



Memphis City Council Summary Sheet

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

This is a resolution for the appropriation of \$323,000 General Obligation (G.O.) Bond funds in Project #GA01032-Mud Island North Gate Renovation.

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

This project was initiated by the Executive Division and will be administered by Memphis Parks.

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

N/A

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

Council District 7, Super District 8

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

N/A

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

Requires budget amendment via appropriation of G.O. bond funding

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

N/A



RESOLUTION

***To appropriate \$323,000 of General Obligation (G.O.) bond funding to
GA01032-Mud Island North Gate Renovation***

WHEREAS the Council of the City of Memphis did include an allocation of \$323,000 in Contract Construction for Project #GA01032-*Mud Island North Gate Renovation* as part of the FY 2022 Capital Improvement Program Budget; and

WHEREAS the purpose of this project is to create a more attractive and inviting north entrance to Mud Island from Island Drive; and

WHEREAS Memphis River Parks Partnership, which manages Mud Island River Park, has re-assessed the needed renovations and determined that the \$323,000 already allocated to *GA01032-Mud Island North Gate Renovation* is sufficient to address the current needs; and

WHEREAS it is necessary to appropriate \$323,000 for Contract Construction, funded by General Obligation (G.O.) bonds, in Project #GA01032- *Mud Island North Gate Renovation*;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that Three Hundred Twenty-Three Thousand Dollars (**\$323,000**) funded by G.O. bonds be appropriated to *GA01032-Mud Island North Gate Renovation* as follows:

<u>Mud Island North Gate Renovation – GA01032</u>	
Contract Construction	<u>\$ 323,000</u>
TOTAL	<u>\$ 323,000</u>

City of Memphis



TENNESSEE

JIM STRICKLAND
MAYOR

July 19, 2022

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

Dear Chairman Easter-Thomas:

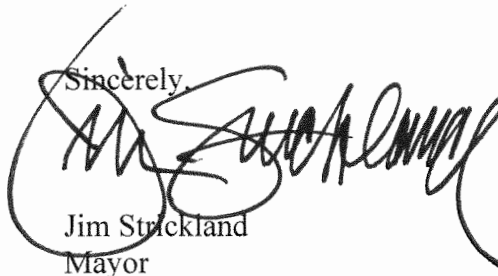
Subject to Council approval, I hereby recommend that:

Charles M. Monger, II

be reappointed to the Memphis Alcohol Commission with a term expiration date of January 2, 2025.

I have attached biographical information.

Sincerely,



Jim Strickland
Mayor

JSS/sss

Cc: Council Members

**ALCOHOL COMMISSION
9 Member Board
3 Year Staggered Terms
Oath of Office Required**

The Alcohol Commission is charged with administering the laws relating to the sale of beer and approving retail liquor locations in the city. The Alcohol Commissions meets the first and third Wednesday of each month.

Claudette Boyd	F/B	12-31-22	Partial
Barry Chase	M/W	08-31-24	4th term
Brian Harris	M/B	12-31-22	Partial
Jared Johnson	M/B	08-31-24	4th term
Renee M. Poe	F/B	08-31-24	2nd term
Chad Hampton	M/W	12-31-22	Partial
Vacancy	M/W	01-02-22	
Anna Vergos Blair	F/W	12-31-22	2nd term
Johnsie Wallace	F/B	01-02-22	4th term

Updated 071222

City of Memphis



TENNESSEE

JIM STRICKLAND
MAYOR

July 19, 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:

Patrick Hillard

be appointed to the Memphis & Shelby County Center City Revenue Finance Corporation Board with a term expiration date of December 31, 2026.

I have attached biographical information.

Sincerely,

Jim Strickland
Mayor

JSS/sss

Cc: Council Members

**MEMPHIS & SHELBY COUNTY
CENTER CITY REVENUE FINANCE CORPORATION BOARD
9 Member Board
(4) City & (4) County & (1) Joint Appointment
6 Year Term**

Purpose:

Authorized to acquire, own, lease and dispose of properties, primarily in the downtown area, to maintain and increase employment opportunities promoting industry, trade, commerce, tourism and recreation.

Members (City):

Floyd, Glenn	M/W	12-31-20
Vacancy	F/W	12-31-20
Vacancy	F/B	12-31-26
Jeri Moskovitz**	F/W	12-31-26

Joint Appointment:

Ward-Johnson Ann Brandy	F/B	12-31-20	6yr. Term
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Updated 063022

City of Memphis



TENNESSEE

JIM STRICKLAND
MAYOR

July 19, 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 am concurring with the County Mayor's appointment, and hereby recommend that:

Vijay Kalaga

be approved for the Economic Development Growth Engine of Memphis & Shelby County, as a county appointee, with a term expiring December 31, 2024.

I have attached biographical information.

Sincerely,


Jim Strickland
Mayor

JSS/sss

Cc: Council Members

ECONOMIC DEVELOPMENT GROWTH ENGINE OF MEMPHIS AND SHELBY COUNTY (EDGE)

11 Member Board

5 City/5 County/1 Joint

6 Year Staggered Terms

Purpose:

EDGE is the economic development agency for the City of Memphis and Shelby County Government. EDGE provides and coordinates public resources to drive economic development in Memphis and Shelby County. EDGE leverages the benefits of economic development incentive programs to foster public/private partnerships that create jobs, grow the economy, revitalize neighborhoods, attract investments, spark innovation, and encourage entrepreneurship.

City

Halperin, Mark J.	M/W	08-01-23	2 nd Term
Florence Jones	F/B	12-31-22	Partial
Vacancy	M/B	08-01-25	3 rd Term
Gerre Currie**	F/B	08-01-25	Partial

2022 Council Liaison: Edmond Ford, Sr.

Joint appointment

Bright, Al Jr.	M/B	08-01-25	3 rd Term
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County

Vacancy
Thomas Dyer
Natasha Donerson
Cary Vaughn
2022 Commission Liaison: Mickell M. Lowery

Updated: 063022

A RESOLUTION TO AMEND THE MEMPHIS CITY COUNCIL COMMUNITY GRANT PROGRAM FOR FY23

WHEREAS, the Memphis City Council desires to promote community programming and improve neighborhoods; and

WHEREAS, Tenn. Code Annotated § 6-64-111, empowers the Memphis City Council to appropriate funds for the financial aid of nonprofit organizations working to promote the general welfare of Memphis residents; and

WHEREAS, nonprofit organizations and citizens work together to meet the needs of Memphians in need by extending the reach of City of Memphis Services; and

WHEREAS, The Memphis City Council recognizes nonprofit agencies as valued partners in the continuing efforts to improve the lives of Memphians; and

WHEREAS, it is important to the members of the Memphis City Council to prioritize funding specialized programs congruent with the needs of the City; the Memphis City Council will not allocate funding that exceeds more than thirty percent of any nonprofit organization's total operating budget; and

WHEREAS, the Memphis City Council seeks to create a transparent process for the publication, application, and selection process for deserving nonprofit organizations within our City; and

WHEREAS, the Council recognizes that extenuating circumstances may exist such that additional nonprofit organizations possess a demonstrated need for funding that arose outside of the application period; and

WHEREAS, Council Members may, in their discretion, submit additional organizations to the Council for consideration for the Memphis City Council Community Grant Program for FY23 to address the needs of nonprofit organizations provided that the nonprofit meets all other qualifications provided in the application; and

WHEREAS, all nonprofit organizations must submit all required application materials and documents as requested by City Council staff before a resolution appropriating funds can be approved, and be subject to the stringent compliance and reporting measures that are in place to ensure the money is well-spent.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council does hereby amend the Memphis City Council Community Grant Program for Fiscal Year 2023 (July 1, 2022 – June 30, 2023) to allow organizations that had not previously been allocated funding for FY23 to submit a complete application, and subject to the same requirements provided in the original resolution, including:

- a. Submission of a complete budget presentation, which applicants may have to present before the Budget Committee of the Memphis City Council at the request of Council Members;
- b. Submission of the most recently filed IRS Form 990, 990EZ, or 990-N;
- c. Submission of a current Certificate of Liability from the organization's insurance carrier;
- d. Submission of a signed W-9; and

- e. Submission of documentation of non-profit, charitable, or civic organizational status. Examples of acceptable documentation include a 501(c)(3) determination letter issued by the federal government or documentation of registration with the Tennessee Secretary of State as a non-profit organization.

NOW, THEREFORE, BE IT FURTHER RESOLVED that organizations that have submitted an application, whether complete or incomplete, may not submit an additional application for funding that was not requested in the original application submission; organizations that submitted an incomplete application may only submit the documentation necessary to complete the original application to render the organization eligible to receive the funding amount that was originally requested, provided that such funding does not exceed 30% of the organization's operating budget; the final deadline for the Memphis City Council to receive applications for new organizations shall be March 31, 2023.

Sponsor:
Martavius Jones

Memphis Aquifer Research Project

Spring 2022 Update



Dr. Brian Waldron
Director, CAESER



Completed Deliverables

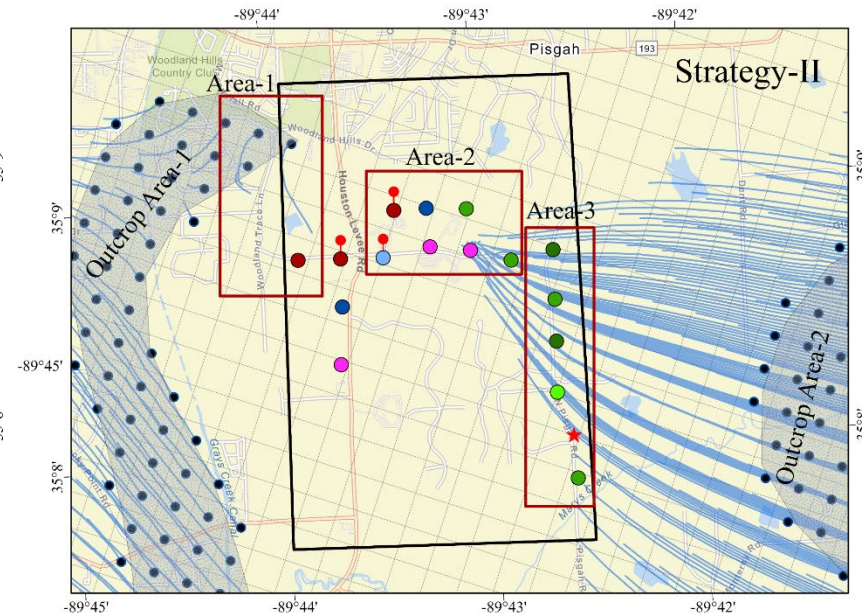
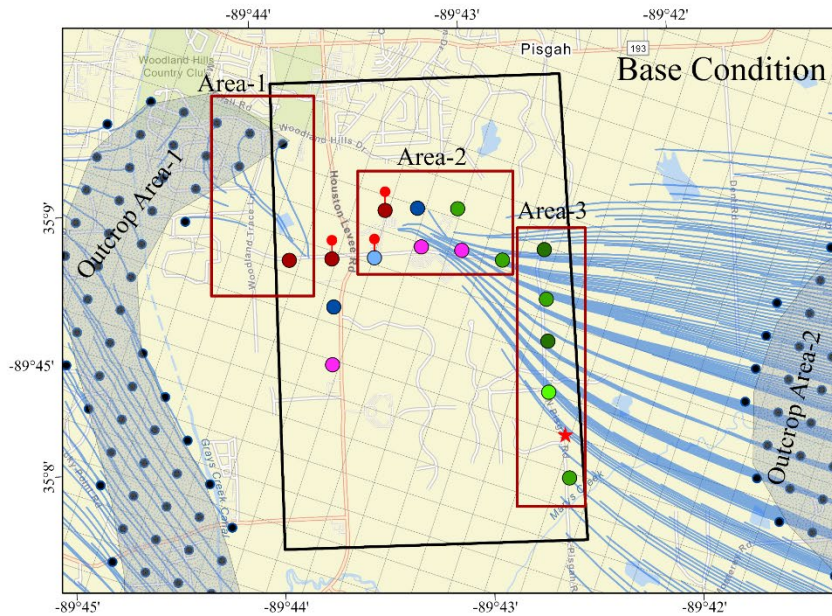
Five additional investigations completed since 2020

Groundwater pumping optimization to minimize contaminant movement from the water table aquifer to Memphis Aquifer using stochastic modeling.

Objectives

1. Determine optimum well screen placement to minimize or eliminate contamination potential for well fields near breaches.
2. Determine if redistribution of pumping from shallow production wells to deeper wells reduces lateral movement in upper Memphis aquifer and extends life of well field
3. Determine best locations for new production wells

COMPLETED 2022



2-5

Refine and quantify source waters to the Memphis aquifer at the Davis wellfield through water chemistry, groundwater age-dating, characterization of hydrogeologic properties, and numerical modeling.

Objectives

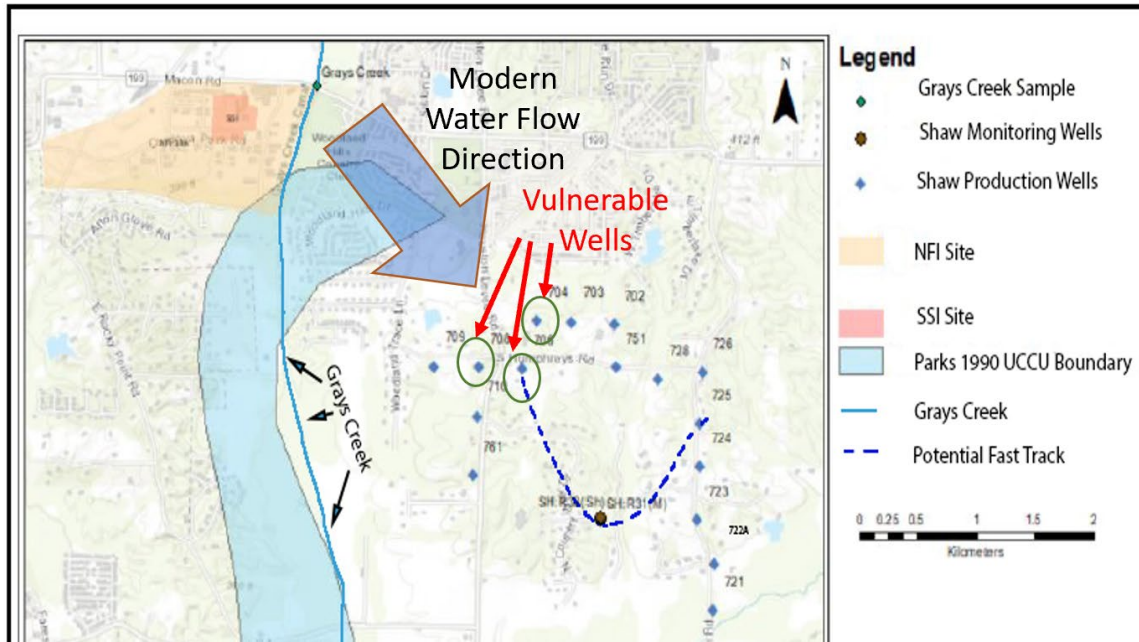
1. Identify water sources contributing to the Memphis aquifer in the Davis wellfield.
2. Refine and quantify sources and mixing-proportions of modern water in the Memphis aquifer at the Davis wellfield.
3. Assess a potential hydrologic connection between Horn Lake Cutoff (HLCO) to the Davis wellfield.



Investigate Shaw wellfield to determine source waters and modern water migration into the Memphis aquifer, development of unconfined conditions and vulnerability to nearby contaminated sites.

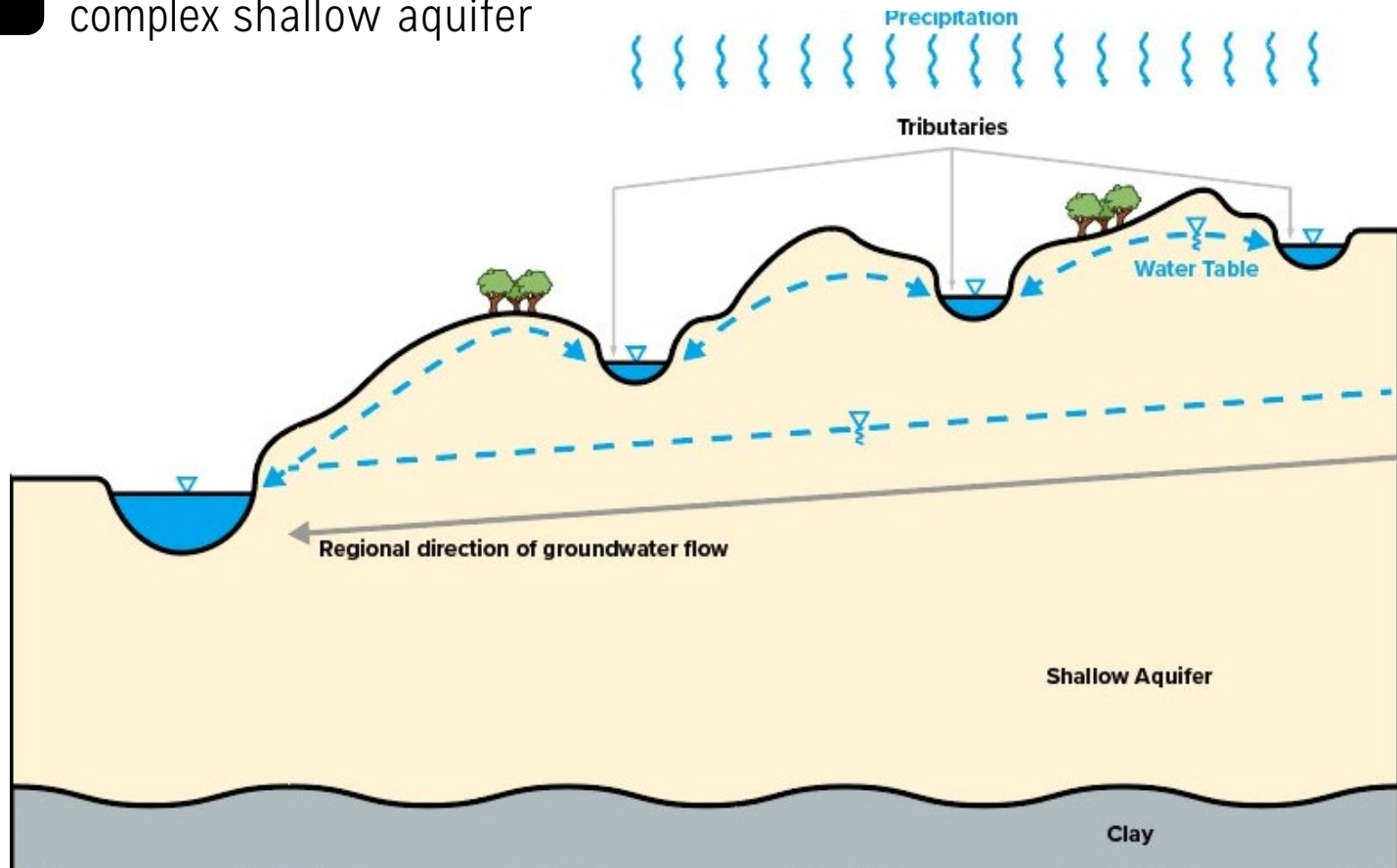
Objectives

- (1) To identify sources of recharge and quantify its components present within the MLGW Shaw wellfield.
- (2) To evaluate compartmentalization of groundwater flow and determine groundwater flow paths to the Memphis and Fort Pillow aquifers.
- (3) To assess the vulnerability of the Shaw wellfield to modern water components by identifying areas that are susceptible to modern water leakage due to thinning or absence of the Upper Claiborne Confining unit (UCCU).



2-9

Determine best practices for simulating groundwater conditions in the complex shallow aquifer

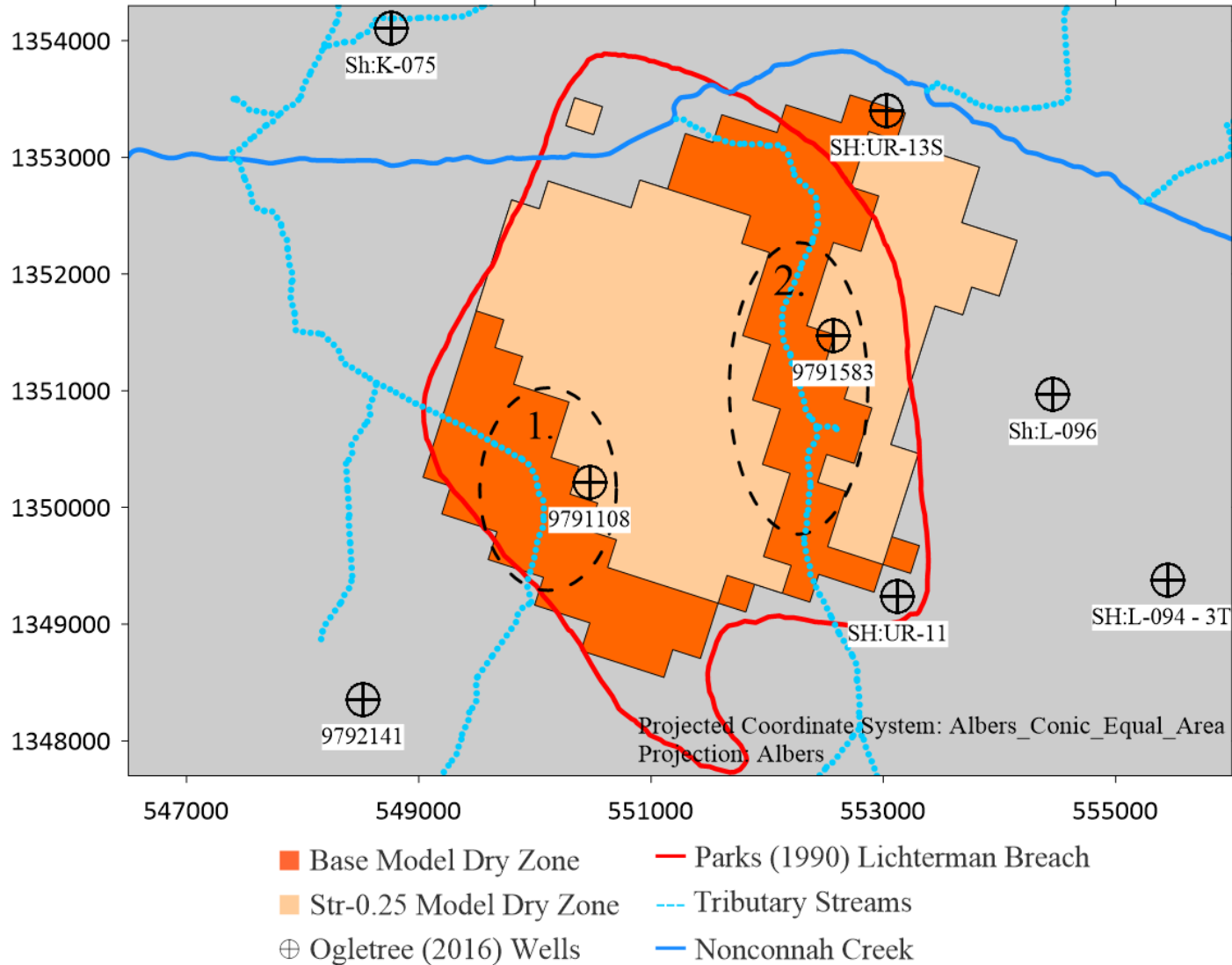


- * Inclusion of a ***denser stream network*** will vastly improve shallow aquifer gradients, especially around windows and in drying/unconfinement situations like at Lichterman wellfield.

2-9

Determine best practices for simulating groundwater conditions in the complex shallow aquifer

COMPLETED 2022

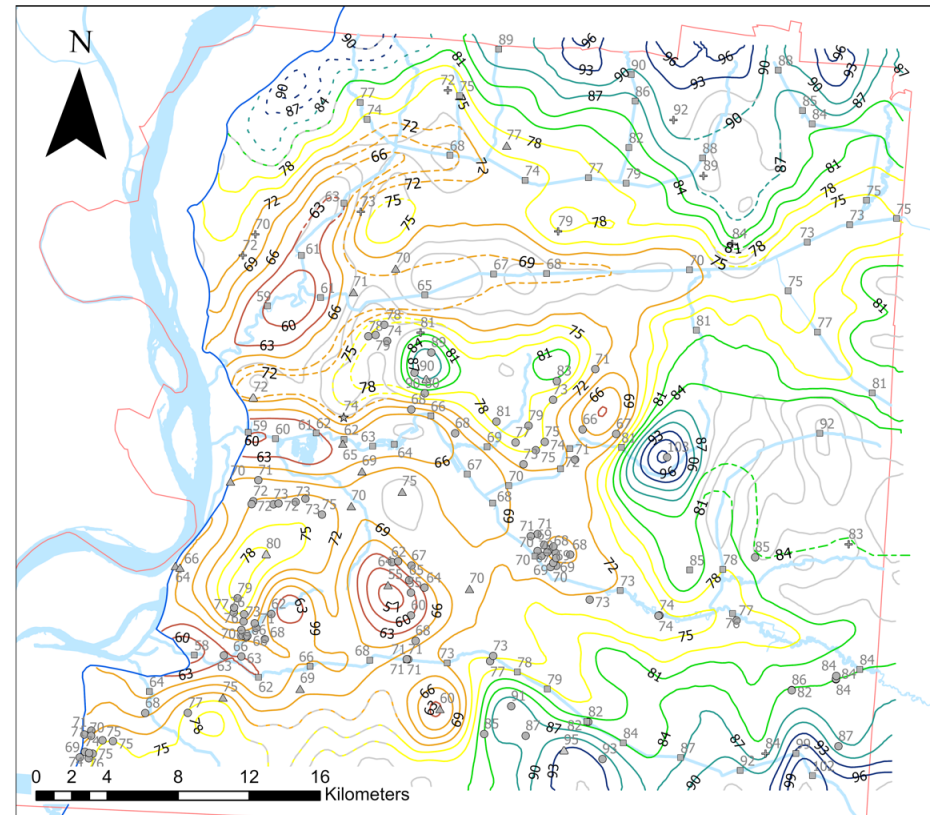


3-4

Conduct a county-wide water level survey of the shallow aquifer.

Extremely accurate measures of shallow aquifer water levels are being obtained during seasons of high and low levels.

COMPLETED 2021



Fall 2020 water-table elevation

Contour (masl)

- 57 - 63
- 64 - 72
- 73 - 78
- 79 - 84
- 85 - 90
- 91 - 99

Data points

Type

- Bridge
- ▲ DOR
- △ LUST
- ▲ Private well
- ★ Spring
- Well

- Bluff line
- Fall 2020 original contours
- Unincorporated Shelby County
- Rivers and streams

Upcoming Deliverables: Aug. 2022

2-6

Determine hydraulic conductivity and thickness for the riverbeds of the Loosahatchie River, Wolf River and Nonconnah Creek to further constrain the Shelby County numerical groundwater model and for site-scale hydrogeologic analyses.

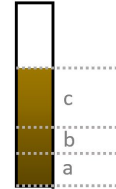
PENDING COMPLETION AUG 2022



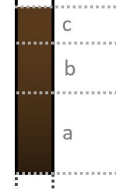
CORE SAMPLES

Example

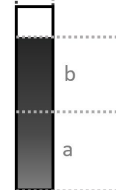
0 – 3ft
63% recovery



3 – 6ft
90% recovery



6 – 9ft
82% recovery



Streambed properties reveal many reaches are highly transmissive while determination of actual bed thicknesses are still being investigated.

3-2

Refine and quantify source waters to the Memphis aquifer at the Mallory wellfield through water chemistry, groundwater age-dating, characterization of hydrogeologic properties, and numerical modeling.



*Sampling the McNairy well
+2,600 ft deep Feb. 2021*

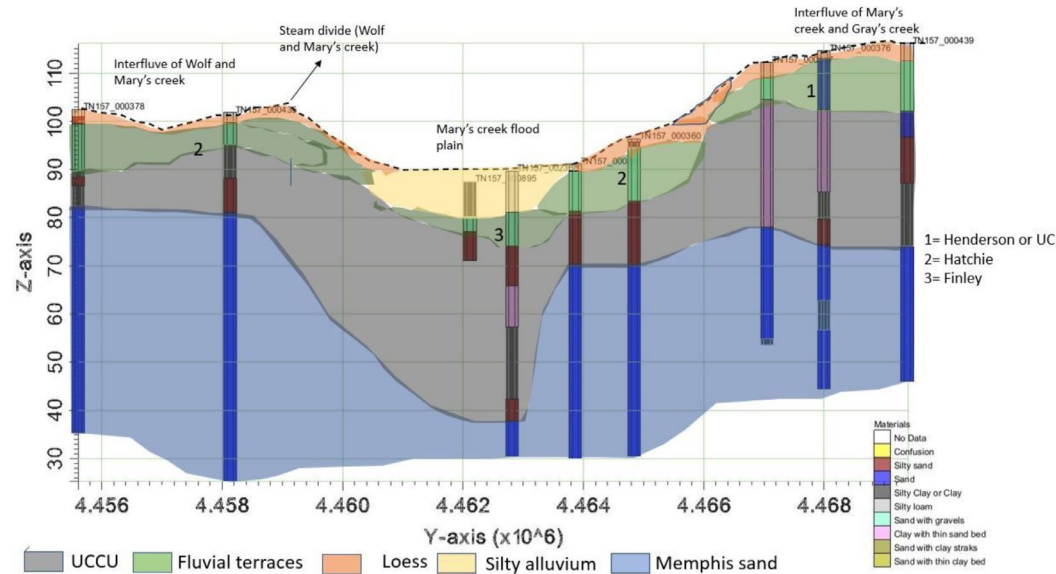
- Geophysical testing (**2-2** and **5-1**) will support identification of windows west of Mallory beneath the MS River

2-1

Use geophysical well records to investigate hypothetical paleo-drainage network atop the upper Claiborne confining unit.

Proper modeling of water movement in the shallow aquifer towards windows requires unravelling its complex geologic structure.

PENDING COMPLETION AUG 2022



Detailing shallow stratigraphy will aid in recharge, contaminant migration, and mapping paleochannels – the latter helps target window locations.

City of Memphis Street Lighting LED Conversion Update



July 26, 2022
MLGW Committee

Project History

- On March 23, 2021, the City of Memphis issued Request for Proposals (RFP #52172), with a proposal submission deadline of May 5, 2021.
- MLGW was involved in the RFP process and ultimately the selection of the company for the award.



Project RFP Summary

“The City of Memphis requests statements of qualifications and a detailed proposal from firms or teams to provide “turnkey” products and services resulting in the successful conversion of the City’s streetlights from existing luminaires of various wattages and styles to light emitting diode (LED) luminaires of equivalent wattages and styles. The successful firm will be expected to design and implement the conversion of all street lighting in the City, estimated at approximately 84,000 units, to equivalent LED street luminaires. The project is expected to be complete by October 2023.”



Key Project Objectives

- Reducing energy use and annual costs associated with streetlights by converting approximately 84,000 existing streetlights to LED technology;
- Designing and implementing the project such that it produces a budget neutral project whereby the cumulative cost savings resulting from the project offset all upfront capital costs over the shortest possible term;
- Minimizing energy consumption and maximizing energy cost savings;
- Minimizing future costs to maintain and replace converted streetlights;
- Achieving high levels of “post-retrofit” resident satisfaction;
- Optimizing the environmental benefits of the program (e.g., reductions in greenhouse gases emitted and toxic materials disposal);
- Completing the project no later than October, 2023.



RFP Responses

- The City of Memphis received 11 proposals.
- A Team of City of Memphis representatives as well as Brad Gates (MLGW Manager of Electric Construction and Maintenance) evaluated and scored the qualifying proposals.
- The Recommended firm was Ameresco.



The Issue of Ownership

- MLGW owns and maintains the Street Light System in the City of Memphis. Therefore, the City has no ownership interest.
- Costs to procure energy, provide capital, and cover operation and maintenance costs are billed directly to retail customers within the City of Memphis via the Street Light Fee. Therefore, the City has no direct financial interest in the Street Light System.
- With these considerations in mind, MLGW staff has been working with the City of Memphis to accomplish the original goals while maintaining MLGW ownership and control of the Street Light System.



Where are we now?

- The City of Memphis and MLGW are working together to accomplish the original objectives while MLGW will retain ownership and control over the Street Light System.
- MLGW plans to execute a contract directly with Ameresco to upgrade approximately 77,300 existing high pressure sodium streetlights and underpass lights within the City of Memphis with new LED streetlights. A Lighting Management System is also being considered to offer real-time monitoring, improved customer satisfaction, and additional energy and maintenance savings.



Project Economics, and Financing Plan

- Street Light Conversion Cost = \$34 million, with NPV savings of \$18 million over 20 years
- Lighting Management System = additional \$13 million, with NPV savings of \$5 million over 20 years.
- Annual savings of 37.7 million kWh or about 55%.
- Annual reduction of 26,700 tons of greenhouse gas emissions
- MLGW will either do a traditional bond issue, or possibly private placement debt. Projected energy and maintenance savings are expected to be sufficient to cover debt service and other costs.
- Debt covenants to include provision for adjustment of street light fee to ensure cost recovery.



MLGW's Experience with LED Street Lights

Completed LED Projects

- Cordova Annexed Area – 687 street lights
- The University District Ph 1 – 68 street lights
- Elvis Presley Blvd Ph 1 – 13 street lights
- Lebonheur Hospital – 102 street lights

Approved Future LED Projects (Funded)

- Pinch District
- Elvis Presley Blvd Ph 2
- TDOT Lamar Project
- TDOT Poplar and Scott Street Bridge Project
- MATA Union Project

LED Pilot Projects

- MLGW has conducted five LED pilot projects. Five different vendors of LED lights were installed.

The five locations are as follows:

- The University District Ph 2 – 87 street lights; *installed in 1Q 2021*
- Lemoyne Owen area – 39 street lights; *installed in 2020*
- Christian Brothers University area – 37 street lights; *installed in 2020*
- Southwest (Union Campus) area – 59 street lights; *installed in 2020*
- Rhodes College area – 100 street lights; *installed in 2020*

Smart Control Pilot Projects

- Two different vendors at four different locations of smart controls were installed in 2020.



Next Steps

- Ameresco Contract to the MLGW Board on 8/3
- Ameresco Contract to the Memphis City Council on 8/23
- Installations to begin in September 2022 with completion in October 2023.





QUESTIONS



APPENDIX

Comparison Photos & Video Link



ameresco.com



Oregon Department of Transportation

Jefferson Tunnel, Before and After



City of Medford, Oregon

Before And After



City of Chicago

Western Avenue, Before and After



West Richland, Washington

After



A Day in the Life of a Streetlighting Project Video



EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
July 20, 2022

The Vice President and General Counsel (Compliance Officer) recommended approval of a litigation settlement and further requested that the President and CEO, or his designee, be given authority to pay a settlement in the amount of \$1,500,000.00 and to finalize the terms of and execute all documents necessary for the performance of work required by the settlement at an additional cost estimated not to exceed \$1,000,000.00.

NOW THEREFORE, BE IT RESOLVED THAT, subject to approval by the City Council, settlement authority is hereby granted to the President and CEO, or his designee, to pay the amount of \$1,500,000.00 and to finalize the terms of and execute documents necessary for the performance of work required by the settlement at an additional cost estimated not to exceed \$1,000,000.00; and

BE IT FURTHER RESOLVED, THAT the President and CEO, or his designee, is hereby authorized to finalize the terms of, and to execute and deliver, one or more settlement agreements and all other documents that are in his discretion, upon the advice of counsel, necessary and appropriate to complete the settlement.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 20 day of July 2022, at which a quorum was present.

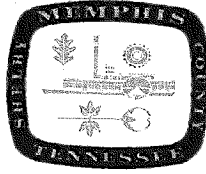

Secretary - Treasurer

RESOLUTION

WHEREAS, at its meeting on July 20, 2022, the Board of Light, Gas & Water Commissioners approved a litigation settlement and granted to the President and CEO, or his designee, authority to pay the amount of \$1,500,000.00 and to finalize the terms of and execute all documents necessary for the performance of work required by the settlement at an additional cost estimated not to exceed \$1,000,000.00.

NOW THEREFORE, BE IT RESOLVED THAT, settlement authority is hereby granted to the President and CEO, or his designee, to pay the amount of \$1,500,000.00 and to finalize the terms of and execute documents necessary for the performance of work required by the settlement at an additional cost estimated not to exceed \$1,000,000.00; and

BE IT FURTHER RESOLVED, THAT the President and CEO, or his designee, is hereby authorized to finalize the terms of, and to execute and deliver, one or more settlement agreements and all other documents that are in his discretion, upon the advice of counsel, necessary and appropriate to complete the settlement.



Memphis City Council Summary Sheet

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

This is a resolution to appropriate funds for construction of the T.E. Maxson Lagoon 2A Renovation-Package 2 in Sludge Disp/Earth Complex, Project Number SW02006.

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

Public Works

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

This resolution does not change any existing ordinance or resolution.

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

The project is located in Council District 6 and Super District 8. The project provides services to Districts or portions of Districts 2, 3, 4, 5, 6, 8 and 9.

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

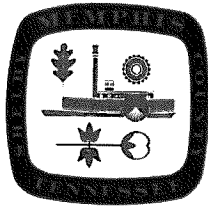
This request will require a new construction contract.

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

Yes, this requires an expenditure of funds.

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

The MBE goal is 9% and the WBE goal is 2%. The MBE goal will be met by Enfinity Supply, LLC and W&T Contracting Corp. The WBE goal was not met, but the contractor submitted good faith effort documentation.



RESOLUTION

This is a resolution to appropriate funds for construction of the T.E. Maxson WWTF Lagoon 2A in Sludge Disp/Earth Complex, Project Number SW02006.

WHEREAS, the Council of the City of Memphis approved Sludge Disposal/Earth Complex, project number SW02006, as part of the Fiscal Year 2023 Capital Improvement Budget; and

WHEREAS, bids were received on March 23, 2022 for the construction of the T.E. Maxson WWTF Lagoon 2A with the lowest complying bid \$7,426,000.00 submitted by CDM Smith, Inc; and

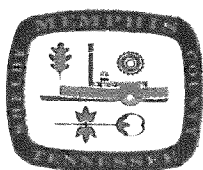
WHEREAS, this project will be funded by both Sewer Capital PAY GO in the amount of \$4,010,607.00 and Federal Grants CIP (WIFIA Loan) in the amount of \$4,157,993.00 for the construction of the T.E. Maxson WWTF Lagoon 2A; and

WHEREAS, it is necessary to appropriate \$8,168,600.00 funded by Sewer Capital Pay GO in the amount of \$4,010,607.00 and Federal Grants CIP in the amount of \$4,157,993.00 in Sludge Disp/Earth Complex, project number SW02006 as follows:

Contract Amount:	\$7,426,000.00
Project Contingencies:	<u>\$742,600.00</u>
Total Amount:	<u>\$8,168,600.00</u>

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2023 Capital Improvement Budget be and is hereby amended by appropriating the amount of \$8,168,600.00 funded by Sewer Capital PAY GO in the amount of \$4,010,607.00 and Federal Grants CIP (WIFIA Loan) in the amount of \$4,157,993.00 chargeable to the FY2023 Capital Improvement Budget and credited as follows:

Project Title:	Sludge Disp/Earth Complex
Project Number:	SW02006
Amount:	\$8,168,600.00



Memphis City Council Summary Sheet

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

This is a resolution to accept, allocate, and appropriate Federal grant funds in the value of \$97,336.00 and the State grants funds in the value of \$422,750.00 under A/E and Construction for PW01274 – North Parkway Sidewalks project. The Federal grant has a 20% local match, and the State has 5% local match requirement. As such, this resolution also allocates and appropriates GO Bonds in the value of \$46,584.00 under A/E and Construction for the project. This resolution appropriates a total of

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.

Capital improvements in Districts 5 and 9.

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

Amends an existing grant agreement with the Tennessee Department of Transportation for PW01274 to award additional A/E and Construction funds.

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

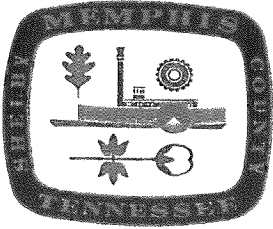
Appropriation will require an amendment to the FY23 Capital Budget to appropriate funds in the sum of \$566,670.00.

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

This request is to appropriate \$566,670.00 for the PW01274. The Goal setting committee will set an MWBE participation goal of 8% in accordance with TDOT's procedures. The award for Construction has not yet been made.

Council Resolution Caption (North Parkway) From Mclean Blvd to Overton Park Service Entrance- PW01274 – Federal Grant Acceptance, Allocation, and Appropriation)

A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$97,336.00 and State grant funds in the value of \$422,750.00 under A/E and Construction for PW01274- North Parkway Sidewalks project, as well as allocate and appropriate GO Bond funds in the value of \$46,584.00 under A/E and Construction for PW01274.



A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$97,336.00 and State grant funds in the value of \$422,750.00 under A/E and Construction for PW01274 – North Parkway Sidewalks project, as well as allocate and appropriate GO Bond funds in the value of \$46,584.00 under A/E and Construction for PW01274.

WHEREAS, the Tennessee Department of Transportation has newly awarded Federal grant funds in the value of \$97,336.00 and State grant funds in the value of \$422,750.00 under A/E and Construction for PW01274 – North Parkway Sidewalks; and

WHEREAS, it is necessary to accept, allocate, and appropriate Federal grant funds in the value of \$97,336.00 and State grant funds in the value of \$422,750.00 under A/E and Construction for PW01274; and

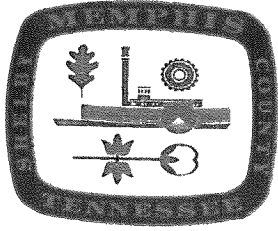
WHEREAS, it is necessary to allocate and appropriate a sum of \$46,584.00 in GO Bond funds as a local match; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2023 Capital Budget be and is hereby amended by accepting, allocating, and appropriating Federal grant funds in the value of \$97,336.00 and State grant funds in the value of \$422,750.00 under A/E and Construction for PW01274 North Parkway Sidewalk.

BE IT FURTHER RESOLVED that there be and is hereby appropriated the sum of \$566,670.00 to the Fiscal Year 2023 Capital Budget and credited as follows:

Project Title:	North Parkway Sidewalks
Project Number:	PW01274
Total Amount:	\$520,086.00 (Federal and State Grants CIP at Architecture/Engineering and Contract Construction)

Project Title:	North Parkway Sidewalks
Project Number:	PW01274
Total Amount:	\$46,584.00 (GO Bonds at Architecture/Engineering and Contract Construction)



A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$809,133.60 under A/E and Construction for EN01036 – STP Sidewalk Program, as well as allocate and appropriate GO Bond funds in the value of \$202,283.40 under A/E and Construction for EN01036.

WHEREAS, the Tennessee Department of Transportation has newly awarded \$809,133.60 in Federal grant funds to the Design and Construction phases for project EN01036 – STP Sidewalk Program; and

WHEREAS, it is necessary to accept, allocate, and appropriate a sum of \$809,133.60 in Federal grant funds; and

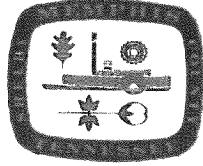
WHEREAS, it is necessary to allocate and appropriate a sum of \$202,283.40 in GO Bond funds as a local match; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2023 Capital Budget be and is hereby amended by accepting, allocating, and appropriating \$809,133.60 in Federal grant funds as well as by allocating and appropriating \$202,283.40 in GO Bond funds for EN01065 – Hanley Elementary School Pedestrian Safety.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$1,011,417.00 to the Fiscal Year 2023 Capital Budget and credited as follows:

Project Title:	STP Sidewalk Program
Project Number:	EN01036
Total Amount:	\$809,133.60 (Federal Grants CIP at Architecture/Engineering and Contract Construction)

Project Title:	STP Sidewalk Program
Project Number:	EN01036
Total Amount:	\$202,283.40 (GO Bonds at Architecture/Engineering and Contract Construction)



Memphis City Council Summary Sheet

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

A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$809,133.60 under A/E and Construction for EN01036 – STP Sidewalk Program, as well as allocate and appropriate GO Bond funds in the value of \$202,283.40 under A/E and Construction for EN01036.

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.

Capital improvements in Districts 1, 4, 5, 8, and 9.

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

Amends an existing grant agreement with the Tennessee Department of Transportation for EN01036 to award additional A/E and Construction funds.

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

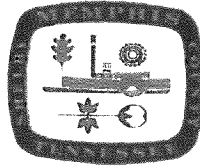
Appropriation will require an amendment to the FY23 Capital Budget to appropriate funds in the sum of \$1,011,417.00 .

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

This request is to appropriate \$1,011,417.00 for the EN01036. The Goal setting committee will set an MWBE participation goal of 8% in accordance with TDOT's procedures. The award for Construction has not yet been made.

Council Resolution Caption (STP Sidewalk Program-EN01036 – Federal Grant Acceptance, Allocation, and Appropriation)

A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$809,133.60 under A/E and Construction for EN01036 – STP Sidewalk Program, as well as allocate and appropriate GO Bond funds in the value of \$202,283.40 under A/E and Construction for EN01036.



Memphis City Council Summary Sheet

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

A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$1,109,242.18 under A/E and Construction for EN01060 – Ball Rd. Sidewalks project, as well as allocate and appropriate GO Bond funds in the value of \$277,310.55 under A/E and Construction for EN01060.

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.

Capital improvements in Districts 4 and 8.

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

Amends an existing grant agreement with the Tennessee Department of Transportation for EN01060 to award additional A/E and Construction funds.

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

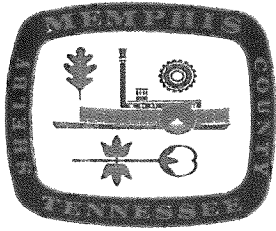
Appropriation will require an amendment to the FY23 Capital Budget to appropriate funds in the sum of \$1,386,552.73.

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

This request is to appropriate \$1,386,552.73 for the EN01062. The Goal setting committee will set an MWBE participation goal of 8% in accordance with TDOT's procedures. The award for Construction has not yet been made.

Council Resolution Caption (Ball Rd. Sidewalk-EN01030 – Federal Grant Acceptance, Allocation, and Appropriation)

A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$1,109,242.18 under A/E and Construction for EN01060 – Ball Rd. Sidewalks project, as well as allocate and appropriate GO Bond funds in the value of \$277,310.55 under A/E and Construction for EN01060.



A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$1,109,242.18 under A/E and Construction for EN01060 – Ball Rd. Sidewalks project, as well as allocate and appropriate GO Bond funds in the value of \$277,310.55 under A/E and Construction for EN01060.

WHEREAS, the Tennessee Department of Transportation has newly awarded \$1,109,242.18 in Federal grant funds to the Design and Construction phases for project EN01060 – Ball Rd. Sidewalks; and

WHEREAS, it is necessary to accept, allocate, and appropriate a sum of \$1,109,242.18 in Federal grant funds; and

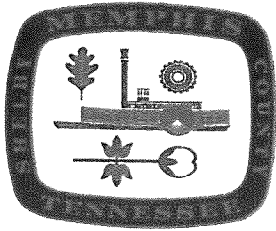
WHEREAS, it is necessary to allocate and appropriate a sum of \$277,310.55 in GO Bond funds; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2023 Capital Budget be and is hereby amended by accepting, allocating, and appropriating \$1,109,242.18 in Federal grant funds as well as by allocating and appropriating \$277,310.55 in GO Bond funds for EN01060 – Ball Rd. Sidewalks.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$1,386,552.73 to the Fiscal Year 2023 Capital Budget and credited as follows:

Project Title:	Ball Rd. Sidewalks
Project Number:	EN01060
Total Amount:	\$1,109,242.18 (Federal Grants CIP at Architecture/Engineering and Contract Construction)

Project Title:	Ball Rd. Sidewalks
Project Number:	EN01060
Total Amount:	\$277,310.55 (GO Bonds at Architecture/Engineering and Contract Construction)



A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$576,250.67 under A/E and Construction for EN01061 – Dunbar Elementary School Pedestrian Safety project, as well as allocate and appropriate GO Bond funds in the value of \$144,062.67 under A/E and Construction for EN01061.

WHEREAS, the Tennessee Department of Transportation has newly awarded \$576,250.67 in Federal grant funds to the Design and Construction phases for project EN01061 – Dunbar Elementary School Pedestrian Safety; and

WHEREAS, it is necessary to accept, allocate, and appropriate a sum of \$576,250.67 in Federal grant funds; and

WHEREAS, it is necessary to allocate and appropriate a sum of \$144,062.67 in GO Bond funds as a local match; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2023 Capital Budget be and is hereby amended by accepting, allocating, and appropriating \$576,250.67 in Federal grant funds as well as by allocating and appropriating \$144,062.67 in GO Bond funds for EN01061 – Dunbar Elementary School Pedestrian Safety.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$720,313.34 to the Fiscal Year 2023 Capital Budget and credited as follows:

Project Title:	Dunbar Elementary School Pedestrian Safety
Project Number:	EN01061
Total Amount:	\$576,250.67 (Federal Grants CIP at Architecture/Engineering and Contract Construction)

Project Title:	Dunbar Elementary School Pedestrian Safety
Project Number:	EN01061
Total Amount:	\$144,062.67 (GO Bonds at Architecture/Engineering and Contract Construction)



Memphis City Council Summary Sheet

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

A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$576,250.67 under A/E and Construction for EN01061 – Dunbar Elementary School Pedestrian Safety project, as well as allocate and appropriate GO Bond funds in the value of \$144,062.67 under A/E and Construction for EN01061.

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.

Capital improvements in Districts 4 and 8.

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

Amends an existing grant agreement with the Tennessee Department of Transportation for EN01061 to award additional A/E and Construction funds.

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

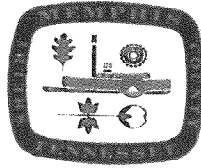
Appropriation will require an amendment to the FY23 Capital Budget to appropriate funds in the sum of \$720,313.34.

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

This request is to appropriate \$720,313.34 for the EN01065. The Goal setting committee will set an MWBE participation goal of 8% in accordance with TDOT's procedures. The award for Construction has not yet been made.

Council Resolution Caption (Hanley Elementary School Pedestrian Safety-EN01065 – Federal Grant Acceptance, Allocation, and Appropriation)

A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$576,250.67 under A/E and Construction for EN01061 – Dunbar Elementary School Pedestrian Safety project, as well as allocate and appropriate GO Bond funds in the value of \$144,062.67 under A/E and Construction for EN01061.



Memphis City Council Summary Sheet

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

A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$554,707.03 under A/E and Construction for EN01065 – Hanley Elementary School Pedestrian Safety project, as well as allocate and appropriate GO Bond funds in the value of \$138,676.76 under A/E and Construction for EN01065.

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.

Capital improvements in Districts 4 and 8.

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

Amends an existing grant agreement with the Tennessee Department of Transportation for EN01065 to award additional A/E and Construction funds.

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

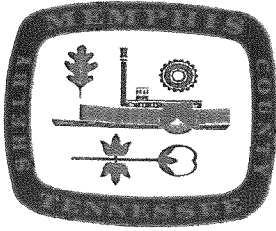
Appropriation will require an amendment to the FY23 Capital Budget to appropriate funds in the sum of \$693,383.79.

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

This request is to appropriate \$693,383.79 for the EN01065. The Goal setting committee will set an MWBE participation goal of 8% in accordance with TDOT's procedures. The award for Construction has not yet been made.

Council Resolution Caption (Hanley Elementary School Pedestrian Safety-EN01065 – Federal Grant Acceptance, Allocation, and Appropriation)

A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$554,707.03 under A/E and Construction for EN01065 – Hanley Elementary School Pedestrian Safety project, as well as allocate and appropriate GO Bond funds in the value of \$138,676.76 under A/E and Construction for EN01065.



A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$554,707.03 under A/E and Construction for EN01065 – Hanley Elementary School Pedestrian Safety project, as well as allocate and appropriate GO Bond funds in the value of \$138,676.76 under A/E and Construction for EN01065.

WHEREAS, the Tennessee Department of Transportation has newly awarded \$554,707.03 in Federal grant funds to the Design and Construction phases for project EN01065 – Hanley Elementary School Pedestrian Safety; and

WHEREAS, it is necessary to accept, allocate, and appropriate a sum of \$554,707.03 in Federal grant funds; and

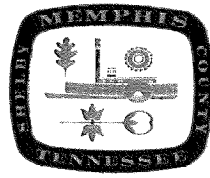
WHEREAS, it is necessary to allocate and appropriate a sum of \$138,676.76 in GO Bond funds as a local match; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2023 Capital Budget be and is hereby amended by accepting, allocating, and appropriating \$554,707.03 in Federal grant funds as well as by allocating and appropriating \$138,676.76 in GO Bond funds for EN01065 – Hanley Elementary School Pedestrian Safety.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$693,383.79 to the Fiscal Year 2023 Capital Budget and credited as follows:

Project Title:	Hanley Elementary School Pedestrian Safety
Project Number:	EN01065
Total Amount:	\$554,707.03 (Federal Grants CIP at Architecture/Engineering and Contract Construction)

Project Title:	Hanley Elementary School Pedestrian Safety
Project Number:	EN01065
Total Amount:	\$138,676.76 (GO Bonds at Architecture/Engineering and Contract Construction)



Memphis City Council Summary Sheet

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

A resolution approving the purchase of real property for a public safety recruiting center located at 61 S McLean Blvd., Memphis TN 38104

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

Public Safety

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

N/A

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

District 5 and Super District 9

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

N/A

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

The purchase price is listed as \$600,000

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

N/A



A Resolution Approving the Purchase of Real Property for a Public Safety Recruiting Center located at 61 S McLean Blvd., Memphis, TN 38104

Whereas, the Memphis Police Department and Memphis Fire Department are aggressively working to recruit Police Officers and Firefighters to serve the citizens of Memphis;

Whereas, having an easily accessible, high visibility, physical location for prospects to get information and for candidates to complete their applications is critical to a successful recruiting strategy;

Whereas, the intersection at Union Avenue and McLean Blvd has a daily traffic count of more than 50,000 vehicles per day;

Whereas, the City of Memphis has determined that the property formerly known as Las Savell Jewelry located at 61 S McLean Blvd, parcel ID # 017047 00011 is an ideal geographic location to serve as a recruitment center for Fire and Police Services;

Whereas, based on comparable sales in the area, the City of Memphis has offered \$600,000.00 for the purchase of said real property and has currently commissioned an appraisal;

Whereas, funding to support public safety recruitment activities has been appropriated as a part of the FY22 and FY23 budgets and sufficient funding is available for this purchase;

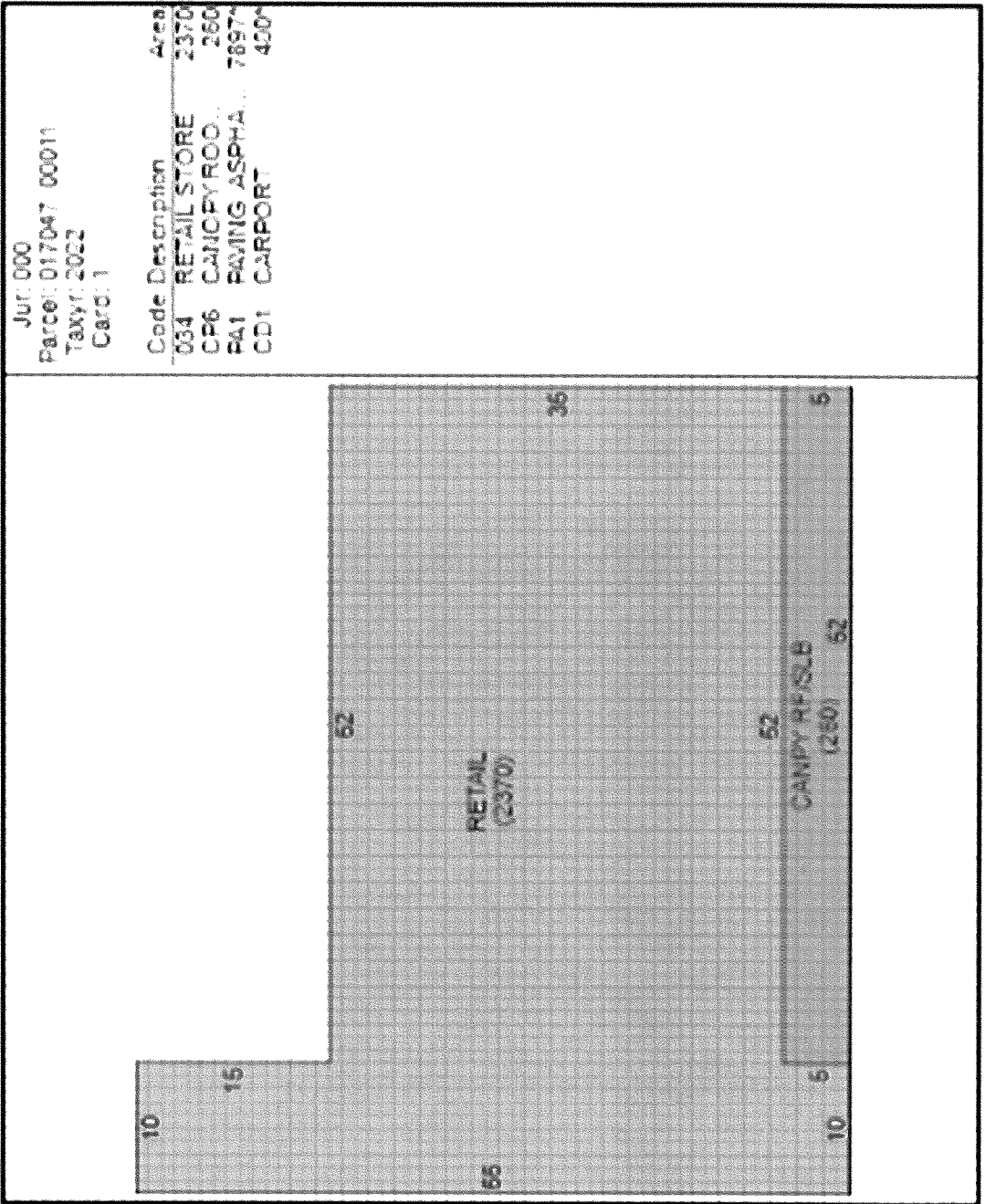
Whereas, Fire Station 11 is presently located to the south of the former Las Savell Jewelry building and FS#11 desires more parking for their current shift and oncoming shift personnel, citizens in the community, and ADA parking; purchase of this property will significantly improve operations and quality of life for firefighters at this station; and

Whereas, it is deemed to be in the best interest of the City of Memphis to acquire the property to meet the growing needs of the community it serves.

Now, Therefore, Be It Resolved that the Council of the City of Memphis hereby approves the request to purchase real property for a public safety recruiting center; and

Be It Further Resolved, the City of Memphis Real Estate Department or designee shall prepare and arrange for the execution of the deed of transfer, and any other documents incidental to the completion of the purchase, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale.

Property Building Sketch



OFFER TO PURCHASE

OWNER OF PROPERTY: AMY SAVELL, herein after referred to "Seller"

OFFER SUBMITTED BY: CITY OF MEMPHIS, herein after referred to as "Purchaser"

1. **PRICE OFFERED:** Six Hundred Thousand and 00/100 dollars (\$600,000.00)
TERMS: All Cash at closing.

EARNEST MONEY: Sixty Thousand and 00/100 Dollars (\$60,000.00) (Certified or Cashier's Check or Cash) to be applied on Sales price at closing.
2. **SALE AND PURCHASE:** Purchaser agrees to purchase and accept all of the terms and conditions of this Contract for the Purchase Price (as defined below). Seller agrees to convey and assign to Purchaser, the following: all of the real property located in the County of Shelby, City of Memphis, State of Tennessee, known as 61 S McLean Blvd, Memphis TN 38104, Parcel ID# 017047 00011, containing 0.241 acres, more or less, together with all rights, privileges, and appurtenances belonging or appertaining to such land.
3. **SETTLEMENT:** To be made within August 2, 2022, after offer is approved by City Council and signed by the Mayor. Failure of purchaser to perform within time specified shall cause agreement to be voidable at Seller's option without notice and any earnest money, cash payment or expenses will be forfeited, at Seller's option. Forfeiture of earnest money deposit does not constitute Seller's exclusive remedy and Seller does not waive its option to sue for any damages or losses it may incur resulting from Purchaser's failure to perform within the specified time mentioned herein.
4. **TITLE:** To be conveyed by quit claim deed and subject to any rights of persons in possession, conditions, restrictions, encroachments, and further subject to any existing easements granted to any public utility or otherwise, reserving any existing easements recorded or unrecorded in favor of the City of Memphis and/or County of Shelby or any quasi-public entity or authority for any existing public utilities, or facilities, including but not limited to storm and sanitary sewer systems, electric, gas, water or communications lines. Seller shall not be required to execute any document concerning condition or marketability of title including but not limited to "Sellers Affidavit as to Title" and Purchaser specifically understands and agrees to accept property in its present condition of marketability without any warranties, guarantees or promises of marketability or insurability of title and without recourse against the Seller, its employees, agents or representatives.
5. **TAXES:** Property to be delivered free of all prior taxes. However, the Purchaser will be responsible for all property taxes levied after the date of settlement of this property transfer.
6. **ABSTRACT OF TITLE, TAXES AND JUDGEMENTS:** Seller pays for title search, any back taxes and judgements levied against the property
7. **POSSESSION:** To be given on delivery of deed, subject to the rights of any tenants in possession.
8. **ACCEPTANCE:** It is understood and agreed that this Contract is subject to approval and acceptance by the proper City of Memphis officials as evidenced by their signatures below and approval of this purchase by proper resolution by City Council, and in accordance with the City Ordinance.
9. **CLOSING EXPENSES:** Purchaser and Seller pays their respective closing costs.
10. **REAL ESTATE COMMISSION:**

(a) Broker's commissions shall be paid by the Seller's Broker per separate agreement to Braden, Braden & Braden, I.L.C. agent for City of Memphis for this transaction.

11. **TITLE GUARANTY POLICY:** Purchaser may elect to acquire a title guaranty policy, at its own expense. If the Purchaser is unable to acquire a title guaranty from any of the local title companies prior to closing, said Purchaser may elect to withdraw its offer by notifying the Seller in writing, and the Earnest Money deposit shall be refunded. The Seller in no way agrees to warrant title or marketability of same. The Seller shall not be liable for expenses incurred by the Purchaser in its attempt to insure title.
12. **WARRANTIES:** Seller makes no warranties and does not accept any liability arising out of the environmental condition of the property or any compliance with applicable laws and regulations regarding environmental issues. Seller makes no representations or warranties about the condition of the improvements and Purchaser agrees to accept same in an "as is" condition.
13. **SUITABILITY OF USE:** Seller makes no warranties or representations as to the use and/or suitability of the property for the Buyer's purposes. Buyer agrees to comply with all laws, zoning, and regulations applicable when developing the property. It is hereby agreed and understood between the parties, Purchaser and Seller, hereto that if the Purchaser seeks a change of zoning or use on the property described herein, notice will be given to the Land Use Control Board and the Memphis City Council.
14. **PROHIBITED USES:** Purchaser agrees not to use the property for purposes of erecting an outdoor advertising sign or billboard and further Purchaser understands that the deed conveying the property will restrict all future owners from using the property to erect an outdoor advertising sign or billboard.
15. **COSTS TO ENFORCE CONTRACT:** Should any party to this Contract bring an action against any other party to this Contract to enforce the terms hereof, then the prevailing party in such action shall be entitled to recover from the other party all costs incurred by the prevailing party in bringing the action, including attorney's fees.
16. **ENTIRE AGREEMENT:** This Contract contains the entire agreement of the parties relating to the subject matter hereof and cannot be changed except by their written consent.
17. **NOTICES:** All notices shall be in writing and delivered to the notice address set forth below by one of the following methods: (1) by a prepaid overnight delivery service; or (2) by U.S. postal service, postage prepaid, certified or registered mail, return receipt requested. In the case of delivery by prepaid overnight delivery service or U.S. postal service, postage prepaid, certified or registered mail, return receipt requested, such notice shall be deemed received on the day of delivery or on the third business day after postmark for U.S. postal service.

TO PURCHASER:

City of Memphis Real Estate Manager
City Hall, 125 North Main, Room 568
Memphis, Tennessee 38103
(901) 576 - 6673

TO SELLER:

Amy Savell
~~61 S. McLean Blvd~~
~~Memphis, TN 38104~~

Unit 1006
200 WAGNER PLACE
Memphis, TN 38103
UBD

With copy to:

City of Memphis
Attn: Chief Legal Officer / City Attorney
125 N Main St., Room 336
Memphis, TN 38103

18. **GOVERNING LAW.** The validity, meaning, and effect of this Contract shall be determined in accordance with the laws of the State of Tennessee applicable to contracts made and to be performed in Tennessee. All actions, whether sounding in contract or in tort, relating to the validity, construction, interpretation and enforcement of this Contract shall be instituted and litigated in the courts of the State of Tennessee, located in Shelby County, Tennessee, without regard to conflicts of laws principles. In accordance herewith, the parties to this Contract submit to the jurisdiction of the courts of the State of Tennessee located in Shelby County, Tennessee.
19. **COUNTERPARTS; ELECTRONIC SIGNATURES.** This Contract may be executed in two (2) or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument. This Contract may be executed and delivered by e-mail, facsimile, or other means of electronic or digital signature with the same force and effect as if original signatures hereto were delivered; provided, however, that if either party provides an electronic form of signature it will, upon request of the other party, promptly deliver an original signature hereto.
20. **PARTIAL INVALIDITY.** If any provision or provisions, or any portion of any provision or provisions, of this Contract is found by a court of law to be in violation of any applicable local, state, or federal ordinance, statute, law, administrative or judicial decision, or public policy, and if such court should declare such portion, provision or provisions of this Contract to be illegal, invalid, void, or unlawful as written, then it is the intent of Seller and Purchaser that any such portion, provision, or provisions shall be given force to the fullest possible extent that they are legal, valid, and enforceable, that the remainder of this Contract shall be construed as if such illegal, invalid, unlawful, or void portion, provision, or provisions were not contained herein, and that the rights, obligations, and interests of Seller and Purchaser under the remainder of the Contract shall continue in full force and effect.
21. **BINDING EFFECT.** This Contract shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, executors, personal representatives, administrators, successors, and assignees.
22. **CAPTIONS.** The captions of this Contract are inserted for convenience of reference only and in no way describe or limit the scope of this Contract or any of the provisions hereof.
23. **TIME OF THE ESSENCE.** Time is of the essence of this Contract.
24. **EXECUTED:** by Seller and Purchaser in multiple originals on the date(s) shown below their respective signatures. The date upon which this Contract is fully executed by the last party signatory hereto is the "Effective Date."

IN WITNESS THEREOF, the parties have signed this CONTRACT FOR SALE AND PURCHASE OF REAL PROPERTY, effective as of the Effective Date, by their duly authorized representatives.

PURCHASER / CITY OF MEMPHIS

Jim Strickland, Mayor

SELLER

Amy Savell 7/18/22
Amy Savell

APPROVED:

City Attorney

ATTEST:

City Comptroller



Real Estate Manager