



**CITY COUNCIL
MEETING AGENDA**

July 26, 2022

3:30 p.m.

**Council Chambers, Lobby 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.*

District 4. Chairwoman Jamita Swearengen

Super District 8-3. Vice Chairman Martavius Jones

District 1. Rhonda Logan

District 2. Frank Colvett, Jr.

District 3. Patrice J. Robinson

District 5. Worth Morgan

District 6. Edmund Ford, Sr.

District 7. Michalyn Easter-Thomas

Super District 8-1. JB Smiley, Jr.

Super District 8-2. Cheyenne Johnson

Super District 9-1. Chase Carlisle

Super District 9-2. J. Ford Canale

Super District 9-3. Dr. Jeff Warren

ORDER OF BUSINESS

I. CALL TO ORDER by the Sergeant-at-Arms

II. 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.

III. PLEDGE OF ALLEGIANCE

IV. CALL OF ROLL by the Comptroller

V. APPROVAL OF PREVIOUS MEETING MINUTES (July 12, 2022)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION approving an Honorary Street Name Change of North Morrison between Madison Avenue and Court Avenue for Mark Flanagan. District 5, Super District 9. This resolution is sponsored by Councilman Warren. (Request for Same Night Minutes)

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

2. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 6685 Shelby Drive. This resolution is sponsored by the Division of Planning and Development. **(Held from 7/12)**

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. PD 22-07

Applicant: Century Express Car Wash
Anita Archambeau & Matt Wolfe, ETI Corp (Representative)

Request: Amendment to Ross Creek Planned Development to allow a car wash establishment

LUCB recommendation: APPROVAL, with conditions

DPD recommendation: REJECTION, *Note: a condition of approval was added by the LUCB that resolved the Division’s principal concern.

ACTION REQUESTED: Take whatever action Council deems advisable

3. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 4867 Getwell Road and 0 Holmes Road. This resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. PD 22-13

Applicant: Jacqueline Jenkins
Brenda Solomito Basar – Solomito Land Planning (Representative)

Request: New planned development to allow light industrial uses

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

Opposition at LUCB; No Public Hearing Required

4. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 4429 and 4439 Clarke Road. This resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. PD 22-14

Applicant: Carolyn Hardy – Hardy Investment Trust
Brenda Solomito Basar – Solomito Land Planning (Representative)

Request: New planned development to allow light industrial uses (Employment)

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE- THIRD AND FINAL READING (None)

CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE – FIRST READING

5. **ORDINANCE** adopting a Commercial Property Assessed Clean Energy and Resiliency (C-PACER) program within the City of Memphis, Tennessee, up for F I R S T reading. This Ordinance is sponsored by EDGE and the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Ordinance No. 5832

ACTION REQUESTED: Adopt the Ordinance on First reading

ZONING ORDINANCE - SECOND READING

6. **ORDINANCE** amending Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code to authorize a zoning district change for the three parcels between 2500 Kate Bond Road and Interstate 40 from the Residential Single Family – 8 District to the Commercial Mixed Use- 2 District, up for S E C O N D reading. This Ordinance is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. Z 22-03
Ordinance No. 5831

Applicant: Quan Poole

Request: Change zoning to Commercial Mixed Use – 2 (CMU-2)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on First reading

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

- 7. RESOLUTION approving the engineering plans for ST. JUDE PRIVATE STORM AND SANITARY SEWER RELOCATION and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5415

Resolution approves engineering plans within the present limits of the City of Memphis and located at 262 Danny Thomas Place in Memphis Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts Performance Bond No. 107652094 in the amount of \$63,400.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 8. RESOLUTION accepting public improvements for WOODLAND HILLS II PD, PHASE 14, PD 19-09 CO (COUNTY) [CR-5375] and authorizing release of the bond. (Request for Same Night Minutes)

(Contract No. CR-5375)

Resolution approves accepting the public improvements located in the present limits of Shelby County, approximately 800 linear feet west of Woodland Trace Lane, north of Trinity Road in Shelby County, Tennessee. Resolution also authorizes the release of Financial Federal Letter of Credit No. 234A in the amount of \$39,600.00 held as security.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

(NONE)

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Chase Carlisle

9. RESOLUTION approving Change No. 2 to Contract No. 12309, Veritas NetBackup Maintenance with Thomas Consultants, Inc., in the funded amount of \$194,895.62. (This change is to renew annual maintenance for Veritas NetBackup Platform Base software licenses, maintenance, and support services for the i6000 tape library for the period covering October 1, 2022, through September 30, 2023, in the amount of \$166,034.64, with a 0.05% increase in rates from the previous term due to license and maintenance support. The cost was not negotiated since it was a very minimal cost that was accepted by the End User. In addition, this change is to ratify and expand the scope of the contract to include annual maintenance for the following Backup Appliances: 1) Two NetBackup Appliance 5240 (support and storage units that backup and restore data for the MLGW Data Backup Systems) in the amount of \$11,381.10 for the period covering June 29, 2022, through September 30, 2023; and 2) Two Ess 24Mo Ren NB App5240 103TB 4 1GB (hardware maintenance for 24 months for NetBackup Appliance 5240. MLGW has two big hardware units with hard drive storage in them to hold data.) in the amount of \$17,479.88 for the period covering June 29, 2022, through September 30, 2023
10. RESOLUTION approving Change No. 2 to Contract No. 11723, EMS/SCADA, with Open Systems International (OSI), Inc., in the funded amount of \$686,500.00. (This change is to increase the contract value to include the following: 1) Professional services to assist in implementing Distribution Automation (\$300,000.00); 2) SCADA Point Expansion for Distribution Automation implementation (\$226,000.00); 3) OpenNet Implementation for real time power flow analysis (\$130,500.00); and 4) Training credits for real time load flow analysis and EMS/SCADA support (\$30,000.00).
11. RESOLUTION approving Change No. 1 to Contract No. 12204, Distribution Automation Strategic Assessment, Road mapping and Master Plan with Burns and McDonnell in the funded amount of \$10,750.00. (This change is to ratify, extend, and change the contract value. In addition, this change is to expand the scope of the contract to include the following: 1) Wireless Communication Private LTE Network (PLTE) Total Cost of Ownership (TCO) Study and 2) Change Management Assessment. The original contract term was for the period covering April 22, 2021, through April 21, 2022. The contract term will be extended through December 31, 2022.)
12. RESOLUTION to approve AON Consulting, Incorporated be employed on an as needed basis at the hourly rates not exceeding \$500.00 for Actuarial Team, \$500.00 for Consultants, and \$250.00 for Analysts.

REGULAR AGENDA

APPOINTMENTS

13. **MEMPHIS TREE BOARD**

Easter-Thomas
Chairman,
Personnel & Governmental
Affairs Committee

Reappointments

Jan Castillo
Mark Follis
Ryan Hall
Eldra White

GENERAL ORDINANCES THIRD AND FINAL READING (None)

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION

14. RESOLUTION appropriating funds in the amount of (\$590,000.00) for Project Smiley #EN01112 Traffic Signal Furniture, Fixtures, and Equipment (FY23). All Council Chairman, Districts. This resolution is sponsored by the Engineering Division.
Public Works,
Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
General Services Committee

15. RESOLUTION appropriating Contract Construction funds in the amount of (\$1,350,000.00) for Project #EN01113 Speed Hump Installation Group 13 (FY23). All Council Chairman, Districts. This resolution is sponsored by the Engineering Division.
Public Works,
Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
General Services Committee

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

MEMPHIS PARKS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

16. RESOLUTION to transfer, allocate and appropriate construction funds in the amount of (\$500,000.00) under construction Project #ST04049 for curb and gutter repairs at various locations. All Council Districts. This resolution is sponsored by the Division of Public Works.

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

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT