

Resolution to amend the Council FY22 grant allocations

WHEREAS, the FY22 Operating Budget included \$2.6 million in funding the Council’s Grants Program with an equal apportionment to the thirteen (13) Council members in the amount of \$200,000; and

WHEREAS, the Memphis City Council reviewed the applications and allowed presentations by the prospective organizations wherein members were able to select individual grant award amounts to the organizations that successfully completed the application process; and

WHEREAS, members of the Council were afforded the opportunity to designate their full FY22 \$200,000 allotment during the passage of the budget or hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date.

NOW, THEREFORE, BE IT RESOLVED by the Memphis City Council that the following request for disbursements of the remaining funds for be approved as follows:

ORGANIZATION NAME	AMOUNT
Feed the Needy	\$9,063
Freedom From Unnecessary Negatives (F.F.U.N.)	\$10,000
Cathedral of Praise	\$10,000
Pyramid Recovery Center	\$5,000

Sponsor: Cheyenne Johnson

Chair: Jamita Swearengen

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NOW, THEREFORE, BE IT RESOLVED by the Memphis City Council that the following request for disbursements of the remaining funds for be approved as follows:

ORGANIZATION NAME	AMOUNT
Husband Institute	\$9,000

Sponsor
Rhonda Logan

Chair
Jamita Swearengen

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NOW, THEREFORE, BE IT RESOLVED by the Memphis City Council that the following request for disbursements of the remaining funds for be approved as follows:

ORGANIZATION NAME	AMOUNT
Chris Hope Foundation	\$5,000
TOTAL	\$5,000

Sponsor:

Edmund Ford, Sr.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, APPROVING AN AMENDMENT TO THE ECONOMIC IMPACT PLAN FOR THE PARKSIDE AT SHELBY FARMS ECONOMIC DEVELOPMENT AREA

WHEREAS, The Economic Development Growth Engine Industrial Development Board of the City of Memphis and County of Shelby, Tennessee (“EDGE”), has approved an Economic Impact Plan (the “EIP”), as provided by Parkside at Shelby Farms, LLC, a Tennessee limited liability company (“Parkside”), and herein referenced as Exhibit “A,” regarding the development of an area generally located at the northwest corner of Mullins Station and Whitten Road just north of the terminus of Farm Road and north of Shelby Farms Park (as more particularly defined and described in the EIP, the “Plan Area”), as well as adjoining areas that will directly benefit the hereinafter-defined Project (such adjoining areas as more particularly defined and described in the EIP, the “Development Area”); and

WHEREAS, as detailed in the attached EIP, Parkside or one or more affiliates thereof intends to make public infrastructure improvements to develop a mixed-use community of residential, hotel, and office space, and surface and structured parking (the “Project”) located in the City of Memphis and Shelby County within the Plan Area and the Development Area; and

WHEREAS, the EIP was approved by the City Council of the City of Memphis, Tennessee (the “City Council”), on July 24, 2018, and provides for tax incentives for the Project in the form of 75% of tax increment property tax revenues (“TIF Revenues”) for a period of 20 years received solely from the Plan Area for use in accordance with Chapter 53, Title 7 of the Tennessee Code Annotated and Tennessee Code Annotated, Section 9-23-101 *et seq.* (collectively, the “Act”); and

WHEREAS, the TIF Revenues will be used to pay the costs of the eligible improvements relating to the development of the Project in accordance with the Act; and

WHEREAS, the EIP as initially approved by the Council provided that EDGE is authorized to designate, by notice to the City of Memphis, Tennessee, and Shelby County, Tennessee, that the allocation of TIF Revenues from any parcel or group of parcels in the Plan Area shall begin in any tax year within the five tax years following the approval of the EIP in order to match TIF Revenues with the application of TIF Revenues for the purposes provided in the EIP, subject to the time limitation on allocations provided in the EIP; and

WHEREAS, on March 16, 2022, EDGE will hold a public hearing relating to an amendment of the EIP, after publishing notice of such hearing in a newspaper of general circulation two (2) weeks prior to that date in accordance with the Act, which such amendment extends the time period during which Parkside may designate when the allocation of TIF Revenues from any parcel or group of tax parcels in the Plan Area may begin; and

WHEREAS, the TIF shall not represent or constitute a debt or pledge of the faith and credit or the taxing power of EDGE, the City of Memphis, Tennessee, or Shelby County, Tennessee; and

WHEREAS, EDGE has approved and submitted the amendment to the EIP to the City Council for approval in accordance with the Act; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Memphis, Tennessee:

That the amendment to the EIP, in the form attached hereto as Exhibit "B," being in the interests of the citizens of the City of Memphis, Tennessee is hereby approved by the City Council; and

That the officers of the City are hereby authorized to take all appropriate action to carry out the terms of the EIP.

Passed this _____ day of March, 2022.

Jim Strickland, Mayor

ATTEST:

Comptroller

**ECONOMIC DEVELOPMENT GROWTH ENGINE
INDUSTRIAL DEVELOPMENT BOARD OF
THE CITY OF MEMPHIS AND COUNTY OF SHELBY, TENNESSEE**

**FIRST AMENDMENT TO THE ECONOMIC IMPACT PLAN
FOR
PARKSIDE AT SHELBY FARMS DEVELOPMENT AREA**

I. Background

The Economic Impact Plan for the Parkside at Shelby Farms Development Area (the “Plan”) was approved by (a) the Economic Development Growth Engine Industrial Development Board of the City of Memphis and County of Shelby, Tennessee on June 20, 2018, (b) the Board of County Commissioners of Shelby County, Tennessee, on July 9, 2018, and (c) the Council of the City of Memphis, Tennessee, on July 24, 2018. All capitalized terms used in this Amendment but not otherwise defined herein are given the meanings set forth in the Plan.

Parkside has requested this Amendment to the Plan in order to extend the time period during which Parkside may designate when the allocation of TIF Revenues from any parcel or group of tax parcels in the Plan Area may begin.

II. Amendment to Plan

The Plan is hereby amended by deleting the following sentence in Section VII. Distribution of Property Taxes and Tax Increment Financing:

“The Board is also authorized to designate, by notice to the City and the County, that the allocation of TIF Revenues from any parcel or group of parcels in the Plan Area shall begin in any tax year within the next five tax years in order to match TIF Revenues with the application of TIF Revenues for the purposes provided herein, subject to the time limitation on allocations provided below.”

And inserting the following sentence in place thereof:

“The Board is also authorized to designate, by notice to the City and the County, that the allocation of TIF Revenues from any parcel or group of parcels in the Plan Area shall begin in any tax year within the five (5) tax years immediately following November 30, 2021, in order to match TIF Revenues with the application of TIF Revenues for the purposes provided herein, subject to the time limitation on allocations provided below.”



JIM STRICKLAND
MAYOR

February 8, 2022

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

James Crone

be appointed to the Memphis Board of Ethics with a term expiration date of January 12, 2026.

I have attached biographical information.

Sincerely,

Jim Strickland
Mayor

MEMPHIS BOARD OF ETHICS

8 Member Board

6 Year Term

Oath of Office Required

Purpose:

The Board of Ethics shall have jurisdiction of all ethics complaints lodged against all full-time and part-time elected or appointed officers and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the City.

Craig L. Cardwell	Dist. 7	M/W	01-12-24	
Joel Martin	Dist. 4	M/W	01-12-22	
Cindy Newman	Dist. 1	M/W	04-12-24	
Vacancy	Dist 2	M/B	01-12-20	
Vacancy	Dist. 5	M/W	01-12-20	
Blanch Thomas	Dist. 3	F/B	01-12-22	
Edward L. Vaughn	Dist. 6	M/B	01-12-22	
Judge Karen Williams**	Judge/Atty	F/W	01-12-26	Chairperson

****Replaced: Judge Robert A. Lanier Judge/Atty M/W**

Updated 12/2021

**Resolution in support of House Bill 2829/Senate Bill 2766 of the 113th Session of the
General Assembly**

WHEREAS, Tennessee House Bill 2829 and Senate Bill 2766 (“HB 2829/SB 2766”) supported by Tennessee State Senator Raumes Akbari and House Representative Antonio Parkinson, has been introduced to amend State law and allow local governments the option to establish grant programs to incentivize eligible professionals to live and work within the boundaries of the local government by providing grants in an amount not to exceed the amount of property tax due on the eligible professional’s principal residence; and

WHEREAS, as defined and used in HB 2829/SB 2766, “eligible professionals” would mean medical professionals, police officers, firefighters, and teachers; grant recipients under SB 2494 “shall use the grant to offset expenses of living within the boundaries of local government” and “provide an itemized accounting of expenditures made utilizing the grant funds to the county trustee or the trustee’s designee on or before the date on which real property taxes are due”; an

WHEREAS, ongoing national discussions such as residency requirements for public safety personnel and improving relations between communities and police officers are happening congruently with a concerning and widespread rise in violent crimes; given local leaders primary responsibility is to provide safety for citizens, a local government incentivization program for eligible workers is a policy solution that will work well for the City of Memphis; and

WHEREAS, providing the opportunity for a local government to create their own, specifically tailored grant program to meet the needs of their constituents, while also incentivizing public safety, medical and education professionals to live within the boundaries of local government, will help to attract and retain critically needed professionals, encourage community relationship building and help maintain critically needed tax revenue for the City of Memphis; and

WHEREAS, the Memphis City Council supports State legislation, such as HB 2829/SB 2766, that offers choice to local governments in Tennessee, as local governments are more knowledgeable and closely involved with constituent concerns.

NOW, THEREFORE, BE IT RESOLVED, that the Memphis City Council hereby supports the passage of House Bill 2829/Senate Bill 2766 of the 113th Session of the General Assembly, being that the health, welfare, and public safety of the City of Memphis requires it.

Sponsored by
Rhonda Logan

Chairwoman
Jamita Swearingen

**RESOLUTION IN SUPPORT OF RESTORING THE HISTORIC REVENUE SHARING
RELATIONSHIP BETWEEN THE STATE OF TENNESSEE AND ITS LOCAL
GOVERNMENTS AND TO RETURN THE LOCAL SHARE OF THE SINGLE
ARTICLE CAP TO LOCAL GOVERNMENTS**

WHEREAS, Tennessee's municipal communities are the economic engine of the state and today 92% of the state's total sales tax collections are generated within municipal boundaries; and

WHEREAS, such economic growth is intentional and when it occurs, it is financed largely through city taxes for police, fire, streets, water and sewer, schools, parks, libraries and other amenities that attract and retain businesses and make Tennessee's communities desirable places for people who want to raise families, start businesses, and visit; and

WHEREAS, in 1947, the state of Tennessee began sharing 4.6% of each year's total state sales tax collections with cities for the purposes of recognizing the collective contribution of cities as the state's economic engine; thereby acknowledging that city residents incur a local tax burden that is directly attributable to financing, developing, and maintain an economic environment that will continue to generate a sizeable portion of the sales tax revenue accruing to the state; and

WHEREAS, when confronting serious fiscal challenges in 2002, the state of Tennessee increased the state sales tax rate from 6% to 7%, but chose not to share a portion of the sales tax revenue generated by the 1% increase with Tennessee municipalities, breaking a 55-year relationship of sharing 4.6% of all sales tax revenue designated for the state's general fund with municipalities; and

WHEREAS, at the same time in 2002, the state increased the amount of an individual sale item that is subject to combined state and local sales tax from \$1,600 to \$3,200, also known as the single-article cap; state and local governments continue to receive their levy on the first \$1,600 of the purchase price of an item; however, the state retains 100% of the combined state and local levy of 9.75% on sale items with a cost greater than \$1,600; and

WHEREAS, in the 20 years since these provisions took effect, these two changes have resulted in a combined realization of nearly \$2 billion in additional sales tax collections; this surplus along with careful management of the state's budget has sustained the strong economic and fiscal performance of the state of Tennessee, and erased the fiscal crisis of 2002 which led to these austerity measures; and

WHEREAS, given the tremendous growth of the state of Tennessee, due in large part for its economic success and balanced budget, the state has garnered an enviable reputation as a destination state where people come to live, work, and play; and

WHEREAS, this amazing growth has led to continued and substantial economic growth and an increase and realignment of the state's population, thereby increasing the fiscal pressures on municipal governments to meet demands to expand and maintain infrastructure, deliver

essential services, provide amenities that allow for the continued quality of life for Tennesseans, and to promote an economic environment that allows Tennessee's businesses and communities to prosper; and

WHEREAS, these fiscal pressures municipalities face create the need for recurring dollars to keep pace with the demand and correcting the austerity measures and provisions of 2002 will help to offset these fiscal pressures and will provide relief to local taxpayers shouldering the burden of meeting this demand which is associated with generating the sales tax revenues accruing to the state.

NOW THEREFORE BE IT RESOLVED, that the Memphis City Council, on behalf of its residents, formally supports the restoration of the historic revenue sharing relationship of recurring state shared sales taxes, in order for cities to once again receive a percentage of all state general fund sales tax revenue, and therefore supports Senate Bill 2076/House Bill 2012 of the 113th Session of the General Assembly.

BE IT FURTHER RESOLVED, that the Memphis City Council also formally supports the state allowing local governments to receive the local share of sales tax revenues realized by increasing the single article cap in 2002 to collect on items with a purchase price between \$1,600 and \$3,200, and therefore supports Senate Bill 2469/House Bill 2562 of the 113th Session of the General Assembly.

Sponsors
Rhonda Logan
Michalyn Easter-Thomas
Worth Morgan

Chairwoman
Jamita Swearngen



Memphis City Council Summary Sheet

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

This resolution amends the Fiscal Year 2022 Capital Improvement Budget by transferring and appropriating funds for Traffic Signal Improvements to the Intersection of Peabody at Belvedere.

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

This project is being initiated by the Division of Engineering.

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

This project does not involve a change to an existing ordinance or resolution.

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

This project will be located in Council District 5 and Super District 9

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

This Traffic Signal project will require a new contract.

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

A new contract and expenditure of funds are required.

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

The MWBE Goal for this project was set at 4% MBE.



A Resolution appropriating Construction Funds for EN01111 – Traffic Signal Improvements to the intersection of Peabody at Belvedere

WHEREAS, the Council of the City of Memphis did include Traffic Signals, Project Number EN22100 as part of the Engineering Fiscal Year 2022 Capital Improvement Budget; and

WHEREAS, bids were taken on January 5, 2022 for Traffic Signal Improvements to the Intersection of Peabody at Belvedere, with the lowest complying bid being \$330,455.00 submitted by Shelby Electric; and

WHEREAS, it is necessary to transfer an allocation of \$410,000.00 funded by G.O. Bonds – from Traffic Signals, Project Number EN22100 to Traffic Signal Improvements to the Intersection of Peabody at Belvedere, Project Number EN01111; and

WHEREAS, it is necessary to appropriate \$410,000.00 funded by G.O. Bonds in Traffic Signal Improvements to the Intersection of Peabody at Belvedere, Project Number EN01111 as follows:

Contract Amount	\$330,455.00
Project Contingencies	<u>\$79,545.00</u>
Total Amount	\$410,000.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2022 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$410,000.00 funded by G.O. Bonds from Traffic Signals, Project Number EN22100 to Traffic Signal Improvements to the Intersection of Peabody at Belvedere, Project Number EN01111.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$410,000.00 funded by G.O. Bonds and chargeable to the Fiscal Year 2022 Capital Improvement Budget and credited as follows:

Project Title	Traffic Signal Improvements to the Intersection of Peabody at Belvedere
Project Number	EN01111
Total Amount	\$410,000.00

Council Resolution Caption (Traffic Signal Improvements (Peabody @ Belvedere) EN01111)

A Resolution amending the FY22 Capital Improvement Budget by transferring an allocation and appropriating \$410,000.00 in G.O. Bonds – for Traffic Signal Improvements to the Intersection of Peabody at Belvedere, Project Number EN01111, for a Construction Contract with Shelby Electric.