

ORDINANCE NO. _____

ORDINANCE FOR DESIGNATION OF QUALIFIED PUBLIC USE FACILITY, CREATION OF THE CONVENTION CENTER HOTEL TOURISM DEVELOPMENT ZONE TOURISM SURCHARGE AND OTHERWISE PROVIDING WITH RESPECT TO THE FOREGOING

WHEREAS, the Sheraton Memphis Downtown Hotel is the largest hotel in the City of Memphis, and is physically connected to the City's Renasant Convention Center;

WHEREAS, Memphis Center City Revenue Finance Corporation ("CCRFC") is the fee owner of certain real property located at and adjacent to 250 North Main Street, Memphis, Tennessee 38103 (current tax parcel nos. 001030 00001L, 001030 00001Z, 001029 00004, 001029 00005, 001030 00002, and 001030 00003) (collectively, the "Hotel Site");

WHEREAS, the Sheraton Memphis Downtown Hotel is located on the Hotel Site and currently includes 600 hotel rooms, more than 16,000 square feet of meeting and function space, parking, commercial space, ancillary dining and related amenities, and ancillary ground-level retail (the "Convention Center Hotel," and together with the Hotel Site, the "Hotel Development");

WHEREAS, CCRFC and the City of Memphis (the "City") are the lessor and lessee, respectively, under that certain Amended and Restated Lease Agreement dated as of April 14, 1998, and joined in by the predecessor-in-interest of Hotel Memphis, L.P. ("Hotel Developer") as applicant, as affected by Assignment and Assumption of Interest in Lease dated as of September 30, 2011 by and between the County of Shelby, Tennessee, as assignor, and the City, as assignee, joined in by CCRFC and Hotel Developer's predecessor-in-interest, as amended by First Amendment to Lease Agreement dated November 9, 2012 by and among CCRFC, the City, and Hotel Developer's predecessor-in-interest, as further amended by Second Amendment to Lease Agreement dated as of April 19, 2017 by and among CCRFC, the City, and Hotel Developer's predecessor-in-interest (the aforementioned documents being collectively referred to herein as the "PILOT Lease");

WHEREAS, the City, as landlord, and Hotel Developer, as tenant, are the present parties in interest to that certain Amended and Restated Agreement of Lease, dated as of April 14, 1998, between the City and Hotel Developer's predecessor-in-interest, as affected by Assignment and Assumption of Interest in Sublease dated as of September 30, 2011 by and between the County of Shelby, Tennessee, as assignor, and the City, as assignee, as amended by that certain First Amendment to Amended and Restated Agreement of Lease, dated as of November 9, 2012, as further affected by Letter Agreement between the City and Hotel Developer dated May 14, 2013, and as further amended by that certain Second Amendment to Amended and Restated Agreement of Lease, dated as of April 19, 2017 (the aforementioned documents being collective referred to herein as the "Sublease");

WHEREAS, the City and Hotel Developer have agreed to terminate the Sublease pursuant to a lease termination agreement pursuant to which Hotel Developer will give possession of its interest under the Sublease to the City and the City will accept possession of such interest;

WHEREAS, the City has agreed, pursuant to that certain Resolution of the Memphis City Council dated as of March 3, 2020, to assign to Hotel Developer all of its right, title and interest in, to and under the PILOT Lease and CCRFC has consented to the assignment of the City's right, title and interest in, to and under the PILOT Lease to Hotel Developer;

WHEREAS, the original portion of the Convention Center Hotel was built in 1985 and the additional tower with 207 rooms was constructed in 2004;

WHEREAS, Hotel Developer is considering a renovation of the Convention Center Hotel (the "Renovation") with capital investment (real property and tangible personal property) totaling approximately \$86 million, plus an additional \$37 million over the next thirty (30) years for future refreshes of guestrooms and public spaces, for a total Renovation cost of approximately \$123 million;

WHEREAS, Hotel Developer also is considering, based on certain market conditions, the potential construction of 300 additional rooms to the Convention Center Hotel (the "Expansion" and, together with the Renovation, the "Project") with capital investment (real property and tangible personal property) totaling approximately \$103 million, for potential total Project cost of approximately \$226 million;

WHEREAS, the Local Tourism Development Zone Business Tax Act, Tenn. Code Ann. §§ 67-4-3001 *et seq.* ("Surcharge Act") authorizes the City of Memphis to designate as a "Qualified Public Use Facility" a full-service hotel with not less than two hundred fifty (250) rooms and related retail, commercial, and parking space that is located in the portion of Downtown Memphis designated as a tourism development zone ("Downtown TDZ") pursuant to the Convention Center and Tourism Development Financing Act of 1998, which is codified at Tenn. Code Ann. §§ 7-88-101 *et seq.*;

WHEREAS, the Surcharge Act authorizes the City of Memphis to levy a privilege tax ("Tourism Surcharge") on the sale of certain goods and services within such Qualified Public Use Facility and other related facilities, and to assign (or cause to be assigned) to CCRFC the revenues from such Tourism Surcharge that are paid, remitted or otherwise transferred to the City or City Treasurer to pay or reimburse costs incurred, or to pay debt service on indebtedness incurred to finance or refinance costs, in connection with the acquisition, construction, renovation, and equipping of such Qualified Public Use Facility and other related facilities;

WHEREAS, the Hotel Development is located in the Downtown TDZ and include a full-service hotel of more than two hundred fifty (250) rooms and related retail, commercial, and parking spaces;

WHEREAS, the City of Memphis administration finds that it is wise, necessary and advisable to designate the Hotel Development, including the Convention Center Hotel as a Qualified Public Use Facility pursuant to and in accordance with the Surcharge Act;

WHEREAS, the City of Memphis administration finds that it is wise, necessary, and advisable to seek authorization from this Council to levy a Tourism Surcharge of five percent (5%) of the Sales Price (as defined in the Surcharge Act) on Sales (as defined in the Surcharge Act) made by engaging in any Business (as defined in the Surcharge Act) in or upon the Hotel Development (the "Convention Center Hotel Surcharge");

WHEREAS, the City of Memphis administration finds that it is wise, necessary, and advisable to assign revenues generated from the Convention Center Hotel Surcharge ("Convention Center Hotel Surcharge Revenues") to CCRFC to pay or reimburse costs incurred, or to pay debt service on indebtedness incurred to finance or refinance costs, in connection with the Renovation and potential Expansion of the Convention Center Hotel at the Hotel Site and the Expansion Site;

WHEREAS, to enact the Convention Center Hotel Surcharge, the City of Memphis administration has proposed the ordinance set forth below ("Tourism Surcharge Ordinance"); and

WHEREAS, the City of Memphis administration desires that this Council (i) approve the Tourism Surcharge Ordinance, and (ii) otherwise provide with respect to the foregoing.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Memphis as follows:

1. Sec. ___ - ___-1. **Designation as Qualified Public Use Facility**

The Hotel Development is hereby designated as a qualified public use facility (collectively, the "Convention Center Hotel QPUF") pursuant to and in accordance with Tenn. Code Ann. title 67, chapter 4, part 30 (as amended from time to time, hereinafter in this chapter called the "Act").

Sec. ___ - ___-2. **Creation of District**

There is created the Convention Center Hotel Surcharge District (the "District") in accordance with the Act.

Sec. ___ - ___-3. **District Boundaries**

The District created by this chapter shall be comprised of the area located in the City within the following boundaries:

Parcel 1 (Hotel Site):

Legal Description of Land

Land situated in Shelby County, Tennessee:

Parcel 1

Tract I

Being a survey of part of the City of Memphis property as recorded in Instrument U2-8944 at the Shelby County Register's Office located in Memphis, Tennessee and being more particularly described as follows:

Beginning at a point on the east line of North Main Street (82.5 ft. right-of-way), said point being 24.98 feet south of the extended south line of Market Avenue (66 ft. right-of-way); thence northwardly along a curve to the right having a radius of 25.00 feet an arc distance of 39.25 feet (chord N65°34'21"E - 35.34 feet) to a point of tangency on the south line of Market Avenue; thence S69°27'10"E along said south line a distance of 274.11 feet to a point of curvature; thence along a curve to the right, having a radius of 25.00 feet an arc distance of 39.22 feet (chord S24°26'09"E - 35.37 feet) to a point of tangency on the west line of Second Avenue (66 ft. right-of-way); thence S20°34'53"W along the west line of Second Avenue a distance of 225.51 feet to a point of curvature; thence along a curve to the right having a radius of 25.00 feet and an arc length of 39.26 feet (chord S65°34'09"W - 35.35 feet) to a point on the north line of Exchange Avenue (106 ft. right-of-way); thence N69°26'36"W along the north line of Exchange Avenue a distance of 249.19 feet to a point; thence N20°35'53"E a distance of 80.00 feet to a point; thence N69°26'36"W a distance of 50.00 feet to a point on the east line of said North Main Street; thence N20°35'53"E along the east line of North Main Street a distance of 170.48 feet to the point of beginning.

Tract II

Pedestrian Crossing Easement

Being a Pedestrian Crossing across North Main Street (82.5 foot right-of-way), being 77.87 feet south of the south line of Market Avenue (66 foot right-of-way) and being more particularly described as follows:

Commencing at the intersection of the south line of Market Street (66 foot right-of-way) and the east line of north Main Street (82.5 foot right-of-way); thence S20°35'53"W along the east line of North main Street, a distance of 77.87 feet to the Point of Beginning; thence S20°35'53"W and continuing along the east line of North Main Street, a distance of 29.50 feet to a point; thence N68°56'18"W, a distance of 7.52 feet to a point; thence S64°53'15"W, a distance of 14.76 feet to a point; thence N69°15'23"W, a distance of 45.23 feet to a point; thence N25°15'16"W a distance of 14.45 feet to a point; thence N69°57'42"W a distance of 9.08 feet to a point, said point being the west line of North Main Street; thence N20°35'53"E along the west line of North Main Street

a distance of 29.85 feet to a point; thence S70°35'14"E a distance of 9.44 feet to a point; thence N65°29'33"E a distance of 35.04 feet to a point; thence S69°37'14"E a distance of 15.52 feet to a point; thence S24°36'03"E a distance of 35.60 feet to a point; thence S69°56'31"E a distance of 7.55 feet to the point of beginning.

The underside and top of the structure occupying the described area is at 13.9' and 35.8' above the finish floor of the hotel at the west entrance.

Parcel 2

Tract I

Beginning at a point on the east line of north Main Street (82.5' right-of-way), said point being 25.02 feet north of the extended north line of Market Avenue (66' right-of-way); thence N 20°35'53"E along the east line of North Main Street a distance of 174.14 feet to point; thence N61°18'21"E a distance of 20.58 feet to a point on the south line of Winchester Avenue (50' right-of-way); thence S89°38'57"E along the south line of Winchester Avenue a distance of 158.85 feet to a point; thence S20°34'56"W a distance of 269.59 feet to a point the north line of said Market Avenue; thence N69°27'10"W along the north line of Market Avenue a distance of 137.51 feet to a point of curvature; thence along a curve to the right having a radius of 25.00 feet and an arc length of 39.29 feet (chord N24°25'39"W - 35.37 feet) to the point of beginning.

Tract II

Beginning at a point on the east line of North Main Street (82.5' R.O.W.), said point being 24.98 feet south of the south line of Market Avenue (66' R.O.W.); thence along the east line of said North Main Street, N 20°35'53"E a distance of 116.00 feet to a point; thence leaving the east line of said North Main Street and along a curve to the left, having a radius of 25.00 feet and an arc length of 39.29 feet (chord = S 24°25'39"E - 35.37 feet) to a point, said point being on the north line of said Market Avenue; thence along the north line of said Market Avenue, S 69°27'10"E a distance of 274.17 feet to a point; thence along a curve to the left, having a radius of 25.00 feet and an arc length of 39.22 feet (Chord - N 65°36'11"E - 35.32 feet) to a point, said point being on the west line of Second Avenue (66' R.O.W.); thence along the west line of said Second Avenue, S20°37'38"W a distance of 115.97 feet to a point; thence leaving said Second Avenue and along a curve to the left, having a radius of 25.00 feet and an arc length of 39.28 feet (chord = N24°26'09"W - 35.37 feet) to a point, said point being on the south line of said Market Avenue; thence along the south line of said Market Avenue, N69°27'10"W a distance of 274.11 feet to a point; thence along a curve to the left, having a radius of 25.00 feet and an arc length of 39.25 feet (chord = S65°34'21"W a distance of 35.34 feet to the point of beginning.

<u>Municipal Address</u>	<u>Tax Parcel ID</u>
250 North Main Street, Memphis, Tennessee	001030 00001L
0 Market Avenue, Memphis, Tennessee	001029 00004
0 Market Avenue, Memphis, Tennessee	001029 00005
0 Market Avenue, Memphis, Tennessee	001030 00002
0 Market Avenue, Memphis, Tennessee	001030 00003
Market Avenue, Memphis, Tennessee	001030 00001Z

Sec. ___ - ___ -4 **Surcharge Assessment**

The making of Sales (as such term is defined in the Act) by engaging in any Business (as such term is defined in the Act), except for those businesses exempt under Tenn. Code Ann. title 67, chapter 4, part 712, in the District is declared to be a privilege. All such Sales shall be subject to the surcharge assessment provided in this Chapter and the City hereby levies such surcharge on all Sales.

Sec. __ - ____-5 **Surcharge Assessment Rate**

The surcharge levied by this section shall be equal to five percent (5%) of the Sales Price (as such term is defined in the Act).

Sec. __ - ____-6 **Mandatory Registration, Filing of Returns, Payment of Surcharge and Licensing**

All persons carrying on Business (as such term is defined by the Act) in the District, and all persons who may hereafter carry on Business in the District, shall register with the City Treasurer for the purpose of assessment and collection of the surcharge. All persons so registered shall file a return detailing Sales for the prior month and surcharge collected on account of such Sales on or before the twentieth (20th) day of each calendar month and shall remit all surcharge collected during such month, together with any delinquent payments of surcharge, with such return. Each person who files a return and remits the appropriate amount of surcharge shall be granted a license which such person shall display within their place of Business. The City Treasurer is hereby authorized and directed to develop the forms for registration and filing monthly returns, as well as rules and regulations regarding the filing of the same.

Sec. __ - ____-7 **Delinquent Payments**

Any nonpayment or delinquent payment of any surcharge shall be subject to the rights and remedies described in Chapter 5-24 of the Memphis City Code.

Sec. __ - ____-8 **Allocation and Use of Revenues**

All revenues received by the city as a result of the surcharge, except for the reasonable expenses of the City Treasurer incurred as a result of its administrative duties under this chapter which shall not exceed one percent (1%) of such revenues, shall be designated for, and allocated to the payment of the cost of Renovation and potential Expansion of the Convention Center Hotel QPUF, including, without limitation, all debt issued or incurred in the acquisition, construction, leasing, renovation and equipping of the Convention Center Hotel QPUF, including principal, interest and other fees and charges.

Sec. __ - ____-9 **Remittance of Revenues**

On or before the fifteenth (15th) day of each month, the City Treasurer shall remit all revenues received during the prior month, less the aforescribed administrative fee, to CCRFC or its assignee. CCRFC, or its assignee, is hereby directed to deposit such revenues in accordance with the Act and any agreements governing the payment or reimbursement of costs incurred, or debt issued or incurred by CCRFC to finance or refinance costs, in connection with Renovation and potential Expansion of the Convention Center Hotel QPUF.

Sec. __ - ____-10 **Termination of Surcharge**

The surcharge shall continue until terminated as provided in the Act.

1. All actions heretofore undertaken by the Mayor or his designee and other officials, employees, attorneys and agents of the City in furtherance of the intent of this resolution, and of the documents authorized by this resolution, are hereby ratified, confirmed and approved.

2. The Mayor or his designee and other appropriate officials of the City are hereby authorized to enter into such agreements, and they and other appropriate employees of the City are hereby authorized to execute such certificates or other documents and take such other actions, as may be necessary or appropriate to carry out the intent of this Ordinance.

3. This Ordinance shall take effect from and after its adoption, the welfare of the City of Memphis requiring it.

Sponsor: _____



RESOLUTION approving the Engineering plans for:
Chick-fil-A #4993 (Austin Peay)
and accepting Bond as security

WHEREAS, **Chick-fil-A, Inc.**, is the Developer of a certain property within the present limits of the City of Memphis, and located at 3565 Austin Peay Highway in Memphis, Tennessee.

and

WHEREAS, the developer desires to develop the property reflected on the engineering plans;

and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Chick-fil-A, Inc.**, and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Chick-fil-A #4993 (Austin Peay)** are hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and accept Liberty Mutual Insurance Company **Performance Bond No. 016237799** in the amount of **\$55,600.00** as security for project



RESOLUTION approving the Engineering plans for:
Central Lofts
and accepting Bond as security

WHEREAS, **Central Junction, LLC.**, is the Developer of a certain property within the present limits of the City of Memphis, and located at 300 South Hollywood Street in Memphis, Tennessee.

and

WHEREAS, the developer desires to develop the property reflected on the engineering plans;

and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Central Junction, LLC.**, and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Central Lofts** are hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and accept **ARCH Insurance Company Performance Bond No. SU 1172113-0000** in the amount of **\$148,300.00** as security for project.



RESOLUTION accepting public improvements for
Overton Gateway South PD (17-07) [CR-5293]
and authorizes **release of Bond**

WHEREAS, **Makowsky Ringel Greenberg, LLC.** is the Developer of certain property within the present limits of the City of Memphis, as shown on the engineering plans entitled **Overton Gateway South PD (17-07) [CR-5293]**, located at the southeast corner of Sam Cooper Blvd. and East Parkway North intersection in Memphis, Tennessee

and

WHEREAS, all of the public improvements required by the Standard Improvement Contract for the project are completed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Overton Gateway South PD (17-07) [CR-5293]** and the completion of the public improvements therein, are and the same are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the **ARCH Insurance Company Performance Bond No. SU1156188** in the amount of **\$84,200.00**, held as security for the Standard Improvement Contract, is **hereby ordered released**.



RESOLUTION accepting public improvements for:
Sunset Downs P.D. Parcel B-1 [CR-5398]
and release Alternate Bond

WHEREAS, **Rockwood, LLC.**, the Developer of certain property within the present limits of the City of Memphis located at the northeast corner of Trinity Road and North Ericson Road in Memphis, Tennessee as indicated on the engineering plans.

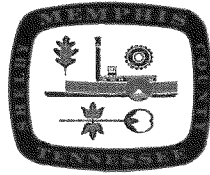
and

WHEREAS, all of the public improvements required by the Standard Improvement Contract for the project are completed.

and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Sunset Downs P.D. Parcel B-1 [CR-5398]** and the completion of the public improvements therein, are and the same are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the Bank of Fayette County, **Certificate of Deposit No. 523607** in the amount of **\$62,300.00**, held as security for the contract's Alternate Bond, is hereby ordered released.



Memphis City Council Summary Sheet

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

Resolution to accept grant funds from Tennessee Department of Environment and Conservation, LRPF program. Grant funds will support recreation site improvements at Audubon Park.

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

Division of 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.

District 5, Super District 9.

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

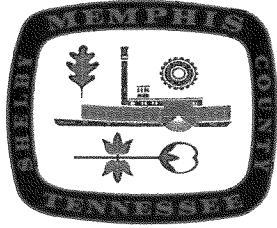
will require grant contract.

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

Grant project will require expenditure of grant funding and amendment to operating budget.

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

N/A



Resolution accepting grant funds of six hundred twenty five thousand dollars (\$625,000) from the Tennessee Department of Environment and Conservation for recreation site improvements at Audubon Park. [District 5, Super District 9].

WHEREAS, the Tennessee Department of Environment and Conservation (TDEC) administers grant programs for recreation site improvements in the state of Tennessee; and

WHEREAS, the City of Memphis, through its Division of Park Services, is a recipient of a FY23 LRP 2020 Public Recreation grant cycle award: and

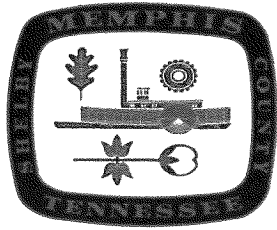
WHEREAS, funding from the Tennessee Department of Environment and Conservation will support recreation improvements in the form of a splashpad at Audubon Park: and

WHEREAS, it is necessary to accept these funds in the amount of six hundred twenty five thousand dollars (\$625,000) and amend the Fiscal Year 2023 operating budget grant account PK90113, and allow for expenditures of the same; and

WHEREAS, it is necessary to appropriate these funds in the amount of six hundred twenty five thousand dollars (\$625,000) for recreation improvements for Audubon Park; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2023 operating budget be amended by accepting the grant of six hundred twenty five thousand dollars (\$625,000) for recreation improvements into PK90113, and

BE IT FURTHER RESOLVED that the City of Memphis will fulfill the grant requirement of matching this funding one to one by providing additional funding of six hundred twenty five thousand dollars (\$625,000) for recreation improvements for Audubon Park.



Resolution accepting in-kind donation in value of seven thousand four hundred fifty dollars (\$7,450.00) from Memphis Museums Incorporated (MMI) for improvements to the structure and property of the Magevney House. [District 6, Super District 8].

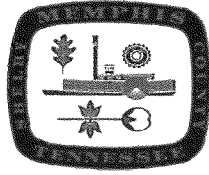
WHEREAS, Historic building (Magevney House) needed repair for preservation; and

WHEREAS, a Memphis citizen is making a donation to MMI for necessary painting and woodwork to the Magevney House; and

WHEREAS, the Parks Division wishes to accept this in-kind donation in value of *seven thousand four hundred fifty dollars* (\$7,450); and

WHEREAS, it is necessary to accept this in-kind donation and allow for the repairs at the Magevney House; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the in-kind donation valued at *seven thousand four hundred fifty dollars* (\$7,450) from MMI .



Memphis City Council Summary Sheet

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

Resolution to accept in-kind donation in value of \$5,547 from U.S. National Teqball Federation for Teqball sports tables.

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

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.

All

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

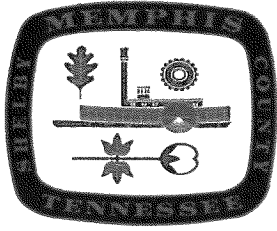
N/A

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

Does not require expenditure.

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

N/A.



Resolution accepting in-kind donation in value of seven thousand four hundred fifty dollars (\$7,450.00) from Memphis Museums Incorporated (MMI) for improvements to the structure and property of the Magevney House. [District 6, Super District 8].

WHEREAS, Historic building (Magevney House) needed repair for preservation; and

WHEREAS, a Memphis citizen is making a donation to MMI for necessary painting and woodwork to the Magevney House; and

WHEREAS, the Parks Division wishes to accept this in-kind donation in value of *seven thousand four hundred fifty dollars* (\$7,450); and

WHEREAS, it is necessary to accept this in-kind donation and allow for the repairs at the Magevney House; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the in-kind donation valued at *seven thousand four hundred fifty dollars* (\$7,450) from MMI .



Memphis City Council Summary Sheet

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

Resolution accepting and appropriating the sum of \$75,000.00 funded by National Endowment for the Arts, chargeable to the FY23 budget for the National Endowment for the Arts grant to support the Memphis Heritage Trail: Arts Collab .

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

The Division of Housing and Community Development Planning & Grants

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 6, Super 8

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

New contracts and contract amendments will be required.

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.

Not applicable to MWBE.



A resolution accepting and appropriating the sum of \$75,000.00 funded by National Endowment for the Arts, chargeable to the FY23 budget for the National Endowment for the Arts grant to support the Memphis Heritage Trail: Arts CoLab.

WHEREAS, the City of Memphis has sought to support redevelopment activities for targeted communities within its inner-city boundaries; and

WHEREAS, as part of the initiative, the City of Memphis has undertaken efforts to promote public improvements, amenities, and options for said targeted communities; and

WHEREAS, the Memphis Heritage Trail is a culture district redevelopment project; and

WHEREAS, the City of Memphis has received these funds through a competitive grant application process; and

WHEREAS, these funds will be used by the Division of Housing and Community Development (HCD) to support the Memphis Heritage Trail Arts CoLab, an intergenerational arts engagement project that serves as a gateway for African American art and culture in 3 historic underserved neighborhoods (Orange Mound, South City and Soulsville); and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2023 Operating Budget to establish funds for the National Endowment for the Arts Grant; and

WHEREAS, It is necessary to allocate and appropriate the FY23 grants funds in the amount of Seventy-Five Thousand Dollars (\$75,000) for the Memphis Heritage Trail Project.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the National Endowment for the Arts grant to support the Memphis Heritage Trail Arts CoLab in the amount of Seventy-Five Thousand Dollars (\$75,000) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED that the Fiscal Year 2023 Operating Budget be and is hereby amended by allocating and appropriating the Revenue and Expenditures for the National Endowment for the Arts grant to support the Memphis Heritage Trail Arts CoLab in the amount of Seventy-Five Thousand Dollars (\$75,000) as follows:

Project Title: Memphis Heritage Trail: Arts CoLab

Project Number: CD90153

Revenues

State of Tennessee	<u>\$75,000.00</u>
Total	\$75,000.00

Expenditures

Program	<u>\$75,000.00</u>
Total	\$75,000.00

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving Change No. 1 to Contract No.12247, Gas Transmission Row Mowing and Tree Trimming to ABC Professional Tree Services, Incorporated in the funded amount of \$753,308.00. (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering August 16, 2022, through August 15, 2023).

2. Additional Information

The project scope is to furnish all supervision, labor, transportation, material, equipment, tools and supplies as required to perform grass mowing and tree trimming on MLGW's transmission line rights-of-way on an as-needed basis in Memphis and Shelby County, Tennessee.

RESOLUTION

WHEREAS, the board of Light, Gas and Water Commissioners in their meeting of November 16, 2022 approved Change No. 1 to Contract No.12247, Gas Transmission Row Mowing and Tree Trimming to ABC Professional Tree Services, Incorporated to ratify and renew the current contract in the funded amount of \$753,308.00, and is now recommending to the Council of the City of Memphis that it approves said ratification and renewal as approved; and

WHEREAS, the project scope is to furnish all supervision, labor, transportation, material, equipment, tools and supplies as required to perform grass mowing and tree trimming on MLGW's transmission line rights-of-way on an as-needed basis in Memphis and Shelby County, Tennessee. This change is to ratify and renew the current contract for the first of four (4) annual renewal terms for the period covering August 16, 2022 through August 15, 2023 in the amount of \$753,308.00, with a 12% increase in rates from the initial term due to increases in equipment, fuel, maintenance and labor costs. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$1,416,708.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 12247, Gas Transmission Row Mowing and Tree Trimming to ABC Professional Tree Services Incorporated to ratify and renew the current contract in the funded amount of \$753,308.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
November 16, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No.12247, Gas Transmission Row Mowing and Tree Trimming to ABC Professional Tree Services, Incorporated to ratify and renew the current contract in the funded amount of \$753,308.00.

The project scope is to furnish all supervision, labor, transportation, material, equipment, tools and supplies as required to perform grass mowing and tree trimming on MLGW's transmission line rights-of-way on an as-needed basis in Memphis and Shelby County, Tennessee. This change is to ratify and renew the current contract for the first of four (4) annual renewal terms for the period covering August 16, 2022 through August 15, 2023 in the amount of \$753,308.00, with a 12% increase in rates from the initial term due to increases in equipment, fuel, maintenance and labor costs. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$1,416,708.00

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 to Contract No. 12247, Gas Transmission Row Mowing and Tree Trimming to ABC Professional Tree Services, Incorporated to ratify and renew the current contract in the funded amount of \$753,308.00, as outlined in the above preamble, is approved; and further

THAT, the President, or his designated representative is authorized to execute the Ratification and Renewal.

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 16th day of November, 2022, at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding Contract No. 12366, Large Directional Drilling to Memphis Road Boring Co., Incorporated in the funded amount of \$2,487,600.00.

2. Additional Information

The project scope is to provide all labor, technical skills, tools, and equipment to make the directional bores for the installation of Steel/PE pipe in the gas utility system on an as-needed basis throughout Memphis and Shelby County, Tennessee.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of November 16, 2022, awarded Contract No. 12366, Large Directional Drilling to Memphis Road Boring Co., Incorporated in the funded amount of \$2,487,600.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to provide all labor, technical skills, tools, and equipment to make the directional bores for the installation of Steel/PE pipe in the gas utility system on an as-needed basis throughout Memphis and Shelby County, Tennessee. The Contactor is responsible for the setup, operation, and take down of all equipment used in the bore. Bore to include set up, all drilling fluids/chemicals + drilling fluid containment + bore + pre-ream(S) + back ream + pull back + site restoration; and

WHEREAS, the Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on June 23, 2022. MLGW solicited six (6) bids; and received three (3) bids on August 10, 2022, which one (1) was deemed non-responsive and non-compliant to the Supplier Diversity goal. The lowest and best bid received was from Memphis Road Boring Co., Incorporated in the amount of \$2,487,600.00. The term of this contract is one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewals. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12366, Large Directional Drilling to Memphis Road Boring Co., Incorporated in the funded amount of \$2,487,600.00.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
November 16, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12366, Large Directional Drilling to Memphis Road Boring Co., Incorporated in the funded amount of \$2,487,600.00.

The project scope is to provide all labor, technical skills, tools, and equipment to make the directional bores for the installation of Steel/PE pipe in the gas utility system on an as-needed basis throughout Memphis and Shelby County, Tennessee. The Contactor is responsible for the setup, operation, and take down of all equipment used in the bore. Bore to include set up, all drilling fluids/chemicals + drilling fluid containment + bore + pre-ream(S) + back ream + pull back + site restoration.

The Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on June 23, 2022. MLGW solicited six (6) bids; and received three (3) bids on August 10, 2022, which one (1) was deemed non-responsive and non-compliant to the Supplier Diversity goal. The lowest and best bid received was from Memphis Road Boring Co., Incorporated in the amount of \$2,487,600.00. The term of this contract is one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewals. This award complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12366, Large Directional Drilling to Memphis Road Boring Co., Incorporated in the funded amount of \$2,487,600.00, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Award.

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 ~~regular~~-special meeting held on 14 day of November, 2022, at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding Contract No. 12387 (solicited under Contract No.12302), Substation Engineering Services (Asset Management) to Burns & McDonnell Engineering Company, Inc., in the funded not-to-exceed amount of \$300,000.00.

2. Additional Information

The project scope is to provide asset management engineering services including but not limited to gathering, generating, analyzing, and automating asset health information for major substation equipment including power transformers, circuit breakers, batteries, etc. Development of risk ratings for asset classes that feed investment replacement decisions; development of replacement schedules that balance performance, cost, and risk; development of KPIs for each asset class that feeds asset investment optimization. Development of analytical tools to assist MLGW with the current and future health of all asset classes.

RESOLUTION

WHEREAS, the Board of Light, Gas, and Water Commissioners in their meeting of November 16, 2022, awarded Contract No. 12387 (*solicited under Contract No.12302*), Substation Engineering Services (Asset Management) to Burns & McDonnell Engineering Company, Incorporated in the funded not-to-exceed amount of \$300,000.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to provide asset management engineering services including but not limited to gathering, generating, analyzing, and automating asset health information for major substation equipment including power transformers, circuit breakers, batteries, etc. Development of risk ratings for asset classes that feed investment replacement decisions; development of replacement schedules that balance performance, cost, and risk; development of KPIs for each asset class that feeds asset investment optimization. Development of analytical tools to assist MLGW with the current and future health of all asset classes; and

WHEREAS, the Request for Qualifications was advertised using MLGW's On-Line Bid Notification System on February 15, 2022. MLGW solicited eight (8) companies (solicited under Contract No. 12302); received eight (8) qualifications on March 7, 2022. MGLW will enter into separate contracts with four (4) Short Listed companies; with one (1) contract being awarded to Burns & McDonnell Engineering Company, Incorporated in the funded not-to-exceed amount of \$300,000.00. Two (2) of the Short Listed companies were considered for their experience with asset management engineering services; with Burns & McDonnell Engineering Company, Incorporated being the most qualified. Qualifications were evaluated on the following criteria: 1) Resumes defining qualifications and experience; 2) Substation and Transmission Engineering experience for one (1) or more Design Services;

and 3) Ability to provide on-site personnel. The term of this contract is for one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewal terms. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12387 (*solicited under Contract No.12302*), Substation Engineering Services (Asset Management) to Burns & McDonnell Engineering Company, Incorporated in the funded not-to-exceed amount of \$300,000.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
November 16, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas, and Water Commissioners, that it awards Contract No. 12387 (*solicited under Contract No.12302*), Substation Engineering Services (Asset Management) to Burns & McDonnell Engineering Company, Incorporated in the funded not-to-exceed amount of \$300,000.00.

The project scope is to provide asset management engineering services including but not limited to gathering, generating, analyzing, and automating asset health information for major substation equipment including power transformers, circuit breakers, batteries, etc. Development of risk ratings for asset classes that feed investment replacement decisions; development of replacement schedules that balance performance, cost, and risk; development of KPIs for each asset class that feeds asset investment optimization. Development of analytical tools to assist MLGW with the current and future health of all asset classes.

The Request for Qualifications was advertised using MLGW's On-Line Bid Notification System on February 15, 2022. MLGW solicited eight (8) companies (solicited under Contract No. 12302); received eight (8) qualifications on March 7, 2022. MGLW will enter into separate contracts with four (4) Short Listed companies; with one (1) contract being awarded to Burns & McDonnell Engineering Company, Incorporated in the funded not-to-exceed amount of \$300,000.00. Two (2) of the Short Listed companies were considered for their experience with asset management engineering services; with Burns & McDonnell Engineering Company, Incorporated being the most qualified. Qualifications were evaluated on the following criteria: 1) Resumes defining qualifications and experience; 2) Substation and Transmission Engineering experience for one (1) or more Design Services; and 3) Ability to provide on-site personnel. The term of this contract is for one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewal terms. This award complies will all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12387 (*solicited under Contract No. 12302*), Substation Engineering Services (Asset Management) to Burns & McDonnell Engineering Company, Incorporated in the funded not-to-exceed amount of \$300,000.00, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Award.

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 16th day of November 2022, at which a quorum was present.


SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving the ratification of Purchase Order Numbers 7030455 to Stuart C. Irby Company and 7029663 to Industrial Sales Company of Memphis Inc., for gas pipe and electric pedestals in the total amount of \$578,096.48.

2. Additional Information

These purchases were considered to be of an urgent nature due to supply chain issues impacting pricing and availability.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
November 16, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it approves the ratification of Purchase Order Numbers 7030455 to Stuart C. Irby Company and 7029663 to Industrial Sales Company of Memphis Inc. in the total amount of \$578,096.48 for gas pipe and electric pedestals.

The bidders of record for the sealed bid for gas pipe could only hold pricing for 24 hours, due to inflation resulting from the impact of the market volatility on the supply chain. The bids were evaluated and a purchase order was awarded to the supplier to lock in the quoted unit price. Millbank and Durham, the manufacturers on the approved products list for the electric pedestals are having issues securing raw materials which is causing extreme delays and extended lead times. To ensure we have adequate inventory to meet work order demand and to get added into the manufacturer's production schedule, purchase order number 7029663 was issued to Industrial Sales Company of Memphis Inc. This ratification complies with all applicable laws and policies.

The 2022 budgeted amount for Electric – Planned Maintenance and Gas – Planned Maintenance is \$14,863,000.00; the amount spent to date is \$9,271,722.29; leaving a balance of \$5,591,277.71; of which \$578,096.48 was spent in 2022; leaving a balance of \$5,013,181.23 after award; and

NOW, THEREFORE, BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, it approves the ratification of purchase orders 7030455 with Stuart C. Irby & 7029663 with Industrial Sales Company of Memphis Inc. as outlined in the foregoing preamble.

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 16th day of November 2022 at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of November 16, 2022 approved the ratification of Purchase Order Numbers 7030455 to Stuart C. Irby Company and 7029663 to Industrial Sales Company of Memphis Inc. in the amount of \$578,096.48 for gas pipe and electric pedestals, and is now recommending to the Council of the City of Memphis that it approves said ratification; and

WHEREAS, the bidders of record for the sealed bid for gas pipe could only hold pricing for 24 hours, due to inflation resulting from the impact of the market volatility on the supply chain. The bids were evaluated and a purchase order was awarded to the supplier to lock in the quoted unit price. Millbank and Durham, the manufacturers on the approved products list for the electric pedestals are having issues securing raw materials which is causing extreme delays and extended lead times. To ensure we have adequate inventory to meet work order demand and to get added into the manufacturer's production schedule, purchase order number 7029663 was issued to Industrial Sales Company of Memphis Inc. This ratification complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved ratification of the purchase orders for gas pipe and electric pedestals in the amount of \$578,096.48 chargeable to the MLGW 2022 fiscal year budget.



City of Memphis

TENNESSEE

JIM STRICKLAND
MAYOR

November 8, 2022

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

Dear Chairman Easter-Thomas:

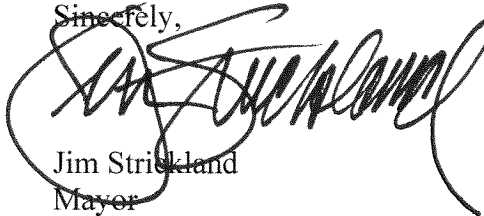
Subject to Council approval, I hereby recommend that:

Jack Sammons

be reappointed to the Memphis and Shelby County Airport Authority with a term expiration date of December 31, 2029.

I have attached biographical information.

Sincerely,



Jim Strickland
Mayor

JSS/sss

Cc: Council Members

MEMPHIS & SHELBY COUNTY AIRPORT AUTHORITY
7 Member Board
(5) City & (2) County Nominations
Oath of Office Required
7 Year Term

Purpose:

To operate the Memphis International Airport, Charles Baker, General Dewitt Spain Airports.

Members:

City

Anderson, Belinda	F/B	12-31-28	1 st Term
Clary, Pamela	F/B	12-31-26	1 st Term
Cooper, Pace	M/W	12-31-24	2 nd Term
Glenn, Albert <i>pilot</i>	M/B	12-31-25	Partial
Sammons, Jack	M/W	12-31-22	1 st Term

County

Michael Keeney	M/W	12-31-23
Gregory Fletcher	M/W <i>pilot</i>	12-31-28

Attendance Records for Current Members
 Memphis & Shelby Co Airport Authority
 From January 2021 to date Total No. of Meetings - 21

Member	Present	Total Meetings
Jack Sammons	18	21

Updated 11.8.22

City of Memphis



JIM STRICKLAND
MAYOR

TENNESSEE

November 8, 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:

April Bostick

be appointed to the Memphis & Shelby County Board of Adjustment with a term expiration date of December 31, 2023.

I have attached biographical information.

Sincerely,

Jim Strickland
Mayor

JSS/sss

Cc: Council Members

MEMPHIS & SHELBY COUNTY BOARD OF ADJUSTMENT
8 Member Board
(4) City & (4) County
Oath of Office Required
3 Year Terms

Purpose:

The Memphis & Shelby County Board of Adjustment hears appeals from the administration of zoning laws adopted pursuant to the enabling legislation allowing the control of land uses.

Vacancy- (City)	F/B	12-31-20
Vacancy - (City)	M/B	12-31-20
Baker, Mary (City)	M/W	12-31-23
Rainey, Timothy (City)	M/W	12-31-23

Updated 11/05/22

City of Memphis



TENNESSEE

JIM STRICKLAND
MAYOR

November 8, 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:

T. Kevin Bruce

be appointed to the Memphis & Shelby County Board of Adjustment with a term expiration date of December 31, 2023.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Strickland", written over a circular stamp or seal.

Jim Strickland
Mayor

JSS/sss

Cc: Council Members

MEMPHIS & SHELBY COUNTY BOARD OF ADJUSTMENT

8 Member Board

(4) City & (4) County

Oath of Office Required

3 Year Terms

Purpose:

The Memphis & Shelby County Board of Adjustment hears appeals from the administration of zoning laws adopted pursuant to the enabling legislation allowing the control of land uses.

Vacancy- (City)	F/B	12-31-20
Vacancy - (City)	M/B	12-31-20
Baker, Mary (City)	M/W	12-31-23
Rainey, Timothy (City)	M/W	12-31-23

Updated 11/05/22

SUBSTITUTE JOINT ORDINANCE NO. _____

A JOINT ORDINANCE OF THE CITY OF MEMPHIS AND COUNTY OF SHELBY COUNTY, TENNESSEE ENACTED PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1998 AND THE UNIFORMITY IN TAX INCREMENT FINANCING ACT OF 2012; PROVIDING FOR THE ESTABLISHMENT OF THE KLONDIKE REDEVELOPMENT TRUST FUND

WHEREAS, pursuant to the Community Redevelopment Act of 1998 (the “Act”) Shelby County, Tennessee (the "County") and the City of Memphis, Tennessee (the "City") established a joint Community Redevelopment Agency ("CRA") to ameliorate the slum and blight conditions within the City of Memphis and the unincorporated areas of Shelby County; and

WHEREAS, on September 20, 2022, pursuant to Section 11 of the Act and the provisions of the Uniformity in Tax Increment Financing Act of 2012 (the “TIF Uniformity Act”), the CRA approved a proposal to establish the Klondike Tax Increment Financing District (the “Klondike TIF”) pursuant to the Klondike Community Redevelopment Area (the “Plan);

WHEREAS, the City Council (the “Council”) of the City of Memphis, Tennessee considered the adoption of the Plan pursuant to the requirements of the Act; and

WHEREAS, the Board of County Commissioners of Shelby County, Tennessee (the "Board") considered the adoption of the Klondike Community Redevelopment Plan pursuant to the requirements of the Act; and

WHEREAS, any financing undertaken in connection with the Klondike TIF shall not represent or constitute a debt or pledge of the faith and credit or the taxing power of the CRA, the City or the County; and

WHEREAS, this Ordinance shall not become effective until after the adoption of the Plan by the Board and the Council; and

NOW, THEREFORE, BE IT RESOLVED by The Council Of The City Of Memphis And The Board Of County Commissioners Of Shelby County, Tennessee that the Community

Redevelopment Plan for Klondike Area be established as follows:

SECTION 1. COMMUNITY REDEVELOPMENT AREA

The Klondike Community Redevelopment Area shall be as shown in the Legal Description attached as Exhibit A.

SECTION 2. FUNDING OF THE REDEVELOPMENT TRUST FUND

Pursuant to the provisions of Section 21 of the Community Redevelopment Act of 1998 the hereby Redevelopment Trust Fund for the Klondike Community Redevelopment Area is hereby established and shall include the increment in the income, proceeds, revenues, and funds of each taxing authority derived from or held in connection with the undertaking and carrying out of the community redevelopment under the Act.

Pursuant to the requirements of the Act, each taxing authority located within the Klondike Community Redevelopment Area shall by January 1 of each year commencing January 1, 2023 appropriate to the Redevelopment Trust Fund for the Klondike Area for so long as any indebtedness pledging increment revenue to the payment thereof is outstanding the earliest of thirty (30) years or January 1, 2053, a sum that is no less than the increment as defined and described in this Section accruing to such taxing authority.

SECTION 3. DISCRETION TO GRANT EXEMPTIONS

Subject to further proceedings of the Council and the Board pursuant to the requirements of Section 21(b)(4) of the Act, the City and the County reserve the discretion to grant an exemption to any special district that levies taxes within the Klondike Community Redevelopment Area from the funding requirements of Section 5 of this Ordinance; provided such grant of an exemption shall not violate Article 1, Section 20 of the Tennessee Constitution or Article 1, Section 10 of the United States Constitution, relating to impairment of contracts.

SECTION 4. TERM OF THE REDEVELOPMENT TRUST FUND

The Redevelopment Trust Fund for the Klondike Area shall remain in existence for thirty (30) years after the date of adoption of the original Plan. Notwithstanding anything in this Ordinance to contrary, the obligation to fund the Redevelopment Trust Fund annually shall continue until all loans, advances and indebtedness, if any, and interest thereon, of the CRA incurred as a result of redevelopment in a Community Redevelopment Area have been paid. Upon termination of the Redevelopment Trust Fund, subject to payment of all amounts required to be paid from such Redevelopment Trust Fund, any remaining moneys in the Redevelopment Trust Fund shall be returned to each taxing authority, which paid the increment in the proportion that the amount of the payment of such taxing authority bears to the total amount paid into the Redevelopment Trust Fund by all taxing authorities within the Klondike Community Redevelopment Area during that year of the last appropriation.

SECTION 5. EXPENDITURE OF MONEYS IN THE REDEVELOPMENT TRUST FUND

A. Moneys in the Redevelopment Trust Fund may be expended from time to time for the following purposes, when directly related to financing or refinancing of redevelopment in a Community Redevelopment Area pursuant to the Plan:

(a) administrative and overhead expenses necessary or incidental to the implementation of the Plan pursuant to the Uniformity in Tax Increment Financing Act of 2012 (the “TIF Uniformity Act”).

(b) expenses of redevelopment planning, surveys and financial analysis, including the reimbursement of the City, the County or the CRA for such expenses incurred before the Plan was approved and adopted.

(c) the acquisition of real property in the Community Redevelopment Area.

(d) The clearance and preparation of any portion of the Community Redevelopment Area for redevelopment and relocation of site occupants as provided in Section 17 of the Act.

(e) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes and any other form of indebtedness.

(f) All expenses incidental to or connected with the issuance, sale, redemption, retirement or purchase of CRA bonds, bond anticipation notes or other form of indebtedness, including any reserve, redemption or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes or other form of indebtedness.

(g) The development of affordable housing within the Community Redevelopment Area.

B. On the last day of each fiscal year of the CRA, any money which remains in the Klondike Redevelopment Trust Fund after the payment of expenses pursuant to subsection "A" of this Section 5 for such year shall be:

(a) returned to each taxing authority, which paid the increment in the proportion that the amount of the payment of such taxing authority bears to the total amount paid into the trust fund by all taxing authorities within the Klondike Community Redevelopment Area for that year;

(b) Used to reduce the amount of any indebtedness to which increment revenues are pledged;

(c) deposited into an escrow account for the purpose of later reducing any indebtedness to which increment revenues are pledged; or

(d) appropriated to a specific redevelopment project pursuant to the Plan which project will be completed within three (3) years from the date of such appropriation.

C. As allowed in Section 2 of the "Uniformity in Tax Increment Financing Act of 2012" a total of five percent (5%) of incremental tax revenues will be set aside for administrative expenses incurred by the CRA (Tennessee Code Annotated 9- 23-105).

D. As allowed in the "Uniformity in Tax Increment Financing Act of 2012" the tax increment base and dedicated taxes shall be calculated on the basis of each parcel within the area subject to the Community Redevelopment Plan for the Klondike Area (Tennessee Code Annotated 9-23-103).

E. In accordance with the provisions of the Act and the Uniformity in Tax Increment Financing Act of 2012, the City and the County shall cause the CRA to provide for an independent financial audit of the trust fund each fiscal year and a report of such audit. Such report shall describe the amount and source of deposits into, and the amount and purpose of withdrawals from, the Redevelopment Trust Fund during such fiscal year and the amount of principal and interest paid during such year on any indebtedness to which is pledged increment revenues and the remaining amount of such indebtedness. The CRA shall provide a copy of the report to each taxing authority.

BE IT FURTHER ORDAINED, that to the extent that the CRA shall approve developers to execute the redevelopment, said developers shall provide annual financial statements, including balance sheets and detailed income and expense statements to the CRA Board.

BE IT FURTHER ORDAINED, that this joint ordinance shall take effect from and after the date it shall have been enacted according to due process of law by virtue of the concurring and separate passage thereof by the Council of the City of Memphis and by the Board of Commissioners of Shelby County, Tennessee.

BE IT FURTHER ORDAINED, that the provisions of this Ordinance are severable and that any portion declared or found to be unlawful shall not affect the remaining portions.

Chairman of the City Council

Attest:

Comptroller

Ordinance to establish the City Council meeting dates for 2023.

WHEREAS, Referendum Ordinance 4274, approved by the citizens of Memphis on November 8, 1994, amended the Council's meeting dates to the first and third Tuesdays of each month; and

WHEREAS, the Council wishes to approve the 2023 meeting dates.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council will conduct its regular meetings on the first and third Tuesdays of each month:

January 3	January 17
February 7	February 21
March 7	March 21
April 11	April 25
May 2	May 16
June 6	June 20
July 11	July 25
August 8	August 22
September 5	September 19
October 3	October 24
November 7	November 21
December 5	December 19

Sponsor:

Martavius Jones, Chairman

Substitute Ordinance to establish the City Council meeting dates for 2023.

WHEREAS, Referendum Ordinance 4274, approved by the citizens of Memphis on November 8, 1994, amended the Council's meeting dates to the first and third Tuesdays of each month; and

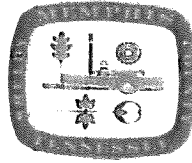
WHEREAS, the Council wishes to approve the 2023 meeting dates.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council will conduct its regular meetings on the first and third Tuesdays of each month:

January 10	January 24
February 7	February 21
March 7	March 21
April 11	April 25
May 2	May 16
June 6	June 20
July 11	July 25
August 8	August 22
September 12	September 26
October 10	October 24
November 7	November 21
December 5	December 19

Sponsor:

Martavius Jones, Chairman



Memphis City Council Summary Sheet

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

This resolution amends the Fiscal Year 2023 Capital Improvement Budget by transferring and appropriating funds for Traffic Signal Improvements to the Intersection of Poplar at Avalon.

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.

This project will be located in Council District 5 and Super District 9

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

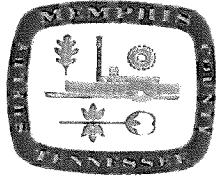
This Traffic Signal project will not require a new contract. An existing On-Call contract is available.

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

Expenditure of funding will be required.

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

The MWBE Goal for this project is set at 0% due to a lack of MWBE vendors certified to perform this type of work.



A Resolution appropriating Construction Funds for EN01115 – Traffic Signal Improvements to the intersection of Poplar at Avalon

WHEREAS, the Council of the City of Memphis did include Traffic Signals, Project Number EN23100 as part of the Engineering Fiscal Year 2023 Capital Improvement Budget; and

WHEREAS, bids were taken on April 20, 2022, for On-Call Traffic Signal Maintenance and Construction at Various Locations (3-year term), with the lowest complying bid being submitted by submitted by McCrory Electric; and

WHEREAS, it is necessary to transfer an allocation of \$410,000.00 funded by G.O. Bonds – from Traffic Signals, Project Number EN23100 to Traffic Signal Improvements to the Intersection of Poplar at Avalon, Project Number EN01115; and

WHEREAS, it is necessary to transfer \$170,000.00 in previously appropriated G.O. Bond funding – from Traffic Signals FY23, Project Number EN01112 to Traffic Signal Improvements to the Intersection of Poplar at Avalon, Project Number EN01115; and

WHEREAS, it is necessary to appropriate \$580,000.00 funded by G.O. Bonds in Traffic Signal Improvements to the Intersection of Poplar at Avalon, Project Number EN01115 as follows:

Contract Amount	\$560,068.53
Project Contingencies	<u>\$19,931.47</u>
Total Amount	\$580,000.00

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 an allocation of \$410,000.00 funded by G.O. Bonds from Traffic Signals, Project Number EN23100 and \$170,000 in previously appropriated funding from Traffic Signals FY23, Project Number EN01112 to Traffic Signal Improvements to the Intersection of Poplar at Avalon, Project Number EN01115.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$580,000.00 funded by G.O. Bonds and chargeable to the Fiscal Year 2023 Capital Improvement Budget and credited as follows:

Project Title	Traffic Signal Improvements to the Intersection of Poplar at Avalon
Project Number	EN01115
Total Amount	\$580,000.00



Memphis City Council Summary Sheet

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

A Resolution approving the acquisition of property located at 0 Stonebrook Circle, parcel ID# 060222 00115C

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

Engineering and 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.

N/A

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

This purchase requires an expenditure of \$170,000.00.

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

N/A



City Council Resolution

A Resolution approving the acquisition of property located at 0 Stonebrook Circle, parcel ID# 060222 00115C

Whereas the City of Memphis desires to acquire the subject property, by condemnation or by purchase, located at 0 Stonebrook Circle on the west side of Sandbrook Street in order to fulfill the conditions for SAC 13-605, Coughlin Drive Street Closure;

Whereas it is necessary to acquire this parcel known as parcel ID 060222 00115C (the "Property"), as further described herein, to meet certain conditions listed in SAC 13-605 resolution: 1. Owner shall maintain a drivable corridor between Brooks Road and the new Coughlin Drive/Stonebrook cul-de-sac without obstructions to vehicular movements; 2. Provide vehicular access between Brooks Road and the new Coughlin Drive/Stonebrook cul-de-sac whenever access to the industrial park is blocked access due to an accident or emergency. A sign shall be posted with a phone number, monitored 24 hours per day, and 7 days per week, to request the opening; 3. Coughlin Drive shall remain open to the public, without any construction, until the realigned Stonebrook/Sandbrook Roads construction is complete and open to the public, pursuant to Case SD 13-701; 4. A second point of access to Highway 51 (Elvis Presley Boulevard) shall be considered and evaluated by the city engineering staff;

Parcel ID 060222 00115C

Lots 23, 24, 25, 26, and the north 70 feet of Lot 27 Revised Brockway Industrial Park Subdivision as recorded in Plat Book 31 Page 21 in the Registers Office of Shelby County, Tennessee.

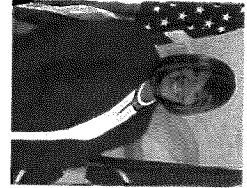
Whereas it is deemed to be in the best interest of the City of Memphis to acquire the Property hereinafter described which is necessary to meet the conditions of the Coughlin Street closure and to assist in the facilitation of plans by Smith and Nephew; and

Whereas the market value of the acquisition has been determined to be One Hundred Sixty Thousand Dollars (\$160,000.00) by the appraisal dated August 31, 2022, and the City has offered over 106% of the appraised value, which amount equals One Hundred Seventy Thousand Dollars (\$170,000.00).

Now, therefore, be it resolved, by the Council of the City of Memphis that the proper officers, agents and employees of the City of Memphis are hereby authorized and directed to acquire said Property, as described above, by condemnation or by purchase, if possible, for the aforementioned purpose.

Be it further resolved, that the total amount of ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000.00) is hereby authorized to be deposited with the Clerk of the Circuit Court of Shelby County, plus attorney fees, and other applicable costs shall be paid.

City Council Resolution

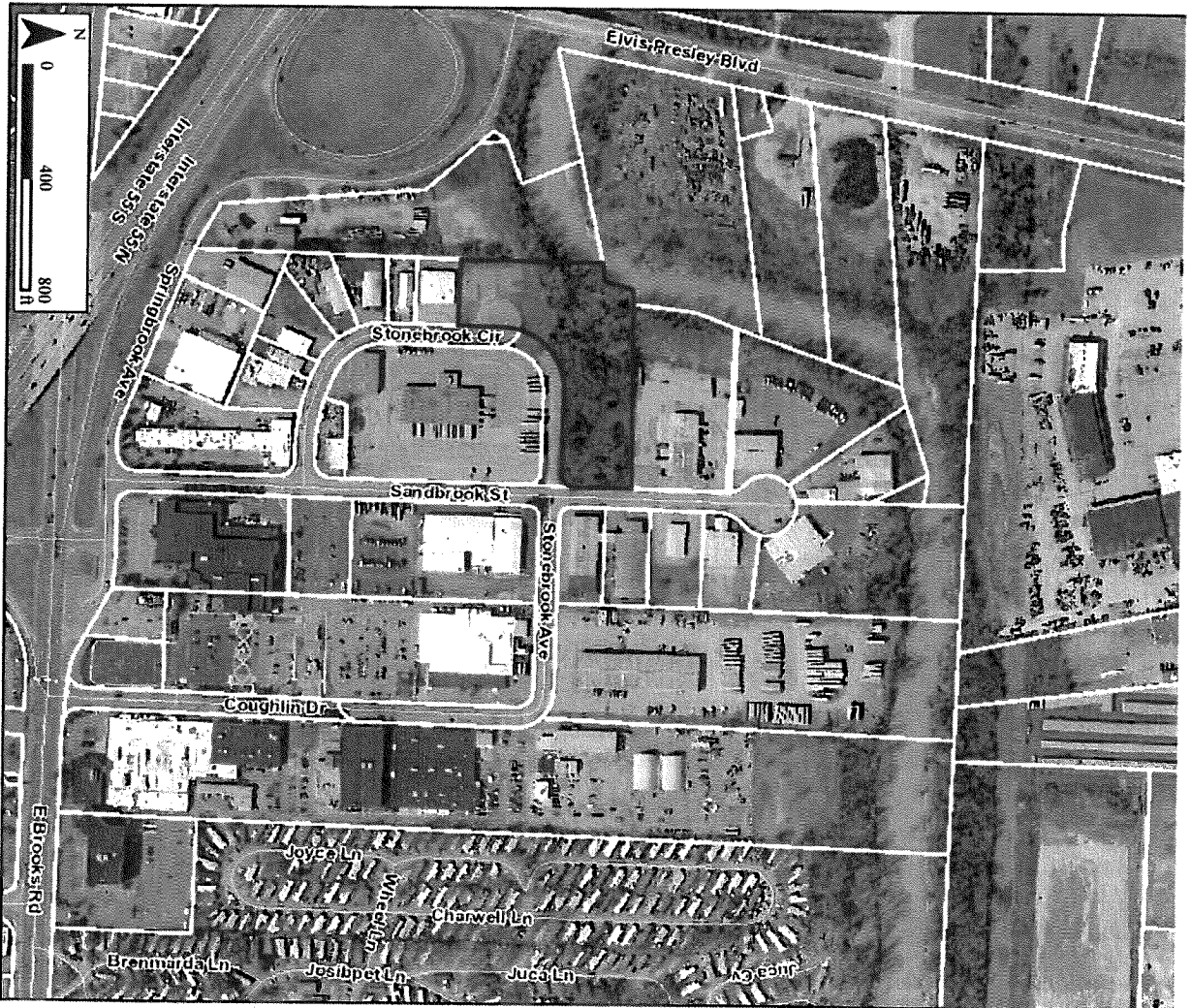


Sheldandra Y. Ford
Shelby County Register of Deeds

SUPERIOR INVESTMENT INC

Owner:
Parcel Address: 0 STONEBROOK CL
Parcel ID: 060222 00115C
2022 Appraisal: \$160,900
Tax District: MEMPHIS
Year Built:
Lot Number: 23THRU26
Subdivision: BROOKWAY INDUSTRIAL PARK RE
Plat BK & PG: UNKNOWN
Dimensions:
Total Acres: 4.614
Owner Address: P.O. BOX 869
WARREN MI
48090 0869

Map prepared on 8/10/2022





Memphis City Council Summary Sheet

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

Resolution approving the 2023 Budget for the electric, gas, and water divisions of Memphis Light, Gas and Water for operating expenses and capital expenditures.

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

Memphis Light, Gas and Water Division

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

Not applicable.

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

Not applicable.

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

Not applicable.



A resolution to approve the 2023 Electric, Gas and Water Operations and Capital Budget.

WHEREAS, the Board of Light, Gas and Water Commissioners has submitted a proposed budget for the Memphis Light, Gas and Water Division for operation and maintenance expenses for the calendar year 2023, and the capital expenditures for 2023; and

WHEREAS, the Board of Commissioners has approved said budget and submitted to the City Council with the recommendation of the Board for approval; and

WHEREAS, the Council has, through its MLGW Committee and other interested members of the Council, reviewed the budget and conducted hearings thereon; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the attached 2023 Budget of the Memphis Light, Gas and Water Division for operation and maintenance expenses and capital expenditures is approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
October 26, 2022

The Chief Utility Officer presented the proposed budgets for the Electric, Gas and Water Divisions for 2023 operating expenses and capital expenditures to the Board of Light, Gas and Water Commissioners. Such annual budgets have been prepared in compliance with Chapter 381 of the Private Acts of 1939, as amended, and include the applicable revenues, expenses and capital improvements for each system. These budgets have been reviewed by the Budget Review Committee and the applicable management staff, and copies have been provided to each member of the Board with opportunity given for each member to ask questions.

The Chief Utility Officer has recommended approval and adoption of the Budgets as presented by the Board of Light, Gas and Water Commissioners.

NOW THEREFORE BE IT RESOLVED BY THE Board of Light,
Gas and Water Commissioners:

- (1) THAT, the Budgets for the Electric, Gas and Water Divisions for the 2023 operating expenses and capital expenditures, as presented by the Chief Utility Officer, be adopted and in effect for the fiscal year 2023, subject to the consent and approval of the Council of the City of Memphis.

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 26th day of October, 2022, at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer



City Council Item Routing Sheet

Division: MLGW

Committee: MLGW

Hearing Date: November 1, 2022

Ordinance

Resolution

Grant Acceptance

Budget Amendment

Commendation

Other: [Click here to enter text.](#)

Item Description: Resolution approving the 2023 Budget for the electric, gas, and water divisions of Memphis Light, Gas and Water for operating expenses and capital expenditures.

Recommended Council Action: Approval of Resolution

Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: MLGW Board of Commissioners approved on October 26, 2022.

Does this item require city expenditure? No
\$Click here to enter text.
\$Click here to enter text.

Source and Amount of Funds:

Approvals

MLGW SVP, CFO & CAO/Secretary-Treasurer

 Date 10/26/22

Division Chief _____ Date _____

Budget Manager _____ Date _____

Chief Financial Officer _____ Date _____

City Attorney _____ Date _____

Chief Operating Officer

_____ Date _____

Council Committee Chair

_____ Date _____

JOINT RESOLUTION OF THE MEMPHIS CITY COUNCIL, SHELBY COUNTY BOARD OF COMMISSIONERS AND THE MEMPHIS-SHELBY COUNTY SCHOOLS BOARD SUPPORTING THE MORE FOR MEMPHIS INITIATIVE

WHEREAS, The Memphis City Council, Shelby County Board of Commissioners, and the Memphis-Shelby County Schools desire to engage with partners focused on supporting our most vulnerable citizens; and

WHEREAS, The More for Memphis Initiative, coordinated by Seeding Success and backed by Blue Meridian Partners, aims to identify sustainable solutions in supporting thriving communities and particularly those that have faced historical inequities by improving the connections between the systems that support families such as housing, community development, economic development, education, transportation, health, and workforce development and allow residents to access these resources efficiently; and

WHEREAS, Blue Meridian identifies, invests in, and scales up the strategies most poised to make a local and national impact on social problems confronting young people and families in poverty, such as: unplanned pregnancy, foster care transitions and adoptions, employment opportunities, recidivism, and more by assessing potential national and regional “investees” according to key criteria and partner with them on planning that supports their growth and amplifies impact; and

WHEREAS, The More for Memphis initiative has been shaped by input from more than 300 community members, nonprofits, businesses, and public organizations, and a Governing Body consists of 28 individuals representing various sectors including youth, government representatives, and affiliates; and

WHEREAS, Memphis and Shelby County have a poverty rate of 24.6% and a child poverty rate of 39.6% and the data on economic mobility in Memphis demonstrates a 2.8% likelihood of a child moving from the lowest to the highest economic quintile; and

WHEREAS, A persistently low economic mobility rate will result in continual concentrated poverty and the quality of education, health, housing, and job opportunities are important factors that impact economic mobility; and

WHEREAS, The quality of education, health, housing, and job opportunities are important factors that impact economic mobility; and

WHEREAS, The Memphis City Council and the City Administration desire to participate in a strategic planning process funded and led by national philanthropic investors Blue Meridian Partners, and Seeding Success as project managers to address the most important factors that impact economic mobility; and

WHEREAS, The Memphis City Council desires to create opportunities to incorporate and update their constituents in the strategic planning process and evaluate the progress of the strategic plan along with existing Shelby County priorities; and

WHEREAS, Significant resources are needed to fund and sustain implementation of the strategic plan to address economic mobility which could have an impact on the budget, municipal revenue, and economic growth of all municipalities within Shelby County.

WHEREAS, It is the intent of Blue Meridian Partners and Seeding Success as the More for Memphis project management team to have this strategic plan considered for adoption by Memphis City Council.

NOW, THEREFORE BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL OF MEMPHIS, TENNESSEE, In conjunction with Shelby County Board of Commissioners and the Memphis-Shelby County Schools, requests the following updates and engagement before considering the More for Memphis strategic plan:

Updates and Engagement with Legislative Bodies:

- A. The project management team has established a schedule with the City Council, County Commission, Memphis-Shelby County School Board, and neighborhood leaders, to provide regular updates between now and the proposed completion of the plan; and
- B. The project management team has provided the City Council, County Commission, Memphis-Shelby County School Board, and neighborhood leaders, with written updates, presentations, materials, and a calendar of events for residents of Shelby County to participate in the strategic planning process as necessary; and
- C. The project management team, in consultation with neighborhood leaders, the Council, Commission, and School Board, will establish a series of community engagement opportunities for all neighborhoods within Shelby County including, but not limited to, supporting Council, Commission, and School Board town halls, focus group conversations, facilitated work sessions, and neighborhood-based visual simulations to support the development of the strategic plan; and

Economic Analysis:

- D. The project management team has worked in consultation with the Council and Commission chairs and the Budget committee chairs to conduct a full fiscal analysis of the County's and City's budgets, revenue sources, and growth to determine fiscally responsible measures by which to implement the strategic plan in the short and long term.

Community Engagement and Organizing:

- E. The project management team has developed a community engagement framework and execution plan that includes capacity building and ownership and access to data for all neighborhood leaders to drive outcomes and accountability; and
- F. The project management team, in consultation with all identified neighborhood leaders and elected officials, has defined assets and all neighborhood boundaries in Memphis and Shelby County and identified how the plan will quantify disinvestment within each identified neighborhood, prioritize the allocation of resources, and improve engagement and capacity building to each neighborhood over four-year intervals of time; and
- G. The project management team has identified how it will lower barriers to participation in the process, including through use of technology and data, as well as created a plan for future data collection and sharing in conjunction with community school leaders and neighborhood leaders for sustainability.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MEMPHIS, In conjunction with the City of Memphis Government, Shelby County Board of Commissioners and Memphis-Shelby County Schools fully support the More for Memphis Initiative as a framework for improving social and economic mobility in Memphis and Shelby County.

Sponsored by:

Michalyn Easter-Thomas
Ford Canale
Edmund Ford, Sr.
Cheyenne Johnson
Martavius Jones
Rhonda Logan
Patrice Robinson
JB Smiley, Jr.
Jeff Warren