



**CITY COUNCIL
MEETING AGENDA**

June 13, 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 (May 16, 2023)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION honoring minority small business owner Glennell Smith for opening *A Taste of Glennie*, a healthy foods restaurant. This Resolution is sponsored by Councilwomen Easter-Thomas and Robinson.
2. RESOLUTION commemorating Juneteenth 2023 within the City of Memphis and highlighting Memphians whose community-driven actions embody the spirit of Juneteenth. This Resolution is sponsored by Councilwoman Easter-Thomas.
3. RESOLUTION honoring U.S. Coast Guard Captain Ryan S. Rhodes for his years of service at the Coast Guard Station in Memphis. This Resolution is sponsored by Councilman Canale.
4. RESOLUTION approving an Honorary Street Name Change of Mississippi Boulevard between East Georgia Avenue and South Danny Thomas Boulevard for Memphis Firefighter David Pleasant. District 6, Super District 8. This Resolution is sponsored by Councilman Canale.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT (None)

ZONING ORDINANCE- THIRD AND FINAL READING (None)

CONSENT AGENDA

GENERAL ORDINANCES- FIRST READING

- 5. **ORDINANCE** to amend the Code of Ordinances of the City of Memphis, Tennessee, Chapter 15, Tire Business and Tire Hauler Regulation, to provide further requirements for Tire Business Retailers regarding the storage and hauling of tires, up for F I R S T reading. Ordinance No. 5875 is sponsored by the Councilmembers Logan, Swearengen-Washington, Carlisle, Easter-Thomas, Ford, Johnson, Smiley and Warren.
Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee
ACTION REQUESTED: Adopt the Ordinance on First reading

- 6. **ORDINANCE** to amend Chapter 41 - Wreckers or Towing Operators of the Code of Ordinances of Memphis, Tennessee, so as to update fees prescribed, up for F I R S T reading. Ordinance No. 5876 is sponsored by Councilman Canale.
Logan
Chairman,
Public Safety
& Homeland
Security
Committee
ACTION REQUESTED: Adopt the Ordinance on First reading

- 7. **REFERENDUM ORDINANCE** to amend the Charter of the City of Memphis, same being Chapter 11 of the Acts of 1879 as amended, pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), so as to provide provisions for the regulation of deadly weapons, up for F I R S T reading. Ordinance No. 5877 is sponsored by Councilmembers Smiley and Warren.
Logan
Chairman,
Public Safety
& Homeland
Security
Committee
ACTION REQUESTED: Adopt the Ordinance on First reading

GENERAL ORDINANCES - SECOND READING

- 8. **ORDINANCE** to make minimally necessary changes to certain Council Districts established by Ordinance No. 5833 to enhance the relative population dispersion among all such districts and to insure that all such districts will continue to comply with the injunction decree issued by United States District Judge Jerome Turner pertaining to Voting Rights Act remedies, up for S E C O N D reading. Ordinance No. 5870 is sponsored by Councilmembers Canale, Carlisle and Colvett.
Jones
Chairman,
Executive
Session
ACTION REQUESTED: Adopt the Ordinance on Second reading

- 9. **ORDINANCE** of the City of Memphis, Tennessee adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2023 and ending June 30, 2024, up for S E C O N D reading. Ordinance No. 5872 is sponsored by the Finance Division.
Carlisle
Chairman,
Budget
Committee
ACTION REQUESTED: Adopt the Ordinance on Second reading

10. **ORDINANCE** to Amend Chapter 25-Pension and Retirement System of the City of Memphis, up for S E C O N D reading. Ordinance No. 5873 is sponsored by the Administration.

Easter-Thomas
Chairman,
Personnel & Governmental
Affairs
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

11. **ORDINANCE** transferring the Division of Traffic Violations Bureau from the City Court Clerk's Office and reinstating the Division of Traffic Violations Bureau as a separate division within the Division of Finance and Administration to be supervised by a Deputy Director appointed by the Mayor and approved by the Memphis City Council and eliminating the Office of City Court Clerk as an elected office of the City of Memphis, up for S E C O N D reading. Ordinance No. 5874 is sponsored by Councilmembers Canale, Carlisle and Smiley.

Easter-Thomas
Chairman,
Personnel & Governmental
Affairs
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING

12. **ORDINANCE** amending Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to authorize a zoning use district reclassification for land located at the northwest corner of Airways Boulevard and East Person Avenue by taking the land out of the Commercial Mixed Use–1 (CMU-1) 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 23-06
Ordinance No. 5871

Applicant: R & D Ventures, LLC and Sixteen Ninety Nine Airways/Haroon Haimed
Cindy Reaves for SR Consulting, LLC (Representative)

Request: Rezoning of +/-0.873 acres from Commercial Mixed Use – 1 (CMU-1)
to Employment (EMP)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on Second reading

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

- 13. RESOLUTION approving the final plat for GETWELL AND HOLMES C-STORE and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5442

Resolution approves final plat in the present limits of the City of Memphis, as shown on the engineering plans and located at the northwest corner of Getwell Road and Holmes Road, in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Financial Federal Bank Letter of Credit in the amount of \$169,500.00 in lieu of bond, as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 14. RESOLUTION approving engineering plans for GLIDE XPRESS CAR WASH, AVANTI P.D. 3RD AMENDMENT, PARCEL D (3560 AUSTIN PEAY HWY) and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5443

Resolution approves engineering plans in the present limits of the City of Memphis, as shown on the engineering plans located at 3560 Austin Peay Hwy, in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the U.S. Specialty Insurance Company Performance Bond No. 1001054267 in the amount of \$77,000.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 15. RESOLUTION approving the final plat for COLONIAL COUNTRY CLUB P.D., PHASE 3 COUNTRYWOOD PARKWAY and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5444

Resolution approves final plat in the present limits of the City of Memphis, as shown on the engineering plans and located at the northern terminus of Countrywood Parkway, in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Swiss Re Corporate Solutions America Insurance Corporation Performance Bond No. 2343554 in the amount of \$1,754,300.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

16. RESOLUTION accepting public improvements for SOUTHRIDGE INDUSTRIAL PARK – 6401 EAST SHELBY DRIVE [CR-5408] and releasing bond. (Request for Same Night Minutes)

(Contract No. CR-5408)

Resolution accepts public improvements within the present limits of the City of Memphis, and located at East Shelby Drive, in Memphis, Tennessee. Resolution also authorizes release of the CASH BOND in the amount of \$114,600.00 held as security.

ACTION REQUESTED: Adopt the Resolution

17. RESOLUTION approving Supplemental Agreement #1 to CR-5405 for CR-5405 STATELINE NORTH (5420 TULANE RD). (Request for Same Night Minutes)

(Contract No. CR-5405)

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

18. RESOLUTION accepting an in-kind donation valued at (\$10,800.00) from Literacy Mid-South for the installation of Literacy Tech Hubs at Raleigh, Cunningham, and Ed Rice Community Centers. Districts 1 & 7, Super Districts 8 & 9. This Resolution is sponsored by Memphis Parks. **(Request for Same Night Minutes)**
19. RESOLUTION to accept grant funds in the amount of (\$10,000.00) from Maddie's Fund to fund lifesaving programming. All Council Districts. This Resolution is sponsored by Memphis Animal Services. **(Request for Same Night Minutes)**
20. RESOLUTION to accept grant funds in the amount of (\$4,000.00) from Maddie's Fund for Pet Resource Center. All Council Districts. This Resolution is sponsored by Memphis Animal Services. **(Request for Same Night Minutes)**
21. RESOLUTION accepting and appropriating the sum of (\$5,000.00) funded by TN Civil War Heritage Area Collaborative Partnership Grant, for the TN Civil War Heritage Area Collaborative Partnership Grant to support the Memphis Heritage Trail. District 6, Super District 8. This Resolution is sponsored by Housing and Community Development. **(Request for Same Night Minutes)**
22. RESOLUTION to accept and appropriate grant funding in the amount of (\$1,015,200.00) from the State of TN for In-Service Training for 1,269 employees. All Council Districts. This Resolution is sponsored by Fire Services. **(Request for Same Night Minutes)**
23. RESOLUTION to appropriate grant funds in the amount of (\$20,000,000.00) for Harbor Docks, Project #PW04123. District 7, Super District 8. This Resolution is sponsored by the Division of Public Works. **(Request for Same Night Minutes)**
24. RESOLUTION to accept grant funds in the amount of (\$14,708.00) from the State of TN Office of Criminal Justice Program (OCJP). All Council Districts. This Resolution is sponsored by Police Services. **(Request for Same Night Minutes)**

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Worth Morgan

25. RESOLUTION awarding Contract No. 12413, Managed Residential Contact Center to DiRad Technologies, Incorporated in the funded not-to-exceed amount of \$18,391,600.00.
26. RESOLUTION approving the ratification of Purchase Order Number 7043670 to Tyndale Enterprises, Inc., for flame-resistant clothing in the total amount of \$4,097,760.06.
27. RESOLUTION awarding Contract No. 12383, Voice and Data Services to AT&T in the funded not-to-exceed amount of \$310,000.00.
28. RESOLUTION approving Change No. 2 to Contract No. 12174, Waste Management Services with Tradebe Environmental Services, LLC to renew the current contract in the funded amount of \$100,000.00. (This change is to renew the current contract for the second of four annual renewal terms for the period covering July 26, 2023 through July 25, 2024).
29. RESOLUTION approving Change No. 2 to Contract No. 12245, Well Abandonment with Layne Christensen Company to renew the current contract in the funded amount of \$165,720.00. (This change is to renew the current contract for the second of four annual renewal terms for the period covering July 6, 2023 through July 5, 2024).
30. RESOLUTION awarding a purchase order to Hitachi Energy USA Inc. for Tropos mesh routers network equipment in the funded amount of \$579,942.00.
31. RESOLUTION approving Change No. 17 to Contract No. 10793, Professional Portfolio Software with Advent Software, Incorporated in the funded amount of \$35,418.30. (This change is to ratify and renew the current contract for an additional year for the period covering May 11, 2023 through May 10, 2024).
32. RESOLUTION awarding Contract No. 12415, Water, Gas, Booster and Vacant Lots Grounds Maintenance to Rotolo Consultants, Incorporated in the funded amount of \$338,543.28.
33. RESOLUTION awarding purchase order to Brighter Days and Nites, Inc., for three-phase pole mount vacuum reclosers in the funded amount of \$3,579,000.00.
34. RESOLUTION awarding a purchase order to Brighter Days and Nites, Inc., for reclosers vacuum 16KA in the funded amount of \$562,275.00).
35. RESOLUTION approving the ratification of Purchase Order Number 7030651 to Automotive Tool Group for gas transition tees in the funded amount of \$278,329.80.

36. RESOLUTION awarding a twelve-month blanket purchase order for the purchase of precast concrete m-pads to Automotive Tool Group in the funded amount of \$461,778.00 and Universal Scaffold & Equipment, LLC. in the funded amount of \$2,798,400.00.

REGULAR AGENDA

APPOINTMENTS

37. **MEMPHIS CIVIL SERVICE COMMISSION**

Easter-

Thomas **Appointment**

Chairman,

Personnel & Laurie Hall

Governmental

Affairs **MEMPHIS LIGHT, GAS, & WATER COMMISSION, NON-VOTING COUNTY WIDE**

Committee **ADVISORY MEMBER**

Appointment

James Lewellen

GENERAL ORDINANCES THIRD AND FINAL READING

38. **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 T H I R D and F I N A L reading. Ordinance No. 5869 is sponsored by Councilwoman Easter-Thomas and Chairman Jones.

Jones

Chairman,

Executive

Session

ACTION REQUESTED: Take whatever action Council deems advisable

39. **ORDINANCE** to amend the Code of Ordinances of the City of Memphis, Tennessee, Chapter 6, to define Entertainment Transportation Vehicles, and to provide for the licensing and regulation of the same, up for T H I R D and F I N A L reading. Ordinance No. 5861 is sponsored by Councilman Canale. **(Held from 4/25; 5/16)**

Canale

Chairman,

Transportation

Committee

ACTION REQUESTED: Take whatever action Council deems advisable

40. **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, Swearngen-Washington, and Warren. **(Held from 4/25; 5/2; 5/16)**

Jones

Chairman,

Executive

Session

ACTION REQUESTED: Take whatever action Council deems advisable

41. **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; 5/2; 5/16)

Johnson
Chairman,
Planning
& Zoning
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

240 NOTICES WERE MAILED ON FEBRUARY 28, 2023

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS

42. RESOLUTION requesting the City Attorney to provide a monthly litigation report. All Council Districts. This Resolution is sponsored by Chairman Jones.

Jones
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the Resolution

ENGINEERING DIVISION

43. RESOLUTION to transfer and appropriate additional construction funds in the amount of \$380,573.00 from FY23 Bridge Repair Coverline, Project #PW23400 to Holmes Burlington Northern-Santa Fe (BNSF) Approach Repair, Project #PW04122 to repair bridges. Districts 3 & 6, Super District 8. This Resolution is sponsored by the Administration.

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

ACTION REQUESTED: Adopt the Resolution

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

44. RESOLUTION to amend FY23 CIP Budget by allocating and appropriating (\$6,800,000.00) in funds for the purchase of various vehicles and equipment through incurrence of indebtedness via the execution of a loan agreement through the Tennessee Municipal Bond Fund. All Council Districts. This Resolution is sponsored by the Finance Division.

Carlisle
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the Resolution

45. INITIAL RESOLUTION authorizing the incurrence of indebtedness by the City of Memphis, TN of not to exceed \$6,800,000.00 by the execution with the Public Building Authority of the City of Clarksville, TN of a loan agreement to provide funding for public works projects. All Council Districts. This Resolution is sponsored by the Finance Division.

Carlisle
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the Resolution

46. RESOLUTION authorizing a loan pursuant to a loan agreement between the City of Memphis, TN and the Public Building Authority of the City of Clarksville, TN, in the principal amount of not to exceed \$6,800,000.00; authorizing the execution and delivery of such loan agreement and other documents relating to said loan; approving the issuance of a bond by such Public Building Authority; providing for the application of the proceeds of said loan and the payment of such indebtedness; and consenting to the assignment of the city’s obligation under such loan agreement. All Council Districts. This Resolution is sponsored by the Finance Division.

Carlisle
Chairman,
Budget
Committee

47. RESOLUTION to allocate and appropriate \$150,000.00 of American Rescue Plan Act funds for a Shelby County Environmental Court Indigent Fund. All Council Districts. This Resolution is sponsored by Councilwoman Logan.

Carlisle
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the Resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

48. RESOLUTION approving proposed consolidated plan PY23/FY24 Annual Action Plan and appropriating federal entitlement funds to the PY23/FY24 Housing and Community Development Budget. All Council Districts. This Resolution is sponsored by the Division of Housing and Community Development.

Colvett
Chairman,
Housing &
Community
Development
Committee

ACTION REQUESTED: Adopt the Resolution

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

MEMPHIS PARKS (None)

DIVISION OF POLICE SERVICES

49. RESOLUTION to transfer a portion of the City of Memphis Division of Police Services
Logan CIP Project #PD02018, Violent Crimes Unit Renovation from the Construction line
Chairman, to Architecture and Engineering. All Council Districts. This Resolution is sponsored
Public Safety by Police Services.
& Homeland
Security **ACTION REQUESTED:** Adopt the Resolution
Committee

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS

50. RESOLUTION approving the Downtown Memphis Commission FY24 Operating Budget.
Carlisle All Council Districts. This Resolution is sponsored by the Administration.
Chairman,
Budget **ACTION REQUESTED:** Adopt the Resolution
Committee

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT