



# CITY OF MEMPHIS

## COUNCIL AGENDA

Tuesday May 10, 2022

Public Session, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

*If You Are In Need Of A Special Accommodation While Attending The Meeting, Please Alert The Council Staff.*

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### CALL TO ORDER by the Sergeant-at-Arms

### INVOCATION

*Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Chief of Staff of the Memphis City Council.*

### PLEDGE OF ALLEGIANCE

### CALL OF ROLL by the Comptroller

### APPROVAL OF PREVIOUS MEETING MINUTES (April 19, 2022)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATION AND RECOGNITION OF VISITORS

1. PERFORMANCE by traditional blues and jazz singer and songwriter Joyce Cobb.
2. RESOLUTION honoring American traditional blues and jazz singer and songwriter Joyce Cobb for Awards and Honors in the Memphis music industry. All Council Districts. This resolution is sponsored by Councilwoman Swearengen.
3. RESOLUTION honoring Tamra ‘Chef Tam’ Patterson as champion on the popular Food Network show “Chopped” and the first Memphian to win the competition. All Council Districts. This resolution is sponsored by Councilwoman Swearengen. (Held from 4/19)

4. RESOLUTION approving an Honorary Street Name Change of Main Street between Madison Ave and Court Avenue for Phil Trenary. District 6, Super District 8. This resolution is sponsored by Councilman Carlisle. **(Request for Same Night Minutes)**
  
5. RESOLUTION approving the replacement and relocation of Honorary Street Name Change signs from Wagner Place between Beale Street and East Pontotoc Avenue to Front Street between Beale Street and Peabody Place for Lyman Aldrich. District 6, Super District 8. This resolution is sponsored by Councilman Colvett. **(Request for Same Night Minutes)**

**PUBLIC HEARINGS** (None)

**DIVISION OF PLANNING AND DEVELOPMENT** (None)

**ZONING ORDINANCE- THIRD AND FINAL READING** (None)



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## CONSENT AGENDA

### GENERAL ORDINANCES- FIRST READING

6. **REFERENDUM ORDINANCE** to amend, pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), provisions of the Charter of the City of Memphis, the same being Chapter 11 of the Acts of 1879, as amended, relative to partisan elections for the offices of Mayor and City Council members and to repeal all provisions of the City's Charter inconsistent with this amendment, up for F I R S T reading. Ordinance No. 5824 is sponsored by Councilman Jones.
- Swearengen  
Chairman,  
Executive  
Session
- ACTION REQUESTED: Adopt the ordinance on First reading
7. **ORDINANCE** amending Ordinance No. 5459 of the Code of Ordinances of the City of Memphis, Tennessee so as to make certain changes with regard to permitted days of operation for breweries with tasting rooms, up for F I R S T reading. Ordinance No. 5825 is sponsored by the Division of Public Works.
- Smiley  
Chairman,  
Public Works,  
Solid Waste &  
General Services  
Committee
- ACTION REQUESTED: Adopt the ordinance on First reading
8. **ORDINANCE** to amend the Code of Ordinances relative to the dollar limitations on Memphis Light Gas and Water Division contracts and salaries that require approval by the Memphis City Council before execution, up for F I R S T reading. Ordinance No. 5826 is sponsored by MLGW.
- Robinson  
Chairman,  
MLGW  
Committee
- ACTION REQUESTED: Adopt the ordinance on First reading
9. **ORDINANCE** to appropriate the proceeds of the tax levy on the assessed values on all properties of every species within the city limits of general purposes for the fiscal year July 1, 2022 through June 30, 2023, inclusive, together with all collections from privileges, licenses, fees, fines, permits, charges, revenue receipts of the City of Memphis for the Fiscal Year July 1, 2022 through June 30, 2023, inclusive, to provide the manner in which monies may be transferred from one fund to another and to provide the standard code or designations under which the appropriations are to be administered and accounting control maintained, up for F I R S T reading. Ordinance No. 5827 is sponsored by the Finance Division.
- Jones  
Chairman,  
Budget  
Committee

**ACTION REQUESTED:** Adopt the ordinance on First reading

10. **ORDINANCE** fixing the Tax Rate of the City of Memphis for Fiscal Year 2023, up for F I R S T reading. Ordinance No. 5828 is sponsored by the Finance Division.

Jones  
Chairman,  
Budget  
Committee

**ACTION REQUESTED:** Adopt the ordinance on First reading

**GENERAL ORDINANCES - SECOND READING**

11. **JOINT ORDINANCE** of the City of Memphis and County of Shelby County, Tennessee enacted pursuant to the Community Redevelopment Act of 1998 and the Uniformity in Tax Increment Finance Act of 2012, Providing for the establishment of the South Memphis/Soulsville Redevelopment Trust Fund, up for S E C O N D reading. Ordinance No. 5822 is sponsored by the Community Redevelopment Agency.

Ford  
Chairman,  
Economic  
Development  
& Tourism  
Committee

**ACTION REQUESTED:** Adopt the ordinance on Second reading

12. **REFERENDUM ORDINANCE** to amend, pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), provisions of the Charter of the City of Memphis, the same being Chapter 11 of the Acts of 1879, as amended, relative to the qualifications and number of terms any person may serve in any elected office of the City of Memphis and to repeal all provisions of the City’s Charter inconsistent with this amendment, up for S E C O N D reading. Ordinance No. 5823 is sponsored by Councilman Jones.

Swearingen  
Chairman,  
Executive  
Session

**ACTION REQUESTED:** Adopt the ordinance on Second reading

**ZONING ORDINANCE – FIRST READING** (None)

**ZONING ORDINANCE - SECOND READING** (None)

**NOTATIONS FROM DPD** (None)

**ENGINEERING DIVISION**

13. **RESOLUTION** approving the engineering plans for ONE BEALE PHASE IV- GRAND HYATT HOTEL. **(Request for Same Night Minutes)**

Contract No. CR-5400

Resolution approves engineering plans in the present limits of the City of Memphis and located at 1 Beale Street in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Travelers Casualty and Surety Company of America Performance Bond No. 107580684 in the amount of \$247,900.00 in lieu of bond.

ACTION REQUESTED: Adopt the resolution

14. RESOLUTION accepting public improvements for HOLMES/TCHULAHOMA SOUTH PD PHASE 4 [CR-5328] and authorizing release of bond. **(Request for Same Night Minutes)**

(Contract No. CR-5328)

Resolution approves accepting the public improvements within the present limits of the City of Memphis, as shown on the engineering plans and located approximately 2,600 linear feet south of the Tchulahoma Road and Holmes Road intersection on the east side of Tchulahoma in Memphis, Tennessee. Resolution also authorizes the release of the Bank of America, Letter of Credit No. 68171441 in the amount of \$1,121,800.00 held as security for the Standard Improvement Contract.

ACTION REQUESTED: Adopt the resolution

15. RESOLUTION accepting public improvements for HOLMES AIRWAYS (ASPR) FRITO LAY AIRWAYS BOULEVARD PARCEL 09440000161 [CR-5378] and authorizing release of bond. **(Request for Same Night Minutes)**

(Contract No. CR-5378)

Resolution approves accepting the public improvements within the present limits of the City of Memphis, as reflected on the engineering plans and located on the east side of Airways Blvd, 1048 linear feet south of Holmes Road in Memphis, Tennessee. Resolution also authorizes the release of XL Specialty Insurance Co. Performance Bond No. US00104965SU21A in the amount of \$108,900.00 held as security for the Standard Improvement Contract.

ACTION REQUESTED: Adopt the resolution

16. RESOLUTION accepting public improvements for OAKLAWN ESTATES PD PHASE 1 [CR-5030] and authorizing release of bond. **(Request for Same Night Minutes)**

(Contract No. CR-5030)

Resolution approves accepting the public improvements within the present limits of Shelby County, located on the north side of Latting Woods Drive west of Latting Hill Cove, as reflected on the final plat in Shelby County, Tennessee. Resolution also authorizes the release of the Bank of Bartlett, Letter of Credit No. 5501157 in the amount of \$254,000.00 held as security for the Standard Improvement Contract.

ACTION REQUESTED: Adopt the resolution

17. RESOLUTION accepting public improvements for CRA DRAINAGE IMPROVEMENTS [CR-5327 & CR-5327AM] and authorizing release of bond. **(Request for Same Night Minutes)**

(Contract No. CR-5327)

(Contract No. CR-5327AM)

Resolution approves accepting the public improvements within the present limits of the City of Memphis, as shown on the engineering plans and located on Saffarans Avenue, Front Street, Keel Avenue, Second Street, and Chelsea Avenue in Memphis, Tennessee. Resolution also authorizes the release of the Tri-State Bank, Letters of Credit No. 200 in the amount of \$1,826,400.00 and No. 300 in the amount of \$62,200.00 held as security for the Standard Improvement Contract.

ACTION REQUESTED: Adopt the resolution

**GENERAL ITEMS** (None)



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## FISCAL CONSENT AGENDA

18. RESOLUTION to accept, allocate, and appropriate grant funds in the amount of (\$33,780.84) from the U.S. Department of Justice for the Federal FY19 Project Safe Neighborhoods West (PSN) Grant Program. All Council Districts. This resolution is sponsored by Police Services. **(Request for Same Night Minutes)**
  
19. RESOLUTION to accept (\$10,000.00) for MPLOY, Youth Summer Experience program from Comcast. All Council Districts. This resolution is sponsored by Youth Services. **(Request for Same Night Minutes)**



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## MLGW FISCAL CONSENT

20. RESOLUTION approving Change No. 2 to Contract No. 12267, MicroFocus Software with Thomas Consultants, Inc., (Formerly Purchase Order# 7017597), in the funded amount of \$576,494.14. (This change is to ratify and renew annual software maintenance, support services, and licenses for an 18-month term for the period covering January 1, 2022 through June 30, 2023; which reflects a 0.84% decrease in rates from the previous term.)
21. RESOLUTION approving Change No. 2 to Contract No. 12069, ArcFM Viewer Replacement with SSP Innovations, in the funded amount of \$37,500.00. (This change is to revise the five-year maintenance schedule from the period of November 1, 2020 through October 31, 2025 to a seven year maintenance period of November 1, 2020 through October 31, 2027. The cost associated with the seven year maintenance caused the contract value to increase in the amount of \$37,500.00 due to adding two additional years of software maintenance and support.)
22. RESOLUTION approving Change No. 2 to Contract No. 12043, Property & Boiler Insurance with FM Global, based on approved rates, not-to-exceed \$2,297,766.00. (This change is to renew the current contract for the third of four annual renewal terms covering the period June 1, 2022 through May 31, 2023.)
23. RESOLUTION approving Change No. 1 to Contract No. 12245, Well Abandonment with Layne Christensen Company in the funded amount of \$165,720.00. (This change is to renew the current contract for the first of four annual renewal terms for the period covering July 6, 2022 through July 5, 2023, which reflects a 10.54% increase from the initial term. The cost increase is due to increases in raw materials, fuel and freight charges from inflation in the past year.)
24. RESOLUTION approving Change No. 1 to Contract No. 12187, Pole Inspection with Osmose Utilities Services, Inc. in the funded amount of \$1,900,000.00. (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering February 15, 2022 through February. This change includes the following increases: the addition of hourly stand-by crew rates in the estimated amount of \$10,000.00; partial excavation pole cost increased from \$15.69 per pole to \$17.29 per pole; and full excavation pole cost increased from \$37.93 to \$41.80 per pole. The increase for these items is 10.2%. The cost increase is due to material increases, fuel, and labor charges as a result of inflation.)
25. RESOLUTION awarding a purchase order to Rush Truck Centers of Tennessee for cab and chassis two-ton; in the amount of \$446,088.00.



26. RESOLUTION awarding a purchase order to Engineered Sealing Components for steel poles; in the amount of \$272,987.52.
27. RESOLUTION approving Change No. 7 to Contract No. 11562 Professional Engineering Services for Central Support Services with Smith Seckman Reid, Incorporated (SSR), in the funded amount of \$150,000.00. (This change is to increase the current contract in the funded amount of \$150,000.00, with no increase in rates, to complete the existing design and construction work for the following projects: 1) Various roof designs; 2) Completion of the Master Plan for the new property at the MLGW North Center; 3) Construction Administration work at the Water Lab Emergency Generator project; 4) The MLGW Administration Garage repair project; and 5) The Special Material Storage Building design. The contract term will remain through June 30, 2022 based on agreed upon rates.)
28. RESOLUTION awarding Contract No. 12350, Portable Fire Extinguisher Inspection/Testing to Grose Fire Protection, Inc., in the funded amount of \$298,646.92.
29. RESOLUTION awarding a purchase order to Automotive Tool Group for polyvinyl chloride (PVC) conduit; in the amount of \$338,000.00.
30. RESOLUTION awarding a thirty-six (36) month purchase order to WESCO Distribution for underground (URD) fittings; in the amount of \$2,957,666.00.
31. RESOLUTION to approve the law firm of Shuttleworth PLLC be employed on an as needed basis at the hourly rates not exceeding \$225.00 for Attorneys and \$100.00 for Nurse Paralegal.



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## REGULAR AGENDA

### APPOINTMENTS

32.

Easter-  
Thomas  
Chairman,  
Personnel &  
Governmental  
Affairs  
Committee

### MEMPHIS AREA TRANSIT AUTHORITY

#### Reappointment

Michael Fulton

#### Reappointment

Michelle McKissack

#### Reappointment

Shelia Williams

### MEMPHIS HOUSING AUTHORITY

#### Reappointment

Justin Bailey

#### Reappointment

Michael Boyd

#### Reappointment

Shawna Engel

#### Reappointment

Mary Sharp

**GENERAL ORDINANCE THIRD AND FINAL READING** (None)

**CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS** (None)

**ENGINEERING DIVISION** (None)

**EXECUTIVE DIVISION** (None)

**FINANCE & ADMINISTRATION**

**DIVISION OF FIRE SERVICES**

**DIVISION OF GENERAL SERVICES**

33. RESOLUTION requesting the approval of the sale of a City owned parcel in the amount of \$2,225.00 located at 0 North Hollywood, Memphis, Shelby County, Tennessee and further described as Parcel ID #042050 00031. District 7, Super District 8. This resolution is sponsored by General Services.

Smiley  
Chairman,  
Public Works,  
Solid Waste &  
General Services  
Committee

ACTION REQUESTED: Adopt the resolution

34. RESOLUTION requesting the approval of the sale of a City owned parcel in the amount of \$3,500.00 located at 1617 Sydney Street (38108), Memphis, Shelby County, Tennessee and further described as Parcel ID #043023 00324. District 7, Super District 8. This resolution is sponsored by General Services.

Smiley  
Chairman,  
Public Works,  
Solid Waste &  
General Services  
Committee

ACTION REQUESTED: Adopt the resolution

35. RESOLUTION transferring \$500,000.00 of Contract Construction allocations and appropriations from CIP GS21102-Electrical Major Mod to project CIP GS21104-Major Mod-HVAC Contract Construction. All Council Districts. This resolution is sponsored by Public Works.

Smiley  
Chairman,  
Public Works,  
Solid Waste &  
General Services  
Committee

ACTION REQUESTED: Adopt the resolution

36. RESOLUTION transferring \$1,562,315.00 of allocations and appropriations from CIP GS01010-ADA Facility Compliance to Project CIP GS01049-Coke Facility-Adaptive Reuse. District 4, Super District 8. This resolution is sponsored by Public Works.

Smiley  
Chairman,  
Public Works,  
Solid Waste &  
General Services  
Committee

ACTION REQUESTED: Adopt the resolution

37. RESOLUTION requesting approval of the sale of City owned property located at 1200 N. Smiley Parkway Ave Memphis, TN 38104, formerly known as the Frame Shop, Parcel #02109800016, Memphis, TN 38104. District 7, Super District 8. This resolution is sponsored by General Services. (Held from 4/19)

Chairman,  
Public Works,  
Solid Waste &  
General Services  
Committee

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT**

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION TECHNOLOGY** (None)

**LAW DIVISION** (None)

**LIBRARY SERVICES** (None)

**MEMPHIS PARKS**

38. RESOLUTION to enter a lease agreement with Memphis Bears, Inc. to lease Greenhill Stadium to offer programs and services to the North Memphis community. District 7, Super District 8. This resolution is sponsored by Memphis Parks.

Warren  
Chairman,  
Memphis  
Parks  
Committee

ACTION REQUESTED: Adopt the resolution

39. RESOLUTION to amend and extend a lease agreement for the use of Galiano/Sowell baseball fields at Halle Park with Memphis Boys Athletic Association (MBAA) to add Lausanne Collegiate School (LCS) as a party. The term of the agreement shall be extended for (10) years which shall commence effective July 1, 2022 and is further subject to renewal for an additional four (4) ten-year periods. District 3, Super District 8. This resolution is sponsored by Memphis Parks.

Warren  
Chairman,  
Memphis  
Parks  
Committee

ACTION REQUESTED: Adopt the resolution

**MLGW DIVISION** (None)

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC SERVICES** (None)

**DIVISION OF PUBLIC WORKS** (None)

**GENERAL ITEMS** (None)

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

ADJOURNMENT