessary to accept Federal Grant funds in the amount of \$469,319.00 funded by the Surface Transportation Program; and

WHEREAS, it is necessary to amend the Fiscal Year 2022 Capital Improvement Budget by increasing a construction allocation in the amount of \$469,319.00 funded by Federal Grant funds for STP Group 6 Resurfacing, project number PW01264.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that Federal Grant funds in the amount of \$469,319.00, is accepted from the State of Tennessee Department of Transportation funded by the Surface Transportation program.

BE IT FURTHER RESOLVED, that the Fiscal Year 2022 Capital Improvement Budget be and is hereby amended by increasing a construction allocation in the amount \$469,319.00 funded by Federal Grant Funds for STP Group 6 Resurfacing, project number PW01264.



Memphis City Council Summary Sheet

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

A resolution to accept reimbursement funding in the amount of Seventy-Nine Thousand Nine Hundred Sixty-Eight Dollars and 87/100 (\$79,968.87) from the US Department of Homeland Security - FEMA for Champlain Tower Collapse.

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 not impact council or super districts.

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

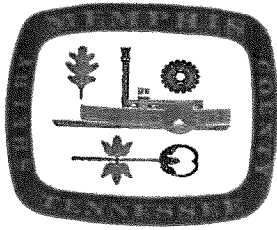
This will not require a new contract or an amendment to an existing contract.

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

This requires an expenditure of funds and a budget adjustment.

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

Not applicable.



A resolution to accept reimbursement funding in the amount of Seventy-Nine Thousand Nine Hundred Sixty-Eight and 87/100 (\$79,968.87) from the US Department of Homeland Security for Champlain Tower Collapse.

WHEREAS, The City of Memphis Division of Fire Services has submitted for reimbursement funds in the amount of Seventy-Nine Thousand Nine Hundred Sixty-Eight Dollars and 87/100 (\$79,968.87) from the US Department of Homeland Security - FEMA; and

WHEREAS, These funds are a reimbursement for expenditures sustained by Tennessee Task Force One during Champlain Tower Collapse; and

WHEREAS, It is necessary to accept the reimbursement funding and amend the Fiscal Year 2022 budget; and

WHEREAS, It is necessary to appropriate the fund in the amount of Seventy-Nine Thousand Nine Hundred Sixty-Eight Dollars and 87/100 (\$79,968.87) for the Urban Search and Rescue reimbursement; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Urban Search and Rescue reimbursement funds in the amount of Seventy-Nine Thousand Nine Hundred Sixty-Eight Dollars and 87/100 (\$79,968.87) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2022 budget be and is hereby amended by appropriating the Expenditures and Revenues for the Urban Search and Rescue reimbursement funds in the amount of Seventy-Nine Thousand Nine Hundred Sixty-Eight Dollars and 87/100 (\$79,968.87) as follows:

Revenue	
FEMA Reimbursements	\$79,968.87
Expenses	
Overtime	\$27,812.48
Misc Professional Services	\$52,156.39



Board of Light, Gas and Water Commissioners

220 S. Main Street
Memphis, TN 38103
www.mlgw.com

Board Meeting

~ Final Agenda ~

Wednesday, August 18, 2021

Board Room

MLGW ITEMS FOR CITY COUNCIL APPROVAL ON [SEPTEMBER 7, 2021.](#)

1. Resolution awarding Contract No. 12297, VMWare 3-Year Enterprise License Agreement to Thomas Gallaway Corporation dba Technogent in the funded amount of \$3,095,009.08.
2. Resolution awarding Purchase Order to Global Power Component for prefabricated steel modular equipment enclosure in the amount of \$ 433,816.00.
3. Resolution approving Change No. 2 to Contract No. 12183, Synergi Gas Modeling Software Renewal with DNV-GL Noble Denton USA, LLC, in the funded amount of \$27,524.76. (This change is to ratify and renew maintenance and support services for the period covering August 1, 2021 through July 31, 2022, with a 2.5% increase in rates from the previous term.) MLGW is requesting continuous maintenance, which can only be performed by DNV-GL Noble Denton USA, LLC
4. Resolution awarding Contract No. 12314, Broker of Record for Cyber Insurance and Other Insurance Coverages to Willis Towers Watson Southeast, Incorporated in the funded amount of \$118,500.00.
5. Resolution awarding Contract No. 12158, Self-Insured Healthcare to Cigna, in the estimated funded amount of \$95,918,005.00.
6. Consultant Solicitation with GDS Associates, Inc., in the funded amount of \$50,000.00. (This change is to update the scope to provide consulting services required for MLGW to solicit requests for proposals for the procurement of electric capacity, energy, transmission, renewable energy (e.g. solar and wind), ancillary services and to assist MLGW in the evaluation of responses to portfolios identified in the Integrated Resource Plan (IRP) and feasible alternatives.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding Contract No. 12297, VMWare 3-Year Enterprise License agreement to Thomas Gallaway Corporation dba Technologent in the funded amount of \$3,095,009.08.

2. Additional Information:

The project scope is to purchase VMWare services, provide upgrades to MLGW's existing software packages and provide software maintenance and support services. The software is used to cover the purchase of engineering support services, licenses and to host virtual servers and desktop computers at the MLGW Netters Business Center, Hansen, and System Operations data centers.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
August 18, 2021

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12297, VMWare 3-Year Enterprise License Agreement to Thomas Gallaway Corporation dba Technologent in the funded amount of \$3,095,009.08.

The project scope is to purchase VMWare services, provide upgrades to MLGW's existing software packages and provide software maintenance and support services. The software is used to cover the purchase of engineering support services, licenses and to host virtual servers and desktop computers at the MLGW Netters Business Center, Hansen, and System Operations data centers.

The Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on May 14, 2021. MLGW solicited seventeen (17) bids; and received nine (9) bids on June 8, 2021. The lowest and best bid received was from Thomas Gallaway Corporation dba Technologent in the amount of \$3,095,009.08. The term of this contract is for thirty-six (36) months from the date of the Notice to Proceed with provisions for annual software maintenance and support services. 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. 12297, VMWare 3-Year Enterprise License Agreement to Thomas Gallaway Corporation dba Technologent in the funded amount of \$3,095,009.08, as outlined in the foregoing preamble, is approved and further,

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

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-~~special~~ meeting held on 18th day of August, 2021, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of August 18, 2021, awarded Contract No. 12297, VMWare 3-Year Enterprise License Agreement to Thomas Gallaway Corporation dba Technogent in the funded amount of \$3,095,009.08, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to purchase VMWare services, provide upgrades to MLGW's existing software packages and provide software maintenance and support services. The software is used to cover the purchase of engineering support services, licenses and to host virtual servers and desktop computers at the MLGW Netters Business Center, Hansen, and System Operations data centers.

WHEREAS, the Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on May 14, 2021. MLGW solicited seventeen (17) bids; and received nine (9) bids on June 8, 2021. The lowest and best bid received was from Thomas Gallaway Corporation dba Technogent in the amount of \$3,095,009.08. The term of this contract is for thirty-six (36) months from the date of the Notice to Proceed with provisions for annual software maintenance and support services. 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. 12297, VMWare 3-Year Enterprise License Agreement to Thomas Gallaway Corporation dba Technologent in the funded amount of \$3,095,009.08 as approved.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding purchase order to Global Power Component for prefabricated steel modular equipment enclosure in the amount of \$ 433,816.00.

2. Additional Information

The prefabricated steel modular equipment enclosure will be used to house the power substation control board, communication rack and stationary batteries for MLGW's Substation No. 83, located on Quinn Road.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
August 18, 2021

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Global Power Components in the amount of \$433,816.00 for prefabricated steel modular equipment enclosure.

The prefabricated steel modular equipment enclosure will be used to house the power substation control board, communication rack and stationary batteries for MLGW's Substation No. 83, located on Quinn Road.

Bids were opened on July 14, 2021. Notice to Bidders was advertised. Five (5) bids were solicited and two (2) bids were received with the lowest and best complying bidder being the firm of Global Power Components. This award complies with all applicable laws and policies.

The 2021 budgeted amount for Electric Substation is \$27,300,703.00; the amount spent to date is \$19,426,048.40; leaving a balance available of \$7,874,654.60 to be spent in 2021; of which \$433,816.00 will be requested for carry over to subsequent budget year due to the delivery time; leaving a balance of \$7,440,838.60 after award; and

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

THAT, subject to the consent and approval of the Council of the City of Memphis, award of a purchase order to Global Power Components is approved for furnishing:

1 – Prefabricated Steel Modular Structure approximately 28 feet by 34 feet when completely assembled for use as a Substation Control Complex, complete with AC & DC power panels, lighting, cable trays, and other equipment in accordance with MLGW Specification dated April 9, 2021 and MLGW Drawing No. 83-555, Sheet 4,

Total award amount is \$433,816.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; delivery April 2023; 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 18th day of August, 2021, at which a quorum was present.

[Signature] Secretary-Treasurer

RESOLUTION

WHEREAS the Board of Light, Gas and Water Commissioners in their meeting of August 18, 2021 approved the purchase of a prefabricated steel modular equipment enclosure and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in subsequent budget year contingent upon approval; and

WHEREAS, the prefabricated steel modular equipment enclosure will be used to house the power substation control board, communication rack and stationary batteries for MLGW's Substation No. 83, located on Quinn Road; and

WHEREAS bids were opened on July 14, 2021. Notice to Bidders was advertised. Five (5) bids were solicited and two (2) bids were received with the lowest and best complying bidder being the firm of Global Power Components. This award complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of a prefabricated steel modular equipment enclosure from Global Power Components in the sum of \$433,816.00. Due to the delivery time funds for this equipment will be requested for carry over to subsequent budget year as approved.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving Change No. 2 to Contract No. 12183, Synergi Gas Modeling Software Renewal with DNV-GL Noble Denton USA, LLC, in the funded amount of \$27,524.76.

2. Additional Information

The project scope is to allow DNV-GL Noble Denton USA, LLC, as a sole source provider to provide Synergi Gas Modeling software maintenance and support services to include the following licenses: Synergi Gas Steady State (2); Customer Management Module (1); Facilities Management Module (1); Unsteady State Module (1); and Model Builder Module (1). Synergi software is utilized by the Gas Engineering Department to identify, predict, and target operational challenges to ensure daily efficiency of gas distribution and transmission networks. This change is to ratify and renew maintenance and support services for the period covering August 1, 2021 through July 31, 2022 in the funded amount of \$27,524.76, with a 2.5% increase in rates from the previous term. MLGW is requesting continuous maintenance, which can only be performed by DNV-GL Noble Denton USA, LLC. This sole source ratification and renewal complies with all applicable laws and policies. The new contract value is \$163,403.17.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
August 18, 2021

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. 12183, Synergi Gas Modeling Software Renewal with DNV-GL Noble Denton USA, LLC to ratify and renew maintenance and support services in the funded amount of \$27,524.76.

The project scope is to allow DNV-GL Noble Denton USA, LLC, as a sole source provider to provide Synergi Gas Modeling software maintenance and support services to include the following licenses: Synergi Gas Steady State (2); Customer Management Module (1); Facilities Management Module (1); Unsteady State Module (1); and Model Builder Module (1). Synergi software is utilized by the Gas Engineering Department to identify, predict, and target operational challenges to ensure daily efficiency of gas distribution and transmission networks. This change is to ratify and renew maintenance and support services for the period covering August 1, 2021 through July 31, 2022 in the funded amount of \$27,524.76, with a 2.5% increase in rates from the previous term. MLGW is requesting continuous maintenance, which can only be performed by DNV-GL Noble Denton USA, LLC. This sole source ratification and renewal complies with all applicable laws and policies. The new contract value is \$163,403.17.

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. 12183, Synergi Gas Modeling Software Renewal with DNV-GL Noble Denton USA, LLC to ratify and renew maintenance and support services in the funded amount of \$27,524.76, as outlined in the above preamble, is approved; and further

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

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-~~special~~ meeting held on 18th day of August, 2021, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of August 18, 2021 approved Change No. 2 to Contract No. 12183, Synergi Gas Modeling Software Renewal with DNV-GL Noble Denton USA, LLC to ratify and renew maintenance and support services in the funded amount of \$27,524.76, 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 allow DNV-GL Noble Denton USA, LLC, as a sole source provider to provide Synergi Gas Modeling software maintenance and support services to include the following licenses: Synergi Gas Steady State (2); Customer Management Module (1); Facilities Management Module (1); Unsteady State Module (1); and Model Builder Module (1). Synergi software is utilized by the Gas Engineering Department to identify, predict, and target operational challenges to ensure daily efficiency of gas distribution and transmission networks. This change is to ratify and renew maintenance and support services for the period covering August 1, 2021 through July 31, 2022 in the funded amount of \$27,524.76, with a 2.5% increase in rates from the previous term. MLGW is requesting continuous maintenance, which can only be performed by DNV-GL Noble Denton USA, LLC. This sole source ratification and renewal complies with all applicable laws and policies. The new contract value is \$163,403.17; 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. 12183, Synergi Gas Modeling Software Renewal with DNV-GL Noble Denton USA, LLC to ratify and renew maintenance and support in the funded amount of \$27,524.76 as approved.

Memphis City Council Summary Sheet for MLGW Items

1. **Description of the Item:**

Resolution awarding Contract No. 12314, Broker of Record for Cyber Insurance and Other Coverage to Willis Towers Watson Southeast, Incorporated, in the funded amount of \$118,500.00.

2. **Additional Information**

The project scope is to represent MLGW as its agent to provide consulting support regarding insurance questions and considerations. In addition, the Broker is to advise and provide assistance concerning insurance exposures and acquisition of coverage.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
August 18, 2021

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12314 (*formerly C2372*), Broker of Record for Cyber Insurance and Other Insurance Coverages to Willis Towers Watson Southeast, Incorporated, in the funded amount of \$118,500.00.

The project scope is to represent MLGW as its agent to provide consulting support regarding insurance questions and considerations. In addition, the Broker is to advise and provide assistance concerning insurance exposures and acquisition of coverage.

The Request for Proposal was advertised under Contract No. C2372 using MLGW's On-Line Bid Notification System on May 4, 2021. MLGW solicited five (5) companies; and received two (2) proposals on June 1, 2021 with the most responsive proposal being from Willis Towers Watson Southeast, Incorporated in the annual amount of \$39,500.00. Proposals were evaluated on the following criteria: 1) Past experience specific to the scope of work; 2) Staff qualifications; 3) Proposed fees; 4) Approach to providing services and scope of work; 5) Expertise and experience in areas related to the anticipated work; 6) Responsiveness to the Questionnaire; and 7) References. The term of this contract is for 36 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. 12314 (*formerly C2372*), Broker of Record for Cyber Insurance and Other Insurance Coverages to Willis Towers Watson Southeast, Incorporated, in the funded amount of \$118,500.00, 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 accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 18th day of August, 2021, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of August 18, 2021, awarded Contract No. 12314 (*formerly C2372*), Broker of Record for Cyber Insurance and Other Insurance Coverages to Willis Towers Watson Southeast, Incorporated, in the funded amount of \$118,500.00, 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 represent MLGW as its agent to provide consulting support regarding insurance questions and considerations. In addition, the Broker is to advise and provide assistance concerning insurance exposures and acquisition of coverage.

WHEREAS, the Request for Proposal was advertised under Contract No. C2372 using MLGW's On-Line Bid Notification System on May 4, 2021. MLGW solicited five (5) companies; and received two (2) proposals on June 1, 2021 with the most responsive proposal being from Willis Towers Watson Southeast, Incorporated in the annual amount of \$39,500.00. Proposals were evaluated on the following criteria: 1) Past experience specific to the scope of work; 2) Staff qualifications; 3) Proposed fees; 4) Approach to providing services and scope of work; 5) Expertise and experience in areas related to the anticipated work; 6) Responsiveness to the Questionnaire; and 7) References. The term of this contract is for 36 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. 12314 (*formerly C2372*), Broker of Record for Cyber Insurance and Other Insurance Coverages to Willis Towers Watson Southeast, Incorporated, in the funded amount of \$118,500.00 as approved.

Memphis City Council Summary Sheet for MLGW Items

1. **Description of the Item:**

Resolution awarding Contract No. 12158, Self-Insured Healthcare to Cigna, in the estimated funded amount of \$95,918,005.00.

2. **Additional Information**

The project scope is to provide healthcare administration, care management services, and an Administrator network for current self-funded Medical and Open Access Plan (OAP) medical plan.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
August 18, 2021

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12158, Self-Insured Healthcare to Cigna, in the estimated funded amount of \$95,918,005.00.

The project scope is to provide healthcare administration, care management services, and an Administrator network for current self-funded Medical and Open Access Plan (OAP) medical plan.

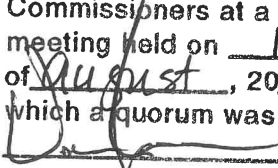
The Request for Proposal was advertised using MLGW's On-Line Bid Notification System on March 5, 2021. MLGW solicited five (5) companies; and received two (2) proposals on April 19, 2021 with the most responsive proposal being from Cigna in the estimated funded amount of \$95,918,005.00. The Division will pay 75% of the employee's annual premiums in the estimated funded amount of \$71,938,503.75 and MLGW employees will be responsible for 25% of the annual premiums through payroll deduction in the estimated amount of \$23,979,501.25. The projected amount to be funded by MLGW is \$71,938,503.75 and the actual payments from January 1, 2022 to December 31, 2023 will be reconciled to the projected amount and the results reported to the Board of Commissioners at the end of each term. The term of this contract is for 24 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12158, Self-Insured Healthcare to Cigna, in the funded amount of \$95,918,005.00, 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 accepted by the Board of Light, Gas and Water Commissioners at a regular-~~special~~ meeting held on 18th day of AUGUST, 2021, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of August 18, 2021, awarded Contract No. 12158, Self-Insured Healthcare to Cigna, in the funded amount of \$95,918,005.00, 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 healthcare administration, care management services, and an Administrator network for current self-funded Medical and Open Access Plan (OAP) medical plan.

WHEREAS, the Request for Proposal was advertised using MLGW's On-Line Bid Notification System on March 5, 2021. MLGW solicited five (5) companies; and received two (2) proposals on April 19, 2021 with the most responsive proposal being from Cigna in the estimated funded amount of \$95,918,005.00. The Division will pay 75% of the employee's annual premiums in the estimated funded amount of \$71,938,503.75 and MLGW employees will be responsible for 25% of the annual premiums through payroll deduction in the estimated amount of \$23,979,501.25. The projected amount to be funded by MLGW is \$71,938,503.75 and the actual payments from January 1, 2022 to December 31, 2023 will be reconciled to the projected amount and the results reported to the Board of Commissioners at the end of each term. The term of this contract is for 24 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12158, Self-Insured Healthcare to Cigna, in the funded amount of \$95,918,005.00 as approved.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item:

Resolution approving Change No. 1 to Contract No. 12218, Power Supply Consultant Solicitation with GDS Associates, Inc., in the funded amount of \$50,000.00.

2. Additional Information

The project scope is to provide consulting services required for MLGW to solicit requests for proposals for the procurement of electric capacity, energy, transmission, renewable energy (e.g. solar and wind), ancillary services and to assist MLGW in the evaluation of responses to portfolios identified in the Integrated Resource Plan (IRP) and feasible alternatives. This change is to update the scope of the current contract in the funded amount of \$50,000.00.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
August 18, 2021

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12218, Power Supply Consultant with GDS Associates, Inc. to change the current contract in the funded amount of \$50,000.00.

The project scope is to provide consulting services required for MLGW to solicit requests for proposals for the procurement of electric capacity, energy, transmission, renewable energy (e.g. solar and wind), ancillary services and to assist MLGW in the evaluation of responses to portfolios identified in the Integrated Resource Plan (IRP) and feasible alternatives. This change is to update the scope of the current contract in the funded amount of \$50,000.00 to include the following:

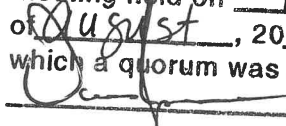
1. Stanley Consultants will conduct a preliminary desktop routing analysis to determine a viable route for use in bidding and will utilize public data sets, MLGW ROW maps, and other input to develop a series of high-level constraint maps for use in establishing the preliminary route. This will ensure that developers and design/build contractors will be able to bid via the same route. (\$21,222.00)
2. Entergy is proposing to construct the portion of the interconnection located within Arkansas and Mississippi. Entergy will be providing a Class 5 (desktop) cost estimate to MLGW for this work. Stanley Consultants will perform a review of the Entergy Estimate against the MISO Transmission Cost Estimating Guide - MTEP 20 with refinement through vendor and contractor data. (\$9,184.00)
3. Coordination with Entergy Services on Class 5 Estimate for 500kV and 230kV facility construction in Mississippi and Arkansas. Coordination with MISO on steady-state and dynamic studies. (\$10,250.00)

MLGW is requesting approval of contingency funds in the amount of \$9,344.00 in the event of unforeseen conditions. The term of the contract will remain as 24 months from the date of the Notice to Proceed with annual renewal options. This change complies with all applicable laws and policies. The new contract value is \$570,000.00.

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

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 to Contract No. 12218, Power Supply Consultant with GDS Associates, Inc. in the funded amount of \$50,000.00 as outlined in the foregoing preamble, is approved and further,

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

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a ~~regular~~-~~special~~ meeting held on 18th day of August, 2021, at which a quorum was present.

Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of August 18, 2021 approved Change No. 1 to Contract No. 12218, Power Supply Consultant with GDS Associates, Inc. to change the current contract in the funded amount of \$50,000.00, and is now recommending to the Council of the City of Memphis that it approves said change as approved; and

WHEREAS, the project scope is to provide consulting services required for MLGW to solicit requests for proposals for the procurement of electric capacity, energy, transmission, renewable energy (e.g. solar and wind), ancillary services and to assist MLGW in the evaluation of responses to portfolios identified in the Integrated Resource Plan (IRP) and feasible alternatives. This change is to update the scope of the current contract in the funded amount of \$50,000.00 to include the following:

1. Stanley Consultants will conduct a preliminary desktop routing analysis to determine a viable route for use in bidding and will utilize public data sets, MLGW ROW maps, and other input to develop a series of high-level constraint maps for use in establishing the preliminary route. This will ensure that developers and design/build contractors will be able to bid via the same route. (\$21,222.00)
2. Entergy is proposing to construct the portion of the interconnection located within Arkansas and Mississippi. Entergy will be providing a Class 5 (desktop) cost estimate to MLGW for this work. Stanley Consultants will perform a review of the Entergy Estimate against the MISO Transmission Cost Estimating Guide - MTEP 20 with refinement through vendor and contractor data. (\$9,184.00)
3. Coordination with Entergy Services on Class 5 Estimate for 500kV and 230kV facility construction in Mississippi and Arkansas. Coordination with MISO on steady-state and dynamic studies. (\$10,250.00)

MLGW is requesting approval of contingency funds in the amount of \$9,344.00 in the event of unforeseen conditions. The term of the contract will remain as 24 months from the date of the Notice to Proceed with annual renewal options. This change complies with all applicable laws and policies. The new contract value is \$570,000.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 12218, Power Supply Consultant with GDS Associates, Inc. to change the current contract in the funded amount of \$50,000.00 as approved.



JIM STRICKLAND
MAYOR

August 9, 2021

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

Dear Chairman Carlisle:

Subject to Council approval, I hereby recommend that:

Evan G. Collins

be reappointed to the Blight Authority of Memphis with a term expiring December 15, 2022.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Strickland". The signature is stylized and cursive.

Jim Strickland
Mayor

JSS/ss

Cc: Council Members

BLIGHT AUTHORITY OF MEMPHIS

9 Member Board

(1) Mayor or His Designee (nonvoting member)

(1) City Council Person (nonvoting member)

3 Year Staggered Terms

Purpose of Board:

To do business as a land bank to provide a tool to support economic revitalization through returning blighted properties, vacant properties, abandoned properties and tax-delinquent properties to productive use.

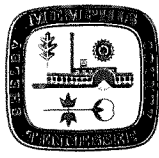
Members:

Vacancy-(Austin)	F/B	12-15-19
Jill Steinberg	F/W	12-15-21
Louisa Yanes	F/W	12-15-22
Kathy M. Cowan Chair	F/B	12-15-23
Shawn Massey	M/W	12-15-21
James Harvey	M/B	12-15-21
Vacancy-(Neal)	M/W	12-15-19
Emily Trenholm	F/W	12-15-22
Brent Hooks	M/B	12-15-23

Mayor's Designee: Ryun Jackson

Updated 04/23/21

City of Memphis



JIM STRICKLAND
MAYOR

TENNESSEE

August 9, 2021

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

Dear Chairman Carlisle:

Subject to Council approval, I hereby recommend that:

Elliot Embry

be appointed to the Memphis and Shelby County Downtown Parking Authority with a term expiring December 31, 2027.

I have attached biographical information.

Sincerely,

Jim Strickland
Mayor

JSS/sss

Cc: Council Members

**MEMPHIS AND SHELBY COUNTY DOWNTOWN PARKING
AUTHORITY
7 Member Board
(3) City & (3) County (1) Joint Appointment
6 Year Term**

Purpose:

The mission of the Downtown Parking Authority is to use public parking as a catalyst for development, and to ensure that there is an adequate supply of public parking to support a growing Downtown. The DPA establishes parking policies and coordinates parking management.

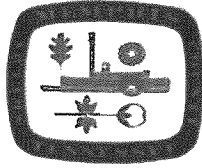
Members:

Goldin, Shara Lynn	F/W	12-31-21
Vacancy-Golwen	M/W	12-31-27
Green, Travis*	M/B	12-31-23

Joint Appointment:

West, Robert Wayne	M/W	12/4/23
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Updated 08/21



Memphis City Council Summary Sheet

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

This resolution is requesting to appropriate funds in the amount of \$88,000.00 in G.O. Bonds for Project Number FS04012, Personal Protective Equipment-Self-Contained Breathing Apparatus.

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

Memphis Fire Services

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

This is the original resolution requesting the appropriation of funding for this project.

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

~~Specific Council Districts~~

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

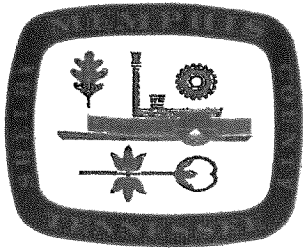
This request will not require a new contract.

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

This project requires a expenditure of funds and a budget amendment in the amount of \$88,000.00.

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

No MWBE goal was set.



FIRE SERVICES RESOLUTION

A Resolution appropriating \$88,000.00 in G.O. Bonds for Project Number FS04012, Personal Protective Equipment – Self-Contained Breathing Apparatus.

WHEREAS, Project Number FS04012, Personal Protective Equipment, for the purchase of self-contained breathing apparatus and accessories, is included in the FY 2022 Capital Improvement budget; and

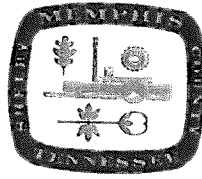
WHEREAS, the original contract was signed on June 11, 2018 in the amount of \$6,638,415.00 being executed between the City of Memphis and Safe Industries; and

WHEREAS, it is necessary to appropriate \$88,000.00 in General Obligation Bonds for the purchase of self-contained breathing apparatus and accessories, and

WHEREAS, the funding for the purchase of self-contained breathing apparatus and accessories has been allocated in Capital Improvement Project Number FS04012, Other Costs, and

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$88,000.00 in General Obligation Bonds chargeable to the FY 2022 Capital Improvement Budget and credited as follows:

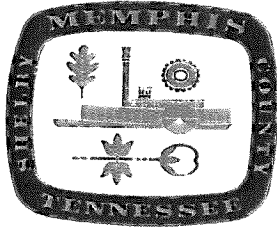
Project Title	Personal Protective Equipment
Project Number	FS04012
Amount	\$88,000.00
General Obligation Bonds	



Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**
Resolution authorizing the amendment of the FY2022 Operating Budget by accepting the appropriation and allocation of the event sponsorships, donations, and registration and exhibit fees for the 2021 A Taste of Memphis at the Liberty Bowl in the amount of approximately \$20,000.00 and the submission of all required documents to collect, obligate and expend conference revenue.
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**
The Division of Housing and Community Development
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**
Not applicable.
- 4. State whether this will impact specific council districts or super districts.**
City Wide
- 5. State whether this requires a new contract, or amends an existing contract, if applicable.**
New contracts and contract amendments will be required.
- 6. State whether this requires an expenditure of funds/requires a budget amendment.**
Expenditure of funds will be required.
- 7. If applicable, please list the MWBE goal and any additional information needed.**
Not applicable to MWBE.

Resolution-Division of Housing and Community Development



RESOLUTION AUTHORIZING THE AMENDMENT OF THE FY2022 OPERATING BUDGET BY ACCEPTING THE APPROPRIATION AND ALLOCATION OF CONFERENCE SPONSORSHIPS, DONATIONS, AND REGISTRATION AND EXHIBIT FEES FOR THE 2021 Taste Of Memphis @ The Liberty Bowl IN THE AMOUNT OF APPROXIMATELY \$20,000.00 AND THE SUBMISSION OF ALL REQUIRED DOCUMENTS TO COLLECT, OBLIGATE AND EXPEND CONFERENCE REVENUE.

WHEREAS, the City of Memphis' Division of Housing and Community Development (HCD) is hosting a 2021 A Taste of Memphis and anticipates collecting and expending funds in the amount of \$20,000.00 for the Neighborhood Redevelopment Conference; and

WHEREAS, HCD is hosting the 7th Annual Neighborhood event; and

WHEREAS, the event will convene August 19, 2021 at the Liberty Bowl from 5:00 Pm to 10:00 p.m. inclusive of Memphis, neighborhood leaders, nonprofit organizations, corporations, educators, and governments; and

WHEREAS, the purpose of the event is to share unique qualities and accomplishments about local neighborhoods and accomplishments about local neighborhoods and what indigenous leaders are doing to help make Memphis a better place to live, work and play; and

WHEREAS, invaluable knowledge will be shared to assist in building and transforming communities of all sizes.

THEREFOR BE IT RESOLVED, by the Council of the City of Memphis to approve the amendment of the FY2022 Operating Budget by increasing the revenues and expenses in the amount of \$20,000 for the "A Taste of Memphis" event,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the above fees and expenditures are hereby approved to be accepted, obligated and expended for the 2021 "A Taste of Memphis".

Resolution-Division of Housing and Community Development

Please increase the FY2022 Operating Budget Revenue and Expense accounts as follow:

Revenue: 0111.210401.049100

Misc Income: (Sponsorships, Donations, and Fees)

\$20,000.00

Total

\$20,000.00

Expense: 0111.210401.061203

Social Services Administration

\$20,000.00

Total

\$20,000.00

Taste of Memphis

Overcoming Obstacles Together 2021

Expenses:	Projected Budget
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Entertainment and Artists	\$ 5,500.00
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Stage/Table/Chairs	\$ 4,350.00
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Liberty Bowl Facilities	\$ 1,500.00
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Awards	\$ 400.00
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Children Activities	\$ 1,500.00
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T-shirts	\$ 1,500.00
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Additional Lighting	\$ 250.00
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Marketing/Advertising	\$ 5,000.00
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Total Budget	\$ 20,000.00
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