

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

**ONE ORIGINAL |  
ONLY STAPLED |  
TO DOCUMENTS**

**Planning & Development  
DIVISION**

Planning & Zoning COMMITTEE: 11/1/2022  
DATE  
PUBLIC SESSION: 11/1/2022  
DATE

**ITEM (CHECK ONE)**

ORDINANCE      \_\_\_\_\_ RESOLUTION       REQUEST FOR PUBLIC HEARING

**ITEM CAPTION:** Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on the east side of North Bingham, south of Jackson Avenue. By taking the land out of the Employment (EMP) Use District and including it in the Residential Urban - 3 (RU-3) Use District, known as case number Z 22-06

**CASE NUMBER:** Z 22-06  
**LOCATION:** East side of North Bingham, south of Jackson Avenue  
**COUNCIL DISTRICTS:** District 5 and Super District 9 - Positions 1, 2, and 3  
**OWNER/APPLICANT:** Harish Yakkala  
**REPRESENTATIVES:** Harish Yakkala  
**REQUEST:** Rezoning of +/-2.1 acres from Employment (EMP) to Residential Urban -3 (RU-3)  
**RECOMMENDATION:** The Division of Planning and Development recommended *Approval*  
The Land Use Control Board recommended *Approval*

**RECOMMENDED COUNCIL ACTION:** **Public Hearing Required**  
Set date for first reading - November 1, 2022  
Second reading - November 15, 2022  
Third reading - December 6, 2022

**PRIOR ACTION ON ITEM:**

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
10/13/2022 _____	DATE
(1) Land Use Control Board _____	ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

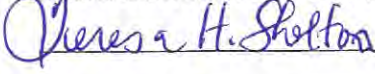
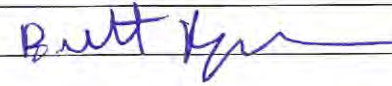
**FUNDING:**

(2) _____	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ _____	AMOUNT OF EXPENDITURE
\$ _____	REVENUE TO BE RECEIVED

**SOURCE AND AMOUNT OF FUNDS**

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

**ADMINISTRATIVE APPROVAL:**

	<u>DATE</u>	<u>POSITION</u>
	<u>10/25/22</u>	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
	<u>10/25/22</u>	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	<b>CHIEF ADMINISTRATIVE OFFICER</b>
_____	_____	<b>COMMITTEE CHAIRMAN</b>



## Memphis City Council Summary Sheet

### Z 22-06

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON THE EAST SIDE OF NORTH BINGHAM, SOUTH OF JACKSON AVENUE. BY TAKING THE LAND OUT OF THE EMPLOYMENT (EMP) USE DISTRICT AND INCLUDING IT IN THE RESIDENTIAL URBAN – 3 (RU-3) USE DISTRICT, KNOWN AS CASE NUMBER Z 22-06

- Approval of this zoning district reclassification will be reflected on the Memphis and Shelby County Zoning Atlas; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

**ORDINANCE NO: \_\_\_\_\_**

**ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON THE EAST SIDE OF NORTH BINGHAM, SOUTH OF JACKSON AVENUE. BY TAKING THE LAND OUT OF THE EMPLOYMENT (EMP) USE DISTRICT AND INCLUDING IT IN THE RESIDENTIAL URBAN – 3 (RU-3) USE DISTRICT, KNOWN AS CASE NUMBER Z 22-06**

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**WHEREAS**, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 22-06**; and

**WHEREAS**, the Memphis and Shelby County Land Use Control Board has filed its recommendation and the Division of Planning and Development has filed its report and recommendation with the Council of the City of Memphis; and

**WHEREAS**, the Council of the City of Memphis has reviewed the aforementioned amendment pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said amendment is consistent with the Memphis 3.0 General Plan; and

**WHEREAS**, the provisions of the Code of Ordinances, City of Memphis, Tennessee, as amended, relating to the proposed amendment, have been complied with.

**NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF MEMPHIS:**

**SECTION 1:**

**THAT**, the Memphis and Shelby County Unified Development Code, Ordinance No. 5367 of the Code of Ordinances, City of Memphis, as amended, be and the same hereby is amended with respect to Use Districts, as follows:

**BY TAKING THE FOLLOWING PROPERTY OUT OF THE EMPLOYMENT (EMP) Use District and including it in the RESIDENTIAL URBAN – 3 (RU-3) Use District.**

The following property located in the City of Memphis, Tennessee being more particularly described as follows:

BEGINNING at the point of intersection of the north line of Ogden avenue with the east line of Bingham Street, said point being the southwest corner of the parcel herein described; thence northwardly along the said east line of Bingham Street a distance of 184.4 feet to point; thence eastwardly and parallel with Ogden Avenue a distance of 112.5 feet to a point; thence southwardly and parallel with Bingham Street a distance of 184.4 feet to a point; thence westwardly along the north line of Ogden Avenue a distance of 112.5 feet to the point of beginning.

0 N. Bingham, Memphis, Tennessee 38112-Tax Parcel ID No.: 052-051-00032C

Part of the W. O. Crump's 4.28 acres of Lots 1 and 2, Phillips and White Subdivision in Memphis, Tennessee, and more particularly described by metes and bounds as follows:

Tract I:

Beginning at a point in the east line of Bingham Street a distance of 169.37 feet southwardly as measured along the east line of Bingham Street from its point of intersection with the present south line of Jackson Avenue; thence southwardly along the east line of Bingham Street a distance of 76.8 feet to a point; thence eastwardly making an angle of 79 degrees 15 minutes in the northeast quadrant a distance of 122.4 feet to a point; thence northwardly making an angle of 87 degrees 57 minutes in the northwest quadrant a distance of 73.47 feet to a point; thence westwardly a distance of 105.5 feet to the point of beginning.

Tract II:

Beginning at a point in the east line of Bingham Street a distance of 246.17 feet southwardly as measured along the east line of Bingham Street from its point of intersection with the present south line of Jackson Avenue; thence southwardly along the east line of Bingham Street a distance of 180.2 feet to a point in the north line of University Heights Subdivision; thence eastwardly along the north line of the University Heights Subdivision a distance of 473.62 feet to a point; thence northwardly making an angle in the northwest quadrant 90 degrees, 17 minutes a distance of 181 feet to a point; thence westwardly a distance of 442.4 feet to a point of beginning.

All being part of the same property as conveyed to the party of the first part by Quit Claim Deed of record at Instrument Number 21134548 in the Register's Office, Shelby County, Tennessee.

**SECTION 2:**

**THAT**, the Zoning Administrator of the Division of Planning and Development be, and is hereby directed to make the necessary changes in the Official Use District Maps to conform to the changes herein made; that all official maps and records of the Memphis and Shelby County Land Use Control Board and the City of Memphis be, and they hereby are, amended and changed so as to show the aforementioned amendment of the said Zoning Ordinance.

**SECTION 3:**

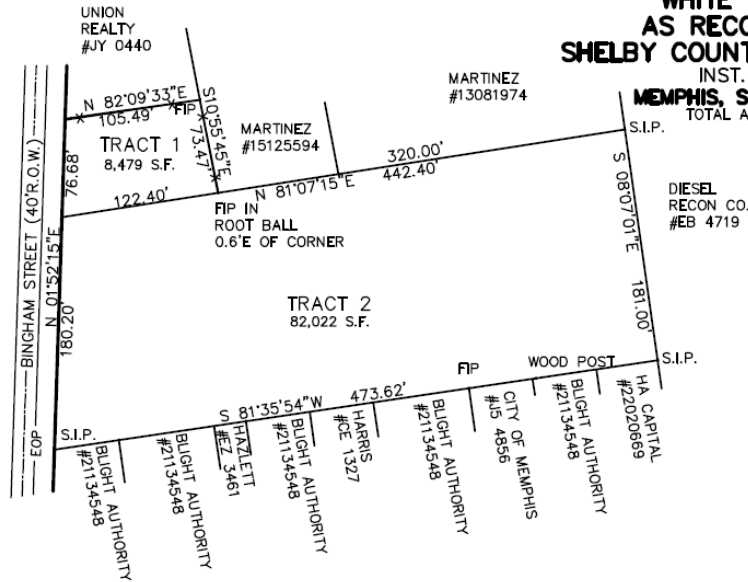
**THAT**, this ordinance take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller, and become effective as otherwise provided by law.

**ATTEST:**

**CC: Division of Planning and Development  
– Land Use and Development Services  
– Office of Construction Enforcement  
Shelby County Assessor**

**LOT SURVEY  
TRACT 1 AND TRACT 2 OF  
PART OF W.O. CRUMP'S 4.28 ACRES  
OF LOTS 1 AND 2, PHILLIPS AND  
WHITE SUBDIVISION  
AS RECORDED AT THE  
SHELBY COUNTY REGISTER'S OFFICE**

INST. #AW 5946  
**MEMPHIS, SHELBY COUNTY, TN**  
TOTAL AREA= 2.07 ACRES



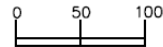
**LEGEND**  
FIP - FOUND IRON PIN  
SIP - SET IRON PIN  
EOP - EDGE OF PAVEMENT  
**NOTE: THERE ARE VISIBLE AND NON-VISIBLE UTILITIES ALONG BINGHAM ROAD. OTHER UTILITIES MAY BE LOCATED ON THE PROPERTY**

NOTE: THIS FIRM DOES NOT PERFORM TITLE SEARCHES.

I HEREBY CERTIFY THAT THIS IS A CATEGORY II SURVEY AND THE ERROR OF POSITIONAL ACCURACY DOES NOT EXCEED 1/10 OF A FOOT AT ANY PROPERTY CORNER SHOWN HEREON, AND THAT THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR THE STATE OF TENNESSEE.

THIS SURVEY HAS BEEN MADE USING THE LATEST RECORDED DEED TO THAT PROPERTY AND SHOWS ANY OTHER PERTINENT INFORMATION SUCH AS EASEMENTS, JOINT DRIVEWAYS, ETC. OF WHICH I HAVE BEEN ADVISED BY THE TITLE ATTORNEY.

THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP #47157C0290 F DATED NOVEMBER 28, 2007.



DATE: 5/11/22  
SCALE: 1"=100'

PREPARED FOR:  
BRANDI JONES  
  
PREPARED BY:  
THE BRAY FIRM/  
SULLIVAN SURVEYING  
2950 STAGE PLAZA N.  
BARTLETT, TN 38134  
(901) 383-8668

## **LAND USE CONTROL BOARD RECOMMENDATION**

At its regular meeting on **Thursday, October 13, 2022**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

**CASE NUMBER:** Z 22-06

**LOCATION:** East side of North Bingham, south of Jackson Avenue

**COUNCIL DISTRICT(S):** District 5, Super District 9 – Positions 1, 2, and 3

**OWNER/APPLICANT:** Harish Yakkala

**REPRESENTATIVE:** Harish Yakkala

**REQUEST:** Rezoning of +/-2.1 acres from Employment (EMP) to Residential Urban – 3 (RU-3)

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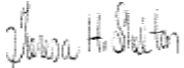
**The following spoke in support of the application:** None

**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 of the application.

**The motion passed by a unanimous vote of 9-0 on the consent agenda.**

Respectfully,

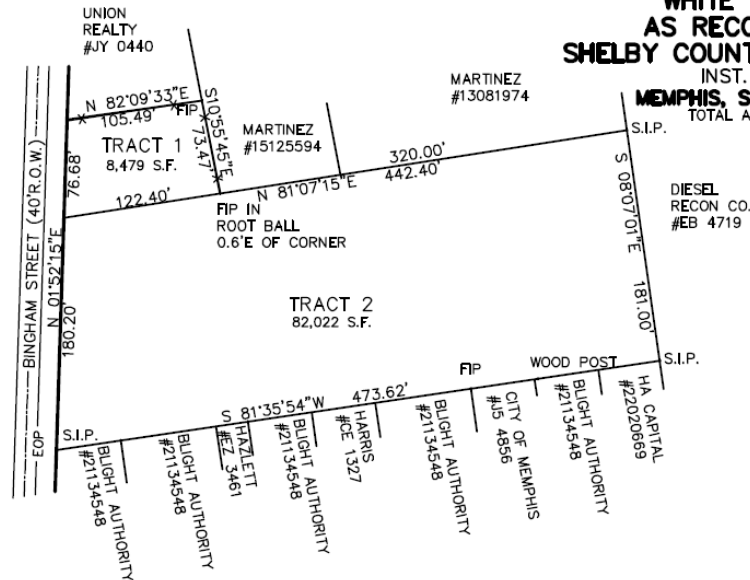


Teresa H. Shelton  
Municipal Planner  
Land Use and Development Services  
Division of Planning and Development

Cc: Committee Members  
File

**LOT SURVEY  
TRACT 1 AND TRACT 2 OF  
PART OF W.O. CRUMP'S 4.28 ACRES  
OF LOTS 1 AND 2, PHILLIPS AND  
WHITE SUBDIVISION  
AS RECORDED AT THE  
SHELBY COUNTY REGISTER'S OFFICE**

INST. #AW 5946  
**MEMPHIS, SHELBY COUNTY, TN**  
TOTAL AREA= 2.07 ACRES



**LEGEND**  
FIP - FOUND IRON PIN  
SIP - SET IRON PIN  
EOP - EDGE OF PAVEMENT

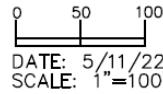
**NOTE: THERE ARE VISIBLE AND NON-VISIBLE UTILITIES ALONG BINGHAM ROAD. OTHER UTILITIES MAY BE LOCATED ON THE PROPERTY**

NOTE: THIS FIRM DOES NOT PERFORM TITLE SEARCHES.

I HEREBY CERTIFY THAT THIS IS A CATEGORY II SURVEY AND THE ERROR OF POSITIONAL ACCURACY DOES NOT EXCEED 1/10 OF A FOOT AT ANY PROPERTY CORNER SHOWN HEREON, AND THAT THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR THE STATE OF TENNESSEE.

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THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP #47157C0290 F DATED NOVEMBER 28, 2007.



PREPARED FOR:  
BRANDI JONES

PREPARED BY:  
THE BRAY FIRM/  
SULLIVAN SURVEYING  
2950 STAGE PLAZA N.  
BARTLETT, TN 38134  
(901) 383-8668



AGENDA ITEM: 5

**CASE NUMBER:** Z 2022-06 **L.U.C.B. MEETING:** October 13, 2022

**LOCATION:** 0 N Bingham St.

**COUNCIL DISTRICT:** District 5 and Super District 9 – Positions 1, 2, and 3

**OWNER/APPLICANT:** Harish Yakkala

**REPRESENTATIVE:** Harish Yakkala

**REQUEST:** Rezoning of +/- 2.1 acres from Employment (EMP) to Residential Urban - 3 (RU-3) on the east side of North Bingham, south of Jackson Ave.

**AREA:** +/-2.1 acres

**EXISTING ZONING:** Employment (EMP)

## CONCLUSIONS

1. The applicant is requesting a rezoning of +/- 2.1 acres from Employment (EMP) to Residential Urban - 3 (RU-3) on the east side of North Bingham, south of Jackson Ave.
2. The purpose of this request is to develop a 40-unit multifamily housing apartment complex on this lot.
3. This requested use is not compatible with the future land use description/intent, form & location characteristics and zoning notes as the proposed use is residential rather than industrial. However, the existing, adjacent land uses on the north, west and south side of the parcel are residential, and the proposed use is **consistent** with these uses.
4. The subject property is vacant at this time.

## CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 10-12 of this report.

## RECOMMENDATION

*Approval*

**GENERAL INFORMATION**

**Street Frontage:** North Bingham Street +/-253.0 curvilinear feet  
**Zoning Atlas Page:** 1935  
**Parcel ID:** 052051 00032C  
**Existing Zoning:** Employment (EMP)  
**Requested Zoning:** Residential Urban -3 (RU-3)

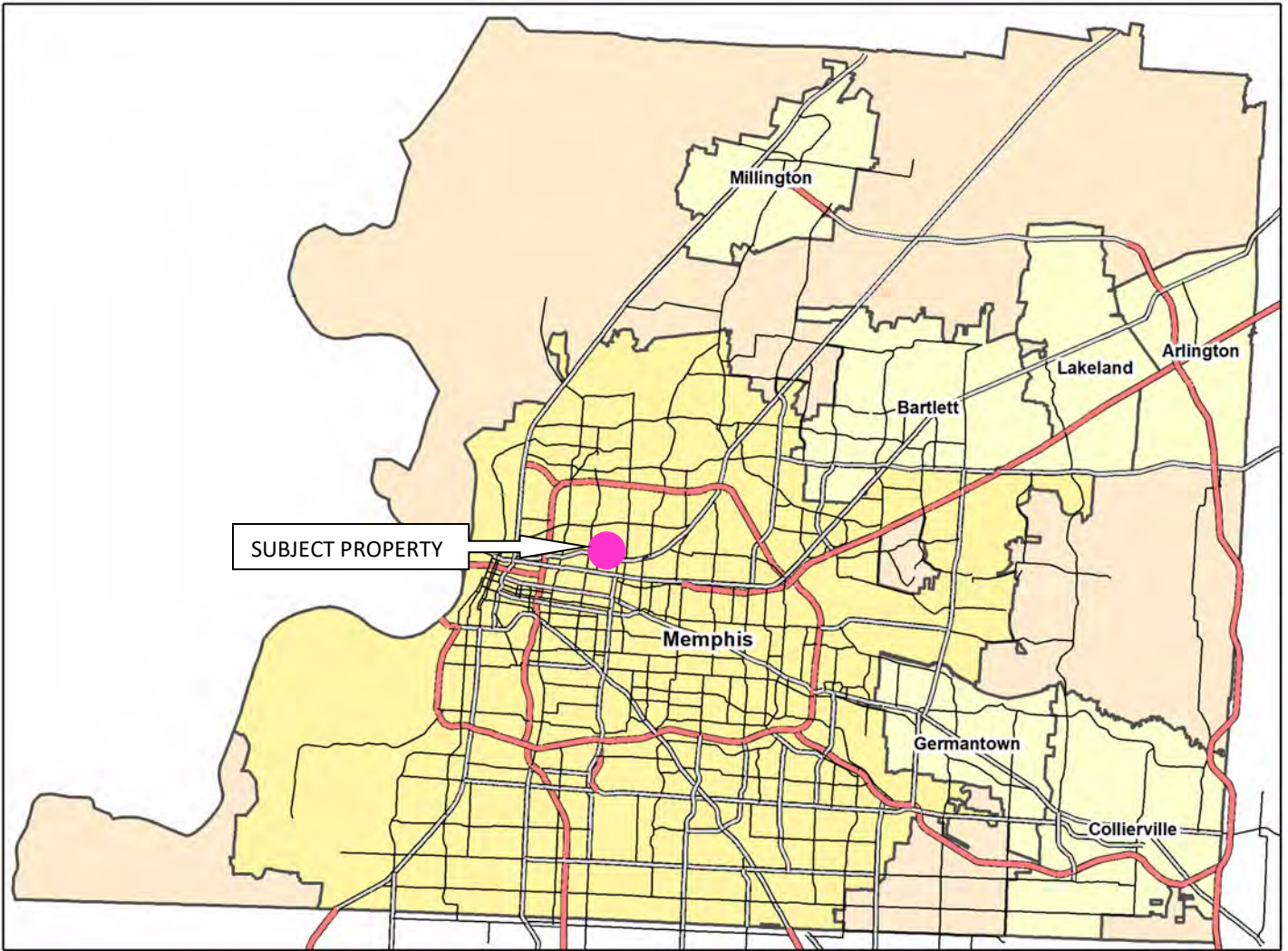
**NEIGHBORHOOD MEETING**

The meeting was held at 6:30 PM on Wednesday, August 24, 2022, at Taco Loco located at 3964 Jackson Ave. (See page 17 of this report)

**PUBLIC NOTICE**

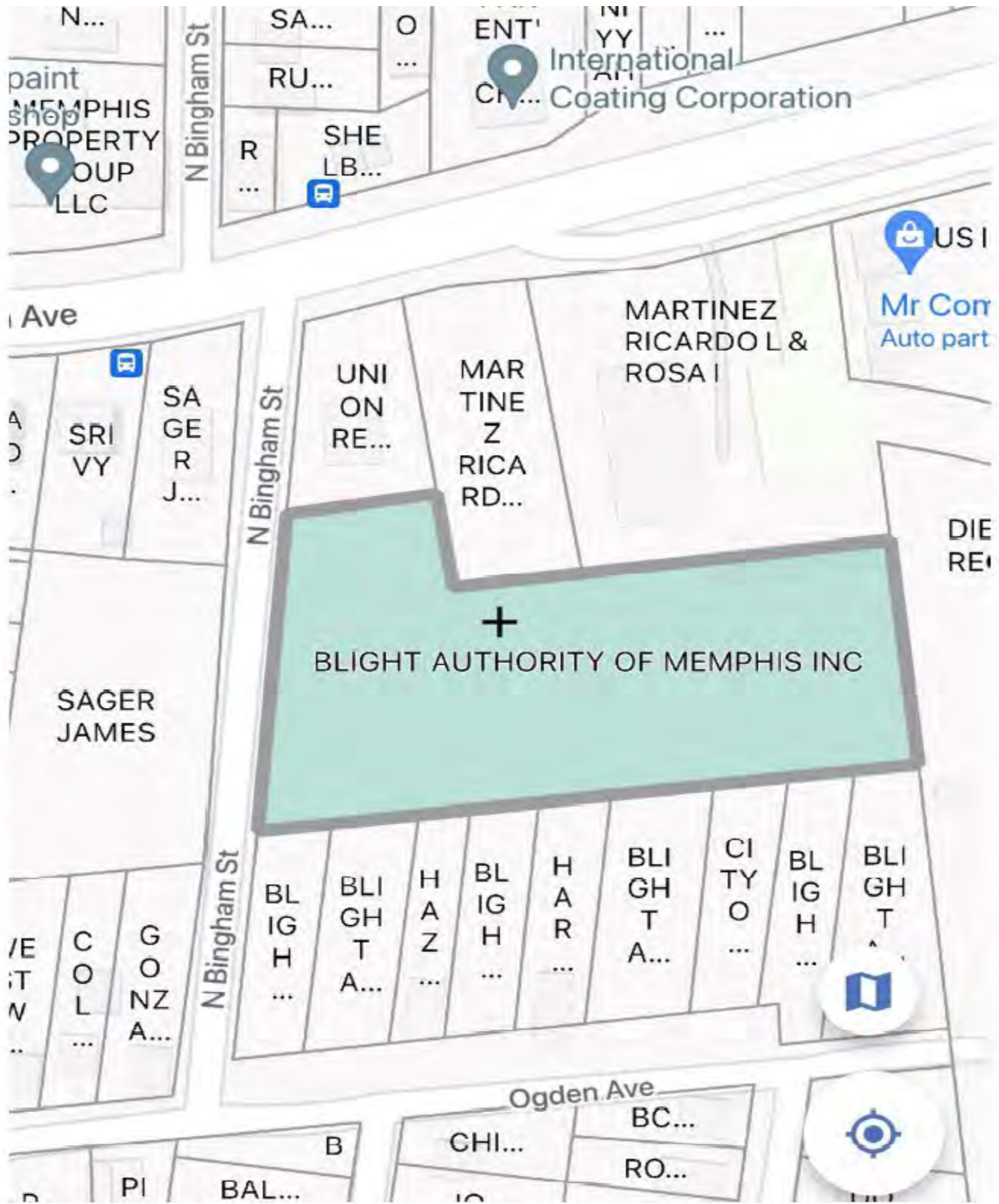
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 104 notices were mailed on August 25, 2022, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report. (See page 16 of this report)

**LOCATION MAP**



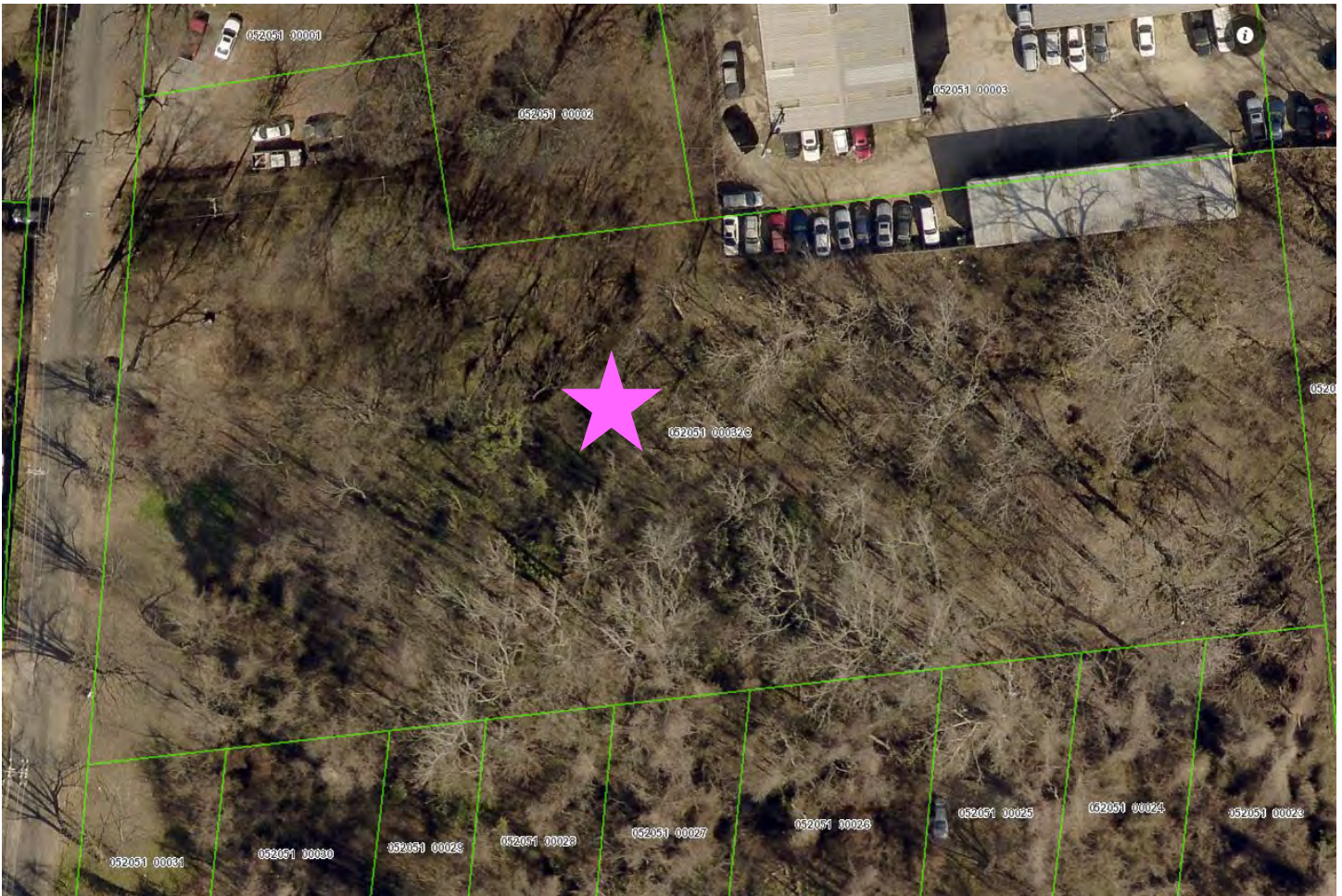
Subject property located within the pink circle

VICINITY MAP



Subject property highlighted in sea green

**AERIAL**



Subject property indicated by a pink star

**ZONING MAP**



Subject property indicated by a pink star

**Existing Zoning:** Employment (EMP)

**Surrounding Zoning**

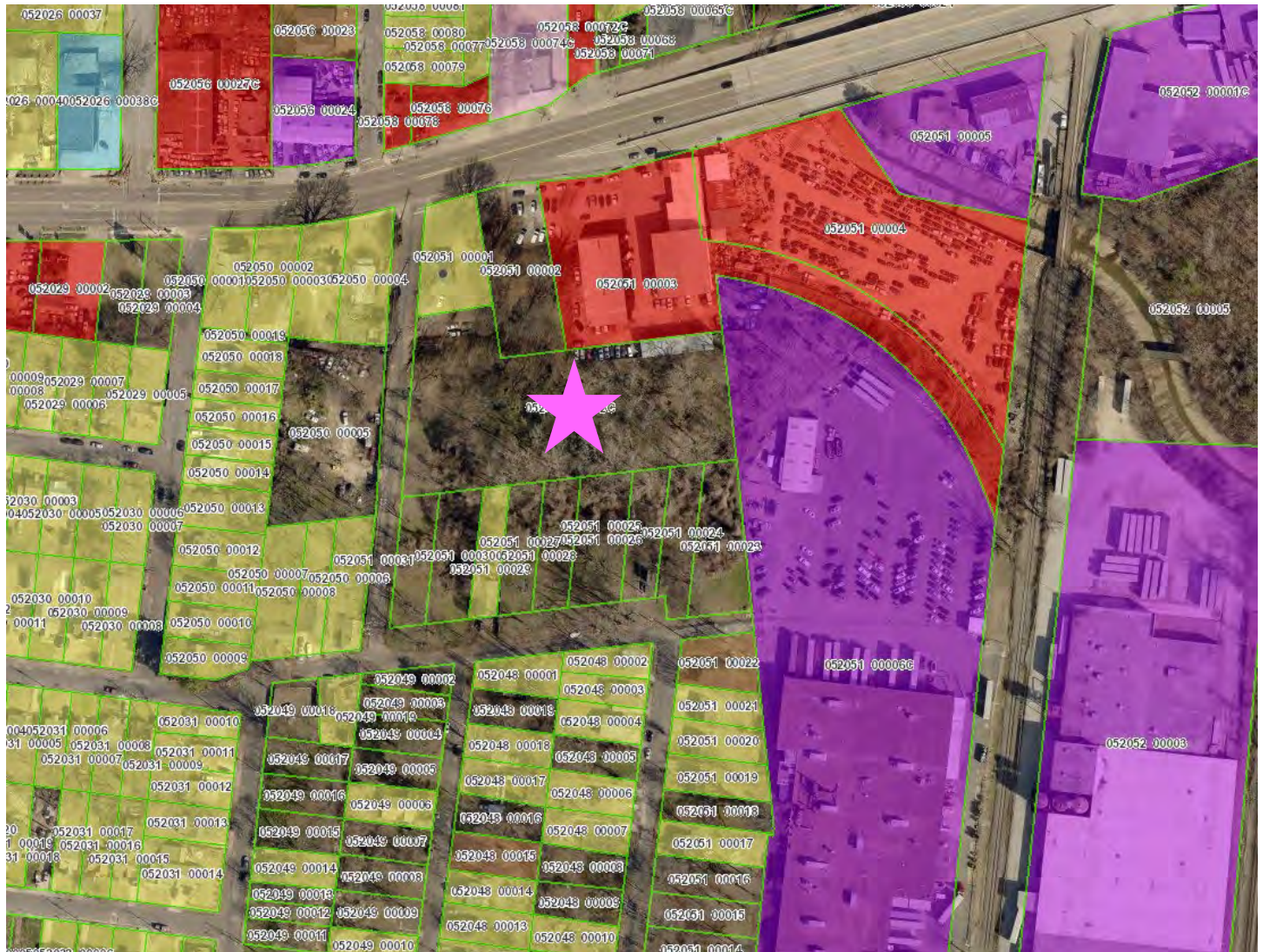
**North:** RU-1

**East:** EMP

**South:** RU-1

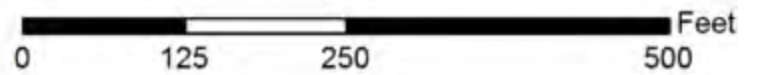
**West:** RU-1

**LAND USE MAP**



**LandUse**

- |   |  |
|---|--|
|  SINGLE-FAMILY             |  OFFICE     |
|  MULTI-FAMILY              |  INDUSTRIAL |
|  INSTITUTIONAL             |  PARKING    |
|  COMMERCIAL                |  VACANT     |
|  RECREATIONAL / OPEN SPACE |  |



Subject property indicated by pink star

**SITE PHOTOS**



View of subject property from N Bingham looking northeast





View of subject property from N Bingham looking north

## STAFF ANALYSIS

### Request

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

The request is to rezone +/- 2.1 acres from Employment (EMP) to Residential Urban - 3 (RU-3) on the east side of North Bingham, south of Jackson Ave.

### Review Criteria

Staff agrees the review criteria as set out in Sub-Section 9.5.7B of the Unified Development Code are met.

#### *9.5.7B Review Criteria*

*In making recommendations, the Land Use Control Board shall consider the following matters:*

- 9.5.7B(1) Consistency with any plans to be considered (see Chapter 1.9);*
- 9.5.7B(2) Compatibility with the present zoning (including any residential corridor overlay district) and conforming uses of nearby property and with the character of the neighborhood;*
- 9.5.7B(3) Suitability of the subject property for uses permitted by the current versus the proposed district;*
- 9.5.7B(4) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the City or County; and*
- 9.5.7B(5) The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply and stormwater drainage facilities for the proposed zoning.*

## **Comprehensive Planning Review of Memphis 3.0 Consistency**

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: LUCB Z 22-06: Hyde Park

Site Address/Location: 0 N Bingham Street (Parcel ID: 052051 00032C)

Overlay District/Historic District/Flood Zone: Not in an Overlay District, Historic District, or Flood Zone

Future Land Use Designation: Industrial Flex (IF)

Street Type:

*The applicant is seeking a rezone a parcel from EMP to RU-3, with the intention of constructing a 40-unit multifamily housing apartment on the lot.*

The following information about the land use designation can be found on pages 76 – 122:

### **1. Future Land Use Planning Map**



Red polygon indicates the application site on the Future Land Use Map.

## 2. Land Use Description/Intent

Lower intensity industrial areas with a mix of uses and building scales that are generally compatible with nearby neighborhoods. Graphic portrayal of IF is to the right.



### “IF” Form & Location Characteristics

Industrial with some commercial and service uses 1-6 stories

### “IF” Zoning Notes

Generally compatible with the following zone districts: EMP, IH in accordance with Form and characteristics listed below. Consult zoning map and applicable overlays for current and effective regulations. May consider establishing Industrial mixed-use zones or CMU-zones that can accommodate compatible production-oriented facilities related to neighborhoods, using EMP more specifically to certain kinds of development (at the time of a small area plan).

### Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant, EMP

Adjacent Land Use and Zoning: Single-Family, Multi-Family, Industrial and Commercial; EMP, CMU-3 and RU-1

**Overall Compatibility:** *This requested use is not compatible with the future land use description/intent, form & location characteristics and zoning notes as the proposed use is residential rather than industrial. However, the existing, adjacent land uses on the north, west and south side of the parcel are residential, and the proposed use is consistent with these uses.*

## 3. Degree of Change Map



Red polygon denotes the proposed site on the Degree of Change Map. There is no Degree of Change.

## 4. Degree of Change Description

N/A

## 5. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities

*The requested use is consistent with Objective 1.3 – Develop strategies that reduce blight and vacancy, Action 1.3.8 – Outside of anchor neighborhoods, consider transitional land uses for vacant properties following the Vacant Lot Activation Toolkit; The proposed use would serve as a transition between the lighter industrial uses to the east of the property and the single-family neighborhood to the south and west of the property by utilizing vacant land and reducing blight.*

## 6. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations

N/A

### Consistency Analysis Summary

*The applicant is seeking to rezone a parcel from EMP to RU-3 with the intention of constructing a 40-unit multifamily housing apartment on the lot.*

*This requested use is not compatible with the future land use description/intent, form & location characteristics and zoning notes as the proposed use is residential rather than industrial. However, the existing, adjacent land uses on the north, west and south side of the parcel are residential, and the proposed use is consistent with these uses.*

*The requested use is consistent with Memphis 3.0 Goal 1.3 – Develop strategies that reduce blight and vacancy. Action 1.3.8 – Outside of anchor neighborhoods, consider transitional land uses for vacant properties following the Vacant Lot Activation Toolkit as the proposed use would serve as a transition between the lighter industrial uses to the east of the property and the single-family neighborhood to the south and west of the property by utilizing vacant land and reducing blight.*

**Based on the information provided, the proposal is CONSISTENT with the Memphis 3.0 Comprehensive Plan.**

Summary Compiled by: Brian Mykulyn, Comprehensive Planning.

### Conclusions

The applicant is requesting a rezoning of +/- 2.1 acres from Employment (EMP) to Residential Urban - 3 (RU-3) on the east side of North Bingham, south of Jackson Ave.

The purpose of this request is to develop a 40-unit multifamily housing apartment complex on this lot.

This requested use is not compatible with the future land use description/intent, form & location characteristics and zoning notes as the proposed use is residential rather than industrial. However, the existing, adjacent land uses on the north, west and south side of the parcel are residential, and the proposed use is **consistent** with these uses.

The subject property is vacant at this time.

### RECOMMENDATION

Staff recommends approval.

**DEPARTMENTAL COMMENTS**

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

**City/County Engineer:** DATE: **9/1/2022**

**CASE: Z-22-06** NAME: **Hyde Park: EMP to RU-3**

**Sewers:**

1. The availability of City sanitary sewer is currently unknown. Once the developer has submitted proposed sewer discharge rates to the City's Sewer Design Dept, a determination can be made as to available sewer capacity.
2. If sewer services are approved for this development, all sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.

**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:** SEE PAGES 10-12

APPLICATION



*Memphis and Shelby County*  
*Office of Planning and Development*  
CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

APPLICATION FOR REZONING APPROVAL

Date: 07/08/2022

Case #: \_\_\_\_\_

PLEASE TYPE OR PRINT

Property Owner of Record: HARISH YAKKALA Phone #: 9014579812

Mailing Address: 875 W POPLAR AVE STE 23-232 City/State: COLLIERVILLE, TN Zip 38017

Property Owner E-Mail Address: HARISH@SRIVY.COM

Applicant: HARISH YAKKALA Phone # 9014579812

Mailing Address: 875 W POPLAR AVE STE 23-232 City/State: \_\_\_\_\_ Zip \_\_\_\_\_

Applicant E- Mail Address: HARISH@SRIVY.COM

Representative: \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip \_\_\_\_\_

Representative E-Mail Address: \_\_\_\_\_

Engineer/Surveyor: \_\_\_\_\_ Phone # \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip \_\_\_\_\_

Engineer/Surveyor E-Mail Address: \_\_\_\_\_

Street Address Location: PARCEL ID 052051 00032C (0 N BINGHAM ST - PARCEL SOUTH OF 2601 JACKSON AVE)

Distance to nearest intersecting street: < 0.05 MILES (200 FEET)

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	2.1 ACRES	_____	_____
Existing Zoning:	COMMERCIAL	_____	_____
Existing Use of Property	VACANT LAND	_____	_____
Requested Use of Property	MULTI FAMILY	_____	_____
Requested Zoning	RU3	_____	_____

Pre-Application Conference held on: \_\_\_\_\_ with \_\_\_\_\_

Neighborhood Meeting Requirement Met: Yes  or Not Yet  or Not Required (see below)   
(If yes, documentation must be included with application materials)

I (we) hereby make application for the rezoning classification described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

Harish  
Property Owner of Record

7/8/2022  
Date

Harish  
Applicant

7/8/2022  
Date

LETTER OF INTENT



July 8<sup>th</sup>, 2022

To:  
Land Use Control Board, Memphis and Shelby County  
Division of Planning and Development, Memphis and Shelby County

From: Harish Yakkala

Re: Letter of Intent – North Bingham Street Rezoning – Parcel 05205100032C

Harish Yakkala (Owner of SRIVY General Partnership) is requesting for an rezoning and subdividing Parcel 05205100032C located on North Bingham Street, South of Jackson Ave, North of Ogden Avenue. Proposal is to rezone it to allow multifamily construction (40 Units). I also recently purchase four additional lots on Ogden Avenue (Parcels - 052051 00031, 052051 00030, 052051 00028, 052051 00026) which are currently zoned residential and planning in progress to build single family homes. I am attaching the zoning application, recorded deed, conceptual multifamily plan, floor plan and elevations.

I kindly request the boards approval for this Project.

Truly,

A handwritten signature in black ink that reads "Harish Yakkala".

07/08/2022

Harish Yakkala

Date

**SIGN AFFIDAVIT**

AFFIDAVIT

Shelby County  
State of Tennessee

I, HARISH YAKKALA, being duly sworn, depose and say that at 5:30 am/pm on the 6<sup>th</sup> day of September, 2022, I posted 1 Public Notice Sign(s) pertaining to Case No. E-2022-006 at Panel-05205100032C (N Bingham St) providing notice of a Public Hearing before the (check one):

- Land Use Control Board
- Board of Adjustment
- Memphis City Council
- Shelby County Board of Commissioners

for consideration of a proposed land use action, a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

HARISH YAKKALA Harish  
Owner, Applicant or Representative

9/7/2022  
Date

Subscribed and sworn to before me this 17<sup>th</sup> day of September, 2022.

Janet McIlvan  
Notary Public

My Comm. Exp. May 8, 2023

My commission expires: \_\_\_\_\_





## **NEIGHBORHOOD MEETING MINUTES**

Meeting minutes from Neighborhood Meeting - held at 3964 Jackson Ave at 6:30 PM on 8/24/2022

- Sherly Hazlett - Owner of 2614 Ogden Ave - sent in her representative Brian (son), he inquired about the project and wanted to know the price range for rents and told him it will be around \$900 and explained to him our tenant screening process. He was happy and supportive of the project.
- Lucille Alexander - Owner of 755 N Bingham St - She is the neighborhood watch president and was at the meeting personally. She inquired if we are willing to do something to the community/neighborhood as we have the four lots adjacent to the subject property. Told her that we are open to donating one of the lots to the city, if the city is willing to make that as a small play area or a small park. She wanted to see if I will give this in writing, and told her that I will first run this by you and go from there. Not sure, if the City would take on a project like that or not.
- Cimone Beal - Owner of 778 Los Angeles - she and her sister (who owned a lot on Los Angeles Street - don't have the address) were at the meeting ahead of time and I handed them the project notes. They were interested to know what's happening in the neighborhood etc. and were happy with the project.

### **Neighbors Contacted prior to the meeting**

- James Sager - Owner of 2589 Jackson Ave - James called me after he got the letter about the project that you mailed out and he inquired about the project. He lived here for 40 years and was not in favor of apartments and I explained to him that this apartment will only enhance the value of the neighborhood and not deteriorate it. After the phone call, I met him personally, when I was visiting the property on 8/20/2022 - we had a great conversation and agreed that we as good neighbors will be working in the best of interest of him and the neighborhood in general. He did say he cannot attend the meeting, but we discussed all aspects ahead of time.
- Magaly Cruz - cruzmagaly96@gmail.com - she contacted by email and not sure, what lot she's representing or owner of and I couldn't get the address - she requested me to share the plans and rezoning application and I shared it by email. She asked what the price range for each apartment will be and I told her it will be around \$900. She wanted to get updates as we progressed with the project and I corresponded with her that I will be sharing updates periodically.

**LETTERS RECEIVED**

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



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

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

October 14, 2022

Harish Yakkala  
875 W. Poplar Ave., Ste. 23-232  
Collierville, TN 38017

Sent via electronic mail to: [harish@srivy.com](mailto:harish@srivy.com)

Case Number: Z 22-06  
LUCB Recommendation: Approval

Dear applicant,

On Thursday, October 13, 2022, the Memphis and Shelby County Land Use Control Board recommended **approval** of your rezoning application of 2.1 acres located on the east side of North Bingham, south of Jackson Avenue to be included in the Residential Urban – 3 (RU-3) Zoning District.

This application will be forwarded, for final action, to the Council of the City of Memphis. Ordinances appear on three consecutive Council Agendas with the third one being the Public Hearing. 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 [teresa.shelton@memphistn.gov](mailto:teresa.shelton@memphistn.gov).

Respectfully,



Teresa H. Shelton  
Municipal Planner  
Land Use and Development Services  
Division of Planning and Development

**Letter to Applicant**  
**Z 22-06**

Cc: Harish Yakkala  
File

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

ONE ORIGINAL  
ONLY STAPLED  
TO DOCUMENTS

**Planning & Development**  
**DIVISION**

**Planning & Zoning COMMITTEE: 12/06/2022**  
**DATE**  
**PUBLIC SESSION: 12/06/2022**  
**DATE**

**ITEM (CHECK ONE)**

X ORDINANCE      \_\_\_\_\_ RESOLUTION      X REQUEST FOR PUBLIC HEARING

**ITEM CAPTION:**      Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on the South side of TN 385, north side of Riverdale Bend Road and east of Riverdale Road. By taking the land out of the Conservation Agriculture (CA) Use District and including it in the Commercial Mixed Use – 3 (CMU-3) Use District, known as case number Z 22-009

**CASE NUMBER:**      Z 22-009

**LOCATION:**      South side of TN 385, north side of Riverdale Bend Road and east of Riverdale Road

**COUNCIL DISTRICTS:**      District 2 and Super District 9 – Positions 1, 2, and 3

**OWNER/APPLICANT:**      MIM LLC – Prentiss Mitchell

**REPRESENTATIVES:**      MIM LLC – Prentiss Mitchell

**REQUEST:**      Rezoning of +/-0.31 acres from Conservation Agriculture (CA) to Commercial Mixed Use – 3 (CMU-3)

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

**RECOMMENDED COUNCIL ACTION:**      **Public Hearing Required**  
Set date for first reading – December 6, 2022  
Second reading – December 20, 2022  
Third reading – January 3, 2023

**PRIOR ACTION ON ITEM:**

(1) \_\_\_\_\_ APPROVAL - (1) APPROVED (2) DENIED  
11/10/2022 \_\_\_\_\_ DATE  
(1) Land Use Control Board \_\_\_\_\_ ORGANIZATION - (1) BOARD / COMMISSION  
\_\_\_\_\_ (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

**FUNDING:**

(2) \_\_\_\_\_ REQUIRES CITY EXPENDITURE - (1) YES (2) NO  
\$ \_\_\_\_\_ AMOUNT OF EXPENDITURE  
\$ \_\_\_\_\_ REVENUE TO BE RECEIVED  
**SOURCE AND AMOUNT OF FUNDS**  
\$ \_\_\_\_\_ OPERATING BUDGET  
\$ \_\_\_\_\_ CIP PROJECT # \_\_\_\_\_  
\$ \_\_\_\_\_ FEDERAL/STATE/OTHER

**ADMINISTRATIVE APPROVAL:**

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



## Memphis City Council Summary Sheet

### **Z 22-009**

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON THE SOUTH SIDE OF TN 385, NORTH SIDE OF RIVERDALE BEND ROAD AND EAST OF RIVERDALE ROAD. BY TAKING THE LAND OUT OF THE CONSERVATION AGRICULTURE (CA) USE DISTRICT AND INCLUDING IT IN THE COMMERCIAL MIXED USE – 3 (CMU-3) USE DISTRICT, KNOWN AS CASE NUMBER Z 22-009

- Approval of this zoning district reclassification will be reflected on the Memphis and Shelby County Zoning Atlas; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

## **LAND USE CONTROL BOARD RECOMMENDATION**

At its regular meeting on **Thursday, November 10, 2022**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

**CASE NUMBER:** Z 22-009

**LOCATION:** South side of TN 385, north side of Riverdale Bend Road and east of Riverdale Road

**COUNCIL DISTRICTS:** District 2 and Super District 9 – Positions 1, 2, and 3

**OWNER/APPLICANT:** MIM LLC – Prentiss Mitchell

**REPRESENTATIVES:** MIM LLC – Prentiss Mitchell

**REQUEST:** Rezoning of +/-0.31 acres from Conservation Agriculture (CA) to Commercial Mixed Use – 3 (CMU-3)

---

**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 of the application.

**The motion passed by a unanimous vote of 8-0 on the consent agenda.**

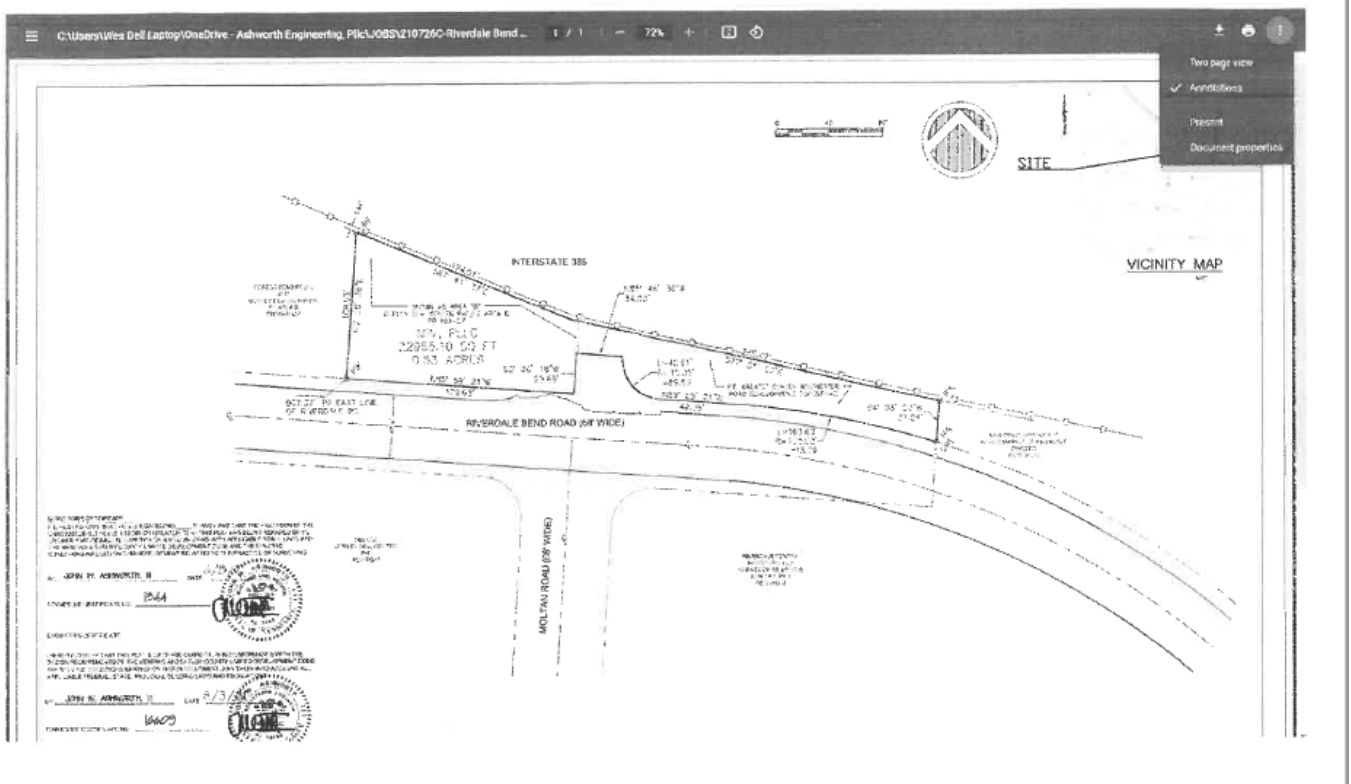
Respectfully,



Seth Thomas  
Municipal Planner  
Land Use and Development Services  
Division of Planning and Development

Cc: Committee Members  
File

# PLOT PLAN





**ORDINANCE NO: \_\_\_\_\_**

**ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON THE SOUTH SIDE OF TN 385, NORTH SIDE OF RIVERDALE BEND ROAD AND EAST OF RIVERDALE ROAD. BY TAKING THE LAND OUT OF THE CONSERVATION AGRICULTURE (CA) USE DISTRICT AND INCLUDING IT IN THE COMMERCIAL MIXED USE – 3 (CMU-3) USE DISTRICT, KNOWN AS CASE NUMBER Z 22-009**

---

**WHEREAS**, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 22-009**; and

**WHEREAS**, the Memphis and Shelby County Land Use Control Board has filed its recommendation and the Division of Planning and Development has filed its report and recommendation with the Council of the City of Memphis; and

**WHEREAS**, the Council of the City of Memphis has reviewed the aforementioned amendment pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said amendment is consistent with the Memphis 3.0 General Plan; and

**WHEREAS**, the provisions of the Code of Ordinances, City of Memphis, Tennessee, as amended, relating to the proposed amendment, have been complied with.

**NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF MEMPHIS:**

**SECTION 1:**

**THAT**, the Memphis and Shelby County Unified Development Code, Ordinance No. 5367 of the Code of Ordinances, City of Memphis, as amended, be and the same hereby is amended with respect to Use Districts, as follows:

**BY TAKING THE FOLLOWING PROPERTY OUT OF THE Conservation Agriculture (CA) USE DISTRICT AND INCLUDING IT IN THE Commercial Mixed Use – 3 (CMU-3) USE DISTRICT.**

The following property located in the City of Memphis, Tennessee being more particularly described as follows:

**PARCEL 1**

BEGINNING AT A IRF AT THE SOUTHEAST CORNER OF THE FOREST BEND PROPERTY, LLC TRACT HAVING TN STATE PLANE COORDINATES (NAD83) OF N:284037.61, E:823485.71, SAID POINT BEING 901.37 FEET EASTWARDLY, AS MEASURED ALONG THE NORTHERLY LINE OF RIVERDALE BEND ROAD FROM IT'S TANGENT INTERSECTION WITH THE EASTERLY LINE

OF RIVERDALE ROAD; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID FOREST BEND PROP WITH A BEARING OF N 03°55'36" EA DISTANCE OF 109.55 FEET TO A IRF; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF INTERSTATE 385 WITH A BEARING OF S 67°41'37" EA DISTANCE OF 174.91 FEET TO A POINT; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF INTERSTATE 385 WITH A BEARING OF S 77°31'57" EA DISTANCE OF 285.42 FEET TO AN IPS; THENCE SOUTHERLY ALONG THE WESTERL LINE OF THE NEW DEVELOPMENT LLC TRACT WITH A BEARING OF S 04°03'20" WA DISTANCE OF 31.84 FEET TO A IPS; THENCE IN A WESTERLY DIRECTION ALONG THE NORTHERLY LINE OF RIVERDALE BEND ROAD (68' ROW) THE FOLLOWING COURSES: WITH A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 700.00 FEET, HAVING A CHORD BEARING OF N 79°14'41" WAND A CHORD DISTANCE OF 163.26, HAVING A CENTRAL ANGLE OF 13°23'36" AND AN ARC LENGTH OF 163.63 TO A POINT; THENCE WESTERLY WITH A BEARING OF N 85°59'21" WA DISTANCE OF 49.35 FEET TO A POINT; THENCE IN A NORTHWESTERLY DIRECTION WITH A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 30.00 FEET, HAVING A CHORD BEARING OF N 41°11'32" WAND A CHORD DISTANCE OF 42.28, HAVING A CENTRAL ANGLE OF 89°35'39" AND AN ARC LENGTH OF 46.91 TO A POINT; THENCE WESTERLY WITH A BEARING OF N 85° 48'36" WA DISTANCE OF 34.00 FEET TO A POINT; THENCE SOUTHERLY WITH A BEARING OF S 03°36'18" WA DISTANCE OF 29.89 FEET TO A POINT; THENCE WESTERLY WITH A BEARING OF N 85°59'21" WA DISTANCE OF 172.93 FEET TO THE POINT OF BEGINNING.; CONTAINING 22955.10 SQUARE FEET OR 0.527 ACRES MORE OR LESS.

## **SECTION 2:**

**THAT**, the Zoning Administrator of the Division of Planning and Development be, and is hereby directed to make the necessary changes in the Official Use District Maps to conform to the changes herein made; that all official maps and records of the Memphis and Shelby County Land Use Control Board and the City of Memphis be, and they hereby are, amended and changed so as to show the aforementioned amendment of the said Zoning Ordinance.

## **SECTION 3:**

**THAT**, this ordinance 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 the Mayor in writing by the comptroller, and become effective as otherwise provided by law.

**ATTEST:**

**CC: Division of Planning and Development  
– Land Use and Development Services  
– Office of Construction Enforcement  
Shelby County Assessor**

AGENDA ITEM: 17

**CASE NUMBER:** Z 2022-009 **L.U.C.B. MEETING:** November 10, 2022

**LOCATION:** South side of TN 385, north side of Riverdale Bend Road and east of Riverdale Road

**COUNCIL DISTRICT:** District 2 and Super District 9 – Positions 1, 2, and 3

**OWNER/APPLICANT:** MIM LLC – Prentiss Mitchell

**REPRESENTATIVE:** MIM LLC – Prentiss Mitchell

**REQUEST:** Rezoning of +/-0.31 acres from Conservation Agriculture (CA) to Commercial Mixed Use – 3 (CMU-3)

## CONCLUSIONS

1. The request is to rezone +/-0.31 acres from Conservation Agriculture (CA) to Commercial Mixed Use – 3 (CMU-3).
2. The underlying purpose of this request is to allow for the property to receive state approval for a double sided off premise sign. An eastward facing sign was approved by the State of Tennessee in 2021.
3. The subject property is vacant at this time.

## CONSISTENCY WITH MEMPHIS 3.0

This proposal is inconsistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 15-16 of this report.

## RECOMMENDATION

*Approval*

**GENERAL INFORMATION**

**Street Frontage:** Riverdale Bend Road+/-462.00 curvilinear feet  
**Zoning Atlas Page:** 2550  
**Parcel ID:** 093500 00485  
**Existing Zoning:** Conservation Agriculture  
**Requested Zoning:** Commercial Mixed Use – 3 (CMU-3)

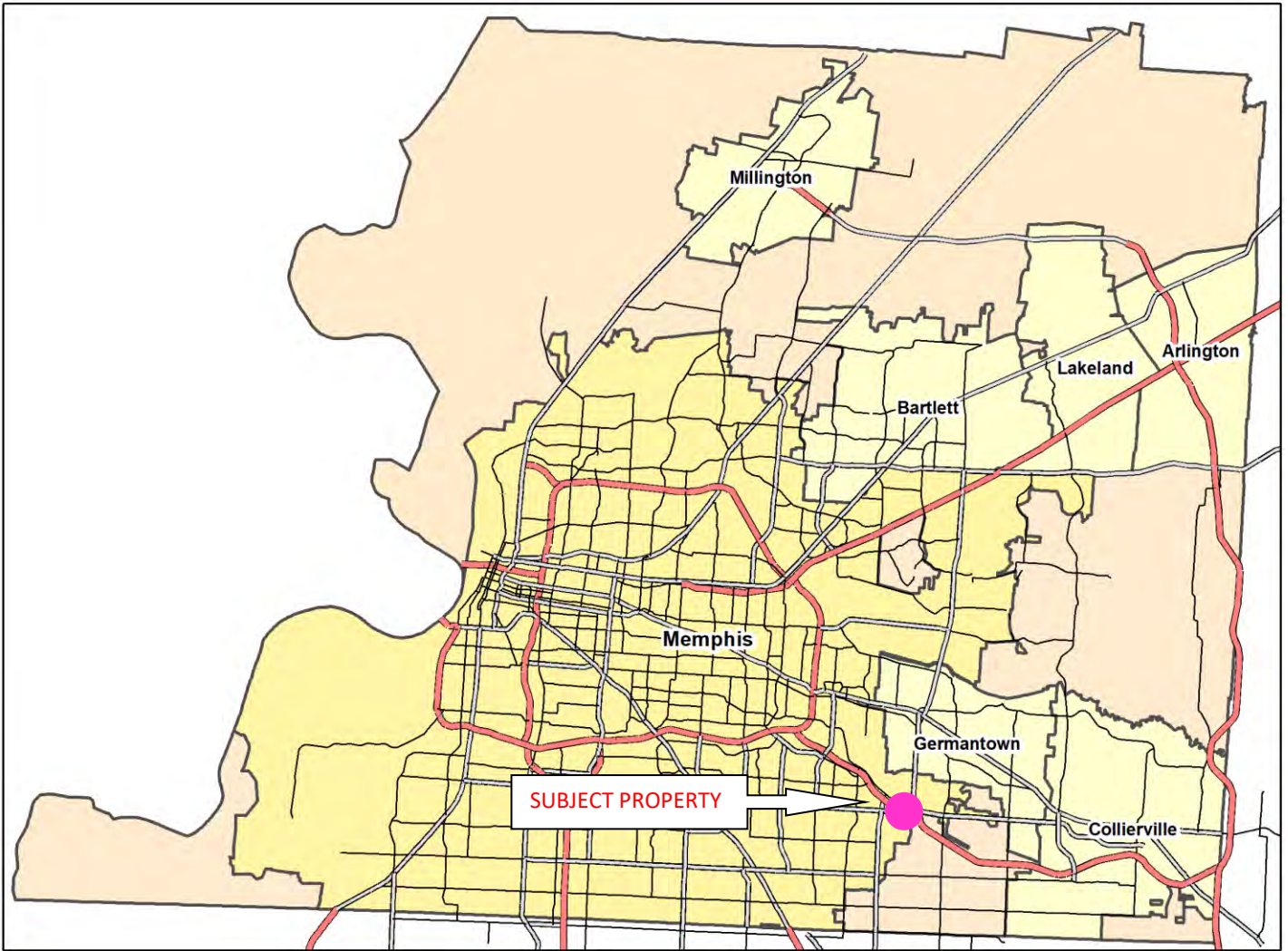
**NEIGHBORHOOD MEETING**

The meeting was held at 6:00 PM on October 22, 2022 7126 Riverdale Bend Drive.

**PUBLIC NOTICE**

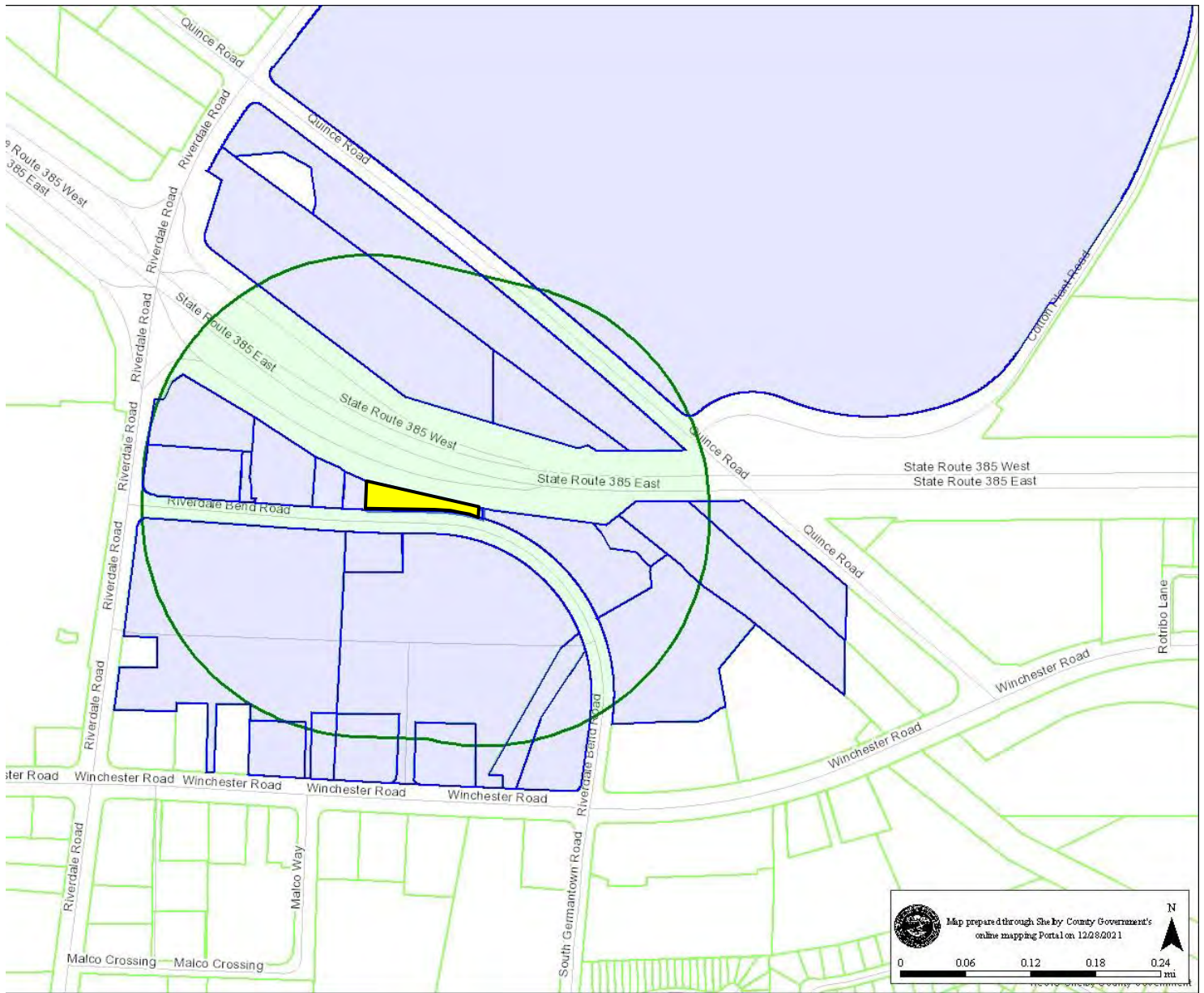
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 25 notices were mailed on October 26, 2022, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

**LOCATION MAP**



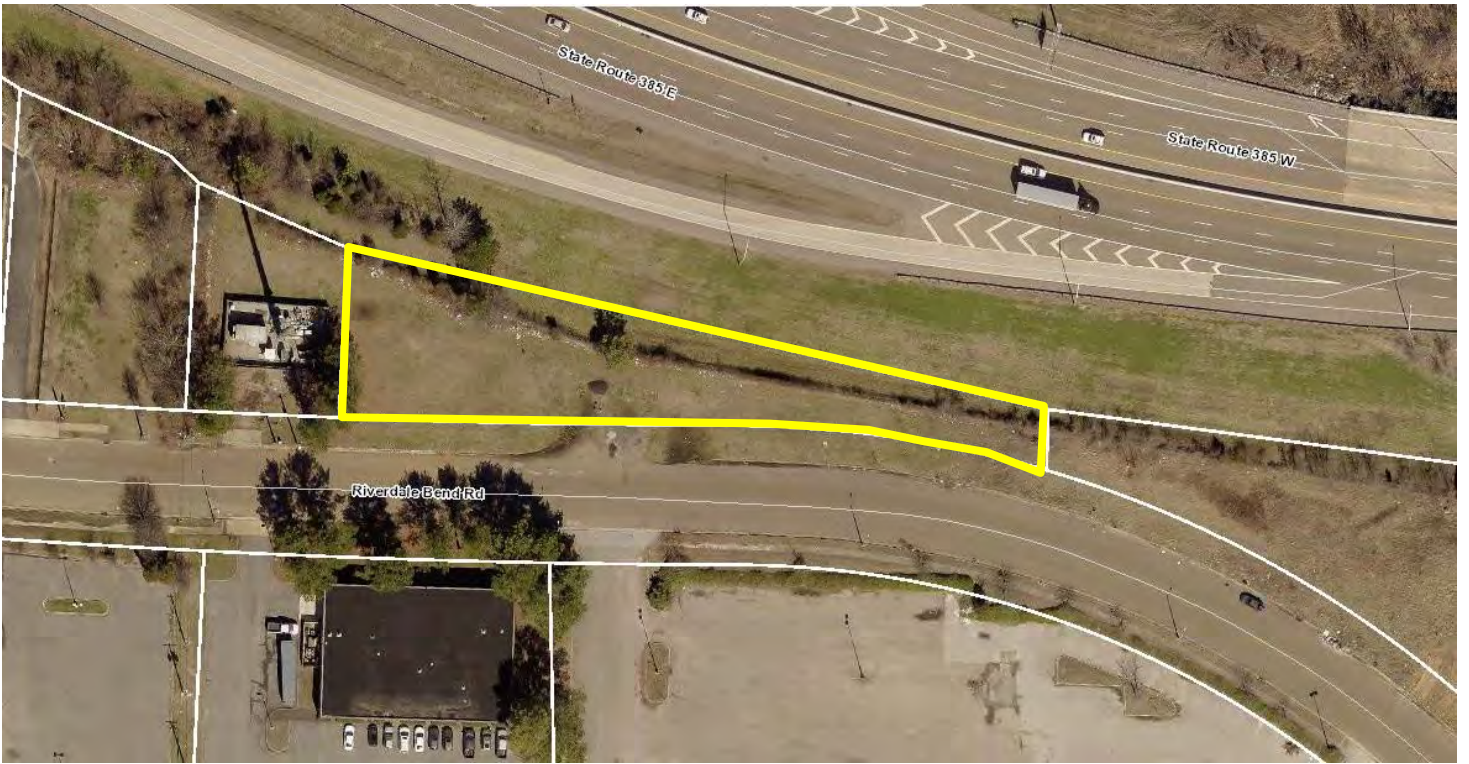
Subject property located within the pink circle, Hickory Hill

**VICINITY MAP**



Subject property highlighted in yellow

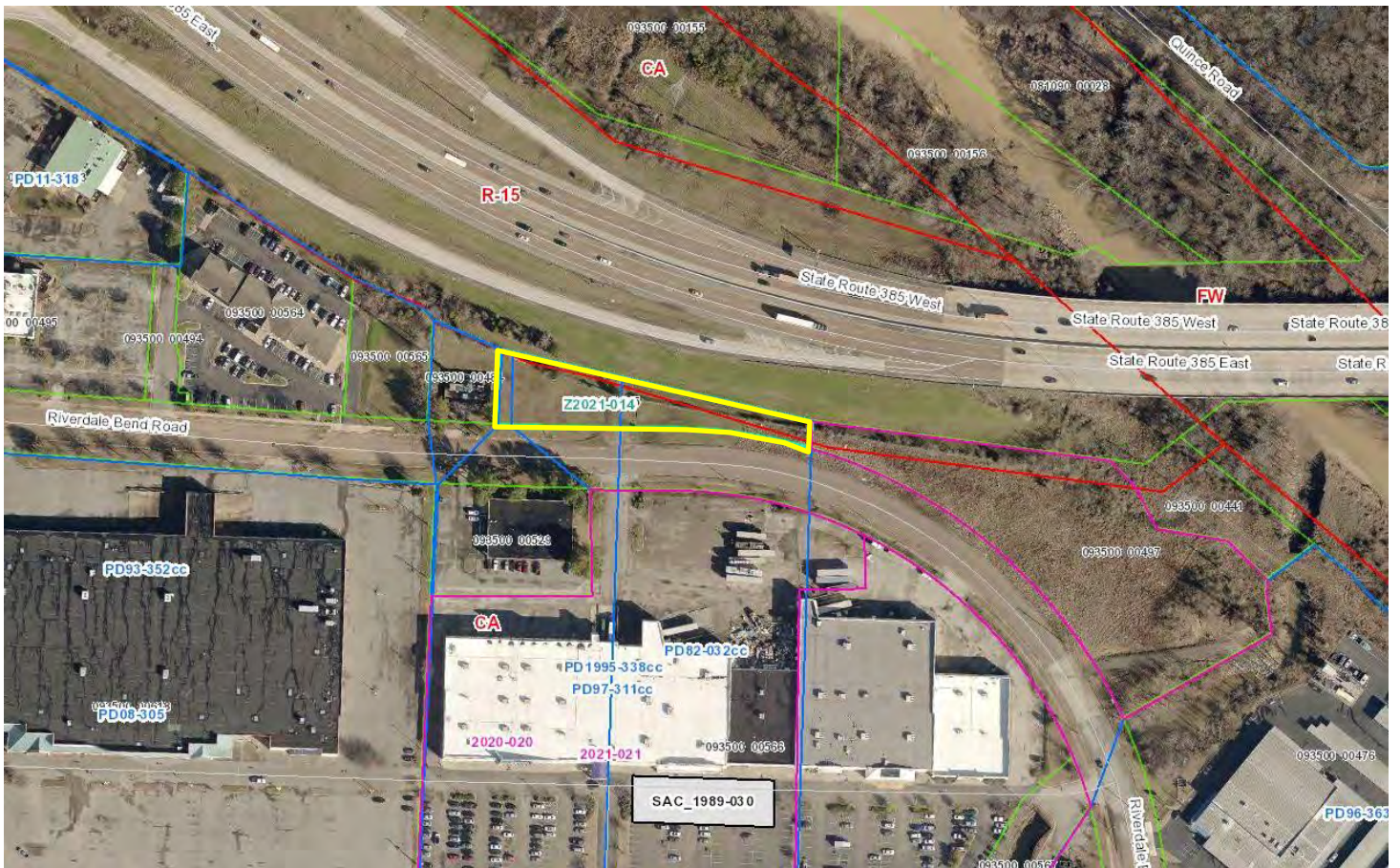
**AERIAL**



Subject property outlined in yellow



**ZONING MAP**



Subject property highlighted in yellow

**Existing Zoning:** Conservation Agriculture (CA), PD 95-338 (eastern half of site), and PD 82-32 (western half of site)

**Surrounding Zoning**

**North:** Residential Single-Family – 15 (R-15) – State Route 385

**East:** Conservation Agriculture (CA), PD 97-311, BOA 2020-20, and BOA 2021-21

**South:** Conservation Agriculture (CA), PD 95-338, and PD 82-32

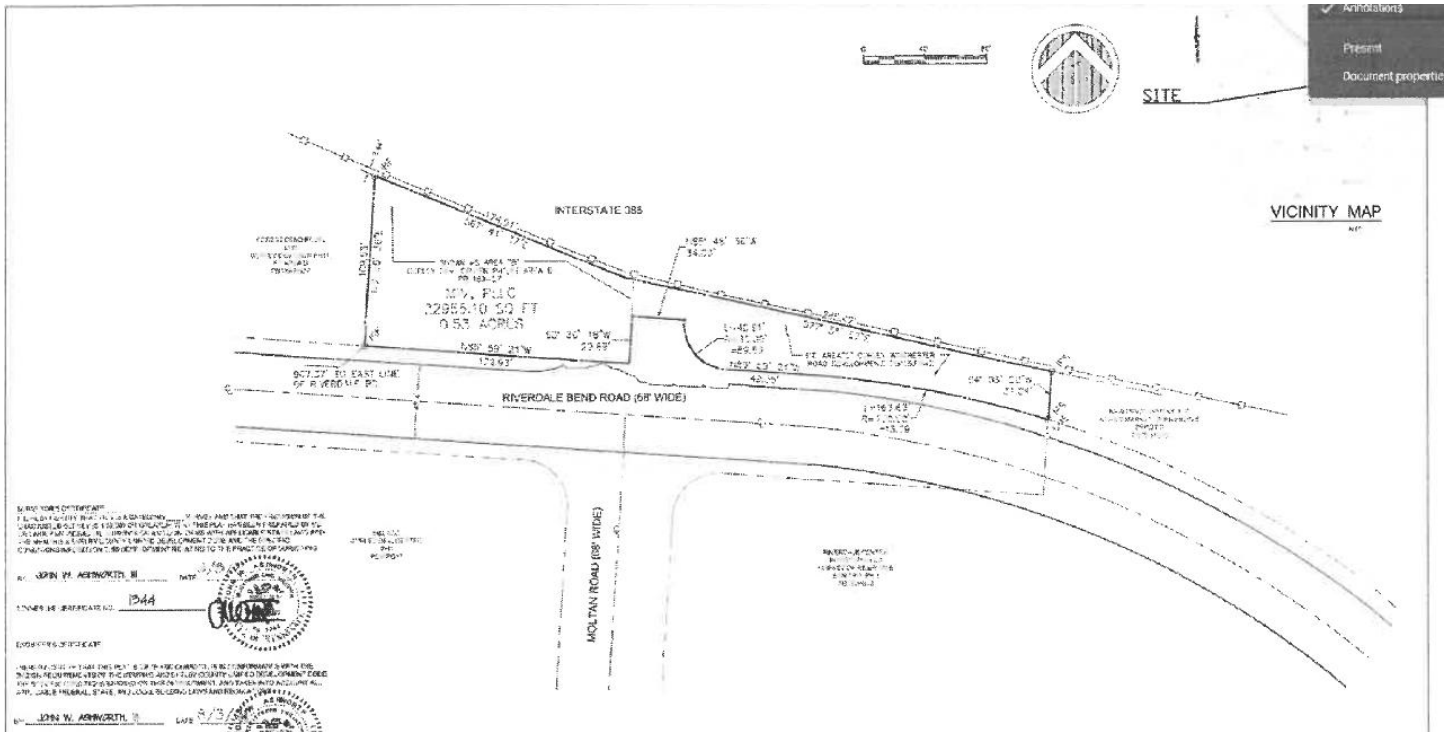
**West:** Conservation Agriculture (CA) and PD 82-32

LAND USE MAP



Subject property indicated by a yellow star

PLOT PLAN



**SITE PHOTOS**



View of subject property from Riverdale Bend Road looking northeast



View of Subject property from Riverdale Bend Road looking northwest



View of subject property from TN State Route 385 looking south

## **STAFF ANALYSIS**

### **Request**

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

Rezoning of +/-0.31 acres from Conservation Agriculture (CA) to Commercial Mixed Use – 3 (CMU-3).

### **Review Criteria**

Staff agrees the review criteria as set out in Sub-Section 9.5.7B of the Unified Development Code are met.

#### *9.5.7B Review Criteria*

*In making recommendations, the Land Use Control Board shall consider the following matters:*

*9.5.7B(1) Consistency with any plans to be considered (see Chapter 1.9);*

*9.5.7B(2) Compatibility with the present zoning (including any residential corridor overlay district) and conforming uses of nearby property and with the character of the neighborhood;*

*9.5.7B(3) Suitability of the subject property for uses permitted by the current versus the proposed district;*

*9.5.7B(4) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the City or County; and*

*9.5.7B(5) The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply and stormwater drainage facilities for the proposed zoning.*

### **Site Description**

The subject property is +/-0.53 acres (+/-23,086 square feet), known as parcel ID 093500 00485, and located on the south side of TN 385, north side of Riverdale Bend Rd and east of Riverdale Rd. The site is zoned Conservation Agriculture (CA), however, the site is currently regulated by the Gurley Development Center PD and the Gurley Winchester Road Development PD which both reference an underlying zoning of the Office General (OG). The subject property is currently vacant land and the surrounding land uses are a mixture of commercial, office, and vacant land.

### **Conclusions**

The request is to rezone +/-0.31 acres from Conservation Agriculture (CA) to Commercial Mixed Use – 3 (CMU-3).

The underlying purpose of this request is to allow for the property to receive state approval for a double sided off premise sign. An eastward facing sign was approved by the State of Tennessee in 2021.

The subject property is vacant at this time.

## **RECOMMENDATION**

Staff recommends approval

**DEPARTMENTAL COMMENTS**

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

**City/County Engineer:** No comments received.

**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:**



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

Leigh Huffman  
Municipal Planner  
Office of Sustainability and Resilience  
126 N. Main St., Memphis, TN 38103  
Leigh.Huffman@memphistn.gov

**MEMORANDUM**

To: Seth Thomas, Municipal Planner  
From: Leigh Huffman, Municipal Planner  
Date: October 21, 2022  
Subject: DSR Comments on Z 22-09: SE MEMPHIS

**General Comments & Analysis:**

Located in Zone 1 and Zone 4 of the Resilience Zone Framework:

Zone 1 areas have the lowest level of development risk and conflict. These areas avoid high risk disaster zones, such as floodplains, and they also do not conflict with sensitive ecological areas. These areas are the most straightforward for development, and development would have the lowest impact on regional resilience. Consider incorporating the protection of ecological assets while balancing the promotion of low-impact site design and compact development typologies in appropriate areas.

Zone 4 areas are high risk locations, namely riparian corridors, floodplains, and especially high vulnerability to earthquakes. Development in these locations is often directly at risk for flooding. Although these risks could be mitigated through the construction of major flood control infrastructure and higher seismic construction standards, it is generally advisable to avoid these areas for future development whenever possible. Efforts should be made to protect and further prevent development within Zone 4 for the purposes of mitigating the risk exposure to health and safety.

The portion of the parcel that is located in Zone 4 is due to the 500-year floodplain (0.2% annual chance of flooding).

The parcel that the Applicant would like to rezone is currently zoned Conservation Agriculture. The types, area, and intensity of land uses in this district are designed to encourage and protect agricultural uses and the conservation of undeveloped areas, especially areas located in sensitive environmental contexts such as floodplains.

**Consistent with the Mid-South Regional Resilience Master Plan best practices:** No

This planned development request is not consistent with the Mid-South Regional Resilience Master Plan. The Plan specifically highlights the 500-year floodplain as an area unsuited for most



development due to the high risk of flooding (Section 4.1 Resilient Sites). Section 4.3 Flood Smart Development recommends that currently vacant parcels in the floodplain should be preserved. Rezoning a parcel from Conservation Agriculture to a zoning district with a higher intensity of uses, such as Commercial Mixed Use-3, is not advisable.



**Consistent with the Memphis Area Climate Action Plan best practices:** N/A

**Recommendations:** Staff does not recommend approval of this rezoning request.

Office of Comprehensive Planning:

1. Future Land Use Planning Map



Red polygon indicates the application site on the Future Land Use Map.

2. Land Use Description/Intent

Wildlands, waterways, and natural features with a focus on preservation and occasional opportunities for passive recreation. Conservation Agriculture. Graphic portrayal of OSN to the right.



“OSN” Form & Location Characteristics

Conservation and recreational uses.

“OSN” Zoning Notes

Generally compatible with the following zone districts: OS, FW, CA in accordance with Form and characteristics listed below. Consult zoning map and applicable overlays for current and effective regulations. Changes unlikely; may consider rezoning, as appropriate, at the time of a small area plan. Analysis to understand how uses like wind farms, solar farms, stormwater facilities, community gardens/CSAs, apiaries, timber harvesting, or other similar uses are integrated into these zones.

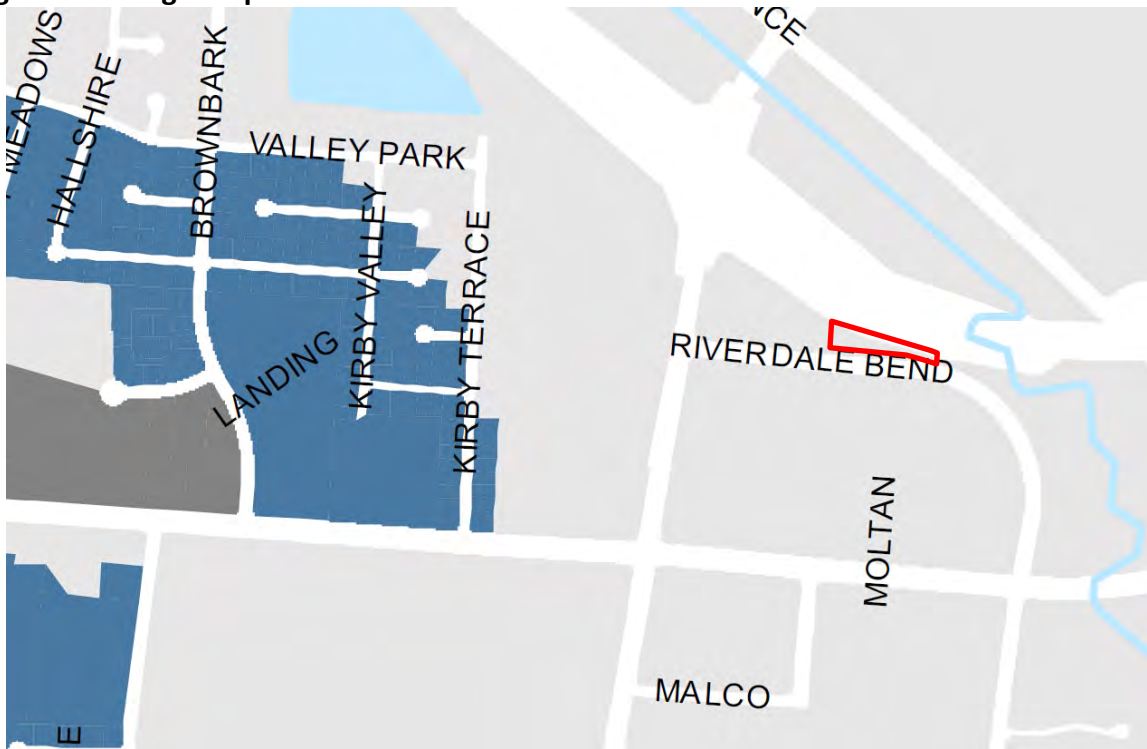
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant, CA

Adjacent Land Use and Zoning: Commercial, Vacant and Office, CA, CMU-2, R-15

**Overall Compatibility:** *This requested use is not compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed use is commercial on a land designated to act as natural and flood preservation lot.*

### Degree of Change Map



Red polygon denotes the proposed site in Degree of Change area. There is no Degree of Change.

### 3. Degree of Change Description

N/A

### 4. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities

The requested use will impede Objective 1.3 – Develop strategies that reduce blight and vacancy: Action 1.3.14 - *Identify opportunities to apply flood lots throughout communities to address persistent stormwater issues, and* Action 1.3.13 – *Apply nature lots and flood lots as transitional uses at community edges, particularly where communities border health or environmental hazards or buffer land use incompatible with residential uses.*

#### **Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations**

N/A

#### **Consistency Analysis Summary**

*The applicant is seeking approval for rezoning of property from CA (Conservation Agriculture) to CMU-3. This requested use is not compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed use is commercial on a land designated to act as natural and flood preservation lot.*

*The requested use will impede Objective 1.3 – Develop strategies that reduce blight and vacancy: Action 1.3.14 - Identify opportunities to apply flood lots throughout communities to address persistent stormwater issues, and Action 1.3.13 – Apply nature lots and flood lots as transitional uses at community edges, particularly where communities border health or environmental hazards or buffer land use incompatible with residential uses.*

**Based on the information provided, the proposal is NOT CONSISTENT with the Memphis 3.0 Comprehensive Plan.**

Summary Compiled by: Romana Haque Suravi, Comprehensive Planning.

**APPLICATION**



*Memphis and Shelby County*  
*Office of Planning and Development*  
CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

**APPLICATION FOR REZONING APPROVAL**

Date: 10/05/2022

Case #: \_\_\_\_\_

PLEASE TYPE OR PRINT

Property Owner of Record: MIM LLC Phone #: 901-305-5000

Mailing Address: P.O. Box 488 City/State: Horn Lake, MS Zip 38637

Property Owner E-Mail Address: mimllcmemphis@gmail.com

Applicant: MIM LLC Phone # 901-305-5000

Mailing Address: P.O. Box 488 City/State: Horn Lake, MS Zip 38637

Applicant E- Mail Address: mimllcmemphis@gmail.com

Representative: Prentiss Mitchell Phone #: 901-305-5000

Mailing Address: P.O. Box 488 City/State: Horn Lake, MS Zip 38637

Representative E-Mail Address: Prentiss Mitchell

Engineer/Surveyor: Wes Ashworth, PE, RLS Phone # 901-414-8767

Mailing Address: 10815 Collierville Road City/State: Collierville, TN Zip 38017

Engineer/Surveyor E-Mail Address: wesley@ashworthengineering.com

Street Address Location: 7126 Riverdale Bend, Memphis TN 38125

Distance to nearest intersecting street: 905 Feet

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	0.31		
Existing Zoning:	CA		
Existing Use of Property	Vacant		
Requested Use of Property	Vacant		
Requested Zoning	CMU-3		

Pre-Application Conference held on: 10/4/2022 with Seth Thomas

Neighborhood Meeting Requirement Met: Yes  or Not Yet  or Not Required (see below)   
(If yes, documentation must be included with application materials)

**I (we) hereby make application for the rezoning classification described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.**

MIM LLC 10/5/22 MIM LLC 10/5/22  
Property Owner of Record Date Applicant Date

**UDC Article 9.5, Zoning Change**

A zoning change shall correspond with the boundary lines of existing tracts and lots. Where the boundaries of a zoning change request stop short of an exterior property line, it must be possible to subdivide and develop that portion of the property outside the proposed zoning change boundary in accordance with the existing zoning and other requirements of this development code (sub-section 9.5.2A).

All zoning requirements shall be met within the boundaries of the area being rezoned. If all the requirements cannot be met on the site being rezoned, the zoning change shall be expanded to include all property necessary to meet zoning requirements (sub-section 9.5.2B).

Any zoning change affecting property within a community redevelopment area shall be supported by the Community Redevelopment Plan for area (sub-section 9.5.2C).

**\*ALL APPLICATIONS MUST BE SUBMITTED IN PERSON AND THE SUBMITTER MUST RECEIVE A RECEIPT OF ACCEPTANCE FROM STAFF**

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- 2) Special use permit and major modification to a special use permit; and
- 3) Planned development outline plan or major modification to a planned development outline plan.

**SIGN POSTING** – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

The following documentation shall be provided to OPD to verify compliance with this requirement: A copy of the letter sent to neighborhood associations and abutting property owners and a copy of the mailing list used to send notice.

**LETTER OF INTENT**

Municipal Planner  
Land Use and Development Services  
Division of Planning and Development  
125 N. Main, Ste. 477 Memphis, TN 38103

MIM LLC  
P.O. Box 488  
Horn Lake, MS 38637

**LETTER OF INTENT**

RE: 7126 Riverdale Bend

Department of Planning and Development,

I am applying for Rezoning for 7126 Riverdale Bend, Memphis TN 38125.

Best Regards,

MIM LLC

**SIGN AFFIDAVIT**

AFFIDAVIT

Shelby County  
State of Tennessee

I, Prentiss Mitchell, being duly sworn, depose and say that at 1:44 am/pm on the 6 day of October, 2022, I posted 1 Public Notice Sign(s) pertaining to Case No. Z2022-009 at 7126 Riverdale Bend Memphis, TN 38125 providing notice of a Public Hearing before the (check one):

- Land Use Control Board
- Board of Adjustment
- Memphis City Council
- Shelby County Board of Commissioners

for consideration of a proposed land use action, a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

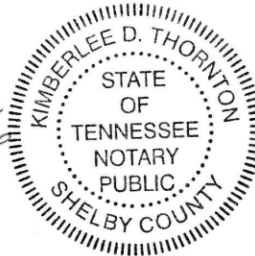
Prentiss Mitchell  
Owner, Applicant or Representative

10/17/22  
Date

Subscribed and sworn to before me this 17 day of October, 2022.

Kimberlee D. Thornton  
Notary Public

My commission expires: March 11, 2026



**LETTERS RECEIVED**

Three letters of support and zero letters of opposition were received at the time of completion of this report and have subsequently been attached.



## LETTER OF SUPPORT

August 2, 2022

TO:

Memphis City Council  
City Hall - 125 North Main Street  
Memphis, Tennessee 38103-2017

FROM:

Malcolm Jackson  
Smoothie King  
3586 Riverdale Rd  
Memphis, TN 38115

Subject: 7126 Riverdale Bend, Memphis TN 38125

Dear Department of Planning and Development,

I am writing this letter of support for MIM LLC that is before the City Council. The approval of this project will be beneficial for my business that is in your district and an asset to my business growth.

MIM LLC became the owner of the subject property recently and has agreed to eliminate the constant blight on the vacant property. This would be good for my business and the City of Memphis.

I support approving this application and request your vote of approval.

Yours Sincerely,

Malcom Jackson

Smoothie King Franchisee/Owner

## LETTER OF SUPPORT

August 1, 2022

TO:

Memphis City Council  
City Hall - 125 North Main Street  
Memphis, Tennessee 38103-2017

FROM:

Terrika Smith  
Ten Karats Virgin Hair  
7100 Winchester Rd  
Memphis, TN 38125

Subject: 7126 Riverdale Bend, Memphis TN 38125

Dear Memphis City Council,

I am writing this letter of support for MIM LLC/ Prentiss Mitchell that is requesting approval before the City Council. I believe this project will be great for businesses like mine in your district.

As you know, blight is a big problem in the City of Memphis. For years the subject property has been vacant land with illegal dumping and blight. As the new owner, MIM LLC has agreed to do major landscaping to the property and eliminate blight.

Approving this application is a Win for my business and a Win for the City of Memphis.

In conclusion, I deeply support the efforts of MIM LLC and request your vote of approval.

Yours Sincerely,

Terrika Smith  
Ten Karats Virgin Hair

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City Hall - 125 North Main Street  
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I support approving this application and request your vote of approval.

Yours Sincerely,

Malcom Jackson

Smoothie King Franchisee/Owner



## Record Summary for Rezoning

### Record Detail Information

Record Type: Rezoning

Record Status: Assignment

Opened Date: October 5, 2022

Record Number: Z 2022-009

Expiration Date:

Record Name: -

Description of Work: REZONING OF PROPERTY FROM CA (CONSERVATION AGRICULTURE) TO CMU-3 (COMMERCIAL MIXED USE -3)

Parent Record Number:

---

### Address:

7126 RIVERDALE BEND RD, MEMPHIS 38125

### Owner Information

Primary	Owner Name
Y	MIM LLC

Owner Address

0 PO BOX 488, HORN LAKE, MS 38637

Owner Phone

---

### Parcel Information

093500 00485

---

### Data Fields

#### PREAPPLICATION MEETING

Name of DPD Planner

SETH THOMAS

Date of Meeting

10/4/2022

#### GENERAL INFORMATION

Is this application in response to a citation from

No

**GENERAL INFORMATION**

Construction Code Enforcement or Zoning Letter?  
Have you held a neighborhood meeting? No  
If yes, please provide additional information -

**GIS INFORMATION**

Central Business Improvement District No  
Case Layer -  
Class -  
Downtown Fire District No  
Historic District -  
Land Use -  
Municipality MEMPHIS  
Overlay/Special Purpose District -  
Zoning -  
State Route 1  
Lot -  
Subdivision -  
Planned Development District -  
Wellhead Protection Overlay District -

---

**Contact Information**

Name Contact Type  
MIM LLC APPLICANT  
Address

Phone  
(901)305-5000

---

**Fee Information**

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1419407	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	10/05/2022

Total Fee Invoiced: \$1,000.00 Total Balance: \$0.00

---

**Payment Information**

Payment Amount Method of Payment  
\$1,000.00 Check



*Memphis and Shelby County*  
*Office of Planning and Development*  
 CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

**APPLICATION FOR REZONING APPROVAL**

Date: 10/05/2022

Case #: \_\_\_\_\_

PLEASE TYPE OR PRINT

Property Owner of Record: MIM LLC Phone #: 901-305-5000

Mailing Address: P.O. Box 488 City/State: Horn Lake, MS Zip 38637

Property Owner E-Mail Address: mimllcmemphis@gmail.com

Applicant: MIM LLC Phone # 901-305-5000

Mailing Address: P.O. Box 488 City/State: Horn Lake, MS Zip 38637

Applicant E- Mail Address: mimllcmemphis@gmail.com

Representative: Prentiss Mitchell Phone #: 901-305-5000

Mailing Address: P.O. Box 488 City/State: Horn Lake, MS Zip 38637

Representative E-Mail Address: Prentiss Mitchell

Engineer/Surveyor: Wes Ashworth, PE, RLS Phone # 901-414-8767

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Engineer/Surveyor E-Mail Address: wesley@ashworthengineering.com

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Distance to nearest intersecting street: 905 Feet

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>0.31</u>	_____	_____
Existing Zoning:	<u>CA</u>	_____	_____
Existing Use of Property	<u>Vacant</u>	_____	_____
Requested Use of Property	<u>Vacant</u>	_____	_____
Requested Zoning	<u>CMU-3</u>	_____	_____

Pre-Application Conference held on: 10/4/2022 with Seth Thomas

Neighborhood Meeting Requirement Met: Yes  or Not Yet  or Not Required (see below)   
 (If yes, documentation must be included with application materials)

**I (we) hereby make application for the rezoning classification described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.**

MIM LLC  
 Property Owner of Record

10/5/22  
 Date

MIM LLC  
 Applicant

10/5/22  
 Date

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The following documentation shall be provided to OPD to verify compliance with this requirement: A copy of the letter sent to neighborhood associations and abutting property owners and a copy of the mailing list used to send notice.

**GUIDE FOR SUBMITTING  
ZONING DISTRICT RECLASSIFICATION APPLICATION**

A **THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the plot plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:

- 1) This application, 8.5"x11" Plot Plan, Concept Plan\*, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" and a copy of Deed(s).
- 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".

*(For additional information concerning these requirements contact Land Use Control Section at (901) 576-6601.)*

B **PLOT PLAN AND LEGAL DESCRIPTION**

- 1) Two (2) copies of the plot plan, drawn to scale (1"=50', =100' or =200'), showing each parcel to be considered. Two or more parcels may be described on one sheet. If property is encumbered by easements, show type and location on plot plan.
- 2) Two (2) copies of legal description shall be attached to plot plan if not shown or described on the plan.

C **VICINITY MAP**

Two (2) copies showing the subject property (boldly outlined) and all parcels within a 500' radius. If the 500' radius includes less than 25 property owners, the radius shall be extended at 100' intervals to reach a minimum of 25 property owners provided, however, that the maximum total radius is 1,500'. Show for each parcel its dimensions, owner's name (on the vicinity map unless prior approval is given to do otherwise) and the public streets, alleys or private drives that it abuts. In situations where the parcels on the map are so small that the property owner's names are unable to fit and numbered legend is used, every effort should be made to place the legend on the map itself and not a separate sheet.

D **LIST OF NAMES AND ADDRESSES**

- 1) Two (2) complete lists of names and mailing addresses, including zip codes, of all owners shown on the vicinity map, typewritten on 1"x 2<sup>5/8</sup>" self-adhesive mailing labels and 2 paper sets. Three (3) sets of gummed back mailing labels and paper copies are needed for subject properties located in Shelby County but within five (5) miles of the Memphis City limits.
- 2) Two (2) self-adhesive mailing labels (1"x 2<sup>5/8</sup>" ) each for the owner of record, applicant, representative and/or engineer/surveyor.

E **FILING FEES** *(All Fees Are Subject To Change without Prior Notice)*

- 1) Residential Rezoning: 5.0 Acres or less=\$750. Each additional acre or fraction thereof =\$75 per acre Maximum =\$7,500.
  - 2) Non-Residential Rezoning: 5 acres or less = \$1,000.00. Each additional acre or fraction thereof =\$100.00 per acre. Maximum fee=\$7,500.00
- Make check payable to "M/SC Office of Planning and Development"

\*The requirement for submission of a Concept Plan with a Rezoning Application may be waived by the Office of Planning and Development.



Municipal Planner  
Land Use and Development Services  
Division of Planning and Development  
125 N. Main, Ste. 477 Memphis, TN 38103

MIM LLC

P.O. Box 488

Horn Lake, MS 38637

## LETTER OF INTENT

RE: 7126 Riverdale Bend

Department of Planning and Development,

I am applying for Rezoning for 7126 Riverdale Bend, Memphis TN 38125.

Best Regards,

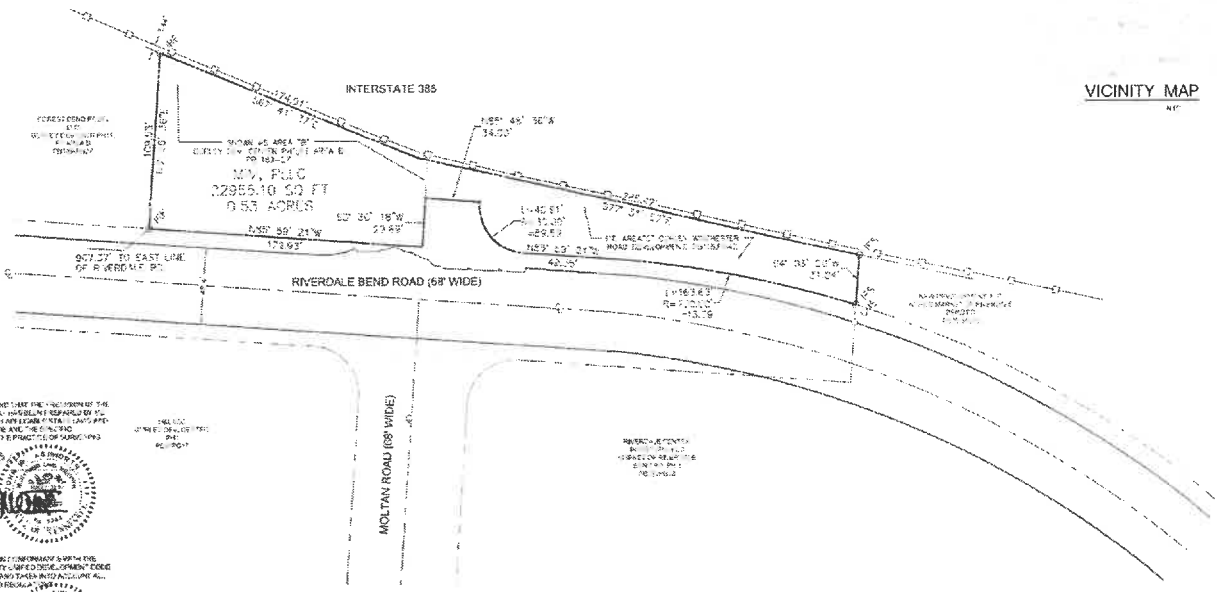
MIM LLC





SITE

VICINITY MAP



ENGINEER'S CERTIFICATE  
I, the undersigned, being a duly licensed Professional Engineer in the State of Tennessee, do hereby certify that the above described plan and specifications were prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of Tennessee.

BY: JOHN W. ASHWORTH, III DATE: 12/14  
Professional Engineer  
Tennessee  
No. 10000  
Exp. 12/31/2021

ENGINEER'S CERTIFICATE  
I, the undersigned, being a duly licensed Professional Engineer in the State of Tennessee, do hereby certify that the above described plan and specifications were prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of Tennessee.

BY: JOHN W. ASHWORTH, III DATE: 12/13  
Professional Engineer  
Tennessee  
No. 10000  
Exp. 12/31/2021

## LEGAL DESCRIPTION

BEGINNING AT A IRF AT THE SOUTHEAST CORNER OF THE FOREST BEND PROPERTY, LLC TRACT HAVING TN STATE PLANE COORDINATES (NAD83) OF N:284037.61, E:823485.71, SAID POINT BEING 901.37 FEET EASTWARDLY, AS MEASURED ALONG THE NORTHERLY LINE OF RIVERDALE BEND ROAD FROM IT'S TANGENT INTERSECTION WITH THE EASTERLY LINE OF RIVERDALE ROAD; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID FOREST BEND PROP WITH A BEARING OF N 03°55'36" E A DISTANCE OF 109.55 FEET TO A IRF; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF INTERSTATE 385 WITH A BEARING OF S 67°41'37" E A DISTANCE OF 174.91 FEET TO A POINT; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF INTERSTATE 385 WITH A BEARING OF S 77°31'57" E A DISTANCE OF 285.42 FEET TO AN IPS; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF THE NEW DEVELOPMENT LLC TRACT WITH A BEARING OF S 04°03'20" W A DISTANCE OF 31.84 FEET TO A IPS; THENCE IN A WESTERLY DIRECTION ALONG THE NORTHERLY LINE OF RIVERDALE BEND ROAD (68' ROW) THE FOLLOWING COURSES: WITH A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 700.00 FEET, HAVING A CHORD BEARING OF N 79°14'41" W AND A CHORD DISTANCE OF 163.26, HAVING A CENTRAL ANGLE OF 13°23'36" AND AN ARC LENGTH OF 163.63 TO A POINT; THENCE WESTERLY WITH A BEARING OF N 85°59'21" W A DISTANCE OF 49.35 FEET TO A POINT; THENCE IN A NORTHWESTERLY DIRECTION WITH A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 30.00 FEET, HAVING A CHORD BEARING OF N 41°11'32" W AND A CHORD DISTANCE OF 42.28, HAVING A CENTRAL ANGLE OF 89°35'39" AND AN ARC LENGTH OF 46.91 TO A POINT; THENCE WESTERLY WITH A BEARING OF N 85°48'36" W A DISTANCE OF 34.00 FEET TO A POINT; THENCE SOUTHERLY WITH A BEARING OF S 03°36'18" W A DISTANCE OF 29.89 FEET TO A POINT; THENCE WESTERLY WITH A BEARING OF N 85°59'21" W A DISTANCE OF 172.93 FEET TO THE POINT OF BEGINNING.; CONTAINING 22955.10 SQUARE FEET OR 0.527 ACRES MORE OR LESS.

This description was generated on 8/10/2021 at 3:15 PM, based on geometry in the drawing file  
S:\210726C-Riverdale Bend Rd-Prentiss Mitchell\08 Survey\RIVERDALE BEND SURVEY.dwg. BY ASHWORTH ENGINEERING,  
PLLC

# LETTER OF SUPPORT

August 2, 2022

TO:

Memphis City Council  
City Hall - 125 North Main Street  
Memphis, Tennessee 38103-2017

FROM:

Malcolm Jackson  
Smoothie King  
3586 Riverdale Rd  
Memphis, TN 38115

Subject: 7126 Riverdale Bend, Memphis TN 38125

Dear Department of Planning and Development,

I am writing this letter of support for MIM LLC that is before the City Council. The approval of this project will be beneficial for my business that is in your district and an asset to my business growth.

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I support approving this application and request your vote of approval.

Yours Sincerely,

Malcom Jackson

Smoothie King Franchisee/Owner

# LETTER OF SUPPORT

August 1, 2022

TO:

Memphis City Council  
City Hall - 125 North Main Street  
Memphis, Tennessee 38103-2017

FROM:

Terrika Smith  
Ten Karats Virgin Hair  
7100 Winchester Rd  
Memphis, TN 38125

Subject: 7126 Riverdale Bend, Memphis TN 38125

Dear Memphis City Council,

I am writing this letter of support for MIM LLC/ Prentiss Mitchell that is requesting approval before the City Council. I believe this project will be great for businesses like mine in your district.

As you know, blight is a big problem in the City of Memphis. For years the subject property has been vacant land with illegal dumping and blight. As the new owner, MIM LLC has agreed to do major landscaping to the property and eliminate blight.

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I support approving this application and request your vote of approval.

Yours Sincerely,

Malcom Jackson

Smoothie King Franchisee/Owner

October 5, 2022

You are invited to a neighborhood meeting to discuss a REZONING application filed with the Memphis and Shelby County Office of Planning and Development. The site is at 7126 Riverdale Bend Memphis TN 38125. The request is to rezone the subject property from CA to CMU-3 for future development.

### NEIGHBORHOOD MEETING NOTICE

Subject: Rezoning of 7126 Riverdale Bend Memphis TN 38125

Date: 22 October 2022 (rain date 23 October 2022)

Time: 2:00 p.m.

Location: 7126 RIVERDALE BEND, Memphis, TN 38125

The Rezoning Application will also be heard at the Land Use Control Board meeting:

Date: November 10, 2022

Time: 9:00 a.m.

Place: City Council Chambers, 1<sup>st</sup> Floor, City Hall Memphis TN

Applicant is available by phone or email should you have any questions. The phone number is 901-305-5000 and the email address info is [mimllcmemphis@gmail.com](mailto:mimllcmemphis@gmail.com). You may also contact the Office of Planning and Development at 901.636.6601.

Thank you,  
MIM LLC



SHELBY COUNTY  
160 N MAIN ST #  
MEMPHIS TN 38103

RIVERDALE CENTER INVESTORS LLC  
1825 MAIN ST #  
WESTON FL 33326

H & L LLC  
6036 WILD OAKS DR #  
MEMPHIS TN 38120

TERRAPIN MEMPHIS INVESTMENTS LLC  
15 W 6TH ST #2400  
TULSA OK 74119

MEMPHIS CITY OF  
125 N MAIN ST #  
MEMPHIS TN 38103

LIGHTMAN MICHAEL A  
5100 POPLAR AVE #2602  
MEMPHIS TN 38137

SHELBY COUNTY  
160 N MAIN ST #  
MEMPHIS TN 38103

NEW DEVELOPMENT LLC  
3264 W SARAZENS CIR #  
MEMPHIS TN 38125

PEARL ESTATES LLC  
7445 NORTHWIND CV #  
MEMPHIS TN 38125

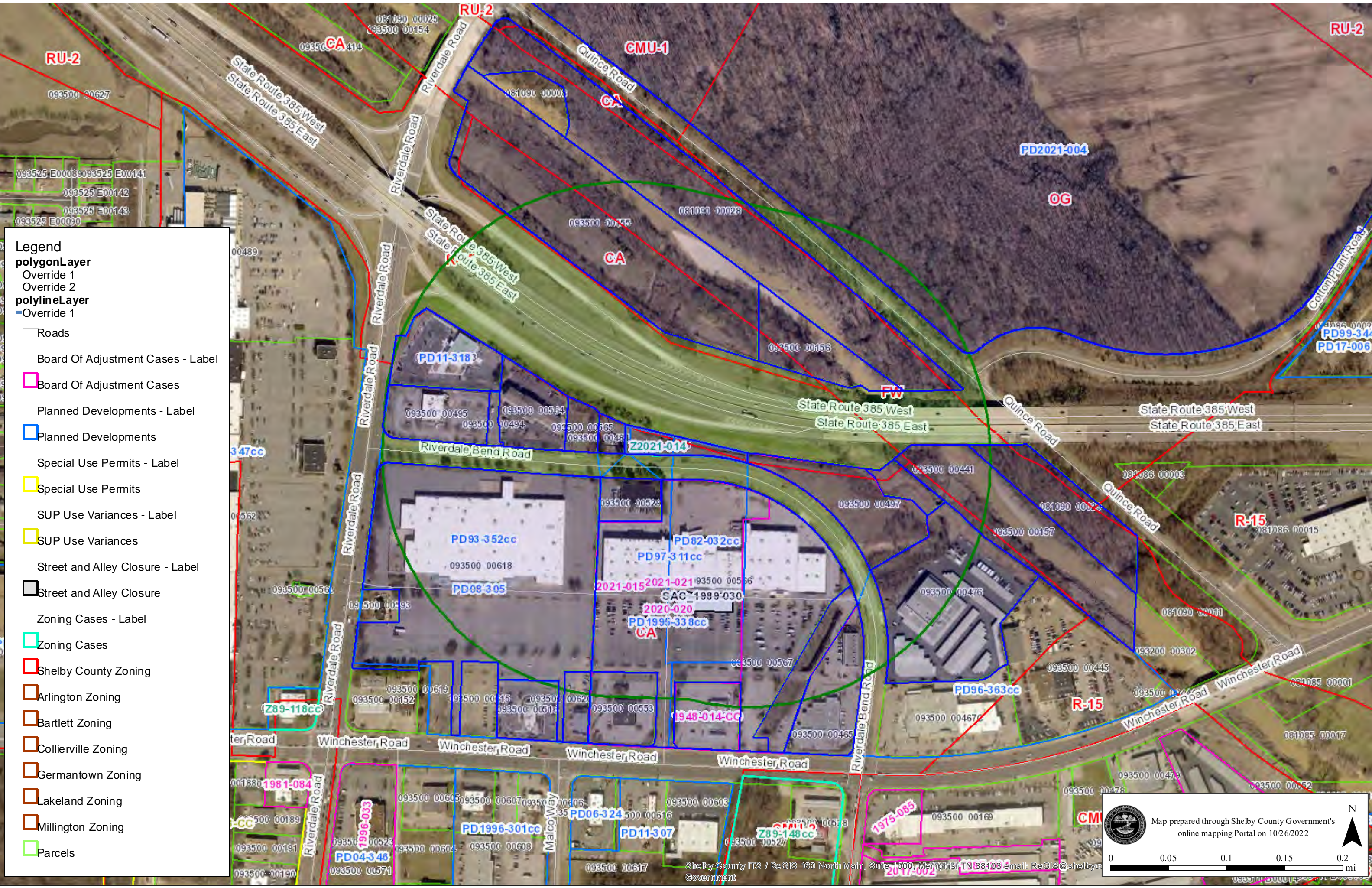
WRING REAL ESTATE LLC  
5524 RIVERDALE RD #  
MEMPHIS TN 38141

FOREST BEND PROPERTIES LLC  
9200 FOREST BEND CT #  
GERMANTOWN TN 38138

FOREST BEND PROPERTIES LLC  
9200 FOREST BEND CT #  
GERMANTOWN TN 38138

JMK5 WINCHESTER LLC  
308 W PARKWOOD AVE #104A  
FRIENDSWOOD TX 77546

093500 00155 - SHELBY COUNTY  
093500 00529 - H & L LLC  
093500 00441 - MEMPHIS CITY OF  
093500 00156 - SHELBY COUNTY  
093500 00497 - NEW DEVELOPMENT LLC  
093500 00493 - PEARL ESTATES LLC  
093500 00565 - WRING REAL ESTATE LLC  
093500 00484 - FOREST BEND PROPERTIES LLC  
093500 00485 - FOREST BEND PROPERTIES LLC  
093500 00618 - JMK5 WINCHESTER LLC  
093500 00566 - RIVERDALE CENTER INVESTORS LLC  
093500 00564 - TERRAPIN MEMPHIS INVESTMENTS LLC  
093500 00494 - LIGHTMAN MICHAEL A



**Legend**

**polygonLayer**

- Override 1
- Override 2

**polylineLayer**

- Override 1

— Roads

Board Of Adjustment Cases - Label

- Board Of Adjustment Cases

Planned Developments - Label

- Planned Developments

Special Use Permits - Label

- Special Use Permits

SUP Use Variances - Label

- SUP Use Variances

Street and Alley Closure - Label

- Street and Alley Closure

Zoning Cases - Label

- Zoning Cases
- Shelby County Zoning
- Arlington Zoning
- Bartlett Zoning
- Collierville Zoning
- Germantown Zoning
- Lakeland Zoning
- Millington Zoning
- Parcels

Map prepared through Shelby County Government's online mapping Portal on 10/26/2022

0 0.05 0.1 0.15 0.2 mi

Shelby County GIS / ReGIS 100 North Main, Suite 1000, Memphis, TN 38103 email: ReGIS@shelbycountygovernment.com

COUNTY OF SHELBY  
160 N MAIN ST #  
MEMPHIS TN 38103

RIVERDALE CENTER INVESTORS LLC  
1825 MAIN ST #  
WESTON FL 33326

RIVERDALE CENTER INVESTORS LLC  
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WESTON FL 33326

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PEARL ESTATES LLC  
7445 NORTHWIND CV #  
MEMPHIS TN 38125

RIVERDALE CENTER INVESTORS LLC  
1825 MAIN ST #  
WESTON FL 33326

H & L LLC

WRING REAL ESTATE LLC  
5524 RIVERDALE RD #  
MEMPHIS TN 38141

EXTRA SPACE PROPERTIES TWO LLC  
PO BOX 800729 #  
DALLAS TX 75380

GREGORY REALTY GP  
310 GERMANTOWN BEND CV #  
MEMPHIS TN 38018

FOREST BEND PROPERTIES LLC  
9200 FOREST BEND CT #  
GERMANTOWN TN 38138

TERRAPIN MEMPHIS INVESTMENTS LLC  
7060 RIVERDALE RD  
MEMPHIS TN 38125

HUNTS ESTATES LLC  
7445 NORTHWIND CV #  
MEMPHIS TN 38125

MIM LLC  
PO BOX 488  
HORN LAKE MS 38637

LIGHTMAN MICHAEL A  
5100 POPLAR AVE #2602  
MEMPHIS TN 38137

FEDERAL COMPANY THE DBA  
PO BOX 2020 #  
SPRINGDALE AR 72765

CHICK-FIL-A INC  
5200 BUFFINGTON RD #  
ATLANTA GA 30349

MEMPHIS CITY OF  
125 N MAIN ST #  
MEMPHIS TN 38103

SHELBY COUNTY  
160 N MAIN ST #  
MEMPHIS TN 38103

COUNTY OF SHELBY  
160 N MAIN ST #  
MEMPHIS TN 38103

CTGI PROPERTIES LLC  
6649 W VININGS CREEK CV #  
MEMPHIS TN 38119

SHELBY COUNTY  
160 N MAIN ST #  
MEMPHIS TN 38103

SMITH TERRIKA L  
1121 NOLAN LN #  
CORDOVA TN 38018

NEW DEVELOPMENT LLC  
3264 W SARAZENS CIR #  
MEMPHIS TN 38125

JMK5 WINCHESTER LLC  
308 W PARKWOOD AVE #104A  
FRIENDSWOOD TX 77546



RESOLUTION approving the final plat for:  
**Hickory Trace Commons PD, Phase 2**  
and accepting Bond as security

WHEREAS, **Taco Nganas, LLC.**, is the Developer of a certain property in the present limits of Memphis and located at Riverdale Road and Malco Crossing 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 **Taco Nganas, 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 **Hickory Trace Commons PD, Phase 2** 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 **CASH BOND** (*Bank of Bartlett Cashier's Check No. 7074683*) in the amount of **\$36,500.00** in lieu of Bond as security.



RESOLUTION approving the Engineering plans for:  
**Uptown Studio and Storage**  
and accepting Bond as security

WHEREAS, **Uptown Studio and Storage, LLC.**, is the Developer of a certain property within the present limits of the City of Memphis, and located at 475 North Main, 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 **Uptown Studio and Storage, 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 **Uptown Studio and Storage** 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. 80C205078** in the amount of **\$47,500.00** as security for project



RESOLUTION accepting public improvements for  
**Carolina Terrace Subdivision [CR-5348]**  
and authorizes **release of Bond**

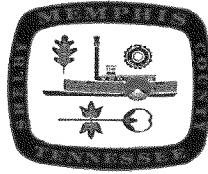
WHEREAS, **27 W. Carolina, LLC.** is the Developer of certain property within the present limits of the City of Memphis, as reflected on the final plat entitled **Carolina Terrace Subdivision [CR-5348]** , and located at 27 W. Carolina Street in Memphis, Tennessee

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 **Carolina Terrace Subdivision [CR-5348]** and the completion of the public improvements therein, are and the same are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the **Landmark Bank Letter of Credit No. 20008060** in the amount of **\$39,000.00** held as security for the Standard Improvement Contract, is **hereby ordered released.**



## Memphis City Council Summary Sheet

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

Resolution to accept and appropriate an allocation of grant funds in the amount of \$100,000 from Living Cities for the establishment of Contractor's University.

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

Finance

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

This Resolution does not change an existing ordinance or resolution.

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

This Resolution will impact all council districts and super districts.

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

This Resolution requires a new contract.

**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**

There are no MWBE goals associated with this Resolution.





## **RESOLUTION to accept and appropriate an allocation of grant funds in the amount of \$100,000 from Living Cities for the establishment of Contractor's University**

**WHEREAS**, the City of Memphis' Division of Finance Office of Business Diversity & Compliance is a member of the Living Cities' Closing the Gaps Network, a ten-year initiative committed to closing racial inequities in income, wealth building, and access to affordable housing AND is focused on increasing homeownership and business growth through transforming government policies, practices, and operations; and

**WHEREAS**, the purpose of the program is for the City of Memphis Office of Business Diversity & Compliance to create generational change within various industries, by supporting underrepresented BIPOC contractors and assisting their businesses maximize opportunities to partner with Memphis, and to connect and do business with one another; and

**WHEREAS**, the program will provide contracts with educational workshops, and a network for business partnerships. The program will also provide leadership development skills needed to assist BIPOC entrepreneurs to launch and grow successfully as a business and leader in business; and

**WHEREAS**, the City of Memphis will work to develop business relationships and strengthen the contractor community with education, training, networking, and mentorship; and

**WHEREAS**, a cohort of five to ten companies will be selected to participate in a pilot offering of Contractor's University with more one-on-one personalized services, including scheduled city and supplier meetings; and

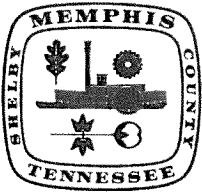
**NOW, THEREFORE, BE IT RESOLVED** *that the Council and the City of Memphis hereby adopts and approves the proposed establishment of Contractor's University, a training program for BIPOC entrepreneurs; and*

**BE IT FURTHER RESOLVED**, the City of Memphis Office of Business Diversity & Compliance is receiving grant funds in the amount of \$100,000 from Living Cities to execute the entrepreneurship strategy to support underrepresented BIPOC contractors. Disbursement will be in the amount of \$100,000.

**Project Title:** Contractor's University

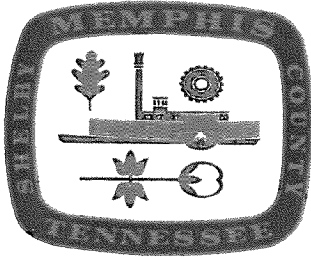
**Project Number:** \_\_\_\_\_

**Revenues**



## Memphis City Council Summary Sheet

1. Resolution seeking acceptance of a donation to the City of Memphis Division of Police Services, MPD Officers and Crime Intervention Team (CIT) have been awarded a donation of 10 Police E-Bikes. The E-Bikes are being donated by C.E.O. John H. Weston Jr. of Capital City Residential Healthcare. The E-Bikes are manufactured by Excel Power Bikes. The total value of this donation is \$20,000.00.
2. Resolution will not change an existing ordinance or resolution.
3. Resolution will not require a new contract or amendment to an existing contract.
4. Resolution will not require an expenditure of funds equal to the amount of the donation will not require a budget amendment.



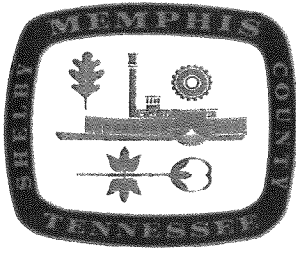
## RESOLUTION

**WHEREAS**, the City of Memphis Division of Police Services, MPD Officers and Crime Intervention Team (CIT), have been awarded a donation of 10 Police E-Bikes. The E-Bikes are being donated by C.E.O. John H. Weston Jr. of Capital City Residential Healthcare. The E-Bikes are manufactured by Excel Power Bikes with an estimated monetary value totaling \$20,000.00; and

**WHEREAS**, the donation is to be used to continue to provide exemplary assistance and support in the community.; and

**WHEREAS**, it is necessary to accept the donation for Fiscal Year 2023; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the donation of said 10 Police E-Bikes, with an estimated monetary value totaling Twenty Thousand dollars and 00/100 (\$20,000.00); be accepted by the City of Memphis.



## RESOLUTION – FIRE SERVICES

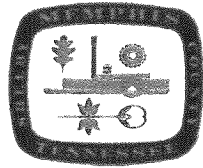
### **Resolution to accept a Broad Band Mobile Command Case from Shelby County 911 Emergency Communications District Board of Directors for the Office of Emergency Management.**

**WHEREAS**, the City of Memphis Division of Fire Services has been awarded a donation of a Broad Band Mobile Command Case. The donation has an estimated value of Nine Thousand Four Hundred Ninety-Nine Dollars and 00/100 (\$9,499.00); and

**WHEREAS**, the donation is designated to be used by Office of Emergency Management. This program provides support to area and incident Commanders through pre-planning community partnerships, and resource allocation outside the City government; and

**WHEREAS**, it is necessary to accept the donation; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the donation of a Broad Band Mobile Command Case be accepted by the City of Memphis.



## Memphis City Council Summary Sheet

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

A resolution to accept a donation of a Broad Band Mobile Case from Shelby County 911 Emergency Communication District with an estimated cost of Nine Thousand Four Hundred Ninety-Nine Dollars and no/100 (\$9,499.00); and

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

Fire Services is the initiating party.

**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 impact all council and super districts.

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

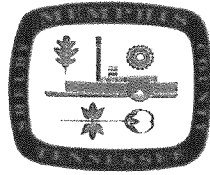
This will not require a new contract or an amendment to an existing contract.

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

This does not requires an expenditure or budget adjustment.

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

There is no WMBE goal.



## Memphis City Council Summary Sheet

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

Resolution seeks approval to receive \$53,623 from FedEx. Funds will be used for the Office of Youth Services' MPLOY program (\$26,811) and I Am Included (\$26,812) to support program participants in various activities.

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

Office of Youth Services - Executive Division

**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.**

It will impact all council districts and super districts.

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

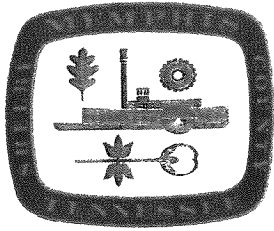
N/A

**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



## **A Resolution to accept \$53,623 for the MPLOY Youth Summer Experience program and I Am Included program from FedEx**

**WHEREAS**, FedEx has awarded \$53,623 in grant funds to the City of Memphis' Office of Youth Services; and

**WHEREAS**, the Office of Youth Services' summer employment program, MPLOY Youth Summer Experience, will utilize the grant funds (\$26,811) for professional development, job skills training and program expansion; and

**WHEREAS**, the Office of Youth Services' program for individuals with disabilities, I Am Included, will utilize the grant funds (\$26,812) for program expansion and specific supplies and materials for individuals with disabilities; and

**NOW, THEREFORE, BE IT RESOLVED** that the Memphis City Council hereby approves the receipt and allocation of \$53,623 in grant funds from FedEx.

## **Memphis City Council Summary Sheet for MLGW Items**

### **1. Description of the Item**

Resolution approving Change No. 1 to Contract No. 12348 (solicited under Contract No. 12294), Temporary Employment Services for Skilled Craftsman/Technical with Resource Management Group to renew the current contract in the funded amount of \$141,214.04. (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering January 19, 2023, through January 18, 2024.

### **2. Additional Information**

The project scope is to provide short-term, temporary assignments of identified skills for skilled craftsman positions.



## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of December 7, 2022 approved Change No. 1 to Contract No. 12348 (*solicited under Contract No. 12294*), Temporary Employment Services for Skilled Craftsman/Technical with Resource Management Group to renew the current contract in the funded amount of \$141,214.04, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to provide short-term, temporary assignments of identified skills for skilled craftsman positions. This change is to ratify and renew the current contract for the first of four (4) annual renewal terms for the period covering January 19, 2023 through January 18, 2024 in the funded amount of \$141,214.04, with no increase in rates from the initial award. This renewal complies with all applicable laws and policies. The new contract value is \$282,428.08; 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. 12348 (*solicited under Contract No. 12294*), Temporary Employment Services for Skilled Craftsman/Technical with Resource Management Group to renew the current contract in the funded amount of \$141,214.04 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**December 7, 2022**

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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. 12348 (*solicited under Contract No. 12294*), Temporary Employment Services for Skilled Craftsman/Technical with Resource Management Group to renew the current contract in the funded amount of \$141,214.04.

The project scope is to provide short-term, temporary assignments of identified skills for skilled craftsman positions. This change is to ratify and renew the current contract for the first of four (4) annual renewal terms for the period covering January 19, 2023 through January 18, 2024 in the funded amount of \$141,214.04, with no increase in rates from the initial award. This renewal complies with all applicable laws and policies. The new contract value is \$282,428.08.

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. 12348 (*solicited under Contract No. 12294*), Temporary Employment Services for Skilled Craftsman/Technical with Resource Management Group to renew the current contract in the funded amount of \$141,214.04, as outlined in the above preamble, is approved; and further,

THAT, the President, or his designated representative is authorized to execute the 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 ~~regular~~ *special* meeting held on 7<sup>th</sup> day of December, 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 Change No. 1 to Contract No. 12347 (solicited under Contract No. 12294), Temporary Employment Services for General Laborer Services with Millennium Search, LLC., in the funded amount of \$700,000.00. (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering January 1, 2023, through December 31, 2023).

### **2. Additional Information**

The project scope is to provide short-term, temporary assignments of identified skills for general laborer positions.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of December 7, 2022 approved Change No. 1 to Contract No. 12347 (*solicited under Contract No. 12294*), Temporary Employment Services for General Laborer Services with Millennium Search, LLC to ratify and renew the current contract in the funded amount of \$700,000.00, 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 provide short-term, temporary assignments of identified skills for general laborer positions. This change is to ratify and renew the current contract for the first of four (4) annual renewal terms for the period covering January 1, 2023 through December 31, 2023 in the funded amount of \$700,000.00, with no increase in rates from the initial award. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$3,255,411.97; 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. 12347 (*solicited under Contract No. 12294*), Temporary Employment Services for General Laborer Services with Millennium Search, LLC to ratify and renew the current contract in the funded amount of \$700,000.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**December 7, 2022**

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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. 12347 (*solicited under Contract No. 12294*), Temporary Employment Services for General Laborer Services with Millennium Search, LLC to ratify and renew the current contract in the funded amount of \$700,000.00.

The project scope is to provide short-term, temporary assignments of identified skills for general laborer positions. This change is to ratify and renew the current contract for the first of four (4) annual renewal terms for the period covering January 1, 2023 through December 31, 2023 in the funded amount of \$700,000.00, with no increase in rates from the initial award. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$3,255,411.97.

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. 12347 (*solicited under Contract No. 12294*), Temporary Employment Services for General Laborer Support Services with Millennium Search, LLC to ratify and renew the current contract in the funded amount of \$700,000.00, 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 7th day of December 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 Change No. 1 to Contract No. 12294, Temporary Employment Services for Clerical Support with Millennium Search, LLC., in the funded amount of \$1,100,000.00. (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering January 1, 2023, through December 31, 2023).

### **2. Additional Information**

The project scope is to provide short-term, temporary assignments of identified skills for clerical support.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of December 7, 2022 approved Change No. 1 to Contract No. 12294, Temporary Employment Services for Clerical Support with Millennium Search, LLC to ratify and renew the current contract in the funded amount of \$1,100,000.00, 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 provide short-term, temporary assignments of identified skills for clerical support. This change is to ratify and renew the current contract for the first of four (4) annual renewal terms for the period covering January 1, 2023 through December 31, 2023 in the funded amount of \$1,100,000.00, with no increase in rates from the initial award. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$2,367,579.99; 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. Contract No. 12294, Temporary Employment Services for Clerical Support with Millennium Search, LLC to ratify and renew the current contract in the funded amount of \$1,100,000.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**December 7, 2022**

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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. 12294, Temporary Employment Services for Clerical Support with Millennium Search, LLC to ratify and renew the current contract in the funded amount of \$1,100,000.00.

The project scope is to provide short-term, temporary assignments of identified skills for clerical support. This change is to ratify and renew the current contract for the first of four (4) annual renewal terms for the period covering January 1, 2023 through December 31, 2023 in the funded amount of \$1,100,000.00, with no increase in rates from the initial award. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$2,367,579.99.

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. 12294, Temporary Employment Services for Clerical Support with Millennium Search, LLC to ratify and renew the current contract in the funded amount of \$1,100,000.00, 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 7th day of December, 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 Change No. 4 to Contract No. 12035, Environmental Consulting and Remediation Services with BH&M Environmental Consultants, Incorporated in the funded amount of \$7,500,000.00. (This change is to renew the current contract for the fourth and final renewal term for the period covering April 8, 2023, through April 7, 2024).

### **2. Additional Information**

The project scope is to provide MLGW with engineering consulting services and remediation applicable to MLGW's facilities and operations on an as-needed basis.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of December 7, 2022 approved Change No. 4 to Contract No. 12035, Environmental Consulting and Remediation Services with BH&M Environmental Consultants, Incorporated to renew the current contract in the funded amount of \$7,500,000.00, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to provide MLGW with engineering consulting services and remediation applicable to MLGW's facilities and operations on an as-needed basis. This change is to renew the current contract for the fourth and final renewal term for the period covering April 8, 2023 through April 7, 2024 in the funded amount of \$7,500,000.00, with a 7.5% increase in rates from the previous renewal term due to an increase in labor costs. This renewal complies with all applicable laws and policies. The new contract value is \$28,000,000.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 4 to Contract No. 12035, Environmental Consulting and Remediation Services with BH&M Environmental Consultants, Incorporated to renew the current contract in the funded amount of \$7,500,000.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**December 7, 2022**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 4 to Contract No. 12035, Environmental Consulting and Remediation Services with BH&M Environmental Consultants, Incorporated to renew the current contract in the funded amount of \$7,500,000.00.

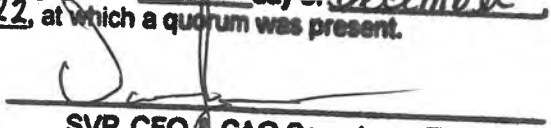
The project scope is to provide MLGW with engineering consulting services and remediation applicable to MLGW's facilities and operations on an as-needed basis. This change is to renew the current contract for the fourth and final renewal term for the period covering April 8, 2023 through April 7, 2024 in the funded amount of \$7,500,000.00, with a 7.5% increase in the rates from the previous renewal term due to an increase in labor costs. This renewal complies with all applicable laws and policies. The new contract value is \$28,000,000.00.

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. 4 to Contract No. 12035, Environmental Consulting and Remediation Services with BH&M Environmental Consultants, Incorporated to renew the current contract in the funded amount of \$7,500,000.00, as outlined in the above preamble, is approved; and further,

THAT, the President, or his designated representative is authorized to execute the 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 7<sup>th</sup> day of December 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. 12378, Fleet Maintenance to Goodyear Commercial Tire and Service Center in the funded amount of \$1,100,000.00.

### **2. Additional Information**

The project scope is to provide tires and tire services for automobiles, trucks, and equipment for eight (8) garages within the MLGW Transportation Department.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of December 07, 2022, awarded Contract No. 12378, Fleet Maintenance to Goodyear Commercial Tire and Service Center in the funded amount of 1,100,000.00, 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 tires and tire services for automobiles, trucks, and equipment for eight (8) garages within the MLGW Transportation Department.

WHEREAS, the Request for Proposal was advertised using MLGW's Online Bid Notification System on April 26, 2022. MLGW solicited five (5) proposals; and received two (2) proposals on September 23, 2022 with the most responsive proposal being from Goodyear Commercial Tire and Service Center. Proposals were evaluated on the following criteria: 1) Understanding of services and supplies required by MLGW; 2) Quality and availability of staff assigned to the project; 3) Related experience of the company and/or individuals assigned to the project; 4) Recent experience of company on similar projects; 5) Price of items and services quoted; 6) Brand of tires; 7) Inventory level of Respondent and located in Shelby County; and 8) Additional items or services offered to MLGW in this proposal. The total funded amount of this award is \$1,100,000.00. 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; 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. 12378, Fleet Maintenance to Goodyear Commercial Tire and Service Center in the funded amount of \$1,100,000.00.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**December 7, 2022**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners, that it awards Contract No. 12378, Fleet Maintenance to Goodyear Commercial Tire and Service Center in the funded amount of \$1,100,000.00.

The project scope is to provide tires and tire services for automobiles, trucks, and equipment for eight (8) garages within the MLGW Transportation Department.

The Request for Proposal was advertised using MLGW's Online Bid Notification System on April 26, 2022. MLGW solicited five (5) proposals; and received two (2) proposals on September 23, 2022 with the most responsive proposal being from Goodyear Commercial Tire and Service Center. Proposals were evaluated on the following criteria: 1) Understanding of services and supplies required by MLGW; 2) Quality and availability of staff assigned to the project; 3) Related experience of the company and/or individuals assigned to the project; 4) Recent experience of company on similar projects; 5) Price of items and services quoted; 6) Brand of tires; 7) Inventory level of Respondent and located in Shelby County; and 8) Additional items or services offered to MLGW in this proposal. The total funded amount of this award is \$1,100,000.00. 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. 12378, Fleet Maintenance to Goodyear Commercial Tire and Service Center in the funded amount of \$1,100,000.00, 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 7th day of December, 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 a purchase order to Altec Industries Incorporated, for digger derrick trucks in the amount of \$819,300.00.

### **2. Additional Information**

This purchase is for two digger derrick trucks that will be used for various customer service functions by Division employees to maintain the electric, gas and water systems throughout Shelby County, Tennessee. The trucks will replace existing digger derrick trucks that will be retired from service.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of December 7, 2022 approved the purchase of digger derrick trucks and is now recommending to the Council of the City of Memphis that it approve said purchase; and

**WHEREAS**, this purchase includes two digger derrick trucks that will be used for various customer service functions by Division employees to maintain the electric, gas and water systems throughout Shelby County, Tennessee. The trucks will replace existing digger derrick trucks that will be retired from service; and

**WHEREAS**, bids were opened on September 14, 2022. Notice to Bidders was advertised. Six (6) bids were solicited and two (2) bids were received with the most responsive and best complying bidder being the firm of Altec Industries Incorporated. These awards comply 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 the purchase of two digger derrick trucks from Altec Industries Incorporated in the amount of \$819,300.00. Due to the delivery time funds for this equipment will be carried over to the 2025 budget.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**December 7, 2022**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it award a purchase order to Altec Industries Incorporated in the amount of \$819,300.00 for digger derrick trucks.

This purchase is for two digger derrick trucks that will be used for various customer service functions by Division employees to maintain the electric, gas and water systems throughout Shelby County, Tennessee. The trucks will replace existing digger derrick trucks that will be retired from service.

Bids were opened on September 14, 2022. Notice to Bidders was advertised. Six (6) bids were solicited and two (2) bids were received with the most responsive and best complying bidder being the firm of Altec Industries Incorporated. These awards comply with all applicable laws and policies.

The award amount of \$819,300.00 will be carried over to the 2025 budget due to the delivery time for the digger derrick trucks; and

**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, award of purchase order to Altec Industries Incorporated is approved for furnishing:

2 – Trucks with digger derricks, 12 Ton 4WD 60 feet; cab and chassis with 12 Ton digger / derrick and flatbed body 4WD, 60 feet sheave at \$409,650.00 each,

Totaling \$819,300.00; f.o.b. Memphis, Tennessee, our dock, transportation prepaid; prices being firm, delivery by July 30, 2025, terms net 30.

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 7<sup>th</sup> day of December, 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. 12410 (solicited under Contract No. 12253), On Call Consulting Services to Smith Seckman Reid, Incorporated in the funded amount of \$400,000.00.

### **2. Additional Information**

The project scope is to provide engineering consulting services on an as-needed basis.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of December 07, 2022, awarded Contract No. 12410 (solicited under Contract No. 12253), On Call Consulting Services to Smith Seckman Reid, Incorporated in the funded amount of \$400,000.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, project scope is to provide engineering consulting services on an as-needed basis.

WHEREAS, Request for Qualifications was advertised using MLGW's Online Bid Notification System on May 18, 2022. MLGW solicited 48 firms; and received nine (9) Statements of Qualifications on June 10, 2022; where two (2) firms did not meet the Supplier Diversity goal and were deemed non-responsive. MLGW will enter into separate contracts with four (4) firms; with one (1) being awarded to Smith Seckman Reid, Incorporated in the funded not-to-exceed amount of \$400,000.00. Qualifications were evaluated on the following criteria: 1) Overall experience of the firm and sub-consultants; 2) Past performance of the firm and sub-consultants; 3) Ability to meet time and budget requirements; 4) Projected workloads of the firm; and 5) Supplier Diversity participation. 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. 12410 (solicited under Contract No. 12253), On Call Consulting Services to Smith Seckman Reid, Incorporated in the funded amount of \$400,000.00.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**December 7, 2022**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners, that it awards Contract No. 12410 (solicited under Contract No. 12253), On Call Consulting Services to Smith Seckman Reid, Incorporated in the funded amount of \$400,000.00.

The project scope is to provide engineering consulting services on an as-needed basis.

The Request for Qualifications was advertised using MLGW's Online Bid Notification System on May 18, 2022. MLGW solicited 48 firms; and received nine (9) Statements of Qualifications on June 10, 2022; where two (2) firms did not meet the Supplier Diversity goal and were deemed non-responsive. MLGW will enter into separate contracts with four (4) firms; with one (1) being awarded to Smith Seckman Reid, Incorporated in the funded not-to-exceed amount of \$400,000.00. Qualifications were evaluated on the following criteria: 1) Overall experience of the firm and sub-consultants; 2) Past performance of the firm and sub-consultants; 3) Ability to meet time and budget requirements; 4) Projected workloads of the firm; and 5) Supplier Diversity participation. 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.

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. 12410 (solicited under Contract No. 12253), On Call Consulting Services to Smith Seckman Reid, Incorporated in the funded amount of \$400,000.00, 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 14<sup>th</sup> day of December 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. 12253, On Call Consulting Services to Allen & Hoshall, Incorporated in the funded amount of \$500,000.00.

### **2. Additional Information**

The project scope is to provide engineering consulting services on an as-needed basis.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of December 7, 2022 awarded Contract No. 12253, On Call Consulting Services to Allen & Hoshall, Incorporated in the funded amount of \$500,000.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, project scope is to provide engineering consulting services on an as-needed basis.

WHEREAS, the Request for Qualifications was advertised using MLGW's Online Bid Notification System on May 18, 2022. MLGW solicited 48 firms; and received nine (9) Statements of Qualifications on June 10, 2022; where two (2) firms did not meet the Supplier Diversity goal and were deemed non-responsive. MLGW will enter into separate contracts with four (4) firms; with one (1) being awarded to Allen & Hoshall, Incorporated in the funded not-to-exceed amount of \$500,000.00. Qualifications were evaluated on the following criteria: 1) Overall experience of the firm and sub-consultants; 2) Past performance of the firm and sub-consultants; 3) Ability to meet time and budget requirements; 4) Projected workloads of the firm; and 5) Supplier Diversity participation. 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. 12253, On Call Consulting Services to Allen & Hoshall, Incorporated in the funded amount of \$500,000.00.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**December 7, 2022**

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The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners, that it awards Contract No. 12253, On Call Consulting Services to Allen & Hoshall, Incorporated in the funded amount of \$500,000.00.

The project scope is to provide engineering consulting services on an as-needed basis.

The Request for Qualifications was advertised using MLGW's Online Bid Notification System on May 18, 2022. MLGW solicited 48 firms; and received nine (9) Statements of Qualifications on June 10, 2022; where two (2) firms did not meet the Supplier Diversity goal and were deemed non-responsive. MLGW will enter into separate contracts with four (4) firms; with one (1) being awarded to Allen & Hoshall, Incorporated in the funded not-to-exceed amount of \$500,000.00. Qualifications were evaluated on the following criteria: 1) Overall experience of the firm and sub-consultants; 2) Past performance of the firm and sub-consultants; 3) Ability to meet time and budget requirements; 4) Projected workloads of the firm; and 5) Supplier Diversity participation. 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.

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. 12253, On Call Consulting Services to Allen & Hoshall, Incorporated in the funded amount of \$500,000.00, 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 7th day of December, 2022, at which a quorum was present.

  
\_\_\_\_\_  
SVP, CFO & CAO Secretary - Treasurer

# City of Memphis



**JIM STRICKLAND**  
MAYOR

TENNESSEE

November 29, 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:

Steve Lockwood

be appointed to the Blight Authority of Memphis with a term expiration date of December 15, 2025.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Strickland".

Jim Strickland  
Mayor

JSS/sss

Cc: Council Members

# **BLIGHT AUTHORITY OF MEMPHIS**

## **9 Member Board**

**(1) Mayor or His Designee (nonvoting member)**

**(1) City Council Person (nonvoting member)**

**3 Year Staggered Terms**

### **Purpose of Board:**

To do business as a land bank to provide a tool to support economic revitalization through returning blighted properties, vacant properties, abandoned properties and tax-delinquent properties to productive use.

		Term ends:	Terms served:
<b>Fara Captain</b>	<b>F/As</b>	<b>12-15-23</b>	
<b>Jill Steinberg</b>	<b>F/W</b>	<b>12-15-21</b>	<b>partial</b>
<b>Louisa Yanes</b>	<b>F/W</b>	<b>12-15-22</b>	<b>partial</b>
<b>Kathy M. Cowan</b> <b>Chair</b>	<b>F/B</b>	<b>12-15-23</b>	<b>2<sup>nd</sup></b>
<b>Shawn Massey</b>	<b>M/W</b>	<b>12-15-21</b>	<b>partial</b>
<b>Stuart Lott</b>	<b>M/B</b>	<b>12-15-24</b>	
<b>Evan G. Collins</b>	<b>M/B</b>	<b>12-15-22</b>	<b>partial</b>
<b>Vacancy</b>	<b>F/W</b>	<b>12-15-22</b>	
<b>Justin Gillis</b>	<b>M/W</b>	<b>12-15-23</b>	<b>partial</b>

**Mayor's Designee: Joy Touliatos**

**2022 Council Liaison: Cheyenne Johnson**

Updated 061422

# City of Memphis



**JIM STRICKLAND**  
MAYOR

TENNESSEE

November 29, 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:

**Roderick D. Holmes**

be appointed to the Economic Development Growth Engine of Memphis and Shelby County  
with a term expiration date of August 1, 2025.

I have attached biographical information.

Sincerely,

Jim Strickland  
Mayor

JSS/sss

Cc: Council Members



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

**11 Member Board**

**5 City/5 County/1 Joint**

**6 Year Staggered Terms**

Purpose:

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

		Term ends:	Terms served:
<b>Halperin, Mark J.</b>	<b>M/W</b>	<b>08-01-23</b>	<b>2<sup>nd</sup> Term</b>
<b>Florence Jones</b>	<b>F/B</b>	<b>12-31-22</b>	<b>Partial</b>
<b>Vacancy</b>	<b>M/B</b>	<b>08-01-25</b>	
<b>Gerre Currie</b>	<b>F/B</b>	<b>08-01-25</b>	<b>Partial</b>

**2022 Council Liaison: Edmond Ford, Sr.**

<b>Bright, Al Jr. - Joint</b>	<b>M/B</b>	<b>08-01-25</b>	<b>3<sup>rd</sup> Term</b>
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Updated: 080522

**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 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 TO REALLOCATE AND APPROPRIATE \$1.5 MILLION FROM ARPA FUNDS TO MEMPHIS FIRE DIVISION TO PROVIDE ADDITIONAL SUPPORT FOR THE C.A.R.E. PROGRAM**

**WHEREAS**, on March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by the President. Section 9901 of ARPA amended Title VI of the Social Security Act to add section 602, which established the Coronavirus State Fiscal Recovery Fund, and section 603, which established the Coronavirus Local Fiscal Recovery Funds (together, the Fiscal Recovery Funds). The Coronavirus Local Fiscal Recovery Funds was established to provide support to local governments (“recipients”) to respond to the impacts of COVID-19 on communities, residents, and businesses; and

**WHEREAS**, section 602(c)(1) and 603(c)(2) provides that funds may be used to:

A. To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

B. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;

C. For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency;

D. To make necessary investment in water, sewer, or broadband infrastructure; and

**WHEREAS**, the Memphis City Council recognizes that the issue surrounding the amount of resources to address mental health, and First Responders’ ability to provide support to those they encounter who are affected by mental illness, is a public health issue that directly or indirectly impacts everyone in the City of Memphis; and

**WHEREAS**, in 2021, the Memphis Police Department (MPD) responded to 21,340 mental health crisis calls; of those calls, 18,003 of the calls were non-violent mental health consumers in crisis, and 3,337 calls were violent mental health consumers in crisis; and

**WHEREAS**, during MPD’s efforts to increase the amount of police officers to serve the City of Memphis, it is vital that resources are available to support an alternative program that is equipped respond to those calls that are deemed non-violent mental health consumers in crisis; and

**WHEREAS**, the Council seeks to provide the support necessary to support the Memphis Fire Division’s C.A.R.E. (Crisis Assessment and Response to Emergencies) Program, which is a three-person mental health response team, made up of a MFD firefighter and/or paramedic, a master’s level crisis assessor from Alliance Healthcare Services, and a CIT police officer; together, this team is equipped with the necessary knowledge and tools to act as a resource for those individuals diagnosed with or displaying symptoms of mental illness who require assistance in that regard; and

**WHEREAS**, it is the intent of the Council to address the issues relative to mental health crisis calls and public safety by ensuring that there are adequate resources available to the C.A.R.E. program to support the people of Memphis, and that police officers are able to maximize their effort to keep the City of Memphis safe; and

**WHEREAS**, the Memphis City Council requests the Memphis Fire Division to use this funding to expand the program and increase its impact regarding crises that arise due to mental health, substance abuse, or homelessness that do not require law enforcement response.

**NOW, THEREFORE, BE IT RESOLVED** that the FY22 ARPA allocations be amended to reallocate \$1,500,000 of ARPA funds from the Public Transportation Initiative category; and to amend the FY23 CIP Budget to allocate and appropriate \$1.5 million to the Memphis Fire Division's budget for the C.A.R.E. program, effective with the approval of this resolution.

Sponsor:

Chase Carlisle

Michalyn Easter-Thomas



**RESOLUTION TO ACCEPT THE DONATION OF THE LIBERTY PARK  
GOLD STAR FAMILIES MEMORIAL MONUMENT FROM THE WOODY  
WILLIAMS FOUNDATION AND THE LIBERTY PARK GOLD STAR  
FAMILIES MEMORIAL MONUMENT COMMITTEE**

**WHEREAS**, the Woody Williams Foundation (“Foundation”) is a charitable 501(c)3 nonprofit organization that pursues the vision of Medal of Honor recipient Hershel “Woody” Williams to establish Gold Star Families Memorial Monuments in communities throughout the country as part of the Foundation’s mission to honor, recognize, and serve Gold Star Families and the legacy of their loved ones who have paid the ultimate sacrifice in the United States military to ensure the continued freedom and safety of all Americans; and

**WHEREAS**, the Liberty Park Gold Star Families Memorial Monument provides a place for Gold Star Families to gather in honor and remembrance of their loved ones, demonstrates to these Families that the Memphis and West Tennessee community cares for them and appreciates their sacrifice and that of their loved ones, and will educate members of the community and all visitors to the Monument about Gold Star Families and the sacrifices made by their loved ones in service to our nation; and

**WHEREAS**, the Liberty Park Gold Star Families Memorial Monument has been created and installed by the Foundation through the efforts and fundraising of the Liberty Park Gold Star Families Memorial Monument Committee on City-owned property next to the Simmons Bank Liberty Stadium in Liberty Park, and

**WHEREAS**, the Foundation and the Committee wish to donate the Liberty Park Gold Star Families Memorial Monument to the City of Memphis for the benefit of all Memphians; and

**WHEREAS**, it is the intent of the Memphis City Council to accept the Memorial Monument donation from the Woody Williams Foundation and the Liberty Park Gold Star Families Memorial Monument Committee.

**NOW, THEREFORE, BE IT RESOLVED** by the Memphis City Council that the donation of the Liberty Park Gold Star Families Memorial Monument is hereby accepted by the City of Memphis.

Sponsor:

Chase Carlisle

JOINT RESOLUTION TO APPROVE ADOPTION OF THE FIVE-YEAR PLAN FROM THE  
MEMPHIS/SHELBY CRIME COMMISSION AS A FRAMEWORK TO ENACT LEGISLATION TO  
SUPPORT PUBLIC SAFETY INITIATIVES

WHEREAS, The Memphis City Council and the Shelby County Board of Commissioners have placed Public Safety as a key priority in its initiatives for the 2022-2023 Term; and

WHEREAS, The Memphis and Shelby County Crime Commission is an independent, non-profit 501(c)(3) organization that acts as a catalyst to bring agencies together to focus on innovative crime prevention methods and seeks to improve public safety in the Memphis and Shelby County community by identifying and promoting evidence-based best practices. It is the responsibility of all levels of government agencies, schools, businesses, neighborhood associations, hospitals, public safety agencies and local violence prevention organizations to ensure the appropriate measures are being taken to make the community a safer place for all citizens; and

WHEREAS, Specific action items for the county commission should include: scaling up and allowing police to drop youth off at Youth and Family Resource Centers instead of Juvenile Court, scaling up the Office of Re-Entry efforts, supporting Juvenile Court with resources for more intensive supervision and rehabilitation of youth and especially violent youth including residential facility, schools, and job training, supporting temporary expansion of criminal courts to eliminate backlog, evaluating and strengthening the bail system, supporting Youth Villages/Memphis Allies program, supporting after-school programs, and evaluating the prison/jail system for re-entry preparation; and

WHEREAS, Where overall crime has gone down 1.4% in 2021 compared to 2020, major violent crime has increased by 1.2%, gun related violent incidents have risen 8.3%, serious juvenile charges have risen by 20.7%, murder has risen by 7.2%, and aggravated assaults have risen by 2.4% all while Memphis Police Department officers and Shelby County Sheriff's Deputies numbers have decreased in this time period; and

WHEREAS, The Shelby County Commission supports these steps to ensure public safety and endeavors to collaborate to reduce crime and recidivism while also improving positive outcomes and reentry.

NOW, THEREFORE, BE IT RESOLVED by the Memphis City Council that the Five-Year Plan from the Memphis/Shelby Crime Commission, adopted by the Shelby County Commissioners, is hereby adopted; a copy of which is attached hereto as Exhibit A and incorporated herein by reference.

BE IT FURTHER RESOLVED, that this Resolution shall take effect shall take effect from and after the date it shall have been passed by 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

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# SAFE COMMUNITY ACTION PLAN

2022 - 2026







600 Jefferson, Suite 400 | Memphis  
901.527.2600 – Fax 901-577-0286 | [www.memphiscrime.org](http://www.memphiscrime.org)

February, 2022

A message to the community:

The 2022-2026 Safe Community Action Plan is the result of broad community input as well as input from numerous key stakeholders. While the Crime Commission Board of Directors set certain parameters for the plan and approved it, we do not view it as a Crime Commission plan but rather a true community-based plan of action. It is not intended as a strategic plan encompassing every good idea that various entities are pursuing but rather an action plan composed of steps that can be taken rather immediately to prevent and reduce crime, especially violent crime.

Recently, the Council on Criminal Justice identified ten essential steps that a community's action plan to reduce violence should include. We feel that this plan addresses all ten steps.

- ◇ The plan commits to specific, concrete outcomes.
- ◇ The plan has a focus on key people and places driving the violence.
- ◇ It engages key players as stakeholders in the plan's implementation.
- ◇ It offers those responsible for violence opportunities to change their behavior.
- ◇ The plan emphasizes place-based policing and investments.
- ◇ It places responsibility for violence reduction at the top.
- ◇ With focus on victims of domestic violence, it recognizes the need for trauma-informed approaches.
- ◇ The plan recognizes the importance of workforce development for ex-offenders.
- ◇ It supports funding for new stakeholders and approaches.
- ◇ It recognizes the importance of assessing performance based on data and information sharing.

With these essential steps in mind, coupled with the parameters set by the Crime Commission Board of Directors, we believe that, taken together, the Action Steps spelled out in this plan can, if implemented promptly and properly, have a significant impact on our community's crime rate.

A handwritten signature in blue ink, appearing to read "Bill Gibbons".

Bill Gibbons, President

A handwritten signature in blue ink, appearing to read "Ben Adams".

Ben Adams, Board Chairman



# Safe Community Action Plan 2022 – 2026

## Board of Directors 2022

**Mr. Ben C. Adams, Jr.**

(Baker, Donelson, Bearman,  
Caldwell & Berkowitz, PC)  
Board Chairman

**Mr. Louis “Bo” Allen**

(First Horizon Bank) - Treasurer

**Mr. James (Jim) Baker**

(Owen Brennen’s Restaurant)

**Ms. Melanie Blakeney**

(Marx Bendorf - Realtors)

**Mr. Jerry Blum**

(AutoZone)

**Sheriff Floyd Bonner**

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**Ms. Vinessa Brown**

(Lifeline to Success) Secretary

**Ms. April Buckner**

(State of Tennessee)

**Lt. Essica Cage**

(Memphis Police Association)

**Judge John Campbell**

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**Chief C. J. Davis**

(Memphis Police Department)

**Mr. John DeBerry**

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**Special Agent in Charge**

**Douglas M. Korneski**

(FBI Memphis Field Office)

**Mr. Pierce Ledbetter**

(LEDIC Mgt. Group, LLC)

**Councilwoman Rhonda Logan**

(City of Memphis)

**Mayor Keith McDonald**

(City of Bartlett)

**Judge Dan Michael**

(Shelby County)

**Commissioner Amber Mills**

(Shelby County)

**Mr. Johnnie Moore, Jr.**

(Truist Bank)

**Mr. Stevie Moore**

(Turning Point/Stop the Killing)

**Mr. Paul Morris**

(Jack Morris Auto Glass)

**Mr. Albert Mosley**

(Methodist LeBonheur  
Healthcare)

**U. S. Attorney Joe Murphy**

(United States Government)

**Pastor Keith Norman**

(Baptist Memorial Hospital/  
First Baptist Church-Broad)

**Mayor Mike Palazzolo**

(City of Germantown)

**T.B.I. Director David Rausch**

(State of Tennessee)

**Mr. Joseph Saab**

(International Paper)

**Mr. David M. Slott**

(American Residential  
Services)

**Mayor Jim Strickland**

(City of Memphis)

**Ms. Blair Taylor**

(Memphis Tomorrow)

**Mr. Coleman Thompson**

(Pyramid Recovery Center)

**Ms. Dorcas Young – Griffin**

(Shelby County)

**Mr. Daniel Weddle**

(ProTech Services Group, Inc.)

**District Attorney Amy Weirich**

(State of Tennessee)

**Mr. Craig Weiss**

(Central Defense  
Security/Tower  
Tower Venture)

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## About the Crime Commission

The Memphis Shelby Crime Commission is a 501(c)(3) non-profit corporation governed by a diverse 50-member board of directors made up of key stakeholders from both the public and private sectors. Its mission is to improve public safety in the Memphis and Shelby County community by identifying and promoting evidence-based and evidence-informed best practices. It is the leading community-based entity focused on public safety. It has created unprecedented partnerships with businesses, schools, neighborhood organizations, faith-based entities, public safety agencies, and local violence prevention organizations.

The Crime Commission was created in 1996 at a time when the Memphis community was experiencing a disturbing increase in violent crime in particular. Looking at approaches taken in a number of other cities, key public and private stakeholders came together to create the Crime Commission as an independent entity to identify and promote best practices to improve public safety. These key stakeholders included Memphis Mayor Willie W. Herenton, Shelby County Mayor Jim Rout, Guardsmark president Ira Lipman, Plough Foundation chair Diane Rudner, and new District Attorney Bill Gibbons.

Numerous best practices were identified during the initial years of the Crime Commission. Based on population, density, and crime rates, one best practice report in 1998 concluded that the Memphis Police Department (MPD) needed approximately 2,500 police officers. Mayor Herenton adopted that as a goal – a goal that was almost achieved in 2011. Other best practices adopted during the initial years of the Crime Commission included creation of a drug treatment court and a domestic violence court, creation of the D.A.'s Drug Dealer Eviction Program, and adoption of a no-plea bargaining policy by the D.A.'s Office on serious violent crimes.

## The Safe Community Plan Approach

In 2006, the community witnessed another disturbing increase in violent crime. Once again, key community stakeholders came together and agreed on the need for a community-wide plan composed of evidence-based and evidence-informed best practices. Key stakeholders included U.S. Attorney David Kustoff, Shelby County Mayor AC Wharton, Sheriff Mark Luttrell, District Attorney Bill Gibbons, business members of Memphis Tomorrow, and faculty members at the University of Memphis. The Crime Commission was quickly identified as the neutral entity that could bring every level of government and the private sector together behind a common community plan to prevent and reduce crime. Rather than identified best practices being in silos as in the past, best practices would be placed under the umbrella of a common community plan.



After a crime summit in late 2006 involving some 400 community leaders, the first five-year Safe Community Plan (2007-2011) was developed and adopted by the Crime Commission Board of Directors. Best practices in that plan included:

- The continued need for approximately 2,500 Memphis police officers but also a commitment to data-driven deployment of MPD resources to ensure those resources were in the right places at the right times to have the maximum positive impact;
- Effective use of the state's nuisance law to tackle specific locations where criminal activities were occurring, including drug houses in neighborhoods, apartment communities with high levels of crime, and clubs with high levels of prostitution and/or drug trafficking; and
- Vigorous prosecution under tough federal laws of gun crimes, in particular, convicted felons in possession of guns.

*During the five-year period of the first plan, reported major violent crime (murder, rape, robbery, and aggravated assault) dropped almost 25 percent.*

The Crime Commission took the lead in developing a second five-year Safe Community Plan (2012-2016). The plan contained a number of beneficial best practice action steps, including:

- Continued data-driven deployment of police officers and vigorous prosecution of gun crimes under federal law;
- Creation of a Multi-Agency Gang Unit in order to bring together a more coordinated approach to both preventing and investigating gang-related crime; and
- Creation of the Family Safety Center to serve as an umbrella organization for connecting domestic violence victims to services.

However, a critical setback was the net loss of some 20 percent of Memphis' police force – dropping from almost 2500 officers to less than 2000 officers by 2016. There were fewer officers to deploy in a data-driven manner to impact the crime rate. Also, the federal government no longer made prosecution of gun crime the priority it had been previously.

In addition, while the second plan included a number of key best practice action steps, including those set forth above, the plan was too broad and unwieldy with 64 specific action steps – far too many to effectively advocate, monitor, and measure their impact if implemented. Simply put, the plan lacked focus.

In 2016, the Crime Commission once again took the lead in developing a new five-year Safe Community Plan (2017-2021) but with focus on a more limited number of action steps targeting primarily violent crime.

Launched in 2017, the third Safe Community Plan consisted of five key goals and sixteen objectives or action steps. District Attorney Amy Weirich chaired the overall implementation effort.

Best practice action steps under this most recent plan included:

- A community prosecution model under which assistant D.A.s are assigned to work from specific police precincts in order to improve communications with law enforcement and be more responsive to the needs and concerns of citizens;
- A renewed commitment to increased law enforcement resources and data-driven deployment of those resources;
- Enhanced law enforcement training;
- A violence intervention initiative that includes a focused deterrence model to curb violent crime by focusing on serious repeat offenders;
- Expansion of the Multi-Agency Gang Unit;
- Strong federal prosecution of gun crime, enactment of stronger state gun crime laws, and a communications campaign to convey the consequences of engaging in gun crime;
- Expansion of the SafeWays crime prevention program in apartment communities;
- Strengthening intervention programs for ex-offenders; and
- Evaluating the existence and availability of services to domestic violence victims.

Progress was made on implementing a number of action steps/objectives under the 2017-2021 plan. MPD has made a renewed commitment to data-driven policing. While progress has been slow in expanding the number of MPD officers, the significant net loss of officers has ceased, helped to a large degree by \$6.1 million in private sector funding through the Crime Commission to, in part, provide retention bonuses to MPD officers. The Multi-Agency Gang Unit has grown from 34 officers in 2016 to 57 officers. Community prosecutors are assigned to three MPD precincts. A comprehensive assessment of domestic violence services has been conducted. A focused deterrence model has been launched under the leadership of District Attorney Amy Weirich and the Tennessee Department of Correction, with some 200 serious repeat offenders now involved. Tougher state sentencing laws have been enacted for the commission of certain types of gun crimes. The FED UP campaign was created to convey the consequences of gun crime.

There were some setbacks during the third Safe Community Plan as well. While curbing the net loss of officers, neither MPD nor the Shelby County Sheriff's Office has been able to significantly increase it's compliment. A key action step under the plan was establishment of a youth assessment center for non-violent juvenile offenders. It has proven difficult to get on track. While it enacted tougher sentencing laws for certain types of gun crimes, the Tennessee General Assembly took a step backwards by enacting legislation allowing the open or concealed carrying of a handgun without a permit (which means with no required training or background check). Overall, the COVID-19 pandemic set back by about a year implementation of a number of action steps under the plan.

Reported major violent crime declined in both 2018 and 2019. However, with the advent of the COVID-19 pandemic and social unrest, violent crime – especially gun crime – increased significantly in 2020 and continued to increase in the first half of 2021, although thankfully it began to decline in the

second half of the year. The increase was not limited to Memphis but rather impacted major cities across the country. The increase appears to have been driven primarily by violent crimes in which the perpetrators and victims knew each other, mainly murders and aggravated assaults. In the Memphis community, reported robberies - in which the perpetrators and victims do not normally know one another - continued to decline.

Major property crime (burglary, motor vehicle theft, and other felony theft) and the overall crime rate (54 different categories) continued to drop during the 2017-2021 time period of the third Safe Community Plan.

Since 2006, a key part of fulfilling the Crime Commission's mission has been to spearhead development of the five-year Safe Community Plans to significantly improve public safety in the Memphis area, galvanize diverse leaders and stakeholders in the implementation and support of the plans, monitor progress toward implementation, and measure the impact. The Safe Community Plans are not designed to be government plans. Neither are they simply Crime Commission plans. They are community-based and community-driven plans, each developed with input from hundreds of involved citizens. The new Safe Community Plan (2022-2026) continues that community-based approach.

## Research Partnership with The University of Memphis

Under the most recent Safe Community Plan (2017-2021), the Crime Commission entered a research partnership with the University of Memphis Public Safety Institute (PSI) in order to monitor progress and assess the impact of various parts of the plan as they were implemented. The PSI is housed in the University's School of Urban Affairs and Public Policy and draws on researchers from multiple disciplines and departments within the University, including the Department of Criminology and Criminal Justice. One of the hallmarks of this collaborative effort is to bring academic rigor to assessment of the crime prevention and reduction action steps of the Safe Community Plan.

The PSI has played a key role in independently evaluating and assessing the level of success of Safe Community Plan steps as implemented. The PSI has issued assessments on data-driven policing by MPD (a total of two assessments) gang safety zone injunctions, the plan's Neighborhood Safety Initiative (two separate assessments), the SafeWays program; the FED UP communications campaign, the effectiveness of domestic violence services, the Tennessee Department of Correction's administrative sanctions



system as implemented in Shelby County, and community prosecution. The assessments can be found at <https://memphis.edu/psi>.

## Development of the Current Safe Community Action Plan

As with past plans, the current Safe Community Action Plan is not intended to simply be a Crime Commission plan or to replace various strategic plans developed by public entities. Rather, it is a community action plan developed with input from key stakeholders but also the public at large.

To help ensure proper focus, the 50-member Crime Commission Board of Directors adopted the following five broad parameters as guiding principles for each action step under the plan:

- It is requested and/or supported by the relevant key stakeholder(s);
- It is designed to have a direct or indirect impact on the violent crime rate in particular;
- It is evidence-based or evidence-informed;
- It is designed to have a direct or indirect impact on the criminal justice system; and
- The key stakeholder(s) of each action step is/are agreeable to an independent evaluation or assessment of both processes and outcomes.

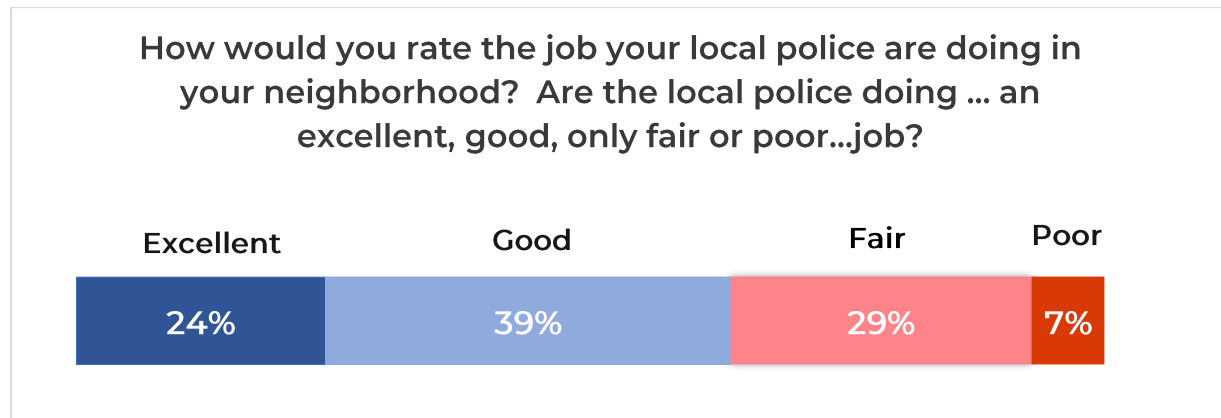
The Crime Commission consulted numerous key stakeholders in development of the plan and sought to gain insight into both concerns and approaches from the community at large through (1) a professional public opinion survey and (2) numerous meetings throughout the community.

The public opinion survey was conducted in September of 2021 by Public Opinion Strategies, with the Carter Malone Group serving as a consultant. The survey was of 425 registered voters in Shelby County, with 65 percent being from the city of Memphis. Countywide, the demographic breakdown of survey participants was 46 percent African American and 48 percent white; 60 percent female and 40 percent male; 43 percent 18-44 in age, 33 percent 45-64, and 24 percent 65 or older. Among Memphis survey participants, the demographic breakdown was 58 percent African America and 37 percent white, with the gender and age breakdown very similar to the countywide breakdown.

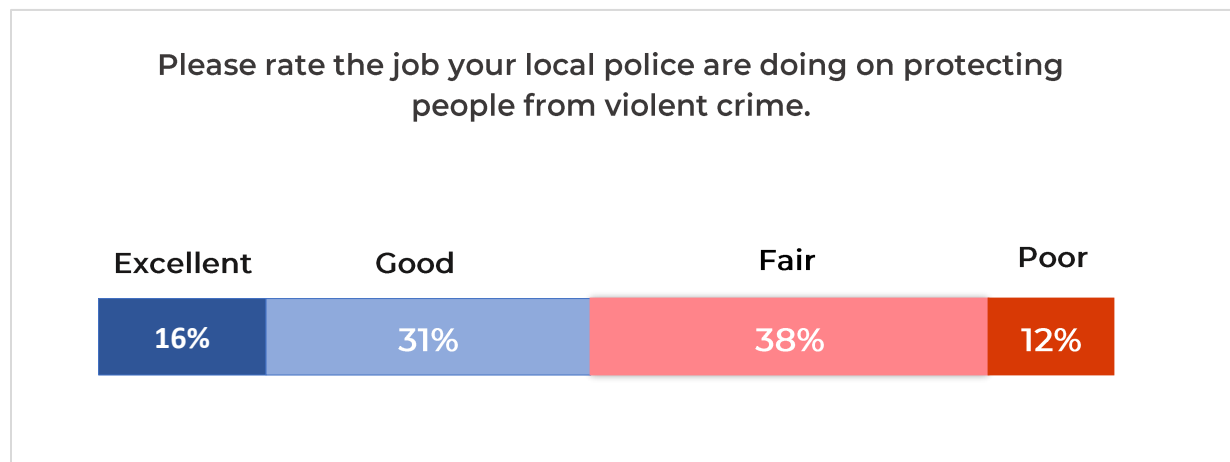
While the COVID-19 pandemic still topped voters' priorities (30 percent of the total), crime and public safety topped the list of second tier issues (22 percent of the total). When asked the most important crime concern on which to focus, gun violence was by far the number one concern (48 percent of the total). Human trafficking (11 percent of the total) and juvenile crime (10 percent of the total) were also significant concerns.

When asked to rate the job local police were doing in their neighborhood, the overall response by survey participants was very positive, with 63 percent feeling they were doing an excellent/good job and 36 percent indicating a fair/poor job. Breakdowns by age, geography, and race show some differences. Those 65 and older gave local police the highest rating, with 80 percent indicating

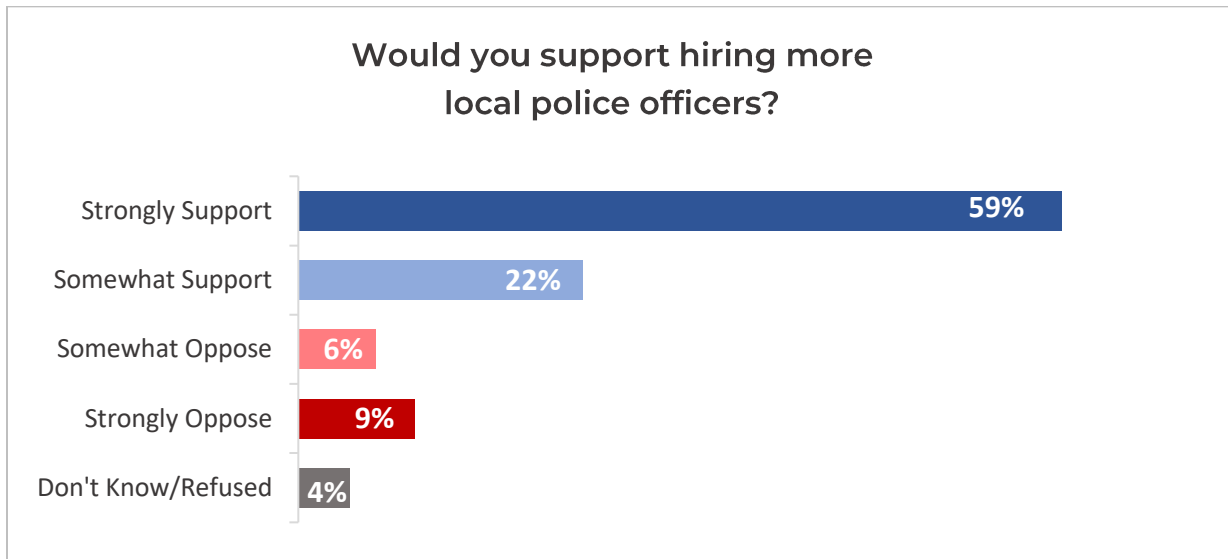
excellent/good. Those 18-44 years old gave police the lowest rating, with 50 percent rating them excellent/good. Memphians gave local police a mixed rating, with 51 percent rating them excellent/good and 47 percent indicating fair/poor. Respondents outside of Memphis gave local police an overwhelming 83 percent excellent/good rating. Finally, there were differences based on race, with African American respondents giving a mixed rating of 51 percent excellent/good and 47 percent fair/poor, while 74 percent of white respondents gave an excellent/good rating and 25 percent a fair/poor rating.



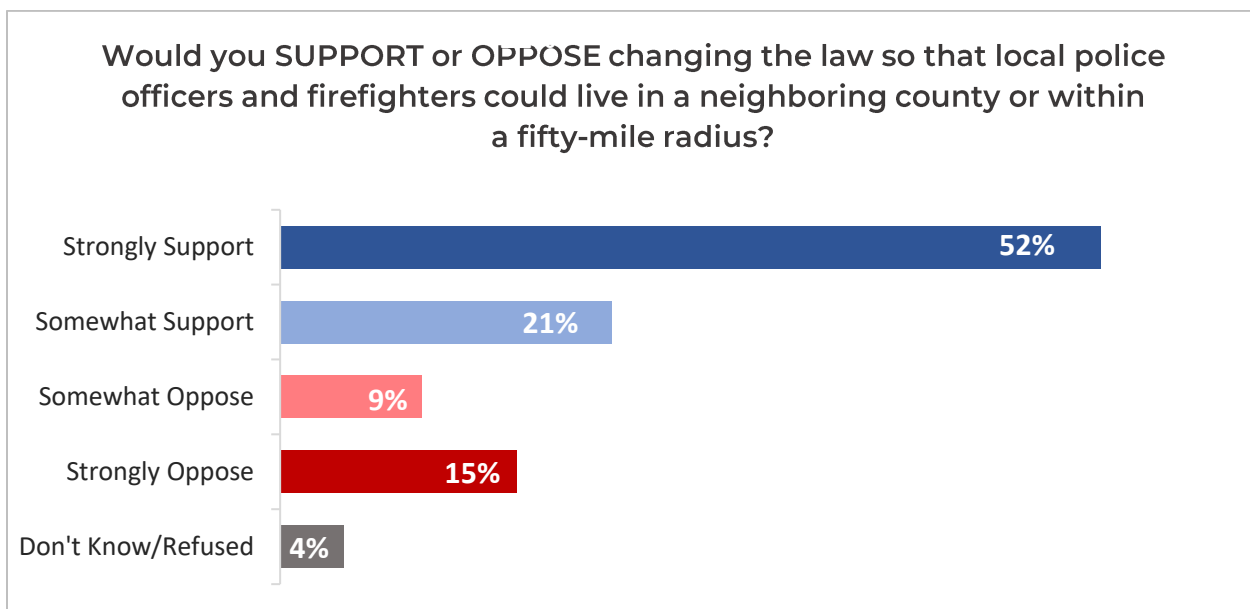
The biggest area for local police improvement appears to be in protecting people from violent crime. Overall, 50 percent of respondents indicated the police were doing a fair/poor job of protecting people from violent crime, with 47 percent saying they were doing an excellent/good job. Significant differences appear between (1) Memphians and non-Memphians and (2) race of the respondent. Only 34 percent of Memphis respondents said local law enforcement was doing an excellent/good job of protecting people from violent crime compared to 73 percent of non-Memphians. And only 37 percent of African American respondents felt the police were doing an excellent/good job of protecting people from violent crime, while 58 percent of white respondents felt they were.



Part of the answer to the concern about protection from violent crime appears to be support for hiring more police officers. Support for hiring more police officers was both wide (81 percent total support) and deep (59 percent “strongly support”). Every demographic subgroup supported hiring more police officers, including wide majorities of men (81 percent), women (82 percent), white voters (84 percent), African-American voters (80 percent), Memphians (79 percent), and non-Memphians (85 percent).



In addition, nearly three quarters (73 percent) of voters countywide supported loosening the residency requirements for police officers and firefighters. Again, support cut across every major subgroup, including Memphis voters (69 percent), men (71 percent), women (74 percent), African-Americans (64 percent), and whites (81 percent).



Overall, survey respondents held nuanced views on the public safety climate and the criminal justice system.

An overwhelming 77 percent indicated they felt safe in their own neighborhood. There were some slight differences based on race, with 87 percent of white respondents indicating they felt safe and only 67 percent of African-Americans indicating so.

Nearly three quarters (74 percent) of respondents rated community involvement in programs like neighborhood watch as an “effective” tool in fighting crime, with no distinction in responses based on race. However, voters surveyed outside of Memphis felt more strongly that such programs were effective (83 percent) compared to Memphians (69 percent).

A majority of respondents (54 percent) felt that victims of crime got little support or not much support at all from the criminal justice system, indicating significant room for improvement. Pessimism about support for victims cut across all demographic subgroups.

The community – across all major subgroups – held mixed opinions on the criminal justice system’s treatment of juvenile and adult offenders. A slim plurality believed the system was “about right” in treatment of both juveniles and adults. However, more respondents saw the system as too “lenient” rather than too “harsh” for juveniles (34 percent v. 20 percent) and for adults (32 percent v. 20 percent). While being nearly aligned on the treatment of juveniles, white voters and African-American voters differed some on the treatment of adults, with fewer African-American respondents feeling they were being treated too leniently and more feeling they were being treated “about right.”

There was a strong across-the-board support (93 percent) for providing more resources to offenders when they return to the community. And there was also across-the-board support (93 percent) for focusing more resources on holding serious violent offenders accountable.

A more detailed summary of the public opinion survey is available at <https://memphiscrime.org>.

In addition to the public opinion survey, the Crime Commission reached out to approximately 800 members of the community through a total of eleven meetings. Some of the meetings focused on specific issues (such as two community meetings on gun violence attended by a total of approximately 375 participants and a domestic violence forum attended by approximately 125 participants) while others focused on a wide range of issues.

Seven of the eleven meetings were in-person, with the others being virtual. At the in-person meetings, participants were given the opportunity to complete a survey, with the questions being similar to the questions in the public opinion survey.

Responses by participants at the in-person meetings are admittedly slanted since their participation was largely based on their concern about public safety, with the two best attended in-person meetings dealing specifically with gun violence. However, there were some common themes about law enforcement, community involvement in preventing crime, and the criminal justice system.

Unlike the professional public opinion survey, in which the COVID-19 pandemic was the major concern, the major concern of the 270 participants completing surveys at the in-person meetings was crime and public safety, with 51 percent of respondents citing it as their number one concern following by jobs and the economy at 19 percent. When asked their top public safety and crime concern, 68 percent cited gun violence, followed by 7 percent citing juvenile crime and 6 percent noting domestic violence.

When asked to rate the job local police were doing in their neighborhood, 52 percent felt they were doing an excellent/good job, and 39 percent felt they were doing a fair/poor job. As with the professional survey, in-person meeting participants completing the survey felt the biggest area of improvement for local law enforcement was protecting people from violent crime, which is consistent with the high level of concern about gun violence. A majority – 52 percent – felt the police were doing a fair/poor job, and 39 percent felt they were doing an excellent/good job protecting people from violent crime.

Even more than in the professional public opinion survey, participants in the in-person community meetings overwhelmingly supported hiring more police officers, with 92 percent supporting and 76 percent saying they “strongly support” hiring more officers. Among the in-person meeting respondents, 83 percent supported loosening the residency requirement for police officers and firefighters, with 63 percent saying they “strongly support” loosening the residency requirement.

Consistent with those findings, 84 percent of the in-person meeting respondents indicated a desire for more police presence in their own neighborhood. Also consistent was the overwhelming support for community involvement through such efforts as neighborhood watch, with 73 percent indicating they were effective at preventing crime.

A majority (52 percent) of in-person meeting respondents felt that victims of crime got little support or not much support at all from the criminal justice system, while 37 percent felt they received some support or a lot of support.

A much higher percentage of the in-person meeting participants felt the criminal justice system was “too lenient” in its treatment of both juvenile and adult offenders. For juvenile offenders, 41 percent felt they were treated “too leniently” while only 16 percent felt they were treated “too harshly.” For adult offenders, 51 percent of respondents felt they were treated “too leniently” while 14 percent felt they were treated “too harshly.” An overwhelming 81 percent felt more resources and efforts should be focused on holding serious offenders accountable.

At the same time, there was overwhelming support for helping offenders who have been incarcerated move in the right direction once they return to the community, with 81 percent supporting more resources to assist them, such as jobs, job training, and treatment for drug addictions and behavioral health issues they may have.

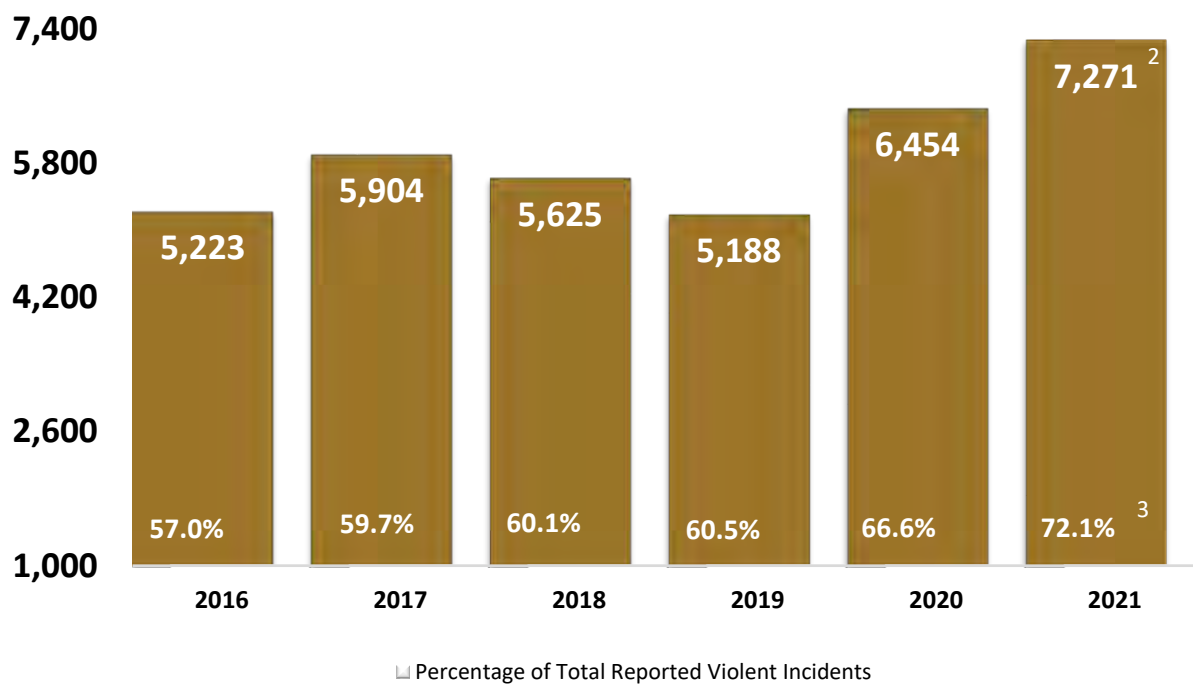
Looking at the results of the public opinion survey and responses from participants in the in-person community meetings, there were common areas of agreement – support for more police officers,



belief in community involvement in preventing crime, support for re-entry programs for ex-offenders, and overriding concern about the level of gun violence in the community.

The concern about gun violence is well-placed, with the crime data showing a growing challenge.

## NUMBER OF REPORTED VIOLENT INCIDENTS INVOLVING GUNS IN MEMPHIS AND PERCENTAGE OF TOTAL REPORTED VIOLENT INCIDENTS<sup>1</sup>



<sup>2</sup>

▲ 39.2%  
In 2021  
Compared to 2016

▲ 11.1%  
In 2021  
Compared to 2020

<sup>3</sup>

▲ 26.5%  
In 2021  
Compared to 2016

▲ 8.3%  
In 2021  
Compared to 2020

<sup>1</sup> “Violent incidents” are (1) murder, (2) manslaughter, (3) justifiable homicide, (4) forcible rape, (5) aggravated assault, (6) aggravated domestic violence assault, (7) aggravated child abuse, (8) robbery of individual, (9) robbery of businesses, and (10) carjacking. (There can be more than one offense in an incident. For example, three victims in an incident would count as three offenses.) Sources: Memphis Police Department and Dr. Angela Madden, UofM Public Safety Institute.

At the two community meetings focused on gun violence, comments by both key stakeholders and community participants reflected genuine concern about a gun violence epidemic.

Some comments by key stakeholders included the following:

- “No one thing is going to fix the gun crime problem.” (Sheriff Floyd Bonner)
- “Sometimes we need to get out of our comfort zone and do things that are uncomfortable. We need to take over our neighborhoods.” (Vinessa Brown of Lifeline to Success)
- “Think about gun violence as a health crisis.” (Dr. Andy Kerwin, Chief of Trauma Surgery at Regional One)
- “We are in it to win it!” (MPD Chief C.J. Davis)
- “We’ve got to do a better job of identifying mental health resources.” (Sheriff Floyd Bonner)
- “Change does not occur without struggle and sacrifice.” (Dr. Bruce Randolph, Chief Health Officer at the Shelby County Health Department)
- “For every gun crime there is a victim we must remember.” (District Attorney Amy Weirich)
- “Do not expect others to do things you can do. Tell somebody what’s going on.” (Vinessa Brown of Lifeline to Success)
- “Adverse community environments can create a climate of crime.” (Dr. Michelle Taylor, Shelby County Health Department Director)
- “Most gun crimes are committed by young men without purpose.” (Acting U.S. Attorney Joe Murphy)
- “We need to find out what makes people commit violent crimes.” (Sheriff Floyd Bonner)
- “We need a state law temporarily prohibiting family members in crisis from possessing guns.” (Mary Powers of Moms Demand Action)

Some of the comments from community participants included the following:

- “We need to invest in the community and give young people something to do.”
- “We need to focus on the adults who influence the children.”
- “Until we get serious, we’re going to keep having people sleeping in their tubs and afraid to sit on their porches.”
- “We need a St. Jude approach to mental health in this community.”
- “Open, permit-less carry is putting more guns in the wrong hands.”
- “Leaders need to get out into the neighborhoods and show people they care. Why aren’t more of them here tonight?”

# Overall Safe Community Action Plan Outcomes

The current plan (2022-2026) has four overall primary outcomes:

- A 30 percent reduction in reported major violent crime.
- A 30 percent reduction in reported violent incidents involving guns
- A 20 percent reduction in reported major property crime.
- A 20 percent reduction in reported overall crime

## Safe Community Plan Action Steps

The specific Action Steps in the Safe Community Action Plan reflect the overwhelming challenge of, and concern about, gun violence but also address a number of other challenges, concerns, and areas of focus, many of which also touch on the issue of violent gun crime.

### GUN VIOLENCE

The plan has two overall primary outcomes related to gun violence:

- A 50 percent reduction in murders
- A 50 percent reduction in aggravated assaults

#### Action Step 1

Maintain and scale up the current focused deterrence initiative which uses a “carrot and stick” approach and apply it to serious juvenile offenders as well as adults.

- ❖ **OUTCOME:** At least 50 percent of participants remain “on track” over a two-year period
- ❖ **KEY STAKEHOLDERS:** D.A.’s Office; TN Department of Correction; Juvenile Court; Memphis Allies

Focused deterrence, also known as the pulling levers approach (Kennedy, 1997), was a revolutionary crime prevention and intervention approach when first proposed. (Kennedy, 2009; Schoofs 2006). Focused deterrence works by focusing law enforcement and social service resources on known high-

risk offenders. Assuming that some offenders weigh subjective expectations of the costs and benefits of future criminal behavior (Paternoster, 2010), the process involves: 1) identifying recurrent serious offenders, 2) having call-ins with the offenders at which stakeholders communicate with them that violent behavior will no longer be tolerated, and that there will be swift, certain and severe consequences for reoffending (stick approach), and 3) if individuals should choose to stay away from violence, providing them with resources (carrot approach). Beginning with Boston's Operation Ceasefire (formerly Boston Gun Project), the effort involved problem-oriented policing along with law enforcement and community stakeholder collaboration to reduce gang violence. Overall, Operation Ceasefire resulted in a 60 percent reduction in youth homicides and led to several, similar programs being launched both within the U.S. as well as globally (Braga et al., 2001; Kennedy, 1997).

A systematic review of past research found that focused deterrence is a "very promising" crime prevention approach, with ten evaluations of initiatives showing a statistically significant effect of focused deterrence on crime outcomes, with initiatives aimed at deterring gang or group behavior having a larger effect than on drug-related crimes (Braga and Weisburd, 2012b, 2012a). Other studies have looked more specifically at focused deterrence impacts on homicide and gun violence (Braga and Weisburd, 2012a) and more recently have considered recidivism rates among probationers (Hawken and Kleiman, 2009). An evaluation of the Kansas City No Violence Alliance found that implementation of focused deterrence resulted in an immediate reduction in homicides and gun violence, though these improvements began to diminish after 12-months post-intervention (Fox and Novak, 2018). Evaluations in Minneapolis, Indianapolis, Stockton, Cincinnati and many other locations found measurable reductions in group-involved and gun-related violence under focused deterrence (Braga and Weisburd, 2012a; Tillyer and Kennedy, 2008). Project HOPE focused more on recidivism rates among Hawaiian probationers and found that recidivism rates were lower among probationers subject to swift, certain, and graduated sanctions under focused deterrence (Hawken and Kleiman, 2009). Finally, other studies (Wallace et al., 2016) have considered the impact of offender notification forums, finding that those who attended the notification meetings were less likely to be arrested and incarcerated.

Under the leadership of District Attorney Amy Weirich, a focused deterrence initiative began on a pilot basis in 2018. It seeks to identify serious offenders likely to re-offend without intervention. After a pause in 2020 due to the COVID-19 pandemic, the initiative was scaled up in 2021 and now includes some 200 serious offenders either on probation or parole and identified by the Tennessee Department of Correction (TDOC) as "high risk." At in-person call-ins, participants receive a clear message that there is help available to move them in the right direction to become productive members of the community but an equally clear message that the full force of the law will be used against them if they do not change their behavior. The effort is showing promising results so far. The challenge is to maintain it and scale it up further, including application to serious juvenile offenders. The Public Safety Institute is working with the District Attorney's Office and TDOC to develop data collection for an effective evaluation.

The focused deterrence initiative will collaborate with Memphis Allies and other local organizations such as Lifeline to Success, HopeWorks, and the Memphis Housing Authority to ensure that a variety of effective, supportive services are available to participants. Memphis Allies is a collaborative effort coordinated by Youth Villages to reduce gun violence in Memphis. Participants at the highest risk can be referred to Memphis Allies for assessment and connection to intensive services to assist in keeping individuals in the focused deterrence initiative “on track.” Lifeline to Success and HopeWorks are both respected providers and have been offering services to focused deterrence participants since the beginning of the initiative.

## **Action Step 2**

Scale up the current Group Violence Intervention effort by expanding the number of credible violence interveners who seek to prevent acts of retaliatory violence.

- ❖ **OUTCOME:** The number of interveners retained and assigned to the 901 BLOC Squad, Regional One, LeBonheur, and the Shelby County Schools
- ❖ **KEY STAKEHOLDERS:** City of Memphis Mayor’s Office; 901 BLOC Squad; Shelby County Schools

Group violence intervention models, with some of the more recent versions commonly called “Cure Violence,” attempt to form individual and community-level change in areas where it is common for individuals to carry guns and to settle conflicts with gun-related violence (Butts et al., 2015; Delgado et al., 2017). Many of these types of efforts utilize strategies like public-health interventions to reduce other harmful behaviors. They involve detecting and interrupting potentially violent conflicts through the utilization of violence interveners. Violence interveners are selected due to their past experiences with crime and violence and are hired due to their ability to establish relationships with individuals who are the most at-risk for engaging in violent behaviors. Through their past experiences they usually know the daily routines of individuals involved in crime and are seen as more credible due to those past experiences.

As noted in Action Step 1, another approach to violence intervention is identifying and treating individuals who are on parole or probation and are at high risk of engaging with violent conflict and includes mobilizing the community to change the norms surrounding the use of guns and gun-related violence. Action Step 2 focuses on use of interveners or violence interrupters to convince individuals who are not necessarily on parole or probation, and the community more broadly, that there are other, less harmful alternatives to resolve conflict (Butts et al., 2015).

Recent adoptions of such efforts have found promising, albeit varying, results in multiple cities, including Chicago, Baltimore, Brooklyn, Phoenix, Pittsburg, and Boston. Some of these mixed results are due more to obstacles in program implementation, including absence of community buy-in and problems associated with staff hiring and training (Abt, 2019). For instance, a process and impact evaluation of the Chicago’s Operation Ceasefire found that the program led to a reduction in violence

in four neighborhoods (Butts et al., 2015; Skogan et al., 2009). The Chicago study showed how the utilization of violence interrupters was important in mitigating violence. Baltimore's Safe Streets Program found that interventions influenced homicides and non-fatal shootings (Webster et al., 2013). Save our Streets program in Brooklyn also found gun violence decreased, though this finding was not significant (Picard-Fritsche and Cerniglia, 2013). However, compared to other neighborhoods, gun crime did decline, and thus is seen as evidence that the program worked. Other locations such as Pittsburg did not find a significant association between the effort and a reduction in homicides. However, police had almost no knowledge of the effort being implemented, although it did have support from local clergy (Wilson and Chermak, 2011; Wilson, Chermak, and McGarrell, 2012). Nevertheless, there is a strong interest in violence prevention efforts that do not rely solely on the utilization of law enforcement, making the use of interveners a worthwhile and promising approach.

In response to the alarming surge in gun violence, and more specifically gun-related murders, Memphis Major Jim Strickland has established the Group Violence Intervention Program to target those most at risk of shooting and/or being shot. A key player in the mayor's initiative is the 901 BLOC Squad (which stands for Building Better Lives, Opportunities, and Communities). The 901 BLOC Squad is an intervention effort designed to reduce gun violence by preventing retaliation through "shuttle diplomacy" and changing behavior. Founded in 2000, it is in the process of scaling up its street level intervention and outreach as a key part of Mayor Strickland's initiative. Another key part of the mayor's intervention initiative involves working with hospitals, primarily Regional One and LeBonheur, to provide in-hospital intervention to survivors of gun violence in order to reduce retaliations. The city is also working with the Shelby County Schools to insure that school-based intervention is part of the effort. Many of our murders, as well as aggravated assaults, are retaliatory in nature. A scaling up of this effort, coupled with effective implementation at the street, hospital, and school levels, can have a significant impact on the level of gun violence in the community, especially gun-related murders.

### **Action Step 3**

Continue vigorous federal prosecution of gun crime as a priority through Project Safe Neighborhoods.

- ❖ **OUTCOME:** The number of gun cases prosecuted and the conviction rate
- ❖ **KEY STAKEHOLDER:** U.S. Attorney's Office

After witnessing a fairly consistent decrease in the violent crime rate in the United States over a forty-year period, gun crimes have risen nationwide in recent years. With violent gun crime increases occurring in cities across America in 2020 and 2021, one city with significant decreases has been Boston. Officials attribute the decreases in large part to a focus on increased firearm arrests, including illegal possession charges (Boston Harold, 2021).

There have been many different efforts in all different forms that have aimed at being evidence-based violent and firearm crime reduction approaches. In 2001 the U.S. Department of Justice created

Project Safe Neighborhoods (PSN) as an initiative focusing on reducing gun crime through means of proactive policing, enhanced sentences for gun crime offenders, and collaborative efforts of community leaders to identify and prosecute these offenders (Dalton, 2002; McGarrell et al., 2009). Previous studies have shown only a small group of people are usually responsible for the majority of crimes being committed (Braga et al., 2001; Uchida and Swatt, 2013). PSN operates in this manner in order to have a larger effect on decreasing crime.

Over the past few years, PSN programs have been shown to have a substantial effect on decreasing gun crimes (Decker et al., 2007; McGarrell et al., 2007; Barnes et al., 2010). PSN programs usually rely on certain criteria for identifying individuals such as gang members or repeat violent offenders to target for federal prosecution (Papachristos and Kirk, 2015). After these individuals are identified, PSN attempts to deter future criminal behavior by increasing the assurance that these offenders will not only be caught but will face even higher sanctions under tough federal sentencing laws (Bynum and Decker, 2006). The PSN effort was modeled to a large degree on Project Exile in Richmond, Virginia, which saw a 40 percent decrease in homicides (Rosenfield et al., 2005). Under a PSN initiative in Chicago, crime rates dropped 35 percent in neighborhoods where the effort was targeted (Papachristos et al., 2007).

In 2002, the U.S. Attorney's Office for the Western District of Tennessee launched a local version of PSN, with emphasis on crimes committed with guns and convicted felons in possession of guns. The Memphis community witnessed significant reductions in gun crime, especially during the 2007- 2011 time period. In recent years, the office has renewed its commitment to vigorous federal prosecution of gun crimes as part of PSN. The office selects strong cases to prosecute, and the conviction rate has remained high. Continued prosecution under strong federal gun laws with non-probable sentences can serve as both (1) a deterrent and change the behavior of at least some and (2) incapacitate those who persist in committing gun crimes.

#### **Action Step 4**

Communicate to the street level a clear message about the consequences of engaging in gun crime.

- ❖ **OUTCOME:** The level of awareness of the communications campaign among the targeted audience
- ❖ **KEY STAKEHOLDER:** Trust Marketing

The use of mass media campaigns can be traced back to the early 1990s with the growth of newspapers and radio. However, over the past few decades the use of mass media campaigns has increased in order to address various behaviors. (Wakefield, Loken and Hornik, 2010). The increase of these campaigns can be associated with their ability to broadcast different, focused messages to large audiences continually, with the hope of creating some form of change within the audience. Mass media campaigns have been used to target large populations for many purposes such as health issues, politics, and crime concerns.

To help distribute the message, many organizations use media consumption behaviors of the targeted audience to find the best method of dispensing the message (Abrams and Maibach, 2008). These methods include a variety of different platforms such as television, radio, billboards, and social media (Facebook and Twitter).

Through mass media campaigns, the goal is to create a form of behavior change within the targeted population. While analysis of crime prevention and deterrence is limited, studies have shown that such campaigns directed at reducing alcohol-impaired driving and alcohol-related crashes appear to have an impact if they are carefully planned, well-executed, adequately exposed to the target audience, and implemented with other activities such as high-visibility enforcement. They suggest also that such campaigns are cost effective, with estimated societal benefits exceeding the costs of developing and conveying the campaign message. Several of the studies suggest that a mass media campaign can play an “agenda setting” role by influencing public perceptions about the importance of a particular issue. (Elder, Shults, Nichols, Thompson, and Rajab, 2004).

A key part of the previous 2017-2021 Safe Community Plan was a media campaign to communicate the consequences of engaging in gun crimes. Memphis had faced a record year for homicides in 2016 (a record since broken in 2020 and again in 2021). In 2017, Memphis Mayor Jim Strickland helped recruit Trust Marketing to assist in developing such a campaign since it had previous success in anti-crime campaigns in the Memphis community. The FED UP campaign launched in mid-2017. Trust Marketing brought in Jerald Trotter as the man behind the “don’t lose your head, use your head” message. Trotter was convicted of second degree murder as a result of gun violence and served time in a Tennessee prison. The message of the FED UP campaign was to deter gun violence by conveying (1) law enforcement’s commitment to pursuing those who commit gun crimes and (2) prosecutors’ commitment to seek the maximum available sentences. The messaging was tailored to reach and impact primarily 16- to 34-year-old males. Many media partners were generous stakeholders, providing hundreds of thousands of bonus coverage and added value to the campaign according to Trust Marketing.

In late 2017, the Public Safety Institute (PSI) at the University of Memphis began collecting data for an assessment to gauge (1) awareness of the FED UP message as the campaign progressed and (2) whether the campaign had an impact on the level of violent crime (most of which is committed with guns).

During this time period, law enforcement officials – led by the U.S. Attorney’s Office – conducted a Cease Fire meeting each month with new individuals placed on state correctional supervision (parole or probation). In September of 2017, the PSI began collecting surveys from Cease Fire participants to measure their awareness of the FED UP campaign. (Other groups were surveyed also, including a juvenile Cease Fire group, a group of Shelby County Division of Corrections inmates, and a group of Shelby County Schools ACT students.) For those respondents aware of the FED UP message, they were asked where they had seen an ad and were allowed to select more than one option.



Trust Marketing provided data pertaining to the dosage amount of the FED UP campaign, including billboard locations, air times on the radio, television air times, and number of clicks on various websites. This data were then compared to violent firearm offenses, which were provided by the Memphis Police Department.

The assessment reached the following conclusions:

- Over 60 percent of survey respondents indicated they had seen or heard the FED UP message, with TV, billboards, and radio being the top sources.
- Recognition of the FED UP campaign increased during the heaviest media dosage months and began trailing off as the campaign declined. The level of awareness appeared to be related to the level of advertising.
- Reported violent firearm incidents declined in both 2018 and 2019 compared to the previous year. This may be attributable to a combination of factors working together to change behavior, including strong data-driven law enforcement efforts, strong prosecution of gun cases, and conveying the consequences of engaging in gun crime through the FED UP campaign.
- To clearly determine its effectiveness, the FED UP campaign needed to run longer than the roughly two-year time frame.

This plan calls for a renewed and sustained effort to communicate to the street level the consequences of engaging in gun violence as part of a multi-faceted approach to reducing gun crimes (as reflected by various other Action Steps in the plan). With support from the City of Memphis, this renewed effort has already begun, with digital media, particularly geo-fencing, becoming the most direct means of reach. The challenge is to sustain the effort through adequate funding.

## **Action Step 5**

Develop and implement an effort to reduce thefts of guns from vehicles.

- ❖ **OUTCOME:** A 75 percent reduction in gun thefts from vehicles
- ❖ **KEY STAKEHOLDERS:** U.S. Attorney's Office; Memphis Police Department

According to the Memphis Police Department (MPD), there were 2,023 guns reported stolen from vehicles in Memphis in 2021 compared to 1,324 in 2020 – a disturbing 52.8 percent increase in just one year. Even more disturbing is that there were only 358 reported guns stolen from vehicles in Memphis in 2013, the year before the Tennessee General Assembly enacted legislation legally allowing handguns in vehicles without a carry permit. That's a 465 percent increase in just eight years!

Gun theft remains a growing problem throughout the country, with nearly half a billion dollars' worth of guns (roughly 1.2 million guns) being stolen from individuals nationwide between 2012 and 2015 according to the Center for American Progress, which analyzed gun theft trends utilizing the FBI's Uniform Crime Report (Parsons and Vargas, 2017). From 2010 to 2015, the estimated value of almost

62,000 firearms reported stolen from individual gun owners in Tennessee was approximately \$28 million (Parsons and Vargas, 2017).

With the ongoing changes to gun laws, many states have been dealing with an increase in gun thefts from vehicles. With thefts of guns from vehicles on the rise, the South accounts for two thirds of all gun thefts in the United States (Hemenway et al., 2017).

The guns stolen from owners are typically untraceable, with the investigation of what happens to a stolen firearm mostly occurring after an investigation connects it to a crime. The connection between gun theft and gun crimes is relatively unknown due to limited data, with the data somewhat dependent on recovery of guns related to specific crimes.

The change in state law liberalizing the right to carry guns in vehicles has provided criminals, who in most cases cannot legally purchase firearms, with a source of easily obtainable guns. According to MPD, almost 60 percent of reported guns stolen in 2021 were stolen from vehicles. MPD estimates that more than 40 percent of guns used in crimes are stolen from vehicles of law-abiding citizens.

There are very few studies or policy evaluations on what can be done to reduce gun thefts, especially from vehicles. However, changes in laws and social norms concerning safe gun storage could result in fewer guns being stolen. Eight states and several cities have laws mandating that owners secure their firearms (Everytown for Gun Safety, 2021). Absent mandatory laws, gun owners can be encouraged to have anti-theft devices in their vehicles and ensure their vehicles are locked (MacKenzie, 1992).

The theft of unsecured firearms from vehicles is a problem that must be addressed in any successful effort to reduce violent gun crime in our community. If we as a community can reduce the number of guns that are stored in an unsecured fashion in vehicles, we can reduce the number of guns available to those intent on committing violent crimes.

The effort to reduce theft of guns from vehicles should be a community-wide public service campaign that involves outreach to community groups and faith-based organizations and, if funding or payments-in-kind can be obtained, traditional marketing. The overriding goal of the campaign should be to convince law abiding gun owners not to leave unsecured firearms in vehicles, clearly conveying the message to those owners that they can help reduce violent crime by securing the firearms they own.

The campaign should basically include the following steps:

1. Recruit key stakeholders to organize and lead the effort, including contacting local community and faith-based leaders to obtain their participation and securing funding for a marketing effort;
2. Expose large segments of the community to the message by focusing on outreach to faith-based leaders to secure opportunities to address congregations on the issue with a common script and ensure continued participation and engagement;

3. Likewise, focus on outreach to community organizations, obtaining speaking opportunities to talk about the importance of securing firearms as a means of reducing violent crime; and
4. Raise funds and/or obtain payment-in-kind services to support a mass marketing effort conveying the campaign's message.

It is unrealistic to think that gun ownership in the community can be significantly reduced. It will not happen. That makes it especially important to convey to law-abiding residents of the community who own guns that they can play a role in reducing crime by making sure their guns do not end up in the wrong hands.

### **Action Step 6**

Re-establish a Memphis Police Department Felony Assault Unit to investigate aggravated assault incidents more effectively.

- ❖ **OUTCOME:** The number of officers assigned to the Unit; the number of cases handled by the unit
- ❖ **KEY STAKEHOLDER:** Memphis Police Department

The vast majority of non-fatal shootings are the result of firearms used in aggravated assault incidents as defined by the Tennessee Bureau of Investigation's (TBI's) reporting system. Reported aggravated assaults have been increasing consistently since 2011. Reported aggravated assaults increased an alarming 35 percent in 2020 compared to 2019 in the city of Memphis (34 percent countywide). Reported incidents increased an additional 3.6 percent the city of Memphis in 2021 (2.4 percent countywide).

Our community is suffering from a record number of murders. Many aggravated assaults are just one step away from being a murder. All it takes is a bullet landing in the wrong place.

In 2021, reported aggravated assaults made up approximately 82 percent of all reported major violent crimes (murders, rapes, robberies, and aggravated assaults) in our community. The sheer volume of aggravated assaults in our community drives our violent crime rate (which is calculated by the FBI and TBI based on the aggregate number of all major violent crimes per 100,000 population). In short, our community will never get out of the unfortunate distinction of having one of the highest violent crime rates in the nation until we significantly reduce the number of aggravated assaults.

Between 2006 and 2011, reported aggravated assaults actually declined. In 2011, our violent crime rate was at its lowest point in recent memory. A number of effective steps were occurring during that time period to help drive down the numbers, including almost 2,500 MPD officers by 2011 and effective data-driven deployment of those officers. Another key step during that time period was creation of a special Felony Assault Unit, which focused on intensive investigations of non-domestic aggravated assaults. In 2012, the team was disbanded, in part due to the beginning stages of what would become a net loss of about 20 percent of MPD's force. Non-domestic aggravated assaults have

since been investigated by the precinct-level General Assignment Bureau where the reported crime occurred.

MPD Chief C.J. Davis is committed to re-establishing a special citywide Felony Assault Unit to focus on investigating gunshot-related aggravated assaults. Plans call for it to be a centralized detective unit handling non-fatal shootings throughout the city of Memphis, regardless of where the incident occurs. These will be the only type of crimes handled by the unit. This model will allow investigators to better coordinate investigations that are related or retaliatory in nature. And it will allow investigators to devote more time to non-fatal shootings without the additional caseload a typical precinct detective manages.

Chief Davis envisions the Felony Assault Unit working closely with the Multi-Agency Gang Unit, the Homicide Bureau, and the District Attorney's Office. This cohesion should lead to more non-fatal shootings being solved and prosecuted. The goal is to reduce the number of non-fatal shootings and impact the number of fatal shootings as well. This new, intensive effort can (1) most importantly result in fewer victims of gun violence and (2) help drive down our violent crime rate.

## JUVENILES

The plan has two overall primary outcomes related to juveniles:

- **A 50 percent reduction in the percentage of repeat delinquent offenders**
- **A 50 percent reduction in the percentage of repeat serious juvenile offenders**

### Action Step 7

Expand efforts to meet the needs of our community's vulnerable youth before they encounter law enforcement or the juvenile justice system, with emphasis on character and emotional development, good decision-making, and goal setting.

- ❖ **OUTCOME:** A 100 percent graduation rate for active high school senior participants in Boys and Girls Clubs; at least 90 percent of those graduates entering college, the military, or the workforce
- ❖ **KEY STAKEHOLDERS:** Boys and Girls Clubs of Greater Memphis; City of Memphis; private sector

As noted by Memphis Mayor Jim Strickland, we must reach the hearts and minds of young people in our community before they ever become tempted to engage in criminal conduct, especially gun violence.

There are many organizations in the Memphis community doing great work to meet the needs of vulnerable youth so they never become involved in the juvenile justice system. Examples include, but are not limited to, Memphis Athletic Ministries, Big Brothers Big Sisters of the Midsouth, the Salvation Army's Kroc Center, and the many church-based programs.

One organization that has shown significant success and has momentum to expand its efforts is Boys and Girls Clubs of Greater Memphis. Its mission is "to enable all young people, especially those who need us most, to reach their full potential as productive, caring, responsible citizens."

Boys and Girls Clubs of Greater Memphis operates ten clubs in the community, with over 1,000 youth walking through their doors on an average day. It is seeking to provide an experience that assures success is within reach of every young person it serves, with all active participants on track in school, planning for their futures, demonstrating good character and citizenry, and living healthy lifestyles.

In addition to its stand-alone facilities, Boys and Girls Clubs is expanding with creation of high school clubs, patterned after one that is up and running at Craigmont High School. For high school seniors attending three or more times each week at Craigmont, 100 percent have graduated and gone on to college, entered the military, entered the workforce, or some combination of the three.

Recently, the City of Memphis allocated \$9 million of federal American Rescue Plan Act funds to help ensure the presence of Boys and Girls Clubs in more of the Shelby County Schools over a three-year period. Efforts are underway to raise private funds and additional public funds to expand even more.

Efforts such as those of Boys and Girls Clubs – as well as other organizations in our community – can help meet the needs of vulnerable youth before they encounter law enforcement or the juvenile justice system, with emphasis on character development, good decision-making, emotional development, and setting of goals. We support scaling up such efforts and are initially focusing on Boys and Girls Clubs as an example to scale up.

## **Action Step 8**

To help break the cycle of repeat delinquent offenders, implement a community-wide youth assessment center that (1) is based on a model with a proven track record of working and (2) provides needs assessments and appropriate interventions for non-violent offenders.

- ❖ **OUTCOMES:** The number of youth and families served through the assessment center; the percentage of youth served who enter the juvenile justice system at a future date
- ❖ **KEY STAKEHOLDER:** Shelby County

The high level of juvenile repeat offenders continues to be a salient criminal justice system issue due to risk factors resulting in repeat offenders, limited programing, and overall costs associated with repeat offenders (Bouffard and Bergseth, 2008). Being able to successfully divert youth from the juvenile justice system can be beneficial both for the system itself but also for the community as it can lessen the load of juvenile courts, cut system costs, and reduce delinquency (McCord, 1999; Shelden, 1999; Whitehead and Lab, 2001).

Past research has focused on the impact of community engagement and educational factors and how they contribute to juvenile criminal justice prevention and recidivism (Anthony et al., 2010; Mathur and Clark, 2014). However, much work is still needed to understand and provide a more holistic approach to understanding juvenile reintegration and intervention at early stages in life to prevent future delinquency (Bradford, 2015; Liddle et al., 2011; Loeber, Farrington, and Petechuk, 2003; McMasters, 2015). If intervention efforts are to be successful, they must alleviate the risk factors associated with delinquency (Zigler and Taussig, 1992), with the best efforts often involving families and their children (Zigler, 1994). Efforts must offer social support to help parents with more effective parenting strategies and educational opportunities for both parents and children that can improve family functioning (Zigler and Taussig, 1992). A number of communities have created youth assessment centers that work to reduce juvenile arrests, overall recidivism, and provide more holistic approaches to help the community's families and youth. Each model is different and geared toward the personal needs of that community.

Under the leadership of Shelby County Mayor Lee Harris and Division of Community Services Director Dorcas Young-Griffin, Shelby County has also created a youth assessment center, called the Youth and Family Resource Center, which is scheduled to open on a pilot basis in early 2022 and seeks to reduce juvenile crime by providing services to youth, particularly youth who are at risk of engaging in future crime, as well as their families. Initially, it will be applied to juveniles from one or more Memphis precincts who are diverted from the juvenile court system. Planned assessments will include behavioral health, trauma counseling, and identifying and providing services to help alleviate underlying issues that might result in delinquent behavior.

Moving forward, an evaluation of the pilot Youth and Family Resource Center is essential, with a commitment to make adjustments if appropriate to ensure effectiveness and to warrant a scaling up to make it a true community-wide center. In addition to a geographic scaling up, consideration should be given to expanding it beyond juveniles diverted from juvenile court and making it available to first-time non-violent offenders in the juvenile court system.

## **Action Step 9**

Develop a system of intensive supervision and appropriate treatment for serious juvenile offenders.

- ❖ **OUTCOME:** The number of serious juvenile offenders and their families served through Youth Villages; the percentage of youth served who become repeat offenders
- ❖ **KEY STAKEHOLDERS:** Juvenile Court; Youth Villages; Shelby County Schools

Juvenile incarceration is often utilized as a last resort and for youth who are at risk of reoffending. A large proportion of convicted serious juvenile offenders serve some or all their sentences in the community under some form of a community-based correctional program. One of the most common options for offenders is the use of intensive supervision probation (ISP) (Caputo, 2004; Hockenberry and Puzanchera, 2014). ISPs seek to serve as a deterrent for youth, aim to reduce recidivism and are

diverse in design and their stated goals. ISP programs share three common features: small caseloads, intensive surveillance, and strict conditions of compliance (Tonry, 1990). In theory, heightened supervision of offenders should result in less recidivism as individuals do not want to get caught. However, depending upon the nature of implementation, there may be an increase in recidivism (Caputo, 2004), which is likely due to individuals facing technical violations or detection of deviant behavior that may otherwise have gone unnoticed (Caputo, 2004; Clear and Hardyman, 1990; Petersilia and Turner, 1993).

There has been a steady increase in studies evaluating ISPs with mixed results. Some evaluations have found that when youth participate in ISPs, they are more likely to commit a new offense in comparison to youth on standard probation (Sarver, Molloy, and Butters, 2012). However, a study by Farrington and Welsh (2005) found that ISP programs had a positive, yet not statistically significant, effect on reducing recidivism. Bouchard and Wong (2018) analyzed the effect of ISPs and aftercare/reentry programs on juvenile recidivism compared to the recidivism of youth who were on standard probation. The findings suggest that youth participating in ISP are significantly more likely to engage in criminal activity. However, that may simply be because juveniles subject to intensive supervision are higher risk individuals with a higher likelihood of becoming repeat offenders. Many of these evaluations suffer from issues, including differences in selection criteria into the ISP treatment and control groups, which make it hard to draw comparisons and conclusions. There is a need to better understand offender types (violent or nonviolent offenders) and other moderating and implementation characteristics that might impact IPS efficacy (Goense et al., 2016; James et al., 2013; Weaver and Campbell, 2015). This includes better understanding of characteristics across samples, including age, ethnicity, gang involvement, drug use, implementation quality, treatment intensity and design (Goense et al., 2016; James et al., 2013; Weaver and Campbell, 2015). Further, there is a need to consider how these efforts may be better revamped and utilized to deal with repeat offenders. (cf. Hockenberry and Puzanchara, 2015; Jalbert et al., 2010; Lowenkamp et al., 2010; Merrington, 2006). In short, a local effort focusing on serious juvenile offenders should be (1) well-planned and (2) come with the realization that a high success rate will be challenging.

Due to the COVID-19 pandemic coupled with the social climate, proactive policing declined in 2020 not only in Memphis but in major cities across the country. The result was a decline in arrests, both of adults and juveniles. (Part 1 crimes include both major violent crimes and major property crimes. According to the Memphis Police Department, 1,599 juveniles were charged with Part 1 crimes in 2019; in 2020 only 834 were charged with Part 1 crimes, a 48 percent drop.) At the same time reported violent crimes were increasing. The increase in major violent crime in our community was driven by alarming increases in aggravated assaults, many of which were committed by juveniles with guns. To get a more accurate picture of the scope of serious juvenile crime, a look at 2019 is necessary – before the pandemic and the social unrest.

In 2019, 495 juveniles were charged with what Juvenile Court categorizes as “serious crime” – including murder, aggravated robbery, aggravated assault, carjacking, and rape. A number of them faced multiple charges (with 495 facing a total of 830 charges). The number of charges reflect a 32

percent increase compared to the previous year and an alarming 49 percent increase compared to just nine years earlier – 2011.

As we return to a “new normal,” it remains to be seen whether we return to this level of serious violent charges against juveniles. However, absent a significant decrease in violent crime, it is safe to say that juvenile violence will not decline.

Once adjudicated as guilty of a violent delinquent (criminal) act or acts, a juvenile is either (1) placed on a form of community supervision with some restrictions such as wearing an ankle bracelet or (2) placed in the custody of the Tennessee Department of Children’s Services at a secure facility for a period of time (not to exceed the juvenile’s 19<sup>th</sup> birthday). For those placed in a secure facility, many return to the community on a “trial home placement” or are otherwise discharged from the facility and subject to a form of community supervision.

Whether being placed on community supervision on the front end or returning to community supervision after being in a secure facility, the challenge is to increase the likelihood that these juveniles do not become repeat offenders and, as a result, continue to contribute to the violent crime rate. (The overall repeat offender rate for Juvenile Court is about 50 percent.)

There is a growing consensus among key stakeholders (including the juvenile court judge, the district attorney, the city mayor, Crime Commission leaders, and business leaders) that we must develop a more effective system of intensive supervision and appropriate services for serious, high-risk juvenile offenders.

Juvenile Court officials believe that any effective approach will have to include coordinated parental and family support. As services are coordinated, it will be imperative to effectively identify and address root causes and structural barriers to reconnecting juveniles and their parents to appropriate treatment and resources. Many in this group of juveniles will be returning from an out of home placement, and many will be re-entering a toxic home environment. Home environment and, in many cases, school will be the cornerstones for anchoring long term stability and success.

Some will be in school, and some will not. Recent Juvenile Court data analysis indicated that about 42 percent of juveniles re-entering from a secure facility completed the Hi-set (GED) while in the facility. In addition, about 15 percent attended an alternative public school. About 10 percent graduated from a regular high school, and the remaining 33 percent were either not in school or their school status was unknown.

Juvenile Court officials note that, for this targeted group, there is a lack of connectivity for the continuance of intensive mental and trauma responsive services. As a result, medication management becomes problematic or even discontinued. Proper accountability is desperately needed to ensure that behavioral health services and family therapeutic intervention services continue in order to decrease the likelihood of going deeper into the juvenile justice system or into the adult system.



An approach that includes not only the juvenile offender, but the family as well, can improve public safety, decrease victims of violent crime, improve school performance, and assist the offender and the family to thrive.

Juvenile Court Judge Dan Michael has, in principle, agreed that Youth Villages is an organization that is uniquely positioned to provide intensive services to this group of serious juvenile offenders and their families and has already referred a handful of cases. However, scaling up such an approach will require substantial funding. At the school level, security officials with the Shelby County Schools have indicated a willingness to provide hands-on supervision for those in this targeted population who are in the school system. This would provide a seamless approach, regardless of whether the juvenile is in school or in the community. Proper coordination and communication will be critical in implementation. Also, given the mixed evaluations of such efforts in other communities, an effective evaluation of both processes and outcomes will be important.

## LAW ENFORCEMENT STAFFING/DEVELOPMENT

### Action Step 10

Resolve shortages in local law enforcement staffing and effectively use personnel and technology to maintain and scale up data-driven, proactive policing.

- ❖ **OUTCOME:** At least 2,400 MPD officers and 700 deputy sheriffs; a consistent reduction in crime in hot spots where additional resources are deployed
- ❖ **KEY STAKEHOLDERS:** Memphis Police Department; Shelby County Sheriff's Office

In 2011, Memphis reached its largest Memphis Police Department (MPD) compliment, with almost 2,500 commissioned officers. Looking at the violent crime rate over a 20-year period (2000-2019), Memphis' violent crime rate was at its lowest in 2011.

By the end of 2017, the number of Memphis police officers had plummeted to 1,959 officers, a net loss of about 20 percent compared to 2011. The violent crime rate in 2017 was approximately 25 percent higher than in 2011. Mayor Strickland has made a net increase in police officers a top priority, and in 2018 and 2019, there were slight net increases in the number of MPD officers. The violent crime rate went down slightly both of those years.

A major step toward reversing the net loss of officers occurred through a \$6.1 million commitment from the private sector geared primarily to retention and referral bonuses for MPD officers. The funding came through the Crime Commission and represented an unprecedented commitment by the private sector to law enforcement. Of those eligible for retention bonuses, almost 90 percent signed up.

By the end of 2020, though, MPD faced another net loss of officers, due in part to a COVID-19 related cancellation of a new class of recruits, as well as the possible impact of the social unrest on service as a police officer. In 2021, two classes graduated. With attrition, there were 1,955 commissioned MPD officers at the end of 2021 compared to 2,038 at the end of 2020. The attrition rate accounted for the loss of 182 officers (102 resignations and 80 retirements).

In summary, after a net loss of some 20 percent of the MPD force over a six-year period (2012-2017), with hard work by Mayor Jim Strickland and his team, and with funding support through the Crime Commission, the number of MPD commissioned officers has stabilized over the past four years (2018-2021). At the end of 2017, there were 1,959 MPD officers. At the end of 2021, there were 1,955 MPD officers, a difference of only four officers.

In January of 2022, 45 recruits graduated from the MPD training academy, and 53 new recruits began a new class.

Looking forward, while the net loss of officers has hopefully been reversed, it will take a major effort to reach the goal set by the Memphis City Council of 2,500 officers, or the goal set by MPD Chief C.J. Davis of 2,300 officers by the end of 2023. These are goals that will require new approaches to recruitment such as speeding up the application process to avoid losing potential recruits and providing signing bonuses. Consideration must be given to a more competitive compensation package. And there must be more focus on retention, including possibly another wave of retention bonuses. A major effort needs to be undertaken to retain officers during their early years of employment. According to the Memphis Police Association, in 2021, 81 percent of officers who resigned had four years or less on the job.

In February of 2021, Deloitte issued a report conducted for the City of Memphis setting forth an analysis of MPD operations and recommendations to address challenges. The report noted that "... MPD is struggling to meet the community's demands for services as a result of lack of adequate resources." Deloitte went on to note (1) that 90 percent of overtime pay was being spent to meet minimum staffing levels to respond to calls for service and (2) a 23 percent decline in applications to become MPD officers and a 54 percent drop in new hires in 2020 compared to 2019.

The Shelby County Sheriff's Office is facing similar challenges in recruiting new deputy sheriffs. From 2017-2020, there were slight annual increases in the number of deputy sheriffs. However, 2021 resulted in a net loss, going from 666 deputy sheriffs at the end of 2020 to 647 at the end of 2021. This is significantly below the funded complement of 718 deputy sheriffs this current fiscal year. (The challenge with correctional deputies is even more daunting. Since 2017, there have been consistent annual net losses in correctional deputies. At the end of 2012, there were 644 correctional deputies, 280 below the budgeted compliment of 924.)

Our community is not alone in its challenge to maintain a sufficient number of officers. A survey of almost 200 police departments by the Police Executive Research Forum indicated that retirements and resignations rose by 18 percent in the year from April 2020 to April 2021 when compared with the

previous 12 months. Minneapolis has suffered a net loss of about 20 percent of its force since May 2019, and Asheville, North Carolina has lost more than a third of its force (The New York Times, 2021).

A public opinion survey conducted for the Crime Commission by Public Opinion Strategies in September 2021 showed an overwhelming 81 percent of respondents in support of hiring more local law enforcement officers.

The severe shortages of local law enforcement must receive priority, and we cannot expect meaningful changes in results by simply continuing to do the same thing.

Increasing the compliment of officers, though, is only half of the equation. The other half involves making smart, data-driven use of whatever resources exist, including smart use of technology. (More officers alone will not reduce crime significantly unless they are utilized effectively.)

The Deloitte report recommended several steps to better utilize commissioned officer resources.

One step it recommended was for MPD to move from an “equitable distribution model” of personnel among precincts to “an optimized model using workload demand.” The report stated, “If MPD and the City want more patrol officer time allocated for community engagement, proactive policing, and/or responding to focus areas ... positions will need to be allocated across the precincts based on modeling and not equitable distribution.”

The Deloitte report concluded that “high priority calls” take up approximately 58 percent of time spent servicing calls, while 42 percent is spent on “non-emergency calls.” The report recommended finding ways to reduce police responses to non-emergency calls in order to provide MPD with more flexibility in deploying officers. It suggested staffing certain types of those calls using different parts of city government, a “blended” model, or a “co-response” model. It also suggested considering a system of self-reporting, reducing time spent by officers to complete and file reports.

The Police Service Technician (PST) program is an example of how Memphis has already moved in the direction of utilizing non-commissioned personnel to handle such calls as minor traffic accidents. MPD Chief C. J. Davis has placed priority on expanding the PSI program. We are not in a position to state what specific steps recommended by Deloitte to better utilize commissioned personnel should be implemented but believe it is important for MPD to work toward more efficient use of officers. (Admittedly, a factor is that the Memphis public is accustomed to a full-service police force and could react negatively to changes in that model.)

Throughout the history of policing, electronic data use has increased as use of technology has become more common. Computer use by police departments was first implemented in the St. Louis Police Department in the mid-1960s (Colton, 1979). The beginnings of wide-spread technology use by law enforcement can be traced to the Omnibus Crime Control and Safe Streets Act of 1968 (Northrop, Kraemer, and King, 1995). This led to the creation of the Law Enforcement Assistance Administration (LEAA), which contributed approximately \$50 million to law enforcement agencies to enable them to access police technology (Northrop et al., 1995).

Police use of technology became more common during a crime spike in the 1960s and 1970s when a “demand gap” emerged and it was evident that traditional policing techniques were not getting the job done (Ratcliffe, 2016). Surveys conducted in the early and mid-1970s, showed that implementation of police technology was slower than anticipated (Colton, 1979). By the late 1970s, technology use within law enforcement agencies markedly improved, most notably in data entry and management (Ratcliffe, 2016). Managing crime data more effectively allowed for the creation of a “strategic picture of crime” (Ratcliffe, 2016). The demand gap led to “greater calls on the police for effectiveness and efficiency” (Ratcliffe, 2016). The public wanted more professionalism from the police, with increased access to information. While the factors listed above helped increase data management technology within departments, rising levels of organized crime that ignored jurisdiction and state lines meant that police departments needed a better way to collaborate with each other.

According to Lum, Koper, and Willis (2016), “...technology has become a major source of expenditure and innovation in law enforcement and is assumed to hold great potential for enhancing police work.” Police departments use data from this technology in many ways. For example, crime mapping data is used to “locate crime and traffic crash hot spots, thus enabling law enforcement officials to target these areas with highly visible traffic enforcement” (Hardy, 2010). Data not only are collected but are also analyzed. Analyses are used to inform decisions on “local partnerships; strategic operations; information sharing and outreach; monitoring, evaluating, and adjusting operations; and measuring outcomes” (Hardy, 2010). All the data gathered by police can then be used to increase proactive measures. In Chicago, for example, the police department currently focuses on a “heat list” of offenders that risk analysis programs have shown to be possible future risks (Joh, 2014). Even Homeland Security is employing computer systems in their preventive measures, with their systems filtering out potentially threatening words (Joh, 2014).

In New York, the NYPD has developed a “Domain Awareness System” that links data gathered from several computerized systems such as CCTV footage and LPR technology (Joh, 2014). New York has been active in data-driven policing beginning with CompStat in the 1990s, the system that allowed them to use pinpointed crime maps to target specific areas and more efficiently allocate resources based on the maps. This system led to significant decreases in crime rates (Hyunseok, Hoover, and Joo, 2010).

Use of technology goes beyond the deployment of personnel. According to Willis, Koper & Lum (2018), 60 percent of all large police departments use license plate readers (LPRs), high speed cameras that can read and instantly analyze license plates. The LPR stores pictures of the plates and compares them to a database of plates of interest to law enforcement, such as plates of stolen vehicles or plates connected to known criminals. Another technology being used by law enforcement is gunshot detection technology (GSD). GSD was developed in the mid-1990s and works by triangulating multiple sensors that can detect sound waves produced by a gunshot. An alert is sent to law enforcement, with the goal of a rapid dispatch and response time to reduce gun violence overall. (Chai, Librett & Collins, 2014, p. 51).

“Real Time Crime Centers” (RTCCs) such as the one within MPD are great examples of how high-end police technology interacts with data-driven policies. The software employed by MPD’s RTCC can receive instant updates on criminal activity, identify crime patterns and monitor high-risk offenders. The RTCC uses Blue C.R.U.S.H. (Crime Reduction Using Statistical History) data gathered on hotspot crimes, including time of day, day of the week, and location to better allocate resources to those hotspots. Additionally, a wall of LCD monitors that display live feeds from areas of interest aids in providing real time responses.

MPD holds weekly Tracking for Responsibility, Accountability, and Credibility (TRAC) meetings. These meetings usually include the MPD command staff, precinct colonels, and members of other law enforcement agencies. The meetings can be intense, with precinct colonels expected to be prepared to explain their plans for addressing crime hotspots based on available data.

The Deloitte report notes that the initiative, with focus on Blue C.R.U.S.H. data to identify hotspots, is “... supported by an evidence-based policing system that helps MPD prescriptively determine zones for patrol officer saturation and has been found effective at reducing crime.”

The Public Safety Institute (PSI) at the University of Memphis has completed two assessments to determine whether MPD is being data-driven when using its resources by examining changes in crime within hotspots identified in each precinct. Both assessments indicate that the MPD command staff and the precinct colonels and their staff appear to be data-driven in their hotspot area selections, with most precincts showing a consistent decrease in reported crimes the immediate week after labeling an area a hotspot. Both assessments are available for review on the PSI website at <https://memphis.edu/psi/> and the Crime Commission website at <https://memphiscrime.org/>.

However, more officers are needed in order to maximize the impact of data driven deployment. The PSI is in the final stages of a third assessment of data-driven policing by MPD and is preparing a similar assessment of the Shelby County Sheriff’s Office in 2022.

Adequate resources – whether in the form of personnel or technology – are essential to curbing our unacceptable high level of crime. Effective, data-driven deployment of those resources is equally important. This plan recognizes the need for both.

## **Action Step 11**

Loosen the residency requirement for local law enforcement officers.

- ❖ **OUTCOME:** The number of newly hired MPD officers and deputy sheriffs who reside outside of Shelby County
- ❖ **KEY STAKEHOLDERS:** Memphis Police Department; Shelby County Sheriff’s Office

Currently, the City of Memphis charter requires newly hired Memphis police officers to reside in Shelby County. If passed, a referendum originally on the November 2020 ballot would have changed the city

charter to allow the City of Memphis to hire police officers and firefighters who live within a 50-mile radius of the city or in an adjacent county. However, the Memphis City rescinded the ballot referendum in a 7-6 vote (despite a public opinion survey showing overwhelming, across-the-board support for the referendum).

The primary argument in favor of loosening the residency requirement is to increase the pool of qualified applicants, thereby making it somewhat easier to reach the goal set by the Memphis City Council of 2,500 police officers. The primary arguments for requiring Memphis police officers to live within the city limits appear to be (1) as a way of ensuring that the makeup of the Memphis Police Department (MPD) reflects the diversity of the city and (2) better police-community relations.

It may be a factor in MPD officer retention as well. According to a recent survey by the Memphis Police Association, the residency issue ranks right behind pay raises and pensions as having the biggest impact on officers' decisions to stay or leave for another job.

Currently, approximately 55 percent of MPD officers are African-American, 42 percent are white, and 3 percent other. About 83 percent of the current officers are male and 17 percent female.

A 2014 analysis indicated that residency requirements actually tend to limit minority representation within police departments due to a smaller pool of qualified applicants. As an example of a city with a residency requirement, the analysis noted that, while 25 percent of Pittsburgh's residents were African-American, only 12 percent of its police officers were African-American. The analysis indicated that this was far from unusual, with Pittsburg falling well within the average of the top 75 police departments in the nation. In fact, the analysis revealed that police departments with residency requirements tend to reflect the makeup of their communities less than those without such restrictions. (Unger-Sargon and Flowers, 2014).

The analysis cited an earlier study conducted in the mid-1990s which revealed that residency requirements were correlated with less public confidence in the police, specifically in their ability to protect residents. The researchers concluded that residency limitations on hiring could lead to poor recruitment choices and less qualified officers. (Unger-Sargon et al., 2014).

The 2014 analysis revealed that, of the 75 top police departments, only 15 had residency requirements, including Memphis. Examples of cities without residency requirements included Detroit, Baltimore, Cleveland, Nashville, Houston, Washington, Atlanta, Louisville, and Dallas. (Some did provide incentives for living within the city limits.) Among the 15 with residency requirements were Chicago, Boston, and Philadelphia. (Unger-Sargon et al., 2014).

Instead of residency requirements, smart recruiting appears to be the key to a diverse police department and one composed of officers with the right kinds of skills and motivated by public service. This takes a very conscious effort by recruiters to seek out the right kind of hires. As noted in the February 2021 Deloitte report assessing MPD, screening and hiring people with skill sets for de-escalation, crisis intervention, community policing, and culture and diversity awareness "...is a way to initiate change at the entry point...".

In a September 2021 public opinion survey conducted for the Crime Commission by Public Opinion Strategies, nearly three quarters (73 percent)) favored loosening the residency requirement for both police officers and fire fighters.

Loosening the residency requirement for both MPD and the Shelby County Sheriff's Office is not the sole answer to the severe shortage of commissioned officers. However, it can be an effective "tool in the toolbox" if marketed correctly.

## **Action Step 12**

Involve the community in the recruitment of local law enforcement officers (from Reimagining Policing Report).

- ❖ **OUTCOME:** The number of community members involved in the recruitment process
- ❖ **KEY STAKEHOLDERS:** Memphis Police Department; Shelby County Sheriff's Office

In September of 2020, Memphis Mayor Jim Strickland formed an Advisory Council for Reimagining Policing as a way of engaging the community in the planning and development of a plan of action to address policing in Memphis. The Advisory Council was comprised of clergy, legislators, civil rights activists, and law enforcement. It was created to serve as a liaison with the Memphis Police Department (MPD) and the community, serve as a link in the communication chain, evaluate police services, and develop actionable recommendations to improve MPD in specific focus areas. Each Advisory Council member selected and invited members of the community to participate in 90-minute focus group conversations facilitated by that Advisory Council member. Over 400 diverse members of the community attended over 30 focus groups hosted by members of the Advisory Council on Reimagining Policing. In June of 2021, the Advisory Council convened to identify suggestions for reimagining policing and agreed upon 12 recommendations. One of the recommendations was to involve the community in the recruitment and selection of new police officers.

In making the recommendation, the Advisory Council was aware that Shelby County Sheriff Floyd Bonner had initiated a process under which members of the community participate in interviewing applicants to become deputy sheriffs. Community members ask appropriate standard questions of applicants, followed by individual ratings of each applicant. This is a process which the Shelby County Sheriff's Office will hopefully continue and which MPD should consider instituting.

Another suggestion from the Memphis Police Association is to:

- Select community leaders to serve as recruiters for new officers,
- Have each community leader pledge to be a mentor to each recruit as the recruit matriculates through the training academy and through the first year of service as an officer,
- Provide a signing bonus for each recruit (a step already in place), and

- If the recruit successfully completes the training academy, allow the recruiter to designate a local charity or nonprofit to receive a donation.

The mentoring suggestion is consistent with a recommendation in the February 2021 Deloitte report assessing MPD, which stressed the need for applicants given offers to be mentored and engaged “...to ensure a motivated, well-prepared candidate reports to the Academy.”

Such a process would give community leaders the opportunity to become shareholders in building and reshaping local law enforcement. And it might help address the challenge of reducing the high percentage of officer resignations that occurs during the first four years of service – 81 percent of all resignations at MPD in 2021 according to the Memphis Police Association. It can be one more “tool in the toolbox” in addressing the serious shortage of local law enforcement officers.

### **Action Step 13**

Establish a public safety optional or charter high school for students who are interested in law enforcement and other public safety careers (from Reimagining Policing Report).

- ❖ **OUTCOME:** The number of graduating high school seniors who enter law enforcement
- ❖ **KEY STAKEHOLDERS:** City of Memphis; Memphis Police Association; Shelby County Schools

Another recommendation of Memphis Mayor Strickland’s Advisory Council on Reimagining Policing is creation of a high school program to serve as an effective vehicle to encourage students with a desire for public service to consider a career in public safety.

Early in his first term, Mayor Strickland re-established the Police Service Technician (PST) program as a way of (1) having non-commissioned personnel handle such matters as minor traffic accidents and traffic congestion, thereby freeing up commissioned officers to handle more serious crime-related matters, and (2) creating a pipeline of potential police officer recruits.

Currently, there are about 40 PSTs, far short of the goal of about 125 PSTs at any given time. According to the City’s Human Resources (HR) Division, recruitment at the high school level is occurring when most seniors have already made their post-graduation plans. Steps need to be in place to begin interesting students in public safety careers at the 9<sup>th</sup> and 10<sup>th</sup> grade levels.

A number of other communities have developed special tracks for students interested in public safety, either as stand-alone schools or as special programs within schools.

An example is the Academy of Law and Public Safety in Monmouth County, New Jersey. Monmouth County is in the New York metropolitan area with a population of about 644,000. The academy offers a two-year program for students who have a strong interest in law and public safety. Students must enroll in 40 credits of course work per year and successfully complete 80 credits to graduate. Students can earn as many as 24 credits from a local community college and nine credits from Fairleigh



Dickinson University. (More information on the Monmouth County Academy of Law and Public Safety is available at <https://www.mcvsd.org/programs/academy-of-law-public-safety/> .

In Dallas, Texas, the Independent School District has launched the Criminal Justice Academy for grades 9-12 within Sunset High School, in partnership with the Dallas Police Department. Through partnerships with Mountain View Collage and the University of North Texas, academy students have the opportunity to earn up to 60 tuition-free college credits upon graduation. Upon successful completion of the program, academy graduates meet all the educational qualifications to apply for a police officer position in the Dallas Police Department. (For more information, go to <https://www.dallasisd.org/sunset> .

In Tennessee, the Cleveland school system (in the Chattanooga metropolitan area) has created a Criminal Justice Academy within its high school. It is designed to prepare students for a range of careers in law enforcement, crime scene analysis, forensic science, and public safety. The program is composed of Level 1 (for 9<sup>th</sup> and 10<sup>th</sup> graders), Level 2 (for 10<sup>th</sup> and 11<sup>th</sup> graders) and Level 3 (for 11<sup>th</sup> and 12<sup>th</sup> graders). Dual credit is available for Level 3 courses at Cleveland State Community College.

The Memphis Police Association, the City of Memphis HR Division, and the Crime Commission are working with Shelby County Schools optional program officials toward creation of a public safety optional program within one or more schools. If the details can be resolved, such a program could serve as an effective recruitment tool for careers in public safety.

## COMMUNITY INVOLVEMENT

### Action Step 14

Expand the number of neighborhood watch groups in the City of Memphis.

- ❖ **OUTCOME:** An increase of 50 percent in neighborhood watch groups
- ❖ **KEY STAKEHOLDER:** Memphis Police Department

Neighborhood watch groups (NWGs) developed out of an effort in the United States to increase community involvement in preventing crime (Titus, 1984). Through the growth of NWGs, various terms were used to describe these groups such as block watch, apartment watch, home watch, citizen alert, and community watch. The primary approach that these groups take to reduce crime is for residents to report any suspicious activities to their police department in hopes to deter future criminal activity (Bennett, 1990). One of the earliest evaluations of NWGs within the United States was of the Seattle Washington Community Crime Prevention Project which started in 1973 (Cirel et al., 1997). This evaluation showed a greater reduction in burglaries in neighborhoods which had NWGs compared to those without. Since the early 1980s, there has been a continuous push for NWG expansion across the United States. According to *The 2000 National Crime Prevention Survey* by the National Crime

Prevention Council in 2001, an estimated 41 percent of the American population resides in communities that have a NWG. According to the report, “This makes neighborhood watch the largest single organized crime-prevention activity in the nation.”

According to the Memphis Police Department, there were 458 active NWGs in the city of Memphis at the end of 2021. A 50 percent increase would significantly increase community involvement in preventing crime by expanding those who serve as “the eyes and ears” of law enforcement at the neighborhood level and would be a significant step in improving police-community relations.

Of course, MPD staffing has an impact on the effectiveness and scope of community involvement. As noted in the February 2021 Deloitte study conducted for the City of Memphis, the cost of officers working to meet incident response demand “...creates an inherent lack of time available for community outreach, meaningful engagement with neighborhood watch groups, and participation and presence in youth and school programs.”

### **Action Step 15**

Expand SafeWays’ intensive crime prevention program for apartment communities.

- ❖ **OUTCOME:** At least 50 SafeWays certified properties; a significantly greater decline in crime at SafeWays certified properties than at comparable other properties
- ❖ **KEY STAKEHOLDERS:** SafeWays; Memphis Police Department; private sector apartment owners/managers

SafeWays is a Memphis-based 501 (c)(3) organization that helps apartment community owners and managers reduce crime and improve the quality of life for their residents. Working with owners, managers, the Memphis Police Department (MPD), and other public, non-profit, and community organizations, SafeWays achieves its objective through:

1. Improving the amount and quality of information about crime and calls for service for police available to property management and security personnel;
2. Increasing communication and engagement among residents, management, security, and law enforcement;
3. Enforcement of the District Attorney’s Anti-Trespass Program on SafeWays properties;
4. Educating property management and staff on place management best practices that reduce crime;
5. Providing connectivity to social and other service providers for SafeWays property residents; and
6. Remediating physical conditions on and around SafeWays apartment communities which foster and facilitate criminal activity.

The primary tool used by SafeWays to address risk conditions on properties is “Crime Prevention through Environmental Design” (CPTED). CPTED’s foundational principle is that the physical

environment influences human behavior. Strategic changes to the physical environment to increase visibility, reduce isolation, and control boundaries help prevent or reduce crime by eliminating or limiting opportunities for criminal acts. In addition to CPTED being considered an effective problem-oriented strategy, it is also one of the most effective mechanisms to reduce fear of crime in communities. (Sakip, Johan and Salleh, 2012).

Although SafeWays clients may choose from a variety of available consulting and information services, such as one-time or short-term inspection, statistical reporting, or consultation, its most popular and effective service is its certification program.

With studies showing nearly 20 percent of all reported crimes in Shelby County occurring in apartment communities, the 2017-2021 Safe Community Plan included as a major step expansion of SafeWays to more properties.

In the fall of 2020, the U of M Public Safety Institute (PSI) issued an assessment of SafeWays. The assessment used data from a time period prior to the 2017-2021 plan through June of 2019 (the halfway period of the plan) to measure SafeWays' progress under the plan by researching the following:

1. The percentage of 100+ unit properties that received SafeWays inspection/consultation services by June 30, 2019 (including "monitored safety plans");
2. The percentage of 100+ unit properties participating in the SafeWays certification program by June 30, 2019; and
3. The extent to which reported crime in certified properties changed after certification.

At the start of the Safe Community Plan in January of 2017, Shelby County had 293 apartment communities with 100+ units, and 59 (20 percent) had received SafeWays inspection/consultation services. As of June 2019, 94 (32 percent) had received SafeWays inspection/consultation services.

At the start of the plan, 12 of the 100+ unit properties were participating in the SafeWays certification program. As of June 30, 2019, 16 of the properties were certified.

The assessment looked at "major tracked offenses" (homicides, rapes, aggravated assaults, robberies, simple assaults, domestic violence intimidation incidents, burglaries, larceny thefts, and motor vehicle thefts). Researchers obtained the certification date of each of 13 certified properties and used the average number of reported crimes during the immediately preceding 12-month period as the pre-certification baseline with which to compare post-certification averages.

The assessment revealed that 6 of 13 properties experienced at least a 25 percent reduction in the average number of major tracked offenses after certification. For all 13 properties, the average number of major tracked offenses dropped 20 percent during their post-certification periods.

To review the complete assessment, go to the PSI website at <https://memphis.edu/psi/> or the Crime Commission website at <https://memphiscrime.org/>.

As of the end of 2021, according to data from SafeWays, 17 properties were certified (with four in the higher category of “certified select”), and eight additional properties were in the certification process. An additional 32 properties had received inspection/consultation services in 2021.

For various reasons (some voluntary and some involuntary), 23 properties have been terminated from the SafeWays program since 2015.

SafeWays has made available to the Crime Commission data on major tracked offenses from 2013 through November of 2021 for the 11 properties certified five plus years. The SafeWays data reflect a 26 percent reduction in major tracked offenses in certified properties and a 17 percent decline in non-certified 100+ unit communities since 2013. As of 2021, SafeWays certified properties represent only four percent of the 100+ unit communities in Memphis yet account for 12 percent of the decrease in major tracked offenses in 100+ unit communities in Memphis since 2013.

SafeWays services are completely voluntary, with property owners or management companies paying for those services. Many apartment communities in need of SafeWays are simply unwilling to make the investment. That unwillingness is often – but not always – driven by property owners located elsewhere with no connection to the community beyond the rents collected. (Some locally owned properties also indicate an unwillingness.) They may never join unless ways are developed to hold them accountable for inordinately high crime rates. (Nuisance actions have been filed against several non-SafeWays apartment communities.) Other apartment communities may desire SafeWays services but feel they cannot afford to pay for them. In spite of these challenges, there is a desire among key stakeholders to expand SafeWays into more apartment communities. It will take these key stakeholders – such as the city mayor, police chief, and district attorney – using their influence to encourage more participation.

## **Action Step 16**

Establish a Neighborhood Safety Initiative that strengthens community relations with law enforcement and other public agencies by focusing on specific crime and blight hotspots for specific periods of time.

- ❖ **OUTCOMES:** A reduction in crime in the hotspots; a resolution of at least 90 percent for designated blighted property in the hotspots
- ❖ **KEY STAKEHOLDERS:** Memphis Police Department; D.A.’s Office; City and County Code

Unoccupied and blighted properties in a neighborhood can lead to higher possibilities of unsafe environment conditions. Approximately 15 percent of the land in United States cities has been deemed vacant or abandoned; this is roughly the same size of Switzerland. Over 11,500 square miles of useable areas remain neglected (Bowman and Pagano, 2010). Low-income neighborhoods are common areas of vacant and blighted properties, and residents point to these properties as hazards to both health and safety (Garvin et al, 2013). Targeting these properties, especially in an urban setting, has shown to have effects on economics and crime (Wachter S, Wong G, 2008; Kondo M, South

E, Branas C, 2015). Other studies have shown mixed results (Bogar S, Beyer K, 2016). For example, low-lying trees and other dense areas of vegetation have been associated with higher fear of crime. These areas limit visibility and can potentially hide possible criminals and other illegal activity (Gobster & Westphal, 2004). Urban context matters in regard to human behavior. Some studies have found that blighted properties, such as broken-down housing and high littered areas can lead to higher violence and crime (Keizer, Lindenberg, and Steg, 2008; Harcourt and Ludwig, 2006). Branas and others (2018) found that residents near maintained vacant lots not only reported significantly reduced perceptions of crime and safety concerns but also had significant reductions in crime overall, including gun crimes, burglaries, and nuisances.

One of the many factors in addressing blight and increasing safety is community involvement. In our community, many residents have stepped up to help improve their neighborhoods and assist with local issues. The 2017-2021 Safe Community Plan recognized the potential crime prevention power of organized groups of residents in curtailing blight and crime at the neighborhood level. The plan established a special Neighborhood Safety Initiative (NSI) to help build and strengthen partnerships among neighborhood groups, law enforcement, and other city/county agencies.

Neighborhood watch groups (NWGs), for example, align themselves with law enforcement to help report unusual, and possibly criminal, activity. Through NWGs, law enforcement officials also help educate neighborhood residents on how they can improve safety, not only in their neighborhoods, but also in their homes.

Another example of strengthening these partnerships with citizens is through monthly meetings of Police Joint Agencies (PJAs). At PJA meetings, leaders of NWGs and other citizens get the chance to address specific concerns in their neighborhoods with numerous city and county agencies such as law enforcement, city/county code officials, and health officials.

At the suggestion of the Memphis Police Department (MPD), the NSI effort has focused on the Austin Peay and Tilman MPD precincts, working closely with the PJA leaders in those two precincts to identify and give special attention to priority crime and blight matters.

Crime Commission and U of M Public Safety Institute (PSI) representatives have participated in the PJA meetings occurring in the two precincts (usually monthly). Both precincts contain two PJAs – the Frayser and Raleigh PJAs in the Austin Peay precinct and the University Area and Highland Heights PJAs in the Tillman precinct.

In addition, an NSI working group was formed and ably chaired by Steve Shular, special assistant for neighborhood concerns to Memphis Mayor Jim Strickland. The NSI asked each of the four PJAs to identify “priority complaints” each month for both criminal activity and blighted property (with these two categories often overlapping). At monthly meetings composed of agency representatives and PJA leaders, the priority complaints were discussed, with the goal of getting the priorities resolved to the satisfaction of PJA leadership. In addition, emphasis was placed on increasing the number of NWGs in both precincts.

Two assessments of the NSI were conducted by the PSI and released in the spring of 2019 and the summer of 2021. Both assessments are available for review at <https://memphis.edu/psi/> or <https://memphiscrime.org/>.

Looking at the priority complaints brought to the NSI through 2020, according to the assessment released in 2021, about 12 percent of the priority complaints remained unresolved but with the vast majority being complaints brought in 2020, many of which may have been resolved after the assessment was finalized. Looking at 2017-2019, while the majority of priority complaints were resolved, many took up to a full year for resolution.

As part of the assessment released in 2021, PJA community members participating in 2019 were surveyed for feedback on various public and private entities invited to participate in the PJA meetings. (Due to the COVID-19 pandemic, the PJAs did not meet regularly for most of 2020 and, to the extent they did meet, almost all of the meetings were virtual. Therefore, surveys were not used in 2020.) Most PJA community participants who expressed an opinion were either “satisfied” or “very satisfied” with most of the entities participating – an indication that community participants were appreciative of the opportunity to interact with various officials.

The number of NWGs grew in both precincts but not at a fast enough pace. Both the Austin Peay and Tillman precincts had a continuous increase every year since 2016 in NWGs (even during the pandemic year of 2020). However, there must be an intensive effort to obtain a scaled-up pace.

MPD tracks reported Blue C.R.U.S.H. crime categories citywide and by precinct. Those offenses include aggravated assaults, motor vehicle thefts, burglaries, thefts from motor vehicles, robberies, and carjackings. Using 2016 as a baseline year, during the 2017-2021 Safe Community Plan time period, reported Blue C.R.U.S.H. crimes dropped 5.1 percent citywide. However, they dropped 18.2 percent in the Austin Peay precinct and 13.4 percent in the Tillman precinct.

The goal of NSI has been to involve the community more in working with law enforcement and other entities to reduce crime by addressing specific crime and blight issues and increasing the number of active NWGs. The degree to which the NSI has helped achieve those goals is hard to measure. It is safe to say, though, that the effort has helped increase dialogue and communications with concerned community residents and heightened awareness of their specific concerns.

To become more effective moving forward, the consensus of the NSI working group is that the NSI needs to sharpen its focus by looking at specific properties in limited geographic areas that have a joint crime/code enforcement link that generates complaints. The goal of the revamped NSI will be to reduce crime at and near troubled properties that are the subject of continuous complaints, including things such as abandoned property, trash in the yard, open windows and doors, high grass, trespassing, and the presence of possible drug users and dealers. (In effect, properties will be identified at which crime is linked in many cases to the literal broken windows – applying the broken windows theory of crime in a very direct way.)

The effort will begin where the last version of NSI left off – in the Austin Peay and Tillman precincts – but will move to other precincts as precinct leaders identify appropriate properties on which to focus.

### **Action Step 17**

Help break the cycle of repeat offenders by increasing employment opportunities for those supervised by the Tennessee Department of Correction and mandated by the Board of Parole to report to the Shelby County Office of Re-Entry as the department’s Community Resource Center.

- ❖ **OUTCOMES:** The percentage of individuals mandated by the Board of Parole to report to the Office of Re-Entry who actually do so; the percentage of parolees who are employed
- ❖ **KEY STAKEHOLDERS:** Tennessee Department of Correction; Shelby County Office of Re-Entry

Securing gainful employment is important for a successful transition from prison back to the community. Unfortunately, ex-offenders often face multiple obstacles in finding employment. The mark of a criminal record can significantly decrease hiring of ex-offenders (Pager, 2003). Other barriers such as low levels of educational attainment, incomplete schooling, limited previous work experience, poor health, and being concentrated in small urban areas characterized by high poverty and poor job prospects can all impact employability (Raphael, 2014; Wiegand and Sussell, 2016). Due to these compounding obstacles, it is not surprising that approximately 2/3 of ex-offenders are rearrested and almost half are reincarcerated within the first three years of release (Durose, Cooper, and Snyder, 2014).

Re-entry interventions that focus on getting ex-offenders gainful employment can reduce the rate of recidivism. However, evaluations on the impacts of re-entry models are still developing (Drake, Aos, and Miller, 2009). A three-year evaluation by Redcross and colleagues (2012) of the Center for Employment Opportunities Transitional Jobs Program (CEO) found it significantly reduced recidivism by 16 to 22 percent, with the strongest impacts being among ex-offenders who enrolled in the program shortly after release (treatment group). Among those individuals, program group members were less likely than the control group to be arrested, convicted of a new crime, and reincarcerated (Redcross et al., 2012). Other research has suggested the importance of preparing individuals for employment prior to their release, and not after. An evaluation of a randomized controlled experiment (RCT) of a re-entry program was conducted by Cook and colleagues (2015). This RCT included employment opportunities as well as social service or ‘reach in’ services prior to offender release. The results of this evaluation found that combining reach-in services with employment opportunities increased employment rates and earnings for the duration of a year, and significantly reduced the likelihood of re-arrest.

In conjunction with the Tennessee Department of Correction (TDOC) and the U of M Public Safety Institute, the Crime Commission has co-hosted two forums to help inform local employers of sources

of ex-offenders as potential employees who have had both technical and life skills training. Both forums were fairly well attended with over 200 attendees. Local re-entry organizations – such as Hope Works, the Center for Employment Opportunities (CEO), Lifeline to Success, Economic Opportunities (EcOp), and the Shelby County Office of Re-Entry (SCOR) – made presentations and provided contact information.

Three major challenges remain to providing more job opportunities for ex-offenders.

First, there is the need to ensure that more ex-offenders take advantage of opportunities to obtain both the technical skills and life skills needed to be productive, dependable employees. The entities mentioned above are examples of community-based organizations providing those opportunities. HopeWorks has been providing training to inmates before they leave incarceration at the Shelby County Division of Corrections. Lifeline to Success works with ex-offenders to help insure they have the kinds of life skills necessary to be productive employees. Such efforts need to be supported and expanded.

Second, more employers need to be convinced to give ex-offenders an opportunity. Many employers have shown a reluctance to do so, possibly in part due to bad experiences they have had in the past. (Ironically, the labor shortage created by the COVID-19 pandemic may have given ex-offenders more opportunities for employment.)

Third, there needs to be better connectivity between ex-offenders who need jobs and employers seeking employees. As an example, CEO has encountered an insufficient number of available ex-offenders to fill job openings.

To help meet these types of challenges, in 2017, TDOC and SCOR entered a memorandum of understanding under which SCOR was designated TDOC’s Community Resource Center for Memphis/Shelby County, with services to be available to those under the community supervision of TDOC.

The MOU was “. . . intended to contribute to a cooperative and mutually beneficial relationship . . . coordinate resources and prevent duplication of effort, ensure the most effective utilization and delivery of community resource services for offender rehabilitation, and establish processes and procedures . . . to establish a seamless and comprehensive system of delivery for rehabilitation and support services available to offenders in Shelby County.”

The MOU established certain “principles” to apply in implementing service delivery, including:

1. Availability to all eligible offenders, specifically all offenders under TDOC supervision;
2. Creation of a “One Stop” approach to a service delivery system; and
3. Delivery of services in a cost efficient and optimally effective manner.

The MOU expired in May of 2020. The MOU needs to be renewed and modified by all interested parties to ensure that, as TDOC’s Community Resource Center, SCOR becomes a true “One Stop” location for the needs of those on supervision to be addressed, including connecting those individuals with



appropriate community service providers such as those mentioned above, with the ultimate goal of placing more ex-offenders in steady, full-time employment.

### **Action Step 18**

Address the fragmented behavioral health system by establishing an effective coordinating entity to (1) connect those with behavioral health challenges with existing services in the community and (2) identify existing gaps in services and resources.

- ❖ **OUTCOME:** The availability of safety net providers of behavioral health services for (1) children facing adverse childhood experiences, (2) adults who have faced adverse childhood experiences, (3) those individuals currently incarcerated or with a history of incarceration, and (4) the population experiencing homelessness. (NOTE: This Outcome will initially involve creating an inventory of services.)
- ❖ **KEY STAKEHOLDERS:** Shelby County Health Department; Shelby County Division of Community Services

Shelby County Sheriff Floyd Bonner estimates that about 25 percent of inmates in the Shelby County jail have behavioral health issues, with a majority of those also having substance abuse issues. A consistent concern in community meetings conducted by the Crime Commission in the fall of 2021 was the failure to address underlying behavioral health issues causing much of our crime. In addition to a lack of services, many expressed the thought that those in need are not being adequately connected to services that exist.

As Shelby County has faced the challenges of the COVID-19 global pandemic, an assessment of the current behavioral health landscape in the community has taken on renewed significance. The community has been affected through the increase in deaths in a short period of time, interruption in in-person learning for our children, job losses for our adult population, a frequent inability to gather freely, and constant concern for our health and safety. On reflection, it is not surprising that we have seen an increase in criminal behavior during this time period, not only in our community but nationwide. The pandemic reality, coupled with pre-pandemic behavioral health issues, presents a unique opportunity to assess the current availability of behavioral health resources and plan for future community investments and improved coordination to address behavioral health at both the institutional and community levels, insuring a healthier and safer Memphis/Shelby County.

As of 2017, 8.5 million Americans suffered from some form of co-occurring substance abuse and behavioral health disorder (Substance Abuse and Mental Health Services Administration, 2018). Individuals who experience substance abuse and/or behavioral disorders often face barriers to treatment, including wait lists for access to treatment facilities, financial barriers and costs for treatment typically due to lack of insurance coverage, transportation issues, and especially stigma which prevents individuals from talking about their struggles (Ali, Teich, and Mutter, 2017; Grella, Gil-

Rivas, and Cooper, 2004; Parcesepe and Cabassa, 2013; Pullen and Oser, 2014; Redko, Rapp, and Carlson, 2006).

There has been considerable growth in the knowledge of behavioral health disorders, including substance abuse, prevention, and program evaluations both in the field of health as well as the field of criminal justice (cf. Charlier and Reichert, 2020; Clifasefi, Lonczak, and Collins, 2017; Fernald et al., 2021; Furber et al., 2015; Jacka et al., 2013; Reichert et al., 2017). Of particular interest is the law enforcement strategy of deflection or some form of pre-arrest diversion. (Charlier and Reichert, 2020). Deflection programs involve a collaborative effort of law enforcement and public health systems to create community-based access to treatment, typically with the aim of not having individuals with drug and/or behavioral health issues needing direct entry into the criminal justice system (Charlier and Reichert, 2020).

A few reviews of deflection programs have been conducted. The LEAD program in King County, Washington (Seattle) included services ranging from case management, substance abuse treatment, and support for individuals post-arrest. LEAD was statistically associated with a reduction in recidivism among participants compared to other similar groups (Collins, Lonzak, and Clifasefi, 2015). However, there have been issues replicating the approach in some other cities, such as Albany, New York (Worden and McLean, 2018). Some deflection programs have experienced limitations to treatment access, including long wait times to access services, which reduces follow through with some treatments (Barberi and Taxman, 2019; Charlier and Reichert, 2020; Chun et al., 2008; Redko et al., 2006; Schiff et al., 2017).

As a public safety issue, there is a need to connect those with behavioral health issues with existing services in the community, as well as identify and address existing gaps in services and resources. This is especially true for those who have come in contact with the criminal justice system. Under the leadership of the Shelby County Health Department and the Shelby County Division of Community Services, the following steps need to be taken:

1. Immediately convene key stakeholders to develop a multi-year strategic plan within two years that assesses the current behavioral health landscape in the community and addresses:
  - The availability and accessibility of existing resources to address behavioral health and co-existing substance use disorders;
  - The sustainability of the existing resources;
  - Exploration of current institutional policies that hinder access and threaten future availability of resources;
  - The value of creating a full-time mental health court;
  - Analysis of future community behavioral health and co-occurring substance use needs given identified system gaps, and
  - Implementation of, and investments in, future behavioral health programs.

2. Within three years, develop a centralized source accessible to residents that identifies existing behavioral resources, with measurements in place to determine its effectiveness.

As noted by Sheriff Bonner, the Shelby County Jail has unfortunately become our major facility housing individuals with behavioral health issues. We can and must do better.

## DOMESTIC VIOLENCE

The plan has two overall primary outcomes related to domestic violence:

- A 20 percent reduction in reported domestic violence incidents
- A 30 percent reduction in domestic violence aggravated assaults involving guns

### Action Step 19

Establish an effective Domestic Violence Task Force made up of key stakeholders to oversee (1) development of a strategic plan for addressing domestic violence and (2) implementation of the plan.

- ❖ **OUTCOMES:** The number of victims connected to services; a reduction in the number and percentage of domestic violence repeat offenders
- ❖ **KEY STAKEHOLDERS:** D.A.'s Office; University of Memphis; Family Safety Center

In 2021, there were 17,446 reported domestic violence incidents in Memphis/Shelby County according to preliminary figures from the Tennessee Bureau of Investigation. The percentage of domestic violence aggravated assaults involving guns has skyrocketed to over 50 percent compared to less than 25 percent in 2014.

According to figures from the District Attorney's Office, of those charged and arrested for domestic violence, over 20 percent have been charged and arrested for domestic violence previously.

Under a grant from the Tennessee Office of Criminal Justice Programs, the University of Memphis evaluated the effectiveness of services to domestic violence victims in Shelby County. Both the final report and an executive summary are available at <https://memphis.edu/psi>.

The evaluation concluded that there is:

1. Widespread frustration among domestic violence victims, criminal justice personnel, and service providers related to the level of cooperation in providing a continuum of services to victims;
2. Challenges related to sufficient collaboration and communication;

3. Lack of funding and services available for the body of victims pursuing social services; and
4. A serious lack of 24/7 services.

As the university researchers conducted the evaluation, there was also a sense that there are many resources available or potentially available for domestic violence victims which are simply not being utilized as effectively as they could be.

Various key providers and stakeholders came together in October of 2021 with the University of Memphis Public Safety Institute and the Crime Commission to co-host the Forum on Breaking the Cycle of Domestic Violence. These services providers and other stakeholders included the Shelby County Crime Victims and Rape Crisis Center, the District Attorney's Victim/Witness Unit, the Family Safety Center, CasaLuz, Kindred Place, the YWCA, the Memphis Area Women's Council, the Domestic Violence Council, the Memphis Police Department, and the Shelby County Sheriff's Office.

Common themes at the forum were the need for more coordination of service providers and more efficient responses to the needs of victims.

At the individual domestic violence case level, there is a need for a robust and comprehensive coordinated, trauma-informed approach to address the needs of victims (and hold perpetrators accountable). At a higher level, there is a need for more coordination in providing existing services coupled with a plan to address gaps in services.

A coordinated rapid response team approach to domestic violence has grown in recent years, with the goal of improving services to domestic violence survivors, while also lessening the chance of repeat abuse (Shorey, Tirone, and Stuart, 2014). While there is no standardized protocol for implementing community response care (Klevens et al., 2008), a coordinated response often includes local service providers, including police, advocates, health care providers, and others who form a relationship to fill the gaps in service provision for survivors (Sullivan, 2006). The goal is to provide more comprehensive responses for victims, including reducing or eliminating violence and providing victims with appropriate resources such as orders of protection, healthcare, housing and others (Shorey et al., 2014).

Due to efforts involving multiple organizations and services, research has often focused on investigating how each organization affects victims but has not traditionally focused on the impact of rapid response teams as a whole unit. Overwhelmingly the research conducted has been on advocacy interventions, though this work has also looked at criminal justice approaches. For instance, a longitudinal outreach compared to more criminal justice-based referral programs on women's distress and safety following police-reported domestic violence found that advocacy outreach resulted in less PTSD, depression and fear for women in the referral group. Victims connected to advocacy groups expressed more readiness to leave their abusers, and women in the outreach groups were more likely to be engaged in the overall prosecution of their offenders (DePrince et al., 2012). Criminal justice research has commonly focused on the effects of first response teams used by police departments to assist victims in finding shelter and support (Sullivan, 2006). Carr (1982) analyzed the effects of first response teams on victims of domestic violence one year after implementation and

found that 79 percent of victims found the teams helpful. Unfortunately, further research, especially program evaluation, in this area remains somewhat limited. Other research has considered how cognitive-behavioral interventions impact sheltered, abused women with PTSD. A randomized controlled experiment found that women in cognitive-behavioral interventions typically reported less abuse 6 months after post-treatment, as well as overall reductions in PTSD, compared to those who did not receive services (Johnson, Zlotnick, and Perez, 2011). Coordinated community response efforts have also helped women find employment (Chronister, Wettersten, and Brown, 2004) and considered how employment affected their relationship with abusers.

In our community, A Domestic Violence Review and Response Team (DVRRT), a multi-disciplinary collaborative, exists under the auspices of the Family Safety Center of Memphis and Shelby County. Its mission is to bring closure to high-risk cases through a coordinated team approach that addresses outstanding issues and identifies systemic gaps in service, particularly as they relate to holding perpetrators accountable and meeting clients' immediate need for safety and other service options. The collaborative comprises key individuals from the District Attorney's Office, Memphis Area Legal Services, law enforcement and other mission-aligned partners. The collaborative meets monthly to review the status of all clients deemed high-risk as determined by the client's statement and a "high danger" assessment score. While the DVRRT meeting structure is focused on the offender, it could be expanded to include a "stock take" of efforts to support the victim and mitigate revictimization. The structure of DVVRT provides a framework that can serve as a foundation for developing a trauma-informed approach suitable for addressing victims' long-term needs to ensure a sustainable transition from victim to survivor.

What is missing is an effort to look at and address the broader picture of a sustained, coordinated approach to domestic violence so that (1) victims are aware of existing services, including services that support and empower victims to leave their abusers for good; (2) there is easy access to those services; (3) there are adequate services to meet the demand; and (4) effective steps are taken to reduce the number and percentage of offenders, especially repeat offenders.

In this particular case, the call for action is actually (1) development of a strategic plan to address domestic violence followed by (2) implementation of that plan. The University of Memphis has been in discussions with the State of Tennessee about possible funding of a strategic planning process. District Attorney Amy Weirich has agreed to chair a Domestic Violence Task Force made up of key stakeholders to oversee development of the strategic plan and its implementation.

As the desegregated go-to organization in Memphis and Shelby County for victims of intimate partner violence, especially at their point of crisis, the Family Safety Center is intended to serve as a gateway to an array of additional services through its relationships with a collaborative cohort of multidisciplinary agencies. The Family Safety Center has agreed to take a leading role in this effort to achieve greater synergy among agencies that work toward breaking the cycle of violence for victims.

## JUSTICE SYSTEM REFORM

### Action Step 20

Enact truth-in-sentencing state legislation to insure accountability for criminal conduct and confidence in our state’s sentencing structure.

- ❖ **OUTCOME:** An increase in the percentage of state prison beds used for violent offenders.
- ❖ **KEY STAKEHOLDERS:** D.A.’s Office; Tennessee General Assembly

In September of 2015, Governor Bill Haslam’s Task Force on Sentencing and Recidivism issued its final report. The very first recommendation in that report was to hold offenders more accountable by instituting “. . . truth in sentencing for felony convictions that result in incarceration through the establishment of a clear minimum period of incarceration that is conveyed to all interested parties at the time of sentencing.” The task force noted the need for a sentencing system of “transparency and certainty.” The task force went on to state, “The present structure in Tennessee engenders confusion among all participants in the justice system – prosecutors, judges, defense attorneys, defendants, and victims alike – and therefore undermines public confidence in the justice system.”

In a recent guest column in The Commercial Appeal, House Majority Leader William Lamberth reiterated the conclusions of the task force, noting that “. . . the current structure is a grossly inaccurate reflection of the real time that will be served. More troubling is that our current structure offers very little transparency at the time of sentencing. No one – not a judge, not a prosecutor or even a defendant’s attorney – can accurately tell an offender or a victim how long of a prison sentence will be served.”

In addition to the credibility of our state’s criminal justice system, the current system arguably fails to hold many serious offenders adequately accountable. A prime example is offenders convicted of aggravated assault. The vast majority of non-fatal shootings are due to guns used in aggravated assaults. Reported aggravated assaults have been increasing consistently in our community since 2011, with a disturbing 35 percent increase in 2020 compared to 2019. And aggravated assaults make up over 80 percent of all reported major violent crimes in Memphis/Shelby County.

Yet, our state system fails to hold many aggravated assault perpetrators adequately accountable, or serve as a deterrent to other would-be perpetrators. Aggravated assault is Class C felony, with a standard sentencing range of 3-6 years. An offender convicted of aggravated assault is eligible for probation, with no incarceration whatsoever. Assuming, though, that the court sentences a convicted offender to incarceration for 4 years, he is eligible for parole after serving 30 percent, or 1.2 years. On top of that, he is entitled to additional time off the sentence for “good behavior” and credit for any time spent in jail awaiting trial (or a plea of guilty). In effect, someone convicted of aggravated assault with a gun and technically sentenced to 4 years of incarceration can be back in the community almost immediately, a scenario frustrating to law enforcement, prosecutors, victims, and judges.

The federal sentencing system has no parole, with sentences having real meaning. Some states also have a form of truth-in-sentencing, Virginia being an example.

Abolition of parole was a key issue in the 1993 gubernatorial campaign in Virginia. The newly elected governor appointed a task force to review Virginia's system and recommend changes. At town hall meetings throughout the state, the task force heard concerns over the lack of transparency and the need for truth-in-sentencing. Under the state's parole system, inmates often served a fraction of the sentences ordered by the courts (Virginia Criminal Sentencing Commission, 2020).

In 1994, Virginia enacted sentencing reform legislation implementing a truth-in-sentencing system. Under Virginia's truth-in-sentencing, convicted felons sentenced to incarceration are serving at least 85 percent of the incarceration time sentenced by the courts. Violent offenders are targeted for longer terms of incarceration. "Violent offender" status is based on a person's entire criminal history, including juvenile adjudication, and burglaries are included in the definition of violent crime (Virginia Criminal Sentencing Commission, 2020).

At the same time, for non-violent offenders, a risk assessment was developed by Virginia to determine which cases should be recommended for alternative sanctions to incarceration. Roughly 51 percent of convicted non-violent offenders are recommended for alternatives to incarceration. Each year, roughly 3,000 low-risk drug and property felony offenders are recommended for alternative sanctions rather than incarceration. (Virginia Criminal Sentencing Commission, 2020).

In 1994, 69 percent of prison beds in Virginia held violent felons. By 2013, 81 percent of prison beds were occupied by violent felons (Virginia Criminal Sentencing Commission, 2020).

Virginia appears to be doing a good job of using its prison beds for those offenders with reason for the public to fear, holding those offenders accountable through "real" prison sentences, and using its system as a deterrent to violent crime.

According to the FBI's Uniform Crime Report for 2019, Virginia had the sixth lowest violent crime rate in the nation – 208.0 reported violent crimes per 100,000 population. (Four of the five states with lower rates were in New England.) By contrast, Tennessee had the third highest violent crime rate in the nation – 595.2 reported violent crimes per 100,000 population, almost three times Virginia's rate, with the city of Memphis accounting for roughly 30 percent of the total.

Truth-in-sentencing can take many different forms – ranging from elimination of parole to making the eligible parole date the real earliest release date rather than the "sliding scale" Tennessee has now. We need change in order to ensure more accountability for criminal conduct and confidence in our state's sentencing structure – especially when it comes to violent crime.

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# WE WPHIS





JOINT RESOLUTION OF THE SHELBY COUNTY BOARD OF COMMISSIONERS AND MEMPHIS CITY COUNCIL SUPPORTING THE STATE OF TENNESSEE GOVERNOR BILL LEE AND THE TENNESSEE GENERAL ASSEMBLY PROPOSED INCREASE IN FUNDING TO THE CRIME LAB PERSONNEL LOCATED AT THE SPECIAL AGENT DE'GREAUN RESHUN FRAZIER TBI CRIME LAB & REGIONAL HEADQUARTERS IN JACKSON, TENNESSEE ("JACKSON CRIME LAB") TO ADDRESS THE BACKLOG OF ALL BIOLOGICAL TESTING, WITH EMPHASIS ON RAPE KITS, WITHIN THE STATE AND REQUESTING ADDITIONAL FUNDING SUPPORT FOR THE YOUTH AND FAMILY RESOURCE CENTER, THE OFFICE OF REENTRY EFFORTS, JUVENILE COURT TO FUND JOB TRAINING EFFORTS, YOUTH VILLAGES, MEMPHIS ALLIES, 901 B.L.O.C. SQUAD, AND MEMPHIS SHELBY POLICE ACTIVITES LEAGUE, AND SUPPORTING SCHOOL PROGRAMS.

WHEREAS, each year the Tennessee General Assembly convenes the legislative session in January and concludes in mid-May. During the legislative session, the General Assembly adopts new laws that affect a wide range of legislative issues; and

WHEREAS, The Shelby County Board of Commissioners annually establishes a legislative agenda to be presented to the Tennessee General Assembly that will improve the quality of life for its citizens and leverage Shelby County to enhance areas of major fiscal concerns such as: BEP Funding, Infrastructure funding and funds directed towards families and children in need within Shelby County; and

WHEREAS, The Shelby County Board of Commissioners and Memphis City Council support Governor Bill Lee and the Tennessee General Assembly recent additional forensic lab positions at the (TBI)<sup>1</sup> but this still leaves a remaining 46 positions in deficit; and

WHEREAS, Shelby County Government and the City of Memphis also requests funding support from the state with our other funding needs such as scaling up the Youth and Family Resource Center, the Office of Reentry Efforts, supporting Juvenile Court with job training efforts, supporting Youth Villages, Memphis Allies, 901 B.L.O.C. Squad, and Memphis Shelby Police Activities League, and supporting School Programs; and

WHEREAS, the Memphis City Council and Shelby County Government wishes to add these items to the 2023 Shelby County Board of Commissioners' legislative agenda.

NOW, THEREFORE BE IT RESOLVED by the Memphis City Council that Shelby County Government and the City of Memphis both fully support and encourage the Tennessee General Assembly and Governor Bill Lee to support enhanced funding to TBI crime labs for purposes of staffing to address the backlog of biological evidence submitted by various law enforcement agencies throughout the region.

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<sup>1</sup> Anonymous Author, Sep. 29, 2022. "Gov. Lee, TN Legislative Leadership Announce Additional Step to Support TBI and Accelerate Testing." <https://www.tn.gov/governor/news/2022/9/29/gov--lee--tn-legislative-leadership-announce-additional-step-to-support-tbi-and-accelerate-testing-.html>

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted forthwith to the Shelby County delegation to the General Assembly, which is hereby requested to introduce, lobby and support said legislation in the next session of the General Assembly.

BE IT FURTHER RESOLVED, That Shelby County Government and the City of Memphis also request funding support from the state with our other funding needs such as scaling up the Youth and Family Resource Center, the Office of Reentry Efforts supporting Juvenile Court with job training efforts, supporting Youth Villages, Memphis Allies, 901 B.L.O.C. Squad, and Memphis Shelby Police Activities League, and supporting School Programs.

BE IT FURTHER RESOLVED, that this Resolution shall take effect shall take effect from and after the date it shall have been passed by 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

**RESOLUTION TO ACCEPT THE SHORT-TERM RECOMMENDATIONS OF THE  
2022 BLIGHT AND ILLEGAL DUMPING TASK FORCE**

**WHEREAS**, the Memphis City Council on June 21, 2022, approved by resolution the formation of the Blight and Illegal Dumping Task Force (“Task Force”) for the purpose of identifying new initiatives and processes, as well as to improve and expand current City efforts, to prevent and mitigate blight and illegal dumping in the City of Memphis; and

**WHEREAS**, the Task Force has met since July 2022 and will continue to meet until February 2023, however committee members of the Task Force, recognizing the need for immediate intervention, selected to propose the below short-term recommendations with the plan to provide additional recommendations in February 2023; and

**WHEREAS**, the Task Force committee members were asked to rank short-term recommendations in the follow categories: (1) Education and Outreach; (2) Policy Recommendations; and (3) Fiscal Requests; while most recommendations have an associated fiscal cost, the fiscal request recommendations are for initiatives that already have the required infrastructure in order to be implemented.

**NOW, THEREFORE BE IT RESOLVED** that the Blight and Illegal Dumping Task Force does propose the follow short-term recommendations be adopted by the Memphis City Council:

- Create “Most Wanted Litter Bandits” website and social media pages.
- Create illegal dumping reporting hotline and, or website (i.e. CrimeStoppers).
- Amend the FY23 budget to allocate \$50,000 from the unassigned fund balance to the Public Works Department for the creation and funding of an illegal dumping reporting reward program.
- Media Campaign for grand opening of Collins Yard Convenience Center (digital, radio, newspaper, news coverage).
- FY24 budget request for bi-annual Dumpster Days in each single member City Council district.
- Letter from City Council to Shelby County District Attorney’s Office to prioritize prosecution of illegal dumping cases.
- Memphis City Beautiful/Public Works create digital anti-litter and neighborhood beautification curriculum for Memphis-Shelby County School students.
- Record “did you know” hold messages for calls to 311 with information regarding code violations/penalties, how to properly dispose of waste, and blight and illegal dumping facts and figures.

Sponsor  
Rhonda Logan

Chairman  
Martavius Jones

Initiative	Category	Fiscal Note	Division
Create “Most Wanted Litter Bandits” website and social media pages.	Policy Education/Outreach		Public Works
Create illegal dumping reporting hotline and, or website (i.e. CrimeStoppers).	Policy Education/Outreach		Public Works
Create and fund illegal dumping reporting reward program.	Policy Education/Outreach	\$50,000 from FY23 unassigned fund balance.	Public Works
Collins Yard Convenience Center media campaign (digital, radio, newspapers, news coverage)	Education/Outreach		Public Works Communications
FY24 Budget request for bi-annual Dumpster Days in each single member City Council district.	Fiscal Request	\$1,400,000	City Council Public Works
Letter from City Council to Shelby County District Attorney’s Office to prioritize prosecution of illegal dumping cases.	Policy		City Council
Memphis City Beautiful/Public Works create digital anti-littering and neighborhood beautification education curriculum for Memphis-Shelby County Schools.	Education/Outreach		Public Works
Record “did you know” hold messages for calls to all city divisions/departments with information regarding code violations/penalties, how to properly dispose of waste and illegal dumping and blight facts and figures.	Education/Outreach.		All City Divisions/Departments

**CERTIFICATION OF ELECTION RESULTS  
FOR THE CITY OF MEMPHIS SPECIAL ELECTION  
HELD NOVEMBER 8, 2022**

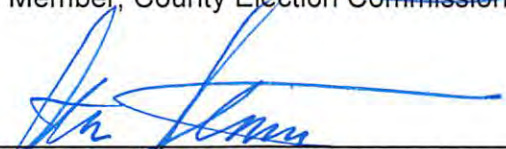
We, the undersigned members of the **Shelby County Election Commission**, do hereby certify that we held a **Special Municipal Election** for the **City of Memphis** on **Tuesday, November 8, 2022**, in the voting precincts in this city, according to law, for the purpose of electing the offices of **City Council, District 4 and Municipal Court Judge, Division 2**, and that we have canvassed the returns of said election as required by law, and we do hereby certify that the following 1 page of tabulation are a true, correct, and complete accounting of the results by precinct of said election as established by the canvassing of the returns, this **21st day of November, 2022**.

*At least three (3) commissioners must sign below:*

\_\_\_\_\_  
Chairman, County Election Commission

  
\_\_\_\_\_  
Secretary, County Election Commission

  
\_\_\_\_\_  
Member, County Election Commission

  
\_\_\_\_\_  
Member, County Election Commission

  
\_\_\_\_\_  
Member, County Election Commission

**State of Tennessee - Shelby County**  
**November 8, 2022**  
**Municipal - City of Memphis**  
**City Council - District 4**

1 Latonia Blankenship - Democratic	3,245
2 Barry Ford - Non-Partisan	1,720
3 DeWayne Jackson - Non-Partisan	855
4 Jana Swearengen-Washington - Non-Partisan	6,262
<b>Total Votes</b>	<b>12,082</b>

**Municipal Judge Division 2 (unexpired term)**

1 Patience "Missy" Branham - Non-Partisan	7,880
2 Latonya Sue Burrow - Non-Partisan	12,707
3 John Cameron - Non-Partisan	15,544
4 Varonica R. Cooper - Non-Partisan	18,718
5 Lynnette Hall-Lewis - Non-Partisan	7,470
6 LaTrena Davis Ingram - Non-Partisan	8,406
7 William "Bill" Larsha, Jr - Non-Partisan	4,350
8 Christine Stephens - Non-Partisan	2,893
9 Carolyn Watkins - Non-Partisan	15,253
<b>Total Votes</b>	<b>93,221</b>