



**CITY COUNCIL
MEETING AGENDA**

August 9, 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 26, 2022)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. SOLO PERFORMANCE by Donovan Jones. Requested by Chairwoman Swearengen.
2. RESOLUTION honoring the life and legacy of Mary Wright-Taylor for her contributions to the City of Memphis. District 4, Super District 8. This Resolution is sponsored by Chairwoman Swearengen.

PUBLIC HEARINGS

3. RESOLUTION approving the appeal of Prentiss Mitchell on behalf of the MIM, LLC seeking to overturn the action of the Memphis and Shelby County Land Use Control Board denying a modification to the Gurley Winchester Road Planned Development at the subject property located on the south side of TN-385, north side of Riverdale Bend Road and east of Riverdale Road. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. MJR 22-13

Appellants: MIM, LLC – Prentiss Mitchell

Appellee: Land Use Control Board

Request: Overturn a decision of the Land Use Control Board

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

10 NOTICES WERE MAILED ON AUGUST 2, 2022

DIVISION OF PLANNING AND DEVELOPMENT (None)

ZONING ORDINANCE- THIRD AND FINAL READING

4. **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 T H I R D and F I N A L 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: Take whatever action Council deems advisable

CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING (None)

GENERAL ORDINANCE - SECOND READING

5. **ORDINANCE** adopting a Commercial Property Assessed Clean Energy and Resiliency (C-PACER) program within the City of Memphis, Tennessee, up for S E C O N D reading. Ordinance No. 5832 is sponsored by EDGE and the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

ACTION REQUESTED: Adopt the Ordinance on Second reading

6. **ORDINANCE** to revise and change certain Council districts as a result of deannexation of areas in the city and population changes reflected in the 2020 Federal Census so that all such districts will remain as equal as practicable and all such districts will comply with the injunction decree issued the United States District Judge Jerome Turner pertaining to Voting Rights Act remedies, up for S E C O N D reading. Ordinance No. 5833 is sponsored by Councilmembers Smiley, Ford, Colvett, and Canale.

Swarengen
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the Ordinance for Second reading

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

7. RESOLUTION approving the final plat for Oaklawn Estates PD Phase 2 Area A and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5416

Resolution approves the final plat in the present limits of Shelby County as reflected on the plat and located 3,300 linear feet North of Latting Woods Road and Roland Road in Shelby County, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts Performance Bond No. 4449753 in the amount of \$250,100.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 8. RESOLUTION approving the final plat for Oaklawn Estates PD Phase 3 Area A and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5417

Resolution approves the final plat in the present limits of Shelby County as reflected on the plat and located 3,300 linear feet North of Latting Woods Road and Roland Road in Shelby County, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts Performance Bond No. 4449754 in the amount of \$213,500.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 9. RESOLUTION approving the final plat for KIRBY POINTE APARTMENTS (MJR 21-26) and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5418

Resolution approves the final plat in the present limits of the City of Memphis as reflected on the plat and located 340' north of Shelby Drive and east side of Kirby Parkway in Memphis Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts Performance Bond No. E706828 in the amount of \$212,500.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 10. RESOLUTION approving the engineering plans for CONWOOD II DEVELOPMENT and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5419

Resolution approves engineering plans within the present limits of the City of Memphis and located at the northwest corner of Saffarans Avenue and Front Street in Memphis Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Cash Bond in the amount of \$166,200.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

11. RESOLUTION accepting public improvements for TUTWILER AVENUE TRAFFIC CALMING [CR-5394] and authorizing release of the bond. (Request for Same Night Minutes)

(Contract No. CR-5394)

Resolution approves accepting the public improvements located in the present limits of the City of Memphis and located at the northeast corner of Tutwiler Avenue and National Street in Memphis, Tennessee. Resolution also authorizes the release of the Cash Bond in the amount of \$57,800.00 held as security.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

12. RESOLUTION to accept a donation of a 2022 Dodge Durango from the Memphis Fire Department Foundation for the Healthcare Navigator Program. All Council Districts. This Resolution is sponsored by Fire Services. (Request for Same Night Minutes)

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Chase Carlisle

13. RESOLUTION awarding Contract No. 12260, Over-the-Phone Language Line Interpreter Service to Propio LS, LLC dba Propio Language Services, in the funded not-to-exceed amount of \$567,521.67.
14. RESOLUTION awarding Contract No. 12211, Complex Billing System to Milestone Utility Services in the funded not-to-exceed amount of \$3,227,948.87.
15. RESOLUTION awarding Contract No. 12250, Arc Flash Hazard Systems and Facilities Assessment to Burns and McDonnell Engineering Co., Inc., in the funded not-to-exceed amount of \$3,459,236.00.
16. RESOLUTION awarding Contract No. 12322 (solicited under Contract No. 12250), Arc Flash Hazard Systems and Facilities Assessment to S & C Electrical Company in the funded not-to-exceed amount of \$2,039,500.00.
17. RESOLUTION approving Change No. 1 to Contract No. 12382 (Formerly Purchasing Purchase Order #7006141), Division Copy Fleet with Konica Minolta Business Solutions USA, Inc., in the funded amount of \$205,009.20. (This change is to renew and extend an existing purchase order an additional 24 months for the 101-multifunction copier/printer/scanners in the amount of \$205,009.20 for the period covering October 1, 2022, through September 30, 2024, which reflects a 3.5% decrease in rates from the initial purchase order. This renewal covers the equipment, service, and supplies for unlimited monochrome and color printed pages per month).
18. RESOLUTION approving Change No. 1 to Contract No. 12209, Courier Services with Express Courier International, Inc. to renew the current contract in the funded amount of \$160,791.14.
19. RESOLUTION awarding Contract No. 12377, Customer Care Center (CCC) Communication Services to AT&T in the funded amount of \$699,926.04.
20. RESOLUTION awarding Contract No. 12379, 18 XXHP at Germantown Gate Station to T.D. Williamson (TDW) US, Inc. in the funded amount of \$398,475.40.
21. RESOLUTION approving a twelve (12) month extension of Purchase Order Number 7014778 with WESCO Distribution, Inc., formerly Anixter, for decorative concrete standards in the amount of \$475,644.00.
22. RESOLUTION approving Change No. 3 to Contract No. 12060, DOT Drug and Alcohol Testing with Mid-South Drug Testing, Inc., to renew the current contract in the funded amount of \$125,000.00.

REGULAR AGENDA

APPOINTMENTS

23. **MEMPHIS ALCOHOL COMMISSION**

Easter-

Thomas Appointment

Chairman,

Personnel & Charles M. Monger, II

Governmental

Affairs **MEMPHIS & SHELBY COUNTY CENTER CITY REVENUE FINANCE BOARD**

Committee

Appointment

Patrick Hillard

MEMPHIS & SHELBY COUNTY ECONOMIC DEVELOPMENT GROWTH ENGINE

Appointment

Vijay Kalaga

GENERAL ORDINANCES THIRD AND FINAL READING (None)

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION

24. RESOLUTION to accept, allocate and appropriate Federal Grant funds in the amount of (\$97,336.00) and State Grant funds in the amount of (\$422,750.00) under Architecture/Engineering and Construction for Project #PW01274-North Parkway Sidewalks Project, as well as allocate and appropriate G.O. Bond funds in the amount of (\$46,584.00) under Architecture/Engineering and Construction for Project #PW01274. District 5, Super District 9. This Resolution is sponsored by the Engineering Division.

ACTION REQUESTED: Adopt the Resolution

25. RESOLUTION to accept, allocate and appropriate Federal Grant funds in the amount of (\$809,133.60) under Architecture/Engineering and Construction for Project #EN01036-STP Sidewalk Program, as well as allocate and appropriate G.O Bond funds in the amount of (\$202,283.40) under Architecture/Engineering and Construction for Project #EN01036. Districts 1, 4, & 5, Super Districts 8 & 9. This Resolution is sponsored by the Engineering Division.

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

ACTION REQUESTED: Adopt the Resolution

26. RESOLUTION to accept, allocate, and appropriate Federal Grant funds in the amount of (\$1,109,242.18) under Architecture/Engineering and Construction for Project #EN01060-Ball Rd. Sidewalk Project, as well as allocate and appropriate G.O. Bond funds in the amount of (\$277,310.55) under Architecture/Engineering and Construction for Project #EN01060. District 4, Super District 8. This Resolution is sponsored by the Engineering Division.

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

ACTION REQUESTED: Adopt the Resolution

27. RESOLUTION to accept, allocate and appropriate Federal Grant funds in the amount of (\$576,250.67) under A/E and Construction for Project #EN01061-Dunbar Elementary School Pedestrian Safety Project, as well as allocate and appropriate G.O. Bond funds in the amount of (\$144,062.67) under Architecture/Engineering and Construction for Project #EN01061. District 4, Super District 8. This Resolution is sponsored by the Engineering Division.

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

ACTION REQUESTED: Adopt the Resolution

28. RESOLUTION to accept, allocate and appropriate Federal Grant funds in the amount of (\$554,707.03) under Architecture/Engineering and Construction for Project #EN01065- Hanley Elementary School Pedestrian Safety Project, as well as allocate and appropriate G.O. Bond funds in the amount of (\$138,676.76) under Architecture/Engineering and Construction for Project #EN01065. District 4, Super District 8. This Resolution is sponsored by the Engineering Division.

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

ACTION REQUESTED: Adopt the Resolution

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

29. RESOLUTION to appropriate funds for construction of the T.E. Maxson Smiley Wastewater Treatment Facility Lagoon 2A in Sludge Disposal/Earth Complex in the amount of (\$8,168,600.00) Project #SW02006. District 6, Super District 8. This Resolution is sponsored by the Public Works Division.

Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Adopt the Resolution

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT