



**CITY COUNCIL
MEETING AGENDA**

May 2, 2023

3:30 p.m.

**Council Chambers, Lobby Floor
City Hall - 125 North Main Street
Memphis, Tennessee 38103-2017**

*If You Are In Need Of A Special Accommodation While
Attending The Meeting, Please Alert The Council Staff.*

Super District 8-3. Chairman Martavius Jones
Super District 8-1. Vice Chairman JB Smiley, Jr.
District 1. Rhonda Logan
District 2. Frank Colvett, Jr.
District 3. Patrice J. Robinson
District 4. Jana Swearengen-Washington
District 5. Worth Morgan
District 6. Edmund Ford, Sr.
District 7. Michalyn Easter-Thomas
Super District 8-2. Cheyenne Johnson
Super District 9-1. Chase Carlisle
Super District 9-2. J. Ford Canale
Super District 9-3. Dr. Jeff Warren

ORDER OF BUSINESS

I. CALL TO ORDER by the Sergeant-at-Arms

II. INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Chief of Staff of the Memphis City Council.

III. PLEDGE OF ALLEGIANCE

IV. CALL OF ROLL by the Comptroller

V. APPROVAL OF PREVIOUS MEETING MINUTES (April 25, 2023)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION recognizing Asian American & Pacific Islander Heritage Month. This Resolution is sponsored by Chairman Jones. (Held from 4/25)
2. RESOLUTION to honor the Memphis Showboats for being a Professional American Football Team based in Memphis, Tennessee. This Resolution is sponsored by Councilwoman Swearingen-Washington.
3. RESOLUTION honoring the Redistricting Committee Members for their exemplary work and contributions by serving on the 2022-2023 Memphis City Council Redistricting Committee. This Resolution is sponsored by Councilmembers Easter-Thomas and Johnson.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT (None)

ZONING ORDINANCE- THIRD AND FINAL READING

4. **ORDINANCE** amending Ordinance No. 5367 of Code of Ordinances, City of Memphis, Tennessee adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to authorize a zoning use district reclassification for land located at the northwest corner of N. Front Street and A.W. Willis Avenue by taking the land out of the Heavy Industrial (IH) use district and including it in the Mixed Use (MU) use district, up for T H I R D and F I N A L reading. This Ordinance is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. Z 23-03
Ordinance No. 5864

Applicant: Ashaif Enterprises, LLC/ Ashaif Enterprises, LLC
Cindy Reaves on behalf of SR Consulting, LLC (Representative)

Request: Rezoning of +/-0.506 acres from Heavy Industrial (IH) to Mixed Use (MU)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

5. **ORDINANCE** amending Ordinance No. 5367 of Code of Ordinances, City of Memphis, Tennessee adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to authorize a zoning use district reclassification for land located at 5591 Pidgeon Roost Road by taking the land out of the Conservation Agriculture (CA) use district and including it in the Employment (EMP) use district, up for T H I R D and F I N A L reading. This Ordinance is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. Z 23-04
Ordinance No. 5865

Applicant: David Couch
David Couch / SR Consulting (Representative)

Request: Rezoning from Residential Single-Family – 8 (R-8) to +/-48.13 acres Employment (EMP) District and +/-9.87 acres Conservation Agriculture (CA) Districts.

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

CONSENT AGENDA

GENERAL ORDINANCES- FIRST READING

6. **ORDINANCE** to revise and change certain Council Districts due to population changes reflected in the 2020 Federal Census so that all such districts will remain as equal as practical, up for **F I R S T** reading. Ordinance No. 5869 is sponsored by Councilwoman Easter-Thomas and Chairman Jones.
Jones
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the Ordinance on First reading

GENERAL ORDINANCE - SECOND READING

7. **ORDINANCE** to amend the Code of Ordinances of Memphis, Tennessee, Chapter 41 Wreckers or Towing Operators, to allow impounded vehicles to be stored on private, storage lots, up for **S E C O N D** reading. Ordinance No. 5868 is sponsored by the Administration.
Logan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the Ordinance on Second reading

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING

8. **ORDINANCE** amending Ordinance No. 5367 of Code of Ordinances, City of Memphis, Tennessee adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to authorize a zoning use district reclassification for land located on the extreme northwest of the subject property located at 0 Malone Road of approximately 3.18 acres by taking the land out of the Conservation Agriculture (CA) Use District and including it in the Employment (EMP) Use District, up for S E C O N D reading. This Ordinance is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. Z 23-05
Ordinance No. 5867

Applicant: Allen Daniel(Estate of)/Josh Whitehead, Burch, Porter, & Johnson, PLLC
Josh Whitehead, Burch, Porter, & Johnson, PLLC (Representative)

Request: Rezoning of +/-3.18 acres from Conservation Agriculture (CA)
to Employment (EMP)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on Second reading

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION (None)

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

(NONE)

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Worth Morgan

9. RESOLUTION awarding a purchase order to Engineered Sealing Components for electric smart meters in the amount of \$1,052,702.16.
10. RESOLUTION approving Change No. 1 to Contract No. 12352, Smith Driving to Smith System, Incorporated, to expand the contract scope and increase the current contract value in the funded amount of \$202,000.00.
11. RESOLUTION approving Change No. 2 to Contract No. 12188, Gas Leak Survey with Heath Consultants, Inc. to ratify and renew the current contract in the funded amount of \$1,200,000.00.
12. RESOLUTION awarding Contract No. 12401 (solicited under Contract No. 12346), MLGW Utility Relocations for Street Improvement Project (Water) to Fisher & Arnold, Incorporated, in the funded amount not-to-exceed \$500,000.00.
13. RESOLUTION awarding Contract No. 12400 (solicited under Contract No. 12346), MLGW Utility Relocations for Street Improvement Project (Gas) to Barge Design Solutions, Incorporated, in the funded amount not-to-exceed \$500,000.00.
14. RESOLUTION awarding Contract No. 12405 (solicited under Contract No. 12346), MLGW Utility Relocations for Street Improvement Project (Water) to Gresham Smith in the funded amount not-to-exceed \$500,000.00.
15. RESOLUTION awarding Contract No. 12404 (solicited under Contract No. 12346), MLGW Utility Relocations for Street Improvement Project (Gas) to Gresham Smith in the funded amount not-to-exceed \$500,000.00.
16. RESOLUTION awarding Contract No.12399 (solicited under Contract No. 12346), MLGW Utility Relocations for Street Improvement Project (Electric) to Gresham Smith, in the funded amount not-to-exceed \$500,000.00.
17. RESOLUTION approving Change No. 2 to Contract No. 12053, Local Dial Tone Services with AT&T to renew the current contract in the funded amount of \$172,735.00.
18. RESOLUTION awarding Contract No. 12403 (solicited under Contract No. 12346), MLGW Utility Relocations for Street Improvement Project (Water) to Allen & Hoshall, Incorporated in the funded amount not-to-exceed \$500,000.00.
19. RESOLUTION awarding Contract No. 12402 (solicited under Contract No. 12346), MLGW Utility Relocations for Street Improvement Project (Gas) to Allen & Hoshall, Incorporated in the funded amount not-to-exceed \$500,000.00.

20. RESOLUTION awarding Contract No. 12346, MLGW Utility Relocations for Street Improvement Project (Electric) to Allen & Hoshall, Incorporated in the funded amount not-to-exceed \$500,000.00.
21. RESOLUTION approving Change No. 1 to Contract No. 12286, MLGW Utility Payment Centers with FirsTech, Incorporated to renew the current contract in the funded amount of \$297,009.00.
22. RESOLUTION approving Change No. 4 to Contract No. 12060, DOT Drug and Alcohol Testing with Mid-South Drug Testing, Incorporated to renew the current contract in the funded amount of \$125,000.00.
23. RESOLUTION approving the law firm of Glankler Brown, PCCC, to be employed on an as needed basis at the following hourly rates: Partners/Members - \$300 - \$350; Associates - \$225 - \$300; and Paralegal/Assistants - \$175 - 220.
24. RESOLUTION approving the law firm of Harris, Shelton, Hanover, Walsh, PLLC, to be employed on an as needed basis at the following hourly rates: Partners/Members - \$300 - \$350; Associates - \$200 - \$250.
25. RESOLUTION approving Change No. 4 to Contract No. 12043, Property & Boiler Insurance with FM Global to renew the current contract in the funded amount, based on approved rates, not-to-exceed \$2,905,827.00.
26. RESOLUTION approving Change No. 2 to Contract No. 12238, Electric Substation Construction and Maintenance Services with RMS Energy Company, LLC to renew the current contract in the funded amount equal to approved contract licensing limit by Tennessee State Board for Licensing Contractors (Not to exceed \$10,000,000.00 for this renewal period).
27. RESOLUTION awarding a purchase order to Global Power Components for a switchgear in the amount of \$1,999,712.00.
28. RESOLUTION awarding a purchase order to Automotive Tool Group for three-phase bypass recloser switches in the amount of \$1,388,400.00.
29. RESOLUTION awarding a purchase order to Dobbs Peterbilt for the purchase of six-yard and ten-yard dump trucks in the amount of \$463,674.00.
30. RESOLUTION awarding Contract No. 12409, Trash Removal Services to BFI Waste Services, LLC dba Republic Services of Memphis in the funded amount of \$348,232.32.

REGULAR AGENDA

APPOINTMENTS

31. **MEMPHIS LANDMARKS COMMISSION**

Easter-

Thomas **Appointment**

Chairman,

Personnel & Michael Winter

Governmental

Affairs **PUBLIC ART OVERSIGHT COMMITTEE**

Committee

Appointment

Kate Roberts

GENERAL ORDINANCES THIRD AND FINAL READING

32. **ORDINANCE** to amend Title 6, Chapter 92, to extend the sunset clause for the Equal Business Opportunity Program, up for T H I R D and F I N A L reading. Ordinance No. 5866 is sponsored by the Administration.

Carlisle

Chairman,

Budget

Committee

ACTION REQUESTED: Take whatever action Council deems advisable

33. **ORDINANCE** to amend the Code of Ordinance of the City of Memphis, Chapter 2-16., City Real Property, Management, to require any contracts for the exterior modification of city-owned property that is leased to any unaffiliated nonprofit organization, with a cost in excess of \$3,000,000.00, be presented to the Memphis City Council for approval, up for T H I R D and F I N A L reading. Ordinance No. 5863 is sponsored by Councilmembers Jones, Ford, Johnson, Logan, Swearengen-Washington, and Warren.

Jones

Chairman,

Executive

Session

(Held from 4/25)

ACTION REQUESTED: Take whatever action Council deems advisable

34. **ORDINANCE** renaming South Second Street between Beale Street and G.E. Patterson Avenue as Representative Barbara Cooper Street, up for T H I R D and F I N A L reading. Ordinance No. 5846 is sponsored by the Memphis City Council. **(Held from 2/21; 3/7; 3/21; 4/25)**

Johnson

Chairman,

Planning

& Zoning

Committee

ACTION REQUESTED: Take whatever action Council deems advisable

240 NOTICES WERE MAILED ON FEBRUARY 28, 2023

35. **ORDINANCE** supplementing and amending the 2021 Memphis Municipal Code of Swearingen- Ordinances of the City of Memphis, Tennessee relative to Animals and Horse Drawn Washington Carriages; providing for the repeal of certain ordinances not included herein; and Chairman, providing when such amendments to the Code and this Ordinance shall become Public Services, effective, up for T H I R D and F I N A L reading. Ordinance No. 5843 is sponsored Art, by Councilman Carlisle. **(Held from 2/7; 3/7; 3/21; 4/11; 4/25)**
 Youth Initiative,
 Libraries & Neighborhoods
 Committee **ACTION REQUESTED:** Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

36. **RESOLUTION** to amend the FY24 Memphis City Council Community Grant Carlisle Program. All Council Districts. This Resolution is sponsored by Chairman Jones.
 Chairman,
 Budget **ACTION REQUESTED:** Adopt the Resolution
 Committee

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

MEMPHIS PARKS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS

37. RESOLUTION requesting the City Attorney to provide an opinion on the City of Memphis
Jones Charter’s residency requirement for candidates for Memphis City Council and Mayor.
Chairman, All Council Districts. This Resolution is sponsored by Chairman Jones.
Executive
Session **ACTION REQUESTED:** Adopt the Resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT