



# CITY OF MEMPHIS

## COUNCIL AGENDA

December 20, 2016

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

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### CALL TO ORDER by the Sergeant-at-Arms

### 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 Council Administrator of the Memphis City Council.*

### PLEDGE OF ALLEGIANCE

### CALL OF ROLL by the Comptroller

### APPROVAL OF PREVIOUS MEETING MINUTES (December 6, 2016)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION approving an honorary street name request for Charles Cavallo.  
This resolution is sponsored by Councilman Boyd.

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION congratulating Lausanne Collegiate School on winning the State football Championship. This resolution is sponsored by Councilman Colvett.

ACTION REQUESTED: Adopt the resolution

**PUBLIC HEARING**

3.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

RESOLUTION approving a special use permit located on the northwest corner of Old Brownsville Road and Ruskin Cove, containing 7.41 acres (Site) and 0.69 acre (Lease Area for Tower) in the Residential Single Family-6 (R-6) District. This resolution is sponsored by the Office of Planning and Development.

Case No. SUP 16-23

Applicant: Eco-site  
N. Andrew Rotenstreich (Baker Donelson) – Representative

Request: CMCS Tower, 160’ designed as a Monopine (Tree)

LUCB and OPD recommendation: APPROVAL, WITH CONDITIONS

ACTION REQUESTED: Take whatever action Council deems advisable

**232 NOTICES WERE MAILED ON DECEMBER 9, 2016**

**DIVISION OF PLANNING AND DEVELOPMENT**

4.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

RESOLUTION approving a street dedication located south of U.S. Hwy 64 at the southern terminus of Roland Road, containing 0.82 acre (35,720 sq. ft.) in the Rural, undedicated roadbed in Conservation Agricultural (CA) District. This resolution is sponsored by the Office of Planning and Development (Held from 3/15; 6/21;9/20).

Case No. SD 16-01

Applicant: First Alliance Bank  
SR Consulting, LLC – Representative

Request: Dedicate right-of-way 50 feet in width and 625 feet in length for an extension of Roland road at the southern terminus of an existing public roadway

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

5.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

RESOLUTION approving a street/alley closure, location is a north-south alley, east of Cleveland between Vance and Linden, containing 2,955.8 +/- sq. feet or 0.68 +/- acre, in Residential Urban-3 (RU-3) and Residential Single-Family-6, Historic (R-6)(H) Districts. This resolution is sponsored by the Office of Planning and Development.

Case No. SAC 16-16

Applicant: Scott A. Edwards, Christine Fultz and Memphis Property Solutions, LLC  
Jon Hodge – Representative

Request: ROW Vacation

LUCB and OPD recommendation: APPROVAL, with Conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

6.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

RESOLUTION approving a special use permit located on the southeast corner of Interstate 40 and Whitten Road (Parcel ID D0207 G00084C), containing 2.47 acres site within an existing 6.19 acre parcel, in the Employment (EMP) zoning district. This resolution is sponsored by the Office of Planning and Development.

Case No. SUP 16-29

Applicant: Whitten Lodging, LLC  
Tim McCaskill – Representative

Request: A Special Use Permit to allow an (81) room hotel

LUCB and OPD recommendation: APPROVAL, with Conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

**ZONING ORDINANCE-THIRD AND FINAL READING**

7.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

ORDINANCE rezoning 4230 Raleigh-Millington (Parcel IDs 086012 00158 and 086012 00157) (East side of Raleigh-Millington, +615 feet south of Egypt Central) containing 1.642± acres in the Residential Single-Family-8 (R-8) District, up for T H I R D & F I N A L reading. This ordinance is sponsored by the Office of Planning and Development.

Case No. Z 16-06  
Ordinance No. 5634

Applicant: Joseph A. Houlihan  
David W. Milem – Representative

Request: Commercial Mixed Use -1 (CMU-1) District

LUCB and OPD recommendation: APPROVAL

**December 20, 2016**

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ACTION REQUESTED: Take whatever action Council deems advisable

**29 NOTICES WERE MAILED ON DECEMBER 9, 2016**



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## CONSENT AGENDA

### GENERAL ORDINANCE - FIRST READING

8. **ORDINANCE** amending Chapter 2, Section 2-291(A), Relating to the Sale of City Property, up for F I R S T reading. Ordinance No. 5637 is sponsored by Chairman Conrad.
- Hedgepeth  
Chairman,  
Public Works &  
Transportation  
Committee
- ACTION REQUESTED: Adopt the ordinance on First reading

### GENERAL ORDINANCE - SECOND READING

9. **ORDINANCE** approving the 2017 City Council Meeting dates, up for S E C O N D reading. Ordinance No. 5636 is sponsored by Councilman Boyd.
- Boyd  
Chairman,  
Economic  
Development  
& Tourism  
Committee
- ACTION REQUESTED: Adopt the ordinance on Second reading

### ZONING ORDINANCE - FIRST READING (None)

### ZONING ORDINANCE - SECOND READING

10. **ORDINANCE** rezoning the west side of Sanga Road; +/-1,026 feet north of Walnut Grove Road, containing 12.88 acres in the Conservation Agriculture (CA) District, up for S E C O N D reading. This ordinance is sponsored by the Office of Planning and Development.
- Colvett  
Chairman,  
Planning &  
Zoning  
Committee
- Case No. Z 16-05  
Ordinance No. 5635

Applicants: Ganguli Majusuri Living Trust/Laurel Glen, LLC  
EDS, Inc. (Danny Tabrizi) – Representative

Request: Residential Single Family (R-10) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

**ENGINEERING** (None)

**NOTATIONS FROM OPD** (None)

**NOTATIONS** from the Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

**ACTION REQUESTED: Set a date of public hearing**

**SUGGESTED DATE:**



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## MLGW FISCAL CONSENT

11. RESOLUTION awarding Contract No. 11887, Gas Matrix Utility Landscaping, to Enlightenment, Incorporated, d/b/a APS Facility Maintenance, in the funded amount of \$397,855.00. (Held from 12/6)
12. RESOLUTION awarding a contract to W. W. Grainger, Inc., for the purchase of water filter pitchers and replacement cartridges, in the amount of \$58,440.00.
13. RESOLUTION approving Change No. 5 to Contract No. 11640, Line Clearance, with ABC Professional Tree Services, in the funded amount of \$11,309,769.26. (This change is to replenish funds used as a result of the June 15, 2016 storm in the amount of \$139,492.59. In addition, this change is to renew the current contract for the third of four annual renewal terms for the period covering February 17, 2017 through February 16, 2018 in the funded amount of \$11,170,276.67.)
14. RESOLUTION approving Change No. 1 to Contract No. 11825, Right-of-Way Mowing, with Bean & Prince Contractors, Incorporated, in the funded amount of \$254,616.00. (This change is to renew the current contract for the first of four annual renewal terms for the period covering February 3, 2017 through February 2, 2018.)
15. RESOLUTION approving Change No. 4 to Contract No. 11545, Weld Testing and Inspection Services, with American Industrial Testing, LLC, in the funded amount of \$10,000.00, with no increase in rates from the previous year. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering January 1, 2017 through December 31, 2017.)
16. RESOLUTION approving an invoice payment to Jackson Energy Authority under Contract No. 11738, Mutual Aid Agreement, based on agreed upon rates, in the funded amount of \$13,283.21.
17. RESOLUTION awarding contracts to H & E Equipment Services in the amount of \$70,288.00 and Reelstrong Utility Fleet in the amount of \$199,676.00, for the purchase of three reel conductor trailers and self-loading single reel carriers.
18. RESOLUTION awarding a contract to H & E Equipment Services, Inc., for the purchase of a telescopic material handler, in the amount of \$141,083.00.
19. RESOLUTION awarding Contract No. 11835, 2016 Water Production Wells, to Layne Christensen Company, based on unit prices, in the funded amount of \$3,088,566.00.

20. RESOLUTION approving Change No. 3 to Contract No. 11727, External Corrosion Direct Assessment (ECDA) Inspection of Natural Gas Pipeline, with JW's Pipeline Integrity Services, LLC, in the funded amount of \$189,700.00. (This change is to renew the current contract for the second of four annual renewal terms for the period covering January 1, 2017 through December 31, 2017.)
21. RESOLUTION awarding a contract to AFL Telecommunications, LLC, in the amount of \$299,855.90.
22. RESOLUTION approving Change No. 2 to Contract No. 11678, Riskmaster Replacement, with Legal Files Software, Incorporated, in the total funded amount of \$5,880.00. (This change is to renew the current contract for the second of four annual renewal terms in the funded amount of \$3,024.00 covering the period December 10, 2016 through December 9, 2017, with no increase in rates from the previous year. This change also includes two additional licenses and maintenance and support services in the funded amount of \$2,856.00.)
23. RESOLUTION awarding Contract No. 11834, Legal Research Services, to Lexis Nexis, in the funded amount of \$276,436.00.
24. RESOLUTION approving Change No. 2 to Contract No. 11697, Physical Ability Testing, with SHL Talent Measurement Solutions, in the funded amount of \$3,805.02. (The contract provided for the reimbursement of travel expenses; however, the estimated cost of the travel expenses was not included in the total contract award amount. The contractor was reimbursed via a Funding Request rather than processed against the contract. This request is to ratify the payment of invoices for reimbursable travel expenses for services, which were paid via Funding Requests in the funded amount of \$3,805.02. The change allows all costs associated with the performance of the contract to be properly applied and processed.)
25. RESOLUTION approving Change No. 2 to Contract No. 11257, Job Evaluation Manager Subscription (JEM), with Korn Ferry (formerly HayGroup, Incorporated), in the funded amount of \$74,270.00. (This change is to: 1) increase the current contract in the funded amount of \$10,700.00 to pay an outstanding invoice for work performed during the current term; 2) approve an increase in the current contract in the funded amount of \$750.00; 3) approve additional services to upload current data during the current term; and 4) approve the renewal of the current subscriber agreement for an additional five year period covering April 1, 2017 through April 30, 2022, in the amount of \$62,820.00 (\$12,564.00 annually).)
26. RESOLUTION awarding Contract No. 11930, Temporary Services for General Laborer, to Millennium Search, LLC, in the funded amount of \$916,383.00.
27. RESOLUTION approving Change No. 1 with Contract No. 11799, Network Maintenance, with Venture Technologies, Incorporated, in the funded amount of \$952,350.84. (This change is to renew the current contract for the first of four annual renewal terms for the period covering February 15, 2017 through February 14, 2018. This change reflects an increase and an adjustment in services which includes additional computer products requiring maintenance and support services under this agreement.)

28. RESOLUTION approving Change No. 4 to Contract No. 11543, Environmental Abatement Services, with General Construction Services, Incorporated, in the funded amount of \$3,100,000.00. (This change is to renew the current contract for the fourth and final annual renewal term covering the period January 1, 2017 through December 31, 2017.)



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## REGULAR AGENDA

29.

Spinosa  
Chairman,  
Personnel,  
Intergovern-  
mental &  
Annexation  
Committee

### APPOINTMENTS

#### MEMPHIS CONVENTION CENTER COMMISSION

##### Appointments

Thomas Midgley  
Timothy Ware

#### MEMPHIS & SHELBY COUNTY FILM AND TELEVISION COMMISSION

##### Reappointment

James Tashie

#### MEMPHIS TRANSPORTATION BOARD

##### Appointments

Sarah Anna Jones  
Esperanza King

#### MEMPHIS YOUTH GUIDANCE COMMISSION

##### Appointment

Aaron Youngblood

#### GENERAL ORDINANCE – THIRD AND FINAL READING (None)

#### ENGINEERING DIVISION (None)

#### EXECUTIVE DIVISION (None)

**FINANCE & ADMINISTRATION**

30. RESOLUTION authorizing the Issuance and Sale of not to exceed \$110,000,000.00 aggregate principal amount of Memphis-Shelby County Airport Authority Airport Revenue Bonds, Series 2016A (AMT) in order to, among other things, finance certain Capital Improvements at Memphis International Airport and approving such Bonds for purposes of Section 147(1) of the Internal Revenue Code of 1986, as amended. This resolution is sponsored by Finance Division.

Ford  
Chairman,  
Budget  
Committee

ACTION REQUESTED: Adopt the resolution

**DIVISION OF FIRE SERVICES** (None)

**DIVISION OF GENERAL SERVICES** (None)

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT** (None)

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION SERVICES** (None)

**LAW DIVISION** (None)

**MLGW DIVISION** (None)

**DIVISION OF PARKS AND NEIGHBORHOODS** (None)

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC SERVICES** (None)

**DIVISION OF PUBLIC WORKS**

31. RESOLUTION providing funding to Blight Authority of Memphis (BAM) in the amount of \$100,000.00, to provide necessary funds to qualify for Blight Elimination Program administered by the Tennessee Housing Development Agency to provide funding in the form of forgivable loans to organizations such as BAM, to demolish vacant and abandoned single family homes. This resolution is sponsored by Public Works Division.

Hedgepeth  
Chairman,  
Public Works &  
Transportation  
Committee

ACTION REQUESTED: Adopt the resolution

32. RESOLUTION amending the FY Capital Improvement Budget by transferring an allocation and appropriating \$270,000.00 in G.O. Bonds – from Traffic Signals, Project Number EN01004, to Traffic Signal Improvements to the intersection of S. Third St. at W. Raines Rd., Project Number EN01076, for a Construction Contract with Shelby Electric. This resolution is sponsored by Engineering Division.

Hedgepeth  
Chairman,  
Public Works &  
Transportation  
Committee

ACTION REQUESTED: Adopt the resolution

33. RESOLUTION transferring \$500,000.00 in G.O. Bonds from Sidewalk Replacement  
Hedgepeth cover line project number PW17500 Engineering – Architecture to Contract Construction  
Chairman, and allocate and appropriate construction funds in PW17501. This resolution is sponsored  
Public Works & by Public Works Division.  
Transportation  
Committee

ACTION REQUESTED: Adopt the resolution

34. RESOLUTION approving a lease agreement with Hendrix and Sons Farms Partnership  
Hedgepeth as approved by the Board of Commissioners of the Memphis and Shelby County Port  
Chairman, Commission on October 19, 2016. This resolution is sponsored by Port Commission.  
Public Works & Contract No. CR-5254  
Transportation  
Committee

ACTION REQUESTED: Adopt the resolution

**GENERAL ITEMS**

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**

**ADD-ONS**

35. RESOLUTION seeking acceptance for donation of 30 trash boxes. The donation has an estimated value of \$90.00. The donor is Omni Packaging Corporation, 7581 Appling Center Drive, Memphis, TN., 38133. This resolution is sponsored by Police Services.

Morgan  
Chairman,  
Public Safety &  
Homeland  
Security Committee  
**Fiscal Consent**

ACTION REQUESTED: Adopt the resolution

36. RESOLUTION accepting (1) SkyCop Camera Solution System, compatible with existing MPD equipment, to be installed on Normandy Avenue (Avon Neighborhood) at the request of the residents of Normandy Avenue, who gave the necessary funds. The items are being donated by the Memphis/Shelby County Law Enforcement Foundation. The cumulative total donation is \$6,468.09. This resolution is sponsored by Police Services.

Morgan  
Chairman,  
Public Safety &  
Homeland  
Security  
Committee  
**Fiscal Consent**

ACTION REQUESTED: Adopt the resolution

37. RESOLUTION to accept (1) SkyCop Camera Solution System, compatible with existing MPD equipment, to be installed in the Valleywood Neighborhood at the request of residents of the Valleywood Homeowners Association. The items are being donated by Memphis/Shelby County Law Enforcement Foundation. The cumulative total donation is \$5,380.00. This resolution is sponsored by Police Services.

Morgan  
Chairman,  
Public Safety &  
Homeland  
Security  
Committee  
**Fiscal Consent**

ACTION REQUESTED: Adopt the resolution

38. RESOLUTION authorizing additional advance payments of FY 2017 Tax Equivalent Payment from Electric System. This resolution is sponsored by MLG&W Division.

Robinson  
Chairman,  
MLG&W  
Committee

ACTION REQUESTED: Adopt the resolution

39. RESOLUTION authorizing additional advance payments of FY 2017 Tax Equivalent Payment from Gas System. This resolution is sponsored by MLG&W Division.

Robinson  
Chairman,  
MLG&W  
Committee

ACTION REQUESTED: Adopt the resolution

40. RESOLUTION amending the FY 2017 Operating Budget by accepting, allocating and appropriating \$5,583.00 in grant funds passed through the Library Division and Memphis Public Library and Information Center for full time salaries for LINC 2-1-1. This resolution is sponsored by Memphis Public Library and Information Center Services.

Fullilove  
Chairman,  
Public Services  
& Neighbor-  
hoods Committee  
**Fiscal Consent**

ACTION REQUESTED: Adopt the resolution

**ADD-ONS CONT.**

41. RESOLUTION awarding a grant of \$300,000.00 to the Binghampton Development Corporation for redevelopment initiative, Binghampton Gateway Community Center Project. This resolution is sponsored by Public Works Division.  
Hedgepeth  
Chairman,  
Public Works &  
Transportation  
Committee

ACTION REQUESTED: Adopt the resolution

42. RESOLUTION authorizing to transfer ownership of two (2) 1996 Crane Carrier solid waste collection type vehicles to the City of Whiteville, Tennessee. This resolution is sponsored by Public Works Division.  
Hedgepeth  
Chairman,  
Public Works &  
Transportation  
Committee

ACTION REQUESTED: Adopt the resolution

43. RESOLUTION amending the Rules of Procedure relating to Standing Committees. This resolution is sponsored by Councilman Boyd.  
Conrad  
Chairman,  
Executive  
Committee

ACTION REQUESTED: Adopt the resolution

**ACTION TAKEN BY COUNCIL ON THIS DATE**

- 1. Through 3 – Approved
- 4. Withdrawn
- 5. Through 41 – Approved
- 42. Failed
- 43. Approved

**ACTION TAKEN BY COUNCIL ON THE MINUTES OF DECEMBER 6, 2016 MEETING**

Approved

**ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEMS #35, #36, #37, #38, #39, #40 #41 & #43 FROM TONIGHT'S MEETING**

Approved