

A resolution to amend the Council FY23 grant allocations

WHEREAS, the FY 23 Operating Budget included \$3.25 million in funding for the Council's Grants Program with an equal apportionment to the 13 members in the amount of \$250,000; and

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

WHEREAS, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the following request for disbursement(s) of remaining funds be approved as follows:

ORGANIZATION NAME	AMOUNT
Memphis Dental Society Charitable Fund	\$50,000
TOTAL	\$50,000

Sponsor: Frank Colvett, Jr.

A resolution to amend the Council FY23 grant allocations

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NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the following request for disbursement(s) of remaining funds be approved as follows:

ORGANIZATION NAME	AMOUNT
Feed the Needy	\$5,000
TOTAL	\$5,000

Sponsor: Ford Canale

A resolution to amend the Council FY23 grant allocations

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

WHEREAS, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the following request for disbursement(s) of remaining funds be approved as follows:

ORGANIZATION NAME	AMOUNT
NAACP Memphis Branch	\$10,000
Memphis Health Center	\$8,000
Feed the Needy	\$7,000
Legacy of Legends CDC	\$7,000
Harmonic South String Orchestra	\$6,000
Solid Rock Development Corporation	\$3,000
City Leadership	\$2,000
TOTAL	\$43,000

Sponsor:
JB Smiley, Jr.

Resolution to Amend Council FY23 Grant Allocations

WHEREAS, the FY 23 Operating Budget included \$3.25 million in funding for the Council’s Grants Program with an equal apportionment to the thirteen (13) members in the amount of \$250,000; and

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

WHEREAS, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the following request for disbursement(s) of remaining funds be approved as follows:

ORGANIZATION NAME	AMOUNT
Dress for Success	\$15,000
Youth Engineered Success	\$3,000
Dorothy Day House	\$2,000
A Fresh Start to New Beginning	\$3,000
Grooming Greatness	\$3,000
Modern Distinctive Ladies, Inc.	\$5,000
Relationship Unleashed	\$10,000
Memphis Dental Society Charitable	\$5,000
Connect Hearts	\$10,000
Feed the Needy	\$5,000
Memphis Health Center	\$10,000
Ladies In Need Can Survive	\$3,000
Africa in April Cultural Awareness Festival, Inc.	\$2,000
Red Zone Memphis Inc.	\$6,000
Opportunity R3-City of Memphis Executive Division	\$20,194.60
Total	\$102,194.60

Sponsor: Teri Dockery

Chair Jones

A resolution to amend the Council FY23 grant allocations

WHEREAS, the FY 23 Operating Budget included \$3.25 million in funding for the Council's Grants Program with an equal apportionment to the 13 members in the amount of \$250,000; and

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

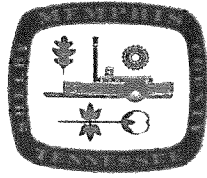
WHEREAS, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the following request for disbursement(s) of remaining funds be approved as follows:

ORGANIZATION NAME	AMOUNT
Urban Promise 901	\$2,500
TOTAL	\$2,500

Sponsor:
Edmund Ford, Sr.

Chairman:
Martavius Jones



Memphis City Council Summary Sheet

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

Resolution appropriating the sum of \$500,000.00 funded by GO Bonds-General chargeable to the FY2023 Capital Improvement Budget for the Edgeview at Legends Park project.

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

The Division of Housing and Community Development

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

Not applicable.

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.

Contract amendment to an existing contract with Memphis Housing Authority.

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

Expenditure of funds will be required.

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

30% MBE/WBE Goal



Memphis City Council Summary Sheet

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

This is a resolution appropriating the sum of \$500,000.00 funded by GO Bonds-General chargeable to the FY2023 Capital Improvement Budget for the Edgeview at Legends Park project.

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

Housing and Community Development

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

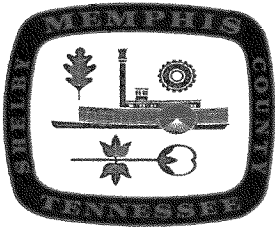
This item does not require a change to an existing ordinance.

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

This item will require a new contract Memphis Housing Authority.

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

This item requires an expenditure of funds but does not require a budget amendment.



RESOLUTION

A resolution appropriating the sum of \$500,000.00 funded by GO Bonds chargeable to the FY2023 Capital Improvement Budget for the Edgeview at Legends Park project.

WHEREAS, in partnership with the City of Memphis, the Memphis Housing Authority and its competitively selected development partner, Penrose, are continuing with the City's mission to develop quality affordable housing for low and moderate-income families as part of the Legends Parks Project; and

WHEREAS, the Edgeview at Legends Park site will create 99 units of affordable housing for senior citizens on vacant property within the Legends Park mixed income community; and

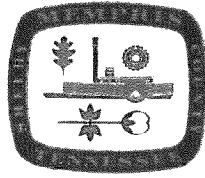
WHEREAS, planned redevelopment activities will consist of the development of 99 units of affordable housing for senior citizens, with 7 units set aside for veterans; and

WHEREAS, the City of Memphis has committed allocations totaling \$500,000 from the FY2023 Capital Improvement Budget and those funds will be encumbered to fund the aforementioned activities in the targeted area; and

WHEREAS, the Memphis City Council has also approved the FY2023 Capital Improvement Budget which included an allocation of FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$500,000.00) for the Memphis Housing Authority project known as Edgeview at Legends Park CD02018 to provide funding for the aforementioned activities in the targeted area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated the sum of FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$500,000.00) funded by GO Bonds chargeable to the FY2023 Capital Improvement Budget and credited as follows:

Project Title:	Edgeview at Legends Park
Project Number:	CD02018
Contract Construction:	\$500,000.00



Memphis City Council Summary Sheet

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

Resolution appropriating the sum of \$2,000,000.00 funded by GO Bonds-General chargeable to the FY2023 Capital Improvement Budget for the South City Project.

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

The Division of Housing and Community Development

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

Not applicable.

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.

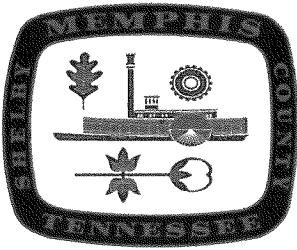
Contract amendment to an existing contract with Memphis Housing Authority.

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

Expenditure of funds will be required.

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

30% MBE/WBE Goal



Memphis City Council Summary Sheet

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

This is a resolution appropriating the sum of \$2,000,000.00 funded by GO Bonds-General chargeable to the FY2023 Capital Improvement Budget for the South City Project.

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

Housing and Community Development

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

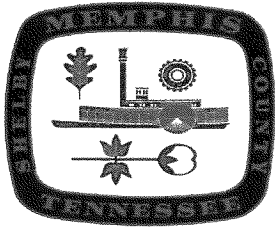
This item does not require a change to an existing ordinance.

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

This item will require amending an existing contract with Memphis Housing Authority.

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

This item requires an expenditure of funds but does not require a budget amendment.



RESOLUTION

A resolution appropriating the sum of \$2,000,000.00 funded by GO Bonds chargeable to the FY2023 Capital Improvement Budget for the South City Project.

WHEREAS, in partnership with the City of Memphis, the Memphis Housing Authority and its competitively selected development partner, McCormack Baron Salazar, Inc. are continuing with the City's mission to develop quality affordable housing for low and moderate-income families and to create neighborhood improvements as part of the formerly known Foote Homes (now South City) Project; and

WHEREAS, the South City site will be developed in 6 phases, creating a 712 unit mixed use community, 600 onsite and 112 offsite units on the former Foote Homes Public Housing Development site; and

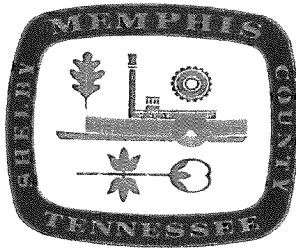
WHEREAS, planned redevelopment activities will consist of the development of 480 family rental apartments onsite; 120 senior rental apartments onsite; 112 family units offsite; installation of public improvements; development of neighborhood amenities and improvements; and related activities to support the successful development of these components; and

WHEREAS, the City of Memphis has committed allocations totaling \$34,000,000 from the FY2017, 2018, 2019, 2020, 2021, 2022, and 2023 Capital Improvement Budgets and those funds will be encumbered to fund the aforementioned activities in the targeted area; and

WHEREAS, the Memphis City Council has also approved the FY2023 Capital Improvement Budget which included an allocation of TWO MILLION DOLLARS AND NO CENTS (\$2,000,000.00) for the Memphis Housing Authority project known as South City Project Number CD01030 to provide funding for the aforementioned activities in the targeted area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated the sum of TWO MILLION DOLLARS AND NO CENTS (\$2,000,000.00) funded by GO Bonds chargeable to the FY2023 Capital Improvement Budget and credited as follows:

Project Title:	South City
Project Number:	CD01030
Contract Construction:	\$2,000,000.00



Memphis City Council Summary Sheet

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

Resolution accepting, allocating, and appropriating grant funds in the amount of \$450,000.00 from the Kresge Foundation via Innovate Memphis for expenses related to improving transportation and mobility planning and project delivery.

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

Division of Planning and Development

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

This is not a change to an existing ordinance or resolution.

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

This will affect all districts.

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

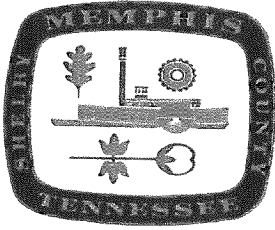
This resolution does not require a new contract nor amend an existing contract.

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

This resolution requires a budget amendment.

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

This grant does not have EBO participation.



A Resolution to accept, allocate and appropriate grant funds in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) from Kresge Foundation passed through to Innovate Memphis for City of Memphis' initiative to improve transportation and mobility planning and project delivery.

WHEREAS, the Memphis and Shelby County Division of Planning and Development have been awarded grant funds in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) through the Kresge Foundation via Innovate Memphis; and

WHEREAS, these funds will be used to improve transportation and mobility planning and project delivery; and

WHEREAS, it is necessary to accept the grant funding and amend the FY 2023 Operating Budget grant funds in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) for expenses related to personnel and other costs to improve transportation and mobility planning and project delivery;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Innovate Memphis grant funds in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2023 Grant Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Transportation Planning Initiative Grant as follows:

Revenues

Innovate Memphis	\$ 450,000.00*
TOTAL	<u>\$ 450,000.00</u>

Expenditures

Personnel Costs	\$188,200.00
Total	\$188,200.00

Professional Services	\$200,000.00
Travel Expense	\$ 32,000.00
Materials/Supplies/Printing	\$ 29,800.00
TOTAL	<u>\$450,000.00</u>

*Kresge awarded \$480,000 to Innovate Memphis; Innovate Memphis awarded \$450,000 to City of Memphis

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 09/27/2022

DATE

PUBLIC SESSION: 09/27/2022

DATE

ITEM (CHECK ONE)

 ORDINANCE X RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution approving the closure of the public right-of-way of an east-west public alley located between N. Fourth St and Court Ave and terminates 89± sq. ft. east of N. Fourth St. known as case SAC 2022-002.

CASE NUMBER: SAC 2022-002

LOCATION: Between N. Fourth St and Court Ave and terminates 89± sq. ft. east of N. Fourth St.

COUNCIL DISTRICTS: District 6 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Townsend Development

REPRESENTATIVES: Cindy Reaves, SR Consulting, LLC

REQUEST: Close and vacate the public right-of-way of an east-west public alley located between N. Fourth St and Court Ave and terminates 89± sq. ft. east of N. Fourth St.

AREA: +/-1,317 sq. ft.

RECOMMENDATION: The Division of Planning and Development recommended *Approval with conditions*
The Land Use Control Board recommended *Approval with conditions*

RECOMMENDED COUNCIL ACTION: **Public Hearing Not Required**

PRIOR ACTION ON ITEM:

<u>(1)</u>	APPROVAL - (1) APPROVED (2) DENIED
<u>05/12/2022</u>	DATE
<u>(1) Land Use Control Board</u>	ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

<u>(2)</u>	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
<u>\$</u>	AMOUNT OF EXPENDITURE
<u>\$</u>	REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

<u>\$</u>	OPERATING BUDGET
<u>\$</u>	CIP PROJECT # _____
<u>\$</u>	FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
<u>Lucas Skimmer</u>	<u>09/19/2022</u>	MUNICIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SAC 2022-002

RESOLUTION APPROVING RESOLUTION APPROVING THE CLOSURE OF THE PUBLIC RIGHT-OF-WAY OF AN EAST-WEST PUBLIC ALLEY LOCATED BETWEEN N. FOURTH ST AND COURT AVE AND TERMINATES 89± SQ. FT. EAST OF N. FOURTH ST. KNOWN AS CASE SAC 2022-002.

- This item is a resolution with conditions to allow the above; and
- This item may require a new public improvement contract.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, May 12, 2022**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	SAC 2022-002
LOCATION:	East-west public alley located between N. Fourth St and Court Ave and terminates 89± sq. ft. east of N. Fourth St.
COUNCIL DISTRICT(S):	District 6, Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	Townsend Development
REPRESENTATIVE:	Cindy Reaves, SR Consulting, LLC
REQUEST:	Right-of-way vacation
EXISTING ZONING:	Central Business District
AREA:	1,317 Sq. Ft.

The following spoke in support of the application: None

The following spoke in opposition of the application: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval with conditions of the application.

The motion passed by a unanimous vote of 10-0 on the consent agenda.

Respectfully,



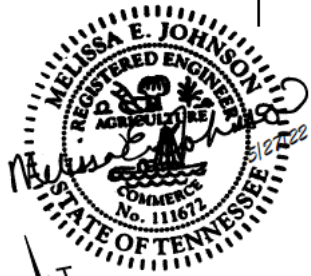
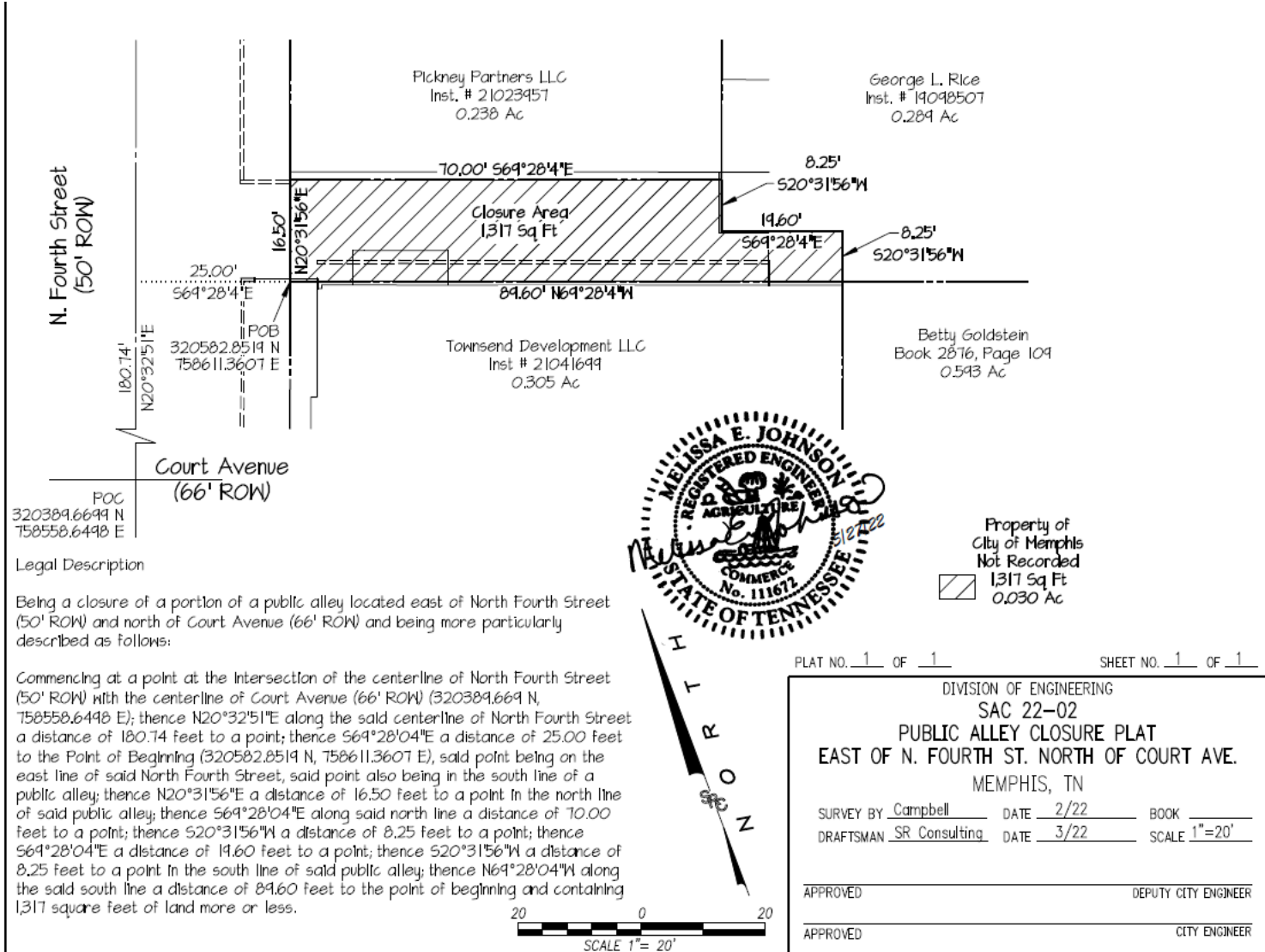
Lucas Skinner
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SAC 2022-02
CONDITIONS

1. Provide easements for any existing utilities or relocate at the developer's expense.
2. Submit a closure plat subject to review and approval by City Engineering.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.

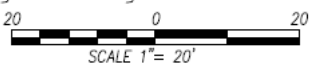
CLOSURE PLAT



Property of City of Memphis
Not Recorded
1,317 Sq Ft
0.030 Ac

Legal Description
Being a closure of a portion of a public alley located east of North Fourth Street (50' ROW) and north of Court Avenue (66' ROW) and being more particularly described as follows:

Commencing at a point at the intersection of the centerline of North Fourth Street (50' ROW) with the centerline of Court Avenue (66' ROW) (320389.669 N, 758558.6448 E); thence N20°32'51\"/>



PLAT NO. 1 OF 1 SHEET NO. 1 OF 1

DIVISION OF ENGINEERING
SAC 22-02
PUBLIC ALLEY CLOSURE PLAT
EAST OF N. FOURTH ST. NORTH OF COURT AVE.
MEMPHIS, TN

SURVEY BY Campbell DATE 2/22 BOOK _____
DRAFTSMAN SR Consulting DATE 3/22 SCALE 1\"/>

APPROVED _____ DEPUTY CITY ENGINEER
APPROVED _____ CITY ENGINEER



RESOLUTION

RESOLUTION APPROVING THE CLOSURE OF AN EAST-WEST PUBLIC ALLEY LOCATED APPROXIMATELY 148.5 FEET NORTH OF THE INTERSECTION OF THE NORTH LINE OF COURT AVENUE WITH THE EAST LINE OF NORTH FOURTH STREET, KNOWN AS CASE NUMBER SAC 22-002

WHEREAS, the City of Memphis is the owner of real property known as the east-west public alley right-of-way east of Fourth Street, south of Jefferson, and north of Court Avenue in Memphis, Tennessee and being more particularly described as follows:

Being a closure of a portion of a public alley located east of North Fourth Street (50' ROW) and north of Court Avenue (66' ROW) and being more particularly described as follows:

Commencing at a point at the intersection of the centerline of North Fourth Street (50' ROW) with the centerline of Court Avenue (66' ROW); thence N20°32'51"E along the said centerline of North Fourth Street a distance of 180.74 feet to a point; thence S69°28'04"E a distance of 25.00 feet to a point in the east line of said North Fourth Street, said point also being in the south line of a public alley; thence N20°31'56"E a distance of 16.50 feet to a point in the north line of said public alley; thence S69°28'04"E along said north line a distance of 70.00 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point; thence S69°28'04"E a distance of 19.60 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point in the south line of said public alley; thence N69°28'04"W along the said south line a distance of 89.60 feet to the point of beginning and containing 1,317 square feet of land more or less.

WHEREAS, the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and desires to close the hereinabove described public right-of-way and it is deemed to be in the best interest of the City of Memphis that said public right-of-way be vacated, and revert to the abutting property owner(s); and

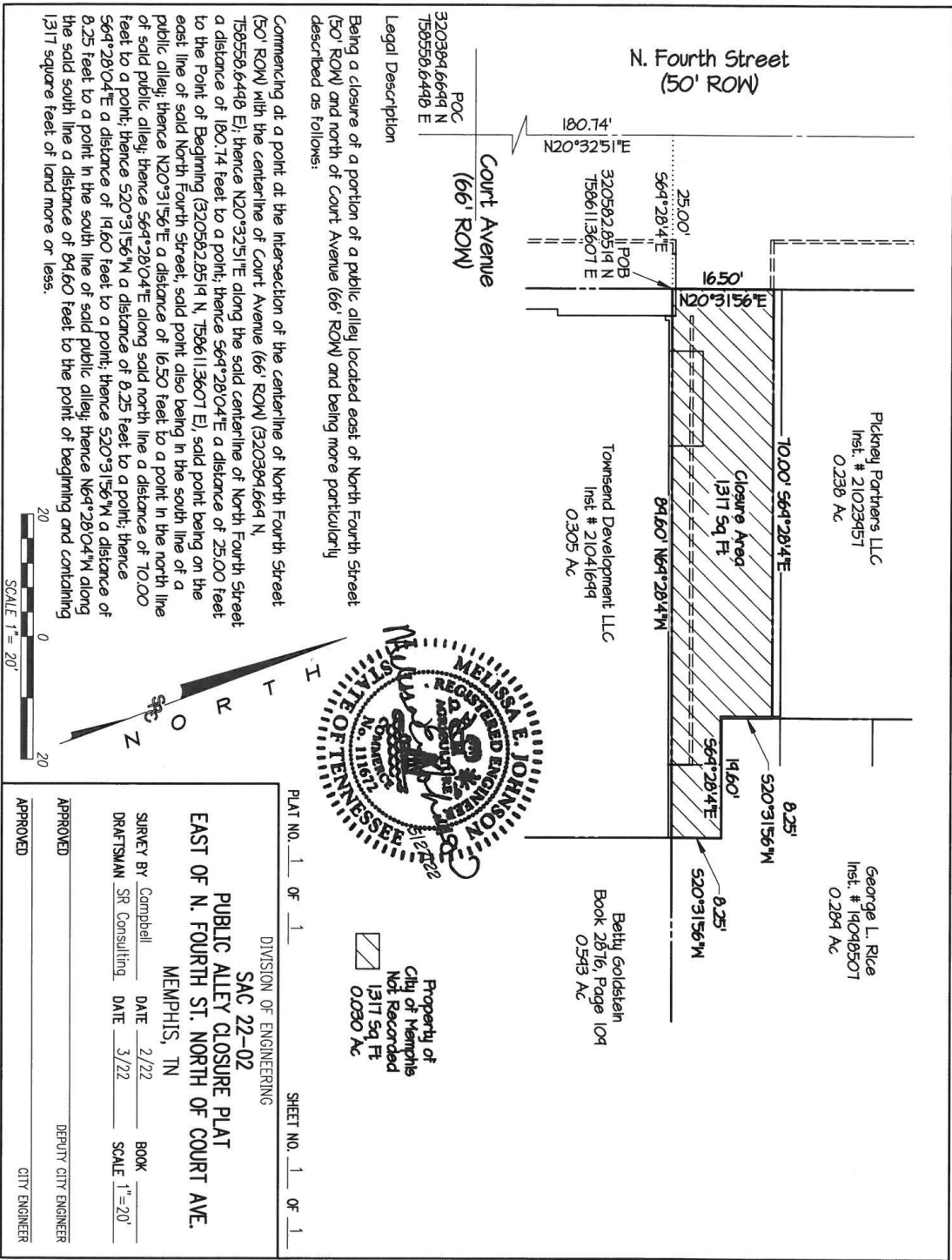
WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on May 12, 2022, and said Board has submitted its findings and recommendation to the Council of the City of Memphis subject to the following conditions:

1. Provide easements for any existing utilities or relocate at the developer's expense.
2. Submit a closure plat subject to review and approval by City Engineering.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the above-described public right-of-way be and is hereby closed for public use, subject to the aforementioned conditions.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all Quitclaim Deed(s) to the owners of the properties abutting on the above described public right-of-way, said Deeds not to be delivered until the conditions herein stated have been met by applicant.

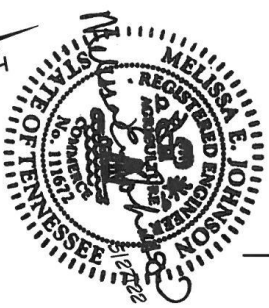
BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Lawyers Title Insurance Company, the Memphis Title Company, the Chicago Title Company, the Security Title Company and the Shelby County Property Assessor's Office.



Legal Description

Being a closure of a portion of a public alley located east of North Fourth Street (50' ROW) and north of Court Avenue (66' ROW) and being more particularly described as follows:

Commencing at a point at the intersection of the centerline of North Fourth Street (50' ROW) with the centerline of Court Avenue (66' ROW) (320389.6644 N, 759558.6448 E); thence N20°32'51"E along the said centerline of North Fourth Street a distance of 180.74 feet to a point; thence S64°28'04"E a distance of 25.00 feet to the Point of Beginning (320582.8519 N, 758611.3607 E), said point being on the east line of said North Fourth Street, said point also being in the south line of a public alley; thence N20°31'56"E a distance of 16.50 feet to a point in the north line of said public alley; thence S64°28'04"E along said north line a distance of 10.00 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point; thence S64°28'04"E a distance of 19.60 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point in the south line of said public alley; thence N64°28'04"W along the said south line a distance of 84.60 feet to the point of beginning and containing 1317 square feet of land more or less.



Property of
City of Memphis
Not Recorded
1317 Sq Ft
0.030 Ac

PLAT NO. 1 OF 1 SHEET NO. 1 OF 1

DIVISION OF ENGINEERING

SAC 22-02

PUBLIC ALLEY CLOSURE PLAT

EAST OF N. FOURTH ST. NORTH OF COURT AVE.

MEMPHIS, TN

SURVEY BY Campbell DATE 2/22 BOOK _____

DRAFTSMAN SR Consulting DATE 3/22 SCALE 1"=20'

APPROVED _____ DEPUTY CITY ENGINEER

APPROVED _____ CITY ENGINEER

PROJECT NO. _____ FILE

AGENDA ITEM: 20

CASE NUMBER: SAC 22-002 **L.U.C.B. MEETING:** May 12, 2022

LOCATION: Alley Closure east of N. Fourth St., north of Court Ave.

COUNCIL DISTRICT: District 6 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Townsend Development

REPRESENTATIVE: SR Consulting – Cindy Reaves

REQUEST: Close and vacate the public right-of-way of an east-west public alley located between N. Fourth St and Court Ave and terminates 89± sq. ft. east of N. Fourth St.

AREA: 1317± sq. ft.

EXISTING ZONING: Central Business District (CBD) and Downtown Medical Center Overlay

CONCLUSIONS

1. The public right-of-way of an east-west public alley located between N. Fourth St and Court Ave and terminates 89± sq. ft. east of N. Fourth St.
2. The applicant's intent is to combine the property into the adjacent development located on Jefferson St.
3. The closure of the subject right-of-way would not have any undue or substantial effect upon the existing vehicular and pedestrian traffic flow of the surrounding area.

CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 general plan does not address right-of-way vacations.

RECOMMENDATION

Approval with conditions

GENERAL INFORMATION

Zoning Atlas Page: 2030

Existing Zoning: Central Business District (CBD) and Downtown Medical Center Overlay

PUBLIC NOTICE

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 74 notices were mailed on April 29, 2022, and a total of 1 sign posted at the entrance of the right-of-way to be closed and vacated. The sign affidavit has been added to this report.

LOCATION MAP

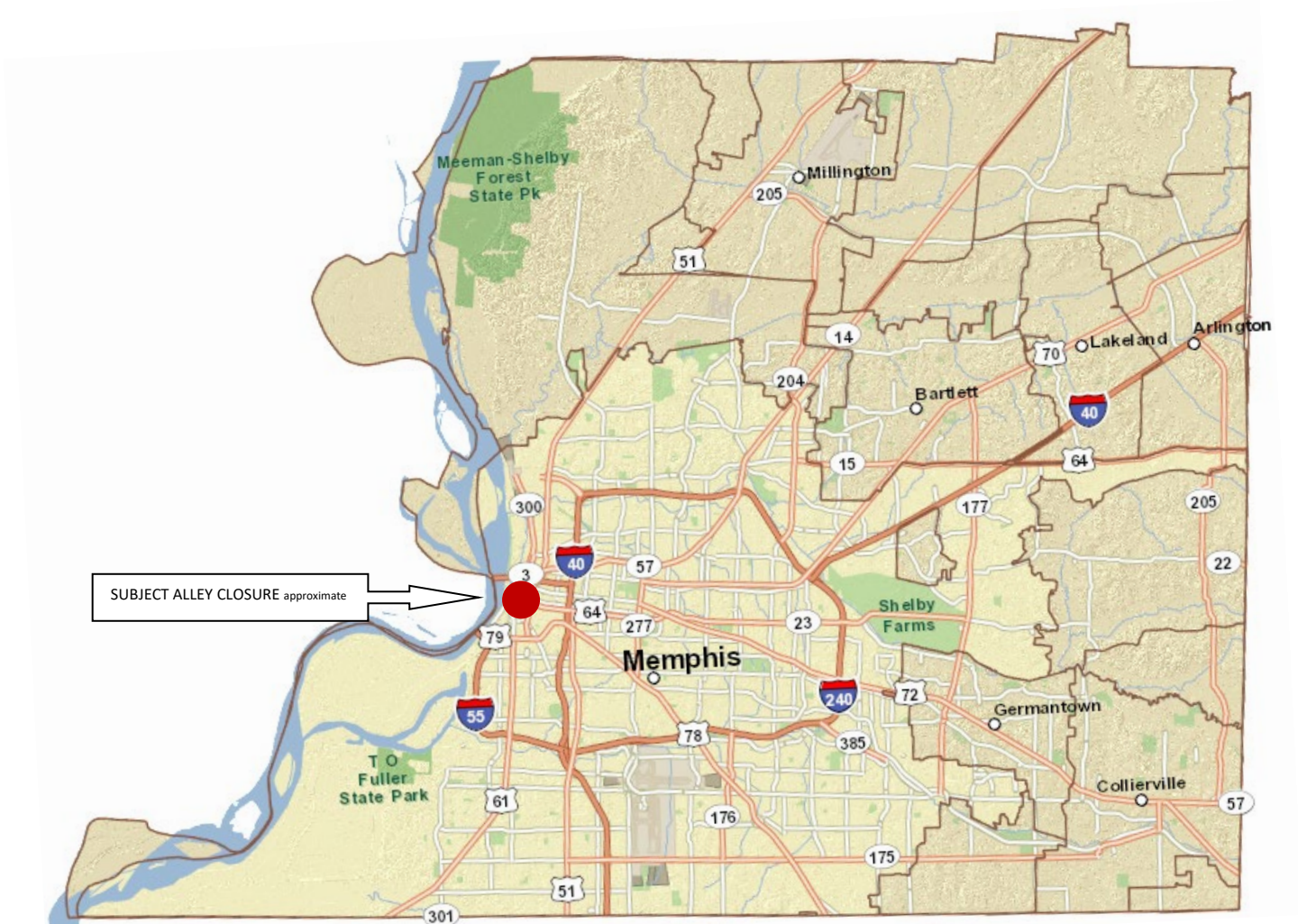


Figure 1 Subject alley closure located within the circle, Central Business District

PLAN OF MEMPHIS (1858)

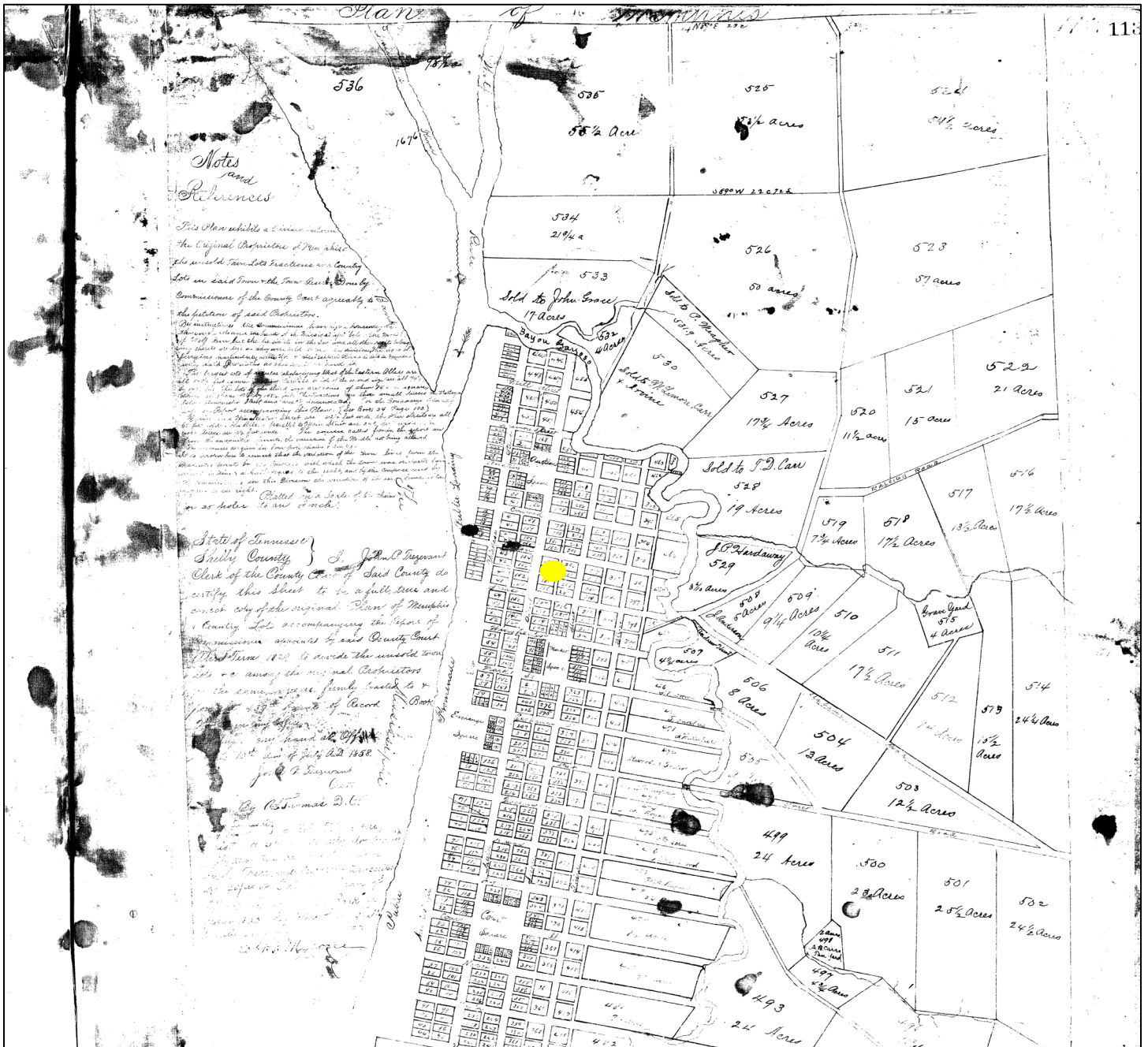


Figure 2 Approximate location of subject right-of-way highlighted in yellow

VICINITY MAP

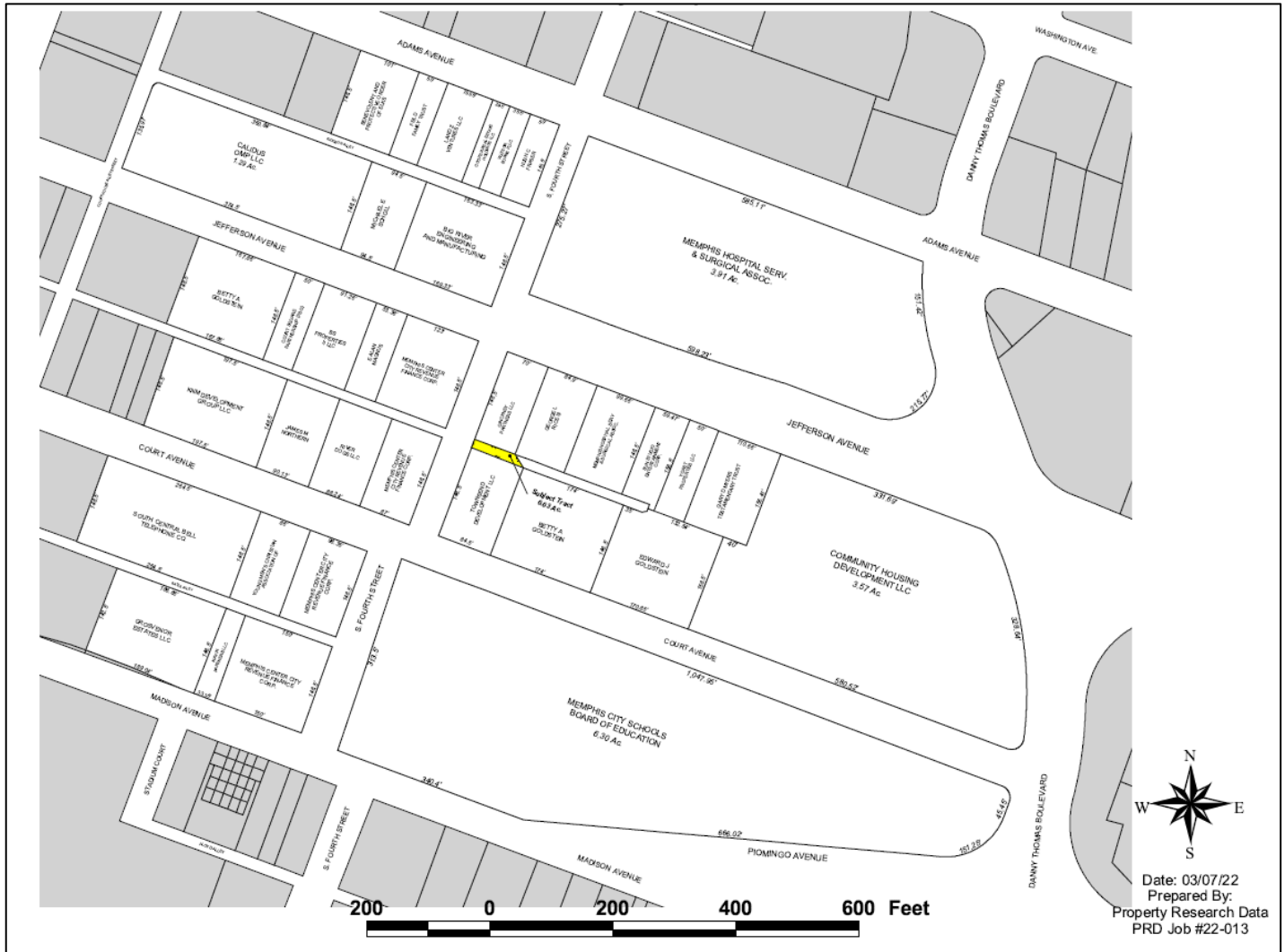


Figure 3 Subject right-of-way highlighted in yellow

AERIAL



Figure 4 Subject right-of-way outlined in yellow, imagery from 2021

ZONING MAP



Figure 5 Subject right-of-way highlighted in yellow

Existing Zoning: Central Business District (CBD) and Downtown Medical Center Overlay

Surrounding Zoning

North: Central Business District (CBD) and Downtown Medical Center Overlay

East: Central Business District (CBD) and Downtown Medical Center Overlay

South: Central Business District (CBD) and Downtown Medical Center Overlay

West: Central Business District (CBD) and Downtown Medical Center Overlay

LAND USE MAP



Figure 6 Subject right-of-way outlined in yellow

SITE PHOTOS



Figure 7 View of access point to the subject right-of-way from Court Ave looking north



Figure 8 View of access point to the subject right-of-way from the east-west unnamed public alley looking east. Alley dead-ends into a parking lot.

PUBLIC ALLEY CLOSURE PLAT

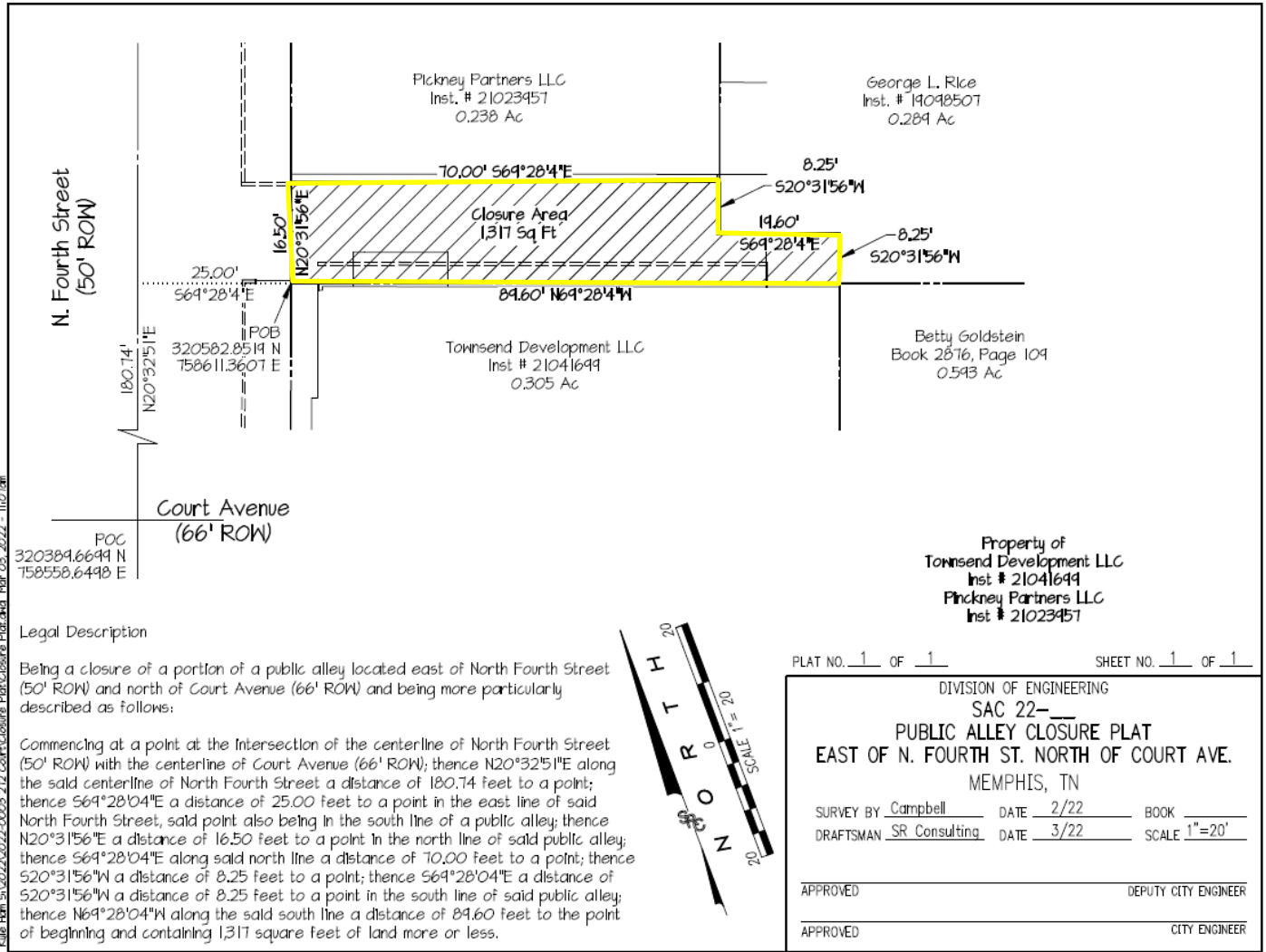


Figure 9 Subject right-of-way highlighted in yellow

LEGAL DESCRIPTION

Legal Description

Being a closure of a portion of a public alley located east of North Fourth Street (50' ROW) and north of Court Avenue (66' ROW) and being more particularly described as follows:

Commencing at a point at the intersection of the centerline of North Fourth Street (50' ROW) with the centerline of Court Avenue (66' ROW); thence N20°32'51"E along the said centerline of North Fourth Street a distance of 180.74 feet to a point; thence S69°28'04"E a distance of 25.00 feet to a point in the east line of said North Fourth Street, said point also being in the south line of a public alley; thence N20°31'56"E a distance of 16.50 feet to a point in the north line of said public alley; thence S69°28'04"E along said north line a distance of 70.00 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point; thence S69°28'04"E a distance of 8.25 feet to a point in the south line of said public alley; thence N69°28'04"W along the said south line a distance of 89.60 feet to the point of beginning and containing 1,317 square feet of land more or less.

STAFF ANALYSIS

Request and Reason

The application and letter of intent have been added to this report.

The request is to close and vacate right-of-way of an east-west unnamed public alley located east of N. Fourth St, north of Court Ave which starts at N. Fourth St and terminates in the middle of the block. The reason for the request is the applicant intends to combine the property into the adjacent development located on Jefferson Ave.

Site Description

The subject right-of-way is 16.5± sq. ft. wide at its west entrance. The northward length terminates at 70± sq. ft. with an east width of 8.25± sq. ft. The southward length terminates at 89.60± sq. ft. with an east width of 8.25±, for a total area of 1317± sq. ft. The subject property is located east of Fourth St between Court Ave (Parcel ID 002034 00010), and Jefferson Ave (Parcel ID 002034 00001).

Conclusions

The applicant is seeking to close and vacate an east-west public alley located east of N. Fourth St, north of Court Ave which starts at N. Fourth St and terminates in the middle of the block.

The applicant's intent is to combine the property into the adjacent development located on Jefferson Ave.

The closure of the subject right-of-way would not have any undue or substantial effect upon the existing vehicular and pedestrian traffic flow of the surrounding area.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

1. Provide easements for any existing utilities or relocate at the developer's expense.
2. Submit a closure plat subject to review and approval by City Engineering.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

- City/County Engineer:** Comments received.
1. Provide easements for any existing utilities or relocate at developer's expense. (There is no public sanitary sewer in the alley)
 2. Provide Engineering with a closure plat.
 3. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.

City/County Fire Division: No comments received.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning: No comments received.

APPLICATION



MEMPHIS AND SHELBY COUNTY

Record Summary for Street and Alley Closure (Right of Way Vacation)

Record Detail Information

Record Type: Street and Alley Closure (Right of Way Vacation)

Record Status: Assignment

Opened Date: March 9, 2022

Record Number: SAC 2022-002

Expiration Date:

Record Name: Alley Closure east of N. Fourth St. north of Court Ave.

Description of Work: Alley closure

Parent Record Number:

Contact Information

Name	Organization Name	Contact Type	Phone
Townsend Development		Adjacent	(310)
Townsend Development		Property Owner of Record	924-1760

Address

Cindy Reaves	SR Consulting LLC	Representative	(901) 870-7003
--------------	-------------------	----------------	-------------------

Address

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed	Unit	Fee Code
1371035	Credit Card Use Fee (.026 x fee)	1	0.00	INVOICED	0.00	03/28/2022		PLNGSTCLO S05
1371659	Right of Way Vacation/Closure Fee	1	400.00	INVOICED	0.00	03/30/2022		PLNGSTCLO S01

Total Fee Invoiced: \$400.00

Total Balance: \$0.00

APPLICATION

Payment Information

Payment Amount	Method of Payment
\$400.00	Check

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner	Chip Saliba
Date of Meeting	-

GENERAL INFORMATION

Name of Street where closure will begin	N. Fourth St.
Name of Street where closure will end	89 feet east of N. Fourth St.
What is the reason for the street closure?	To combined the property into the adjacent development
What is the total area of the right-of-way being closed?	1317
What is the overall length of the street closure?	89.60
Name of Street/Alley/ROW	Alley east of N. Fourth St.
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter?	No
If yes, please provide additional information	-
Is this application a time extension?	No

RELATED CASE INFORMATION

Previous Case Numbers	-
-----------------------	---

GIS INFORMATION

Case Layer	-
Central Business Improvement District	No
Class	-
Downtown Fire District	No
Historic District	-
Land Use	-
Municipality	-
Overlay/Special Purpose District	-
Zoning	-

LETTER OF INTENT



Date: March 3, 2022

To: Office of Planning & Development

From: Cindy Reaves

Re: Alley Closure, east of N. Fourth St., north of Court Ave.

LETTER OF INTENT

We are submitting an application for right-of-way vacation for a portion of a public alley located east of N. Fourth St. and north of Court Ave. The portion of alley to be closed is located between 2 existing buildings and is the only remaining portion of the alley that is open. The eastern portion of the alley was previously closed and is currently used for parking by adjacent property owners.

We appreciate your support with this request. Please contact me if you have any questions.

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Cindy Reaves, being duly sworn, depose and say that at 1:49 pm on the 28th day of April, 2022 I posted one Public Notice Sign pertaining to Case No. SAC 22-002 on the property (building) located at N. Fourth and the Public Alley providing notice of a Public Hearing before the May 12, 2022 Land Use Control Board for consideration of a proposed Land Use Action (Street and Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Cindy Reaves
Owner, Applicant or Representative

4/28/22
Date

Subscribed and sworn to before me this 28th day of April, 2022

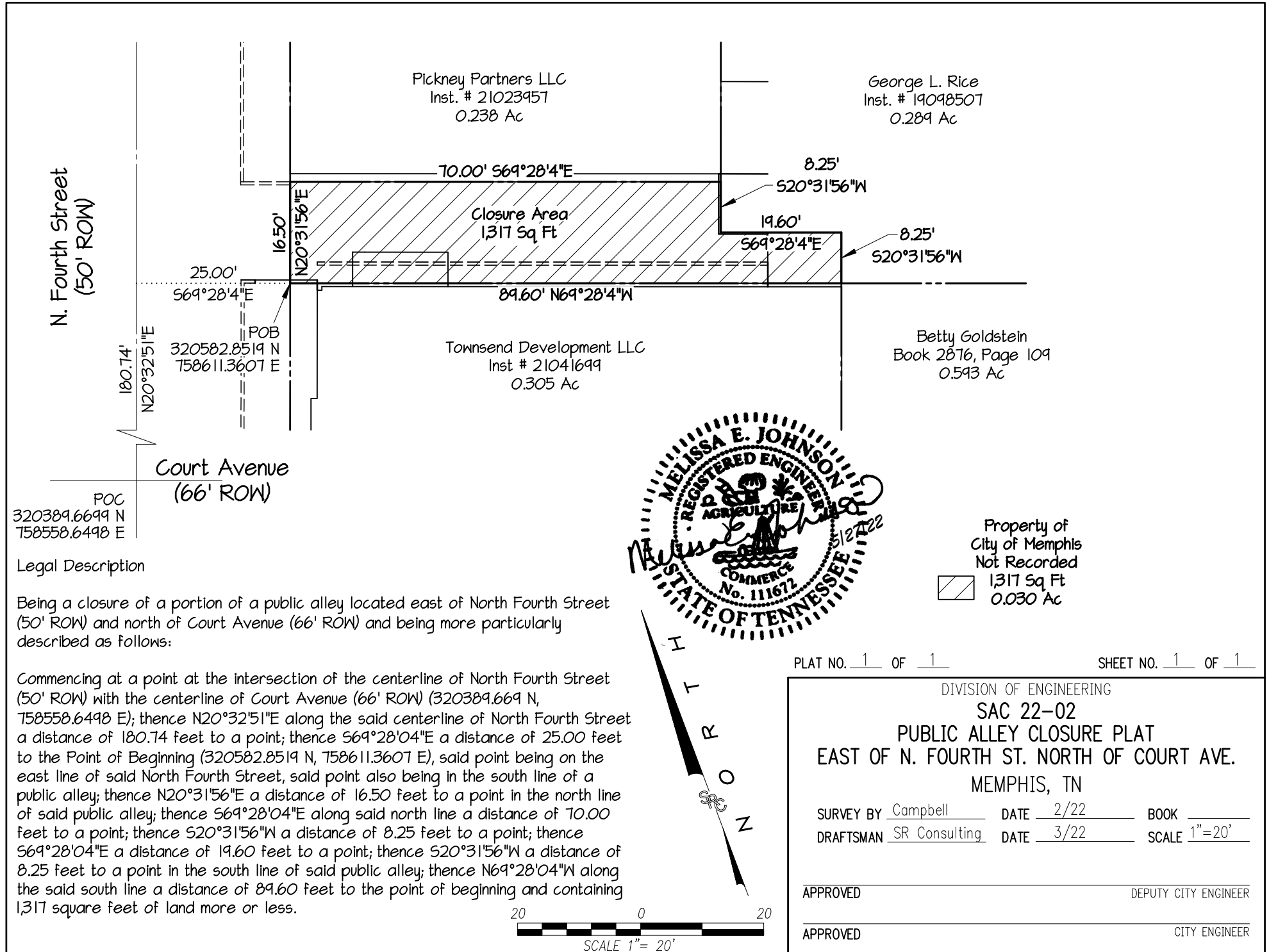
Robert M. Sweeney
Notary Public
My commission expires: 9/21/23



MY COMMISSION EXPIRES
9/21/23

LETTERS RECEIVED

No letters received at the time of completion of this report.



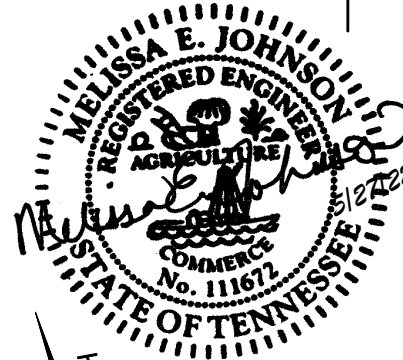
Pickney Partners LLC
Inst. # 21023957
0.238 Ac

George L. Rice
Inst. # 19098507
0.289 Ac

Closure Area
1,317 Sq Ft

Townsend Development LLC
Inst # 21041699
0.305 Ac

Betty Goldstein
Book 2876, Page 109
0.593 Ac

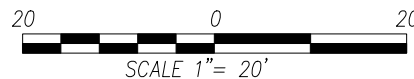


Property of
City of Memphis
Not Recorded
1,317 Sq Ft
0.030 Ac

Legal Description

Being a closure of a portion of a public alley located east of North Fourth Street (50' ROW) and north of Court Avenue (66' ROW) and being more particularly described as follows:

Commencing at a point at the intersection of the centerline of North Fourth Street (50' ROW) with the centerline of Court Avenue (66' ROW) (320389.669 N, 758558.6498 E); thence N20°32'51"E along the said centerline of North Fourth Street a distance of 180.74 feet to a point; thence S69°28'04"E a distance of 25.00 feet to the Point of Beginning (320582.8519 N, 758611.3607 E), said point being on the east line of said North Fourth Street, said point also being in the south line of a public alley; thence N20°31'56"E a distance of 16.50 feet to a point in the north line of said public alley; thence S69°28'04"E along said north line a distance of 70.00 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point; thence S69°28'04"E a distance of 19.60 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point in the south line of said public alley; thence N69°28'04"W along the said south line a distance of 89.60 feet to the point of beginning and containing 1,317 square feet of land more or less.



PLAT NO. 1 OF 1 SHEET NO. 1 OF 1

DIVISION OF ENGINEERING
SAC 22-02
PUBLIC ALLEY CLOSURE PLAT
EAST OF N. FOURTH ST. NORTH OF COURT AVE.
MEMPHIS, TN

SURVEY BY Campbell DATE 2/22 BOOK
DRAFTSMAN SR Consulting DATE 3/22 SCALE 1"=20'

APPROVED _____ DEPUTY CITY ENGINEER
APPROVED _____ CITY ENGINEER



**MEMPHIS AND
SHELBY COUNTY** **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

August 30, 2022

Townsend Development
272 Court Avenue
Memphis, TN 38103

Sent via electronic mail to (applicant's representative): cindy.reaves@srce-memphis.com

Case Number: SAC 2022-002
LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, May 12, 2022, the Memphis and Shelby County Land Use Control Board recommended **approval** of your right-of-way vacation application to close a portion of the east-west public alley right-of-way east of Fourth Street, south of Jefferson, and north of Court Avenue, subject to the following conditions:

1. Provide easements for any existing utilities or relocate at the developer's expense.
2. Submit a closure plat subject to review and approval by City Engineering.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.

The application will be forwarded, for final action, to the Council of the City of Memphis. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

It is the applicant's responsibility to contact the City Council Records Office to determine when the application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

If for some reason you choose to withdraw your application, a letter should be mailed to the Land Use and Development Services Department of the Division of Planning and Development at the address provided above or emailed to the address provided below.

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via email at lucas.skinner@memphistn.gov.

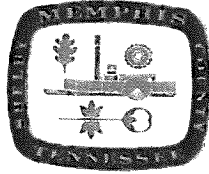
Letter to Applicant
SAC 2022-002

Respectfully,

A handwritten signature in cursive script that reads "Lucas Skinner".

Lucas Skinner
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Cindy Reaves, SR Consulting, LLC
File



Memphis City Council Summary Sheet

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

A resolution requesting the approval for the sale of a .309 Acre City owned parcel located at 1805 Castalia Street, Memphis, Shelby County, Tennessee and further described as Parcel ID # 060106 00008

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

General Services

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 4/ Super District 8

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

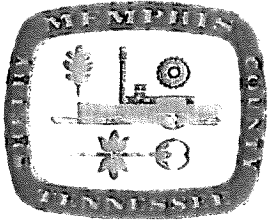
N/A

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

N/A

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

N/A



City Council Resolution

A Resolution requesting the approval for the sale of a .309 Acre City owned parcel located at 1805 Castalia Street, Memphis, Shelby County, Tennessee and further described as Parcel ID # 060106 00008

Whereas, the City of Memphis owns a .309 Acre surplus parcel located at 1805 Castalia Street and is further identified by Shelby County Tax Assessor as Parcel #060106 00008;

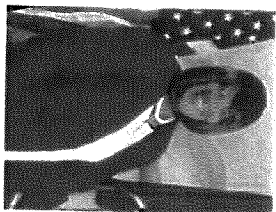
Whereas, Renarda Clariett on behalf of the L.O.E foundation, a non-profit organization which sponsors community events and after school programs in the Castalia Heights community, submitted an offer of Five Thousand Dollars (\$5000.00) for the Parcel along with a Five Hundred Dollars (\$500.00) Earnest Money deposit to the City of Memphis Real Estate Center;

Whereas, the sale of City owned parcels will increase the General Fund, generate tax revenue, and eliminate blight and maintenance cost for the City of Memphis; and

Whereas, it is deemed to be in the best interest of the Citizens of the City of Memphis and County of Shelby that this request be considered subject to terms and conditions set forth in the Offer to Purchase and City Ordinance 2-291-2(A).

Now, therefore be it resolved by the Council of the City of Memphis that the offer submitted by the L.O.E Foundation on the above described Parcel is hereby accepted subject to City Ordinance 2-291-2(A), which states in part, " The sale of properties receiving an initial bid offer of \$20,000.00 or less shall be submitted for approval to the city council for first reading, which shall be final."

Be it further resolved, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.



Sheldandra Y. Ford
Shelby County Register of Deeds

CITY OF MEMPHIS TAX SALE 14.03

Owner:

Parcel Address: 1805 CASTALIA ST

Parcel ID: 060106 00008

2022 Appraisal: \$18,200

Tax District: MEMPHIS

Year Built: 1951

Lot Number: 0 1

Subdivision: CARVERS

Plat BK & PG: UNKNOWN

Dimensions:

Total Acres: 0.309

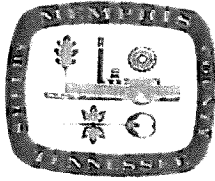
Owner Address: 125 N MAIN ST

MEMPHIS TN

38103 2026

Map prepared on 8/22/2022





Memphis City Council Summary Sheet

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

This is a Resolution requesting the approval for the transfer of a 25.24-acre parcel to the Shelby County Board of Education. The parcel is located on the east side of Ridgeway Road in Memphis, Shelby County, Tennessee.
(Requesting same night minutes)

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

General Services

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

This is not a change to an existing ordinance or resolution.

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

Council District 3 and Super District 8

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

This item does not require a new contract or amend an existing contract.

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

This does not require expenditure of funds nor a budget amendment.

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

N/A



A Resolution requesting the approval for the transfer of a 25.24-acre parcel to the Shelby County Board of Education.

Whereas the City of Memphis owns Parcel ID # 093500 00568 recorded in Instrument HZ-8444 in the Shelby County Register's Office and is transferring a portion of the parcel containing 25.24 acres to the Shelby County Board of Education in Memphis, Shelby County, Tennessee;

Whereas in accordance with the terms and condition of the Release and Settlement Agreement between the City of Memphis and Shelby County Board of Education, Section 3.3 states "The parties agree to cooperate in identifying any properties that are owned by one party but used by the other party and to develop procedures and agreements for the reciprocal transfer of such properties...";

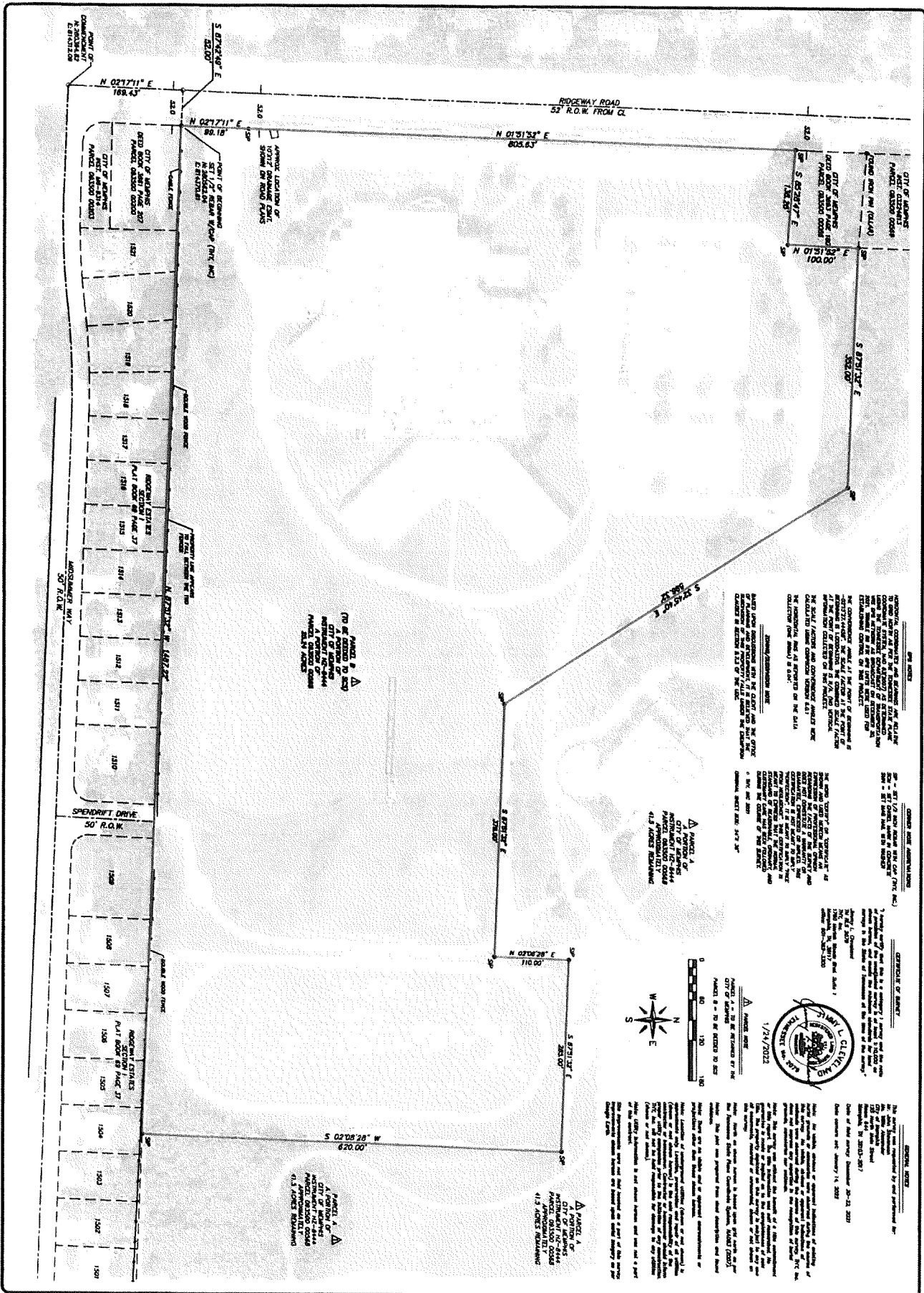
Whereas the original Release and Settlement Agreement expired June 30, 2019, and was amended in a Second Amendment dated June 22, 2021, to be completed no later than December 31, 2021, which has been extended due to delay in survey and boundary lines being established;

Whereas it is deemed to be in the best interest of the Citizens of the City of Memphis and County of Shelby that this request be considered subject to Release and Settlement Agreement and Second Amendment to the Agreement; and

Whereas it is agreed that all remaining sections of the Agreement shall remain in effect.

Now, therefore be it resolved by the Council of the City of Memphis that the transfer is hereby accepted subject to the Release and Settlement Agreement dated January 30, 2015 and the Second Amendment to the Agreement dated June 22, 2021.

Be it further resolved, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.



GENERAL NOTE: ASSUMPTIONS
 THE SURVEYOR HAS ASSUMED THAT THE PROPERTY LINES SHOWN ON THIS SURVEY ARE CORRECT AND THAT THE PROPERTY IS AS SHOWN ON THE PLAT OF RECORD FOR THE CITY OF MEMPHIS, TENNESSEE, AND THAT THE PROPERTY IS NOT SUBJECT TO ANY EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS THAT WOULD AFFECT THE SURVEY.

GENERAL NOTE: SURVEY
 THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE TENNESSEE SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, TENNESSEE. THE SURVEYOR HAS USED ALL AVAILABLE RECORDS AND FIELD MEASUREMENTS TO DETERMINE THE BOUNDARIES OF THE PROPERTY SHOWN ON THIS SURVEY.

GENERAL NOTE: MONUMENTS
 THE MONUMENTS SHOWN ON THIS SURVEY ARE AS SHOWN ON THE PLAT OF RECORD FOR THE CITY OF MEMPHIS, TENNESSEE, AND ARE TO BE MAINTAINED AND PROTECTED BY THE OWNER OF THE PROPERTY.

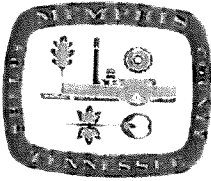
GENERAL NOTE: ADJACENT PROPERTIES
 THE ADJACENT PROPERTIES SHOWN ON THIS SURVEY ARE AS SHOWN ON THE PLAT OF RECORD FOR THE CITY OF MEMPHIS, TENNESSEE, AND ARE NOT SUBJECT TO THIS SURVEY.



BOUNDARY SURVEY
A PORTION OF
THE CITY OF MEMPHIS PROPERTY
HICKORY RIDGE MIDDLE SCHOOL
 3920 RIDGEWAY ROAD, MEMPHIS, TN 38115

DATE	1/24/2022
PROJECT	BOUNDARY SURVEY
CLIENT	CITY OF MEMPHIS
LOCATION	3920 RIDGEWAY ROAD, MEMPHIS, TN 38115
SCALE	AS SHOWN
BY	THY, INC.
CHECKED BY	THY, INC.
DATE	1/24/2022

NO. OF SHEETS	1 OF 1
DATE	1/24/2022
PROJECT	BOUNDARY SURVEY
CLIENT	CITY OF MEMPHIS
LOCATION	3920 RIDGEWAY ROAD, MEMPHIS, TN 38115
SCALE	AS SHOWN
BY	THY, INC.
CHECKED BY	THY, INC.
DATE	1/24/2022



Memphis City Council Summary Sheet

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

This is a Resolution requesting the approval to transfer a 14.38-acre parcel to the Shelby County Board of Education. The parcel is located on the south side of East Person Avenue, the west side of Cincinnati Avenue, and the east side of Elvis Presley Blvd. (Requesting same night minutes)

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

General Services

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

This is not a change to an existing ordinance or resolution.

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

Council District 4 and Super District 8

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

This item does not require a new contract or amend an existing contract.

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

This does not require expenditure of funds nor a budget amendment.

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

N/A



A Resolution requesting the approval to transfer a 14.38-acre parcel to the Shelby County Board of Education.

Whereas the City of Memphis owns the property as recorded in Instrument E6-3254 and the Shelby County property as recorded in Deed Book 995 Page 384 in the Shelby County Register's Office, said parcel being located on the south side of East Person Avenue, the west side of Cincinnati Avenue, and the east side of Elvis Presley Blvd.;

Whereas in accordance with the terms and condition of the Release and Settlement Agreement between the City of Memphis and Shelby County Board of Education, Section 3.3 states "The parties agree to cooperate in identifying any properties that are owned by one party but used by the other party and to develop procedures and agreements for the reciprocal transfer of such properties...";

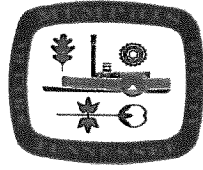
Whereas the original Release and Settlement Agreement expired June 30, 2019, and was amended in a Second Amendment dated June 22, 2021, to be completed no later than December 31, 2021, which has been extended due to delays in survey and boundary lines being established;

Whereas it is deemed to be in the best interest of the Citizens of the City of Memphis and County of Shelby that this request be considered subject to the Release and Settlement Agreement and Amendment and Second Amendment to the Agreement; and

Whereas it is agreed that all remaining sections of the Agreement shall remain in effect.

Now, therefore be it resolved by the Council of the City of Memphis that the transfer is hereby accepted subject to the Release and Settlement Agreement dated January 30, 2015, and Second Amendment to the Agreement dated June 22, 2021.

Be it further resolved, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.



Memphis City Council Summary Sheet

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

This is a Resolution to transfer and appropriate additional construction funds in the amount of \$419,427.00 from FY23 Bridge Repair Coverline, # PW23400 to Holmes BNSF Approach Repair, #PW04122 to repair bridges.

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

This project is being initiated by the Public Works Division with the Engineering Division administering the project.

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

NA

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

This project will impact Districts 3, 6 and Super District 8.

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

This project will require a new construction contract.

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

This resolution requires the amendment of the FY23 Capital Budget to transfer and appropriate construction funds in the amount of \$419,427.00.

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

The recommended MWBE goals are split with MBE at 6% and WBE at 1%.



RESOLUTION

This is a Resolution to transfer and appropriate additional construction funds in the amount of \$419,427.00 from FY23 Bridge Repair Coverline, Project Number PW23400 to Holmes BNSF Approach Repair, Project Number PW04122 to repair the bridges at Holmes Rd over BNSF RR and Weaver Rd over the branch of So. Cypress Creek. This project is in Council Districts 3, 6 and Super District 8.

WHEREAS, the Council of the City of Memphis approved FY23 Bridge Repair Coverline, Project Number PW23400 and Holmes BNSF Approach Repair, Project Number PW04122 as part of the Fiscal Year 2023 Capital Improvement Budget; and

WHEREAS, bid was submitted in June 2021 for Project Number PW04122 to repair Holmes Road over BNSF RR and Weaver Rd over the branch of So. Cypress Creek; and

WHEREAS, bids were received on Wednesday, March 9, 2022, to repair the bridges at Holmes Rd over BNSF RR and Weaver Rd over the branch of So. Cypress Creek with the lowest complying bid being \$1,108,569.30 submitted by Chris-Hill Construction; and

WHEREAS, the City of Memphis will enter into a contract with Chris-Hill Construction, to repair the bridges at Holmes Rd over BNSF RR and Weaver Rd over the branch of So. Cypress Creek; and

WHEREAS, on May 18, 2021, the Council of the City of Memphis approved an appropriation in the amount of \$800,000.00 funded by G.O. Bonds from Bridge Repair Coverline, Project Number PW21400, to Holmes BNSF Approach Repair, Project Number PW04122 as part of the Fiscal Year 2021 Capital Improvement Budget for the purpose as stated above; and

WHEREAS, it is now necessary to transfer an additional construction allocation in the amount of \$419,427.00 (*contract balance at \$308,570.00 plus project contingency amount of \$110,857.00*) funded by G.O. Bonds from FY23 Bridge Repair Coverline, Project Number PW23400, to Holmes BNSF Approach Repair, Project Number PW04122, to attain total funding in the amount of \$1,108,570.00 (*contract amount*) plus \$110,857.00 (*project contingencies*) for the purpose as stated above; and

WHEREAS, it is necessary to appropriate the total amount of \$419,427.00 funded by G.O. Bonds from FY23 Bridge Repair Coverline, Project Number PW23400, to Holmes BNSF Approach Repair, Project Number PW04122, to attain the additional construction funds for the purpose as stated above as follows:

Contract Balance Amount	\$308,570.00
Project Contingencies	<u>\$110,857.00</u>
Total Amount	\$419,427.00

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 transferring a construction allocation in the amount of \$419,427.00 funded by G.O. Bonds from FY23 Bridge Repair Coverline, Project Number PW23400 to Holmes BNSF Approach Repair, Project Number PW04122 to attain the additional construction funds for the purpose as stated above.

BE IT FURTHER RESOLVED that there be and is hereby appropriated the sum of \$419,427.00 funded by G.O. Bonds chargeable to the FY 2023 Capital Improvement Budget and credited as follows:

Project Title	Holmes BNSF Approach Repair
Project Number	PW04122
Total Amount	\$419,427.00

**A RESOLUTION OF THE MEMPHIS CITY COUNCIL ESTABLISHING THE
2022 REDISTRICTING COMMITTEE**

WHEREAS, the Memphis City Council believes free and equal representation is the best, if not the only, foundation upon which a free government can be built; and

WHEREAS, the framers of the United States Constitution chose to use population, by way of the United States Census, as the basis for said free and equal representation; and

WHEREAS, for this reason, the United States Census exists as a cornerstone of our democracy, used – among other purposes – to apportion representatives in Congress, to allocate electoral votes among the States, and to draw Congressional, State, and Municipal districts – like those used by this legislative body; and

WHEREAS, *Tennessee Code Annotated*, Section 6-54-102 provides that municipalities may redistrict into new wards whenever, for proper reasons, they deem expedient so to do; the newly released 2020 United States Census data providing proper reasons; and

WHEREAS, with that in mind, the Memphis City Council now seeks to move forward with the work of reapportioning districts to ensure that members represent substantially equal populations based upon the 2020 United States Census data.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council hereby establishes the 2022 Redistricting Committee.

BE IT FURTHER RESOLVED, the committee shall be officially named the “City Council 2022 Redistricting Committee” in accordance with the following guidelines:

1. The 2022 Redistricting Committee shall consist of (i) three (3) self-nominated present Memphis City Council members and (ii) eight (8) City Council appointed community members; community members shall have a demonstrable record of experience within education, civil rights, law, business, non-profit, or faith-based organizations.

2. The 2022 Redistricting Committee shall elect a Chair and Vice Chair at its first meeting, with the current City Council Personnel & Governmental Affairs Committee Chairman leading the Committee until said time.

3. The Committee Chair shall hold meetings at least once (1) per month, at hours as may be fixed by the Committee; special meetings may be held on call of the chair upon forty-eight (48) hours’ notice to the members of the Committee and the public; all such meetings shall be subject to the provisions of the Tennessee Open Meetings Act; a copy of the minutes of all meetings shall be sent to the Council.

BE IT FURTHER RESOLVED, The 2022 Redistricting Committee shall submit its final suggested redistricting plans to the Memphis City Council by the next municipal election; this resolution shall take effect from and after its passage, the welfare of the City requiring it.

Chairman:
Martavius Jones

Sponsor:
Councilwoman Michalyn Easter-Thomas

RESOLUTION TO REQUEST THE MAYOR OF THE CITY OF MEMPHIS TO CONDUCT A NATIONAL SEARCH FOR A NEW PRESIDENT AND CEO OF MEMPHIS LIGHT, GAS, AND WATER

WHEREAS, after the significant events surrounding the energy and utilities of the City of Memphis, the City Council recognizes that it is of great importance that Memphis Light, Gas, and Water is under adequate leadership, as it is the City's sole utility source and the nation's largest public utility, is paramount to the safety and well-being of the City; and

WHEREAS, because Memphis Light, Gas, and Water (MLGW) is vital to the day-to-day operations of the City of Memphis, it is the responsibility of the City's leadership, such as the City Council and the Mayor, to ensure that MLGW's President and CEO, are selected after much consideration and due diligence, as it has been done in the past; and

WHEREAS, according to a local news article, the current President and CEO of Memphis, Light, Gas, and Water, J.T. Young, was selected by the Mayor, from a pool of well-qualified candidates, after a national search had been conducted; and

WHEREAS, the qualifications of Mr. Young indicated that he had prior experience in the Utility Service industry, and, as such, had the prior knowledge and expertise necessary to fulfill the duties of a President and CEO of a public utility of this magnitude; that same expertise is necessary to continue to advance the purpose and mission of MLGW to provide the best service to the City of Memphis; and

WHEREAS, in September of this year, MLGW announced its recommendation that it remain with the Tennessee Valley Authority; based on this recommendation, MLGW's leadership must present its Board with a resolution to accept the proposal for a contract with TVA, which must then be approved by the Memphis City Council; and

WHEREAS, the next President and CEO of MLGW will be faced with the great responsibility of navigating the period of public comments, approval by the MLGW Board, and authorization of the Memphis City Council, which will ultimately determine how utilities are provided to the City of Memphis; thus, prior experience and expertise of this particular industry is of the utmost importance; and

WHEREAS, in order to provide that level of expertise, there must be great due diligence and consideration that can only be accomplished after a national search; such a search would ensure that the most qualified candidates are afforded the opportunity to apply and be assessed on their qualification and ability to manage the operations of MLGW and serve the citizens of Memphis.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council hereby requests that the Mayor of the City of Memphis conduct a national search for the most qualified candidate to serve as MLGW's next President and CEO.

Sponsor:

Martavius Jones

Ordinance No. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 5670 OF THE CITY OF
MEMPHIS, RELATIVE TO THE CREATION, APPOINTMENT AND
REGULATION OF CITY COUNCIL STAFF POSITIONS AND CLASSIFICATIONS

WHEREAS, the Memphis City Council adopted Ordinance No. 5219 effective October 16, 2007 over the veto of then Mayor Willie Herenton to insure a separation of powers between the executive and legislative branches of government pursuant to the Council's broad legislative authority under the City's Charter to establish rules and regulations to govern the affairs of the Council, including the creation, appointment and regulation of its own staff; and

WHEREAS, Ordinance No. 5219 provided that the Memphis City Council that the Council, alone, has the authority to create, appoint, and regulate its own staff; and

WHEREAS, the Council repealed Ordinance No. 5219 in its entirety, and adopted Ordinance No. 5670 in lieu thereof to confirm all then existing staff positions and to authorized the creation of new positions and classifications ; and

WHEREAS, Ordinance No. 5670 also reiterated the Council's authority to create, appoint and regulate other positions and classifications as determined necessary by the Council Chairman and the Council; and

WHEREAS, consistent with Ordinance No. 5670, the Council desires to clarify that the Council Chairman has the authority to create additional staff positions and classifications on a full-time, part-time or independent contractor basis for person(s) that possess expertise and experience in specialized and technical matters such as auditing, municipal finance and budgeting and/or financial advisory services; and

WHEREAS, in order to achieve this objective, the Memphis City Council seeks to amend Ordinance No. 5670 to clarify the Chairman's authority to create an additional Council staff position and classification for a Financial Advisor and to take the necessary steps to make the necessary appointment for such position.

SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that consistent with the City's Charter and Ordinance No. 5670 of the City of Memphis, Tennessee, Sections 1 (a) and (d) thereof are hereby amended and restated to read as follows:

Section 1. **Council Staff Positions and Classifications.**

The Memphis City Council does hereby ordain that the Council alone shall create, appoint and regulate its own staff as hereinafter set forth and as it determines from time to time:

- a. The classifications of the Council's staff, which shall be as follows: Council Attorney, Chief of Staff, Deputy Chief of Staff, Chief Security Officer, Legislative Analysts and Executive Assistants, and other positions and classifications as determined necessary by the Council Chairman and approved by the Council from time to time, including but not limited to positions that require expertise and experience in specialized and technical matters such as auditing, municipal finance, municipal budgeting and/or financial advisory services;
- d. The Chairman of the Council shall have the authority to determine if any person appointed to a vacant staff position or classification shall be on a full-time, part-time or independent contractor basis and to determine the compensation of the Council's staff from time to time, which shall be included in the Council's annual budget approved by the Council.

SECTION 2. BE IT FURTHER ORDAINED, that as amended hereby all other provisions of Ordinance No. 5670 are hereby ratified and continued in full effect and any provisions of Ordinance No. 5670 inconsistent herewith are repealed.

SECTION 3. BE IT FURTHER ORDAINED, that the provisions of this Ordinance are hereby severable. If any of the sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 4. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

Sponsor:

Chase Carlisle