



CITY OF MEMPHIS

COUNCIL AGENDA

October 1, 2013

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

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 (September 17, 2013)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION recognizing Sgt. William Jones and Ms. Gloria Watkins for their contributions to Operation Stand Down Memphis, INC.

Fullilove

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARING

2. RESOLUTION approving a subdivision appeal located on the northeast corner of Mendenhall Road and Minden Road, containing .77 acre.

Collins

Case No. S 13-006

Appellant: Eugene Amagliani

Request: Overturn the decision of the Land Use Control Board on 8/8/13 which approved a proposed two-lot resubdivision

LUCB and OPD recommendation: APPROVAL of the resubdivision with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

73 NOTICES WERE MAILED ON SEPTEMBER 20, 2013

DIVISION OF PLANNING AND DEVELOPMENT

3. RESOLUTION amending the FY2014 CIP Budget by transferring and allocating 1,500,000.00 for the Southbrook Mall project.

Halbert

ACTION REQUESTED: Adopt the resolution

4. RESOLUTION creating a program to leverage the fees paid for “inner city economic development” by applicants equal to 5% of personal property taxes abated under PILOT Agreements to spur economic development in distressed neighborhoods by improving the quality of inner city commercial corridors and neighborhood serving business and transferring \$508,000.00 to EDGE and allowing future fees paid to remain with EDGE to be used for this program.

Halbert

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCE – THIRD AND FINAL READING (none)



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CONSENT AGENDA

GENERAL ORDINANCES - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

5. RESOLUTION approving final plat of SOUTH JUNCTION APARTMENTS, LOTS 1 & 2.

Case No. SCID 13-03
Contract No. CR-5203

Resolution approving the final plat located on the NE and SW corners of Florida Street and Carolina Avenue. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

ACTION REQUESTED: Adopt the resolution

NOTATION FROM OPD

6. NOTATION from Land Use Control Board that the following case was heard and recommendation made requesting a date of public hearing:

A. Case No. SUP 13-213 – UNIVERSITY OF SCHOLARS

Located at 1135 Winchester, containing 0.83 acre in the R-10 District

Applicant: Bryan Williams
Attorney TeShaun Moore – Representative

Request: Childcare center with up to 60 children

LUCB recommendation: REJECTION

OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: October 15, 2013



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MLGW FISCAL CONSENT

7. RESOLUTION awarding Contract No. 11649, ADA Upgrades at four Community Offices to A & B Construction Company, Incorporated, in the funded amount of \$272,710.00.
8. RESOLUTION awarding Contract No.11646, Installation of 25K Underground Gallon Fuel Tank, to The Southern Company, Incorporated, in the funded amount of \$295,905.00.
9. RESOLUTION awarding a contract to H & E Equipment Services, for four diesel-powered portable air compressors, in the amount of \$76,428.00.
10. RESOLUTION awarding a contract to Altec Industries Inc., for the purchase of a mini derrick, in the amount of \$121,250.00.
11. RESOLUTION approving payment of MLGW's on-going commitment to the Greater Memphis Chamber to facilitate economic and community development in Memphis and Shelby County, in the funded amount of \$175,000, to cover the services rendered by the Greater Memphis Chamber for the period September 1, 2012 through August 31, 2013.
12. RESOLUTION approving MLGW to pay the Greater Memphis Chamber \$80,000 to support industrial recruitment, development and expansion of business and industry in the Memphis/Shelby County area. Through TVA Contract No. 7668, between MLGW and TVA, TVA will reimburse MLGW \$40,000.00. This allows MLGW to leverage its money with TVA funds to reinforce local economic development efforts by attracting new companies and investment and supporting existing business growth. The effort is outlined in a scope of work that covers the period October 1, 2012 through September 30, 2013.
13. RESOLUTION awarding Contract No. 11647, Blanket Contract Drilled Pier Foundation, to Reliable Constructors, Incorporated, in the funded amount of \$250,000.00.
14. RESOLUTION awarding Contract No. 11657, Generator Repair Services, to Cummins Mid-South, in the funded amount of \$212,625.00.

15. RESOLUTION approving Change No. 1 to Contract No. 11501, Geotechnical Investigation, with Professional Service Industries, Incorporated, in the funded amount of \$15,000.00. (This change is to renew the contract for the first of four annual renewal terms covering the period October 16, 2013 to October 15, 2014, with no increase from the previous year.)
16. RESOLUTION awarding Contract No. 11623, Variable Frequency Drive and Motor High Service Pump Upgrade-Davis, to Shelby Electric Company, in the funded amount of \$477,289.00.
17. RESOLUTION approving an amendment to a contract between Memphis Light, Gas and Water and GDS Associates, Inc., for professional consulting services, to assist MLGW with preparation for NERC process and procedure implementation, technical studies and evaluations, and readiness assessments. Expenditures under the contract had been capped at \$722,000.00 through December 31, 2014. This amendment raises the cap on expenditures by an additional \$100,000.00, for a total not to exceed \$822,000.00.
18. RESOLUTION awarding a twenty-four month blanket contract to CHM Industries, Inc. d/b/a Keystone Poles, for painted steel poles, in the amount of \$1,106,917.60.
19. RESOLUTION approving Change No. 3 to Contract No. 11378, Risk Management Broker, to Marsh, in the funded amount of \$323,097.00. (This change renews the stop loss coverage for worker's compensation insurance for an additional term covering the period October 1, 2013 through October 1, 2014 with a 15% rate increase from the previous year. This increase is due to rising medical costs, along with the fact that excess workers compensation is a very volatile line of coverage which is driving the rate increases.)
20. RESOLUTION approving Change No. 3 to Contract No. 10961, BMC Combined Software Products, with BMC Software Distribution Incorporated, in the funded amount of \$28,968.86, which reflects a 0.6% decrease from 2010. (This change is to renew license, support, and maintenance fees for the period covering October 31, 2013 through October 30, 2016.)
21. RESOLUTION awarding a contract to Unico Technology, LLC, for a Security Application Suite, in the amount of \$350,667.50.
22. RESOLUTION approving Change No. 5 to Contract No. 11179, Business Objects Software License and Related Service Agreement, with SAP Public Services, Incorporated, in the funded amount of \$31,813.21, with no increase in price from the previous year. (This change is to renew annual software maintenance for the SAP Business Objects Web Intelligence software covering the period November 4, 2013 to November 3, 2014. In addition, this change is to remove additional maintenance services no longer offered and covered by SAP Public Services, Incorporated.)

23. RESOLUTION awarding Contract No. 11673 Physical Archive Storage, to Vital Records Control, Incorporated, in the funded amount of \$170,125.00.
24. RESOLUTION awarding Contract No. 11680, Satori Software Agreement to Satori Software Company, in the funded amount of \$64,334.00.
25. RESOLUTION approving Change No. 1 to Contract No. 11537, Professional Services Support with Nextech Solutions, to increase the contract value in the funded amount of \$280,000.00. (This change is needed to perform additional services required for the Maximum Allowable Operating Pressure (MAOP) Transmission Integrity Project, as a result of federal mandates by the Department of Transportation (DOT) Pipelines and Hazardous Material Safety Administration (PHMSA) bulletin.



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REGULAR AGENDA

26.
Flinn

APPOINTMENTS

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

Reappointment

Johnny B. Moore

MEMPHIS CITY BEAUTIFUL COMMISSION

Reappointment

Deni Carr Reilly
Damone Virgilio

MEMPHIS WASTEWATER HEARING AUTHORITY

Reappointment

Cletea Scott-Woodfork

GENERAL ORDINANCE – THIRD AND FINAL READING

27. **ORDINANCE** amending Chapter 15, Section 15-12, City of Memphis Code of Ordinances to increase the monthly Solid Waste Fee for Residential Units, up for T H I R D and F I N A L reading.

Fullilove

Ordinance No. 5535

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

28. RESOLUTION appropriating \$3,000,000.00 funded by G.O. Bonds General chargeable to the FY2014 Capital Improvement Budget to the Cleaborn Pointe and Heritage Landing/Heritage Trails Project.

Brown

ACTION REQUESTED: Adopt the resolution

29. RESOLUTION approving the City of Memphis Division of Housing and Community Development's leases and/or sub-leases of Memphis City property that may be subject to the City of Memphis Ordinance 2-291 relating to Real Property for FY2014.

Brown

ACTION REQUESTED: Adopt the resolution

DIVISION OF HUMAN RESOURCES

30. RESOLUTION to introduce minimal transitional plan design changes to the City's Basic and Premier PPO plans, adjust total premium rates by plan, and "breakeven" projected calendar year (CY) revenues with expenses. (Held from 6/18; 9/3)

Flinn

ACTION REQUESTED: Adopt the resolution

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

DIVISION OF PARK SERVICES (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

31. RESOLUTION amending the FY2014 Capital Improvement Budget by transferring an allocation and appropriating \$460,666.00 funded by G.O. Bonds-General (Storm Water) from Bridge Repair Storm Water, project number ST03083, to repair the footing on Rivergate Bridge over Nonconnah Creek.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

32. RESOLUTION amending the FY2014 Operating Budget by transferring \$192,610.00 from Salaries and Benefits for (3) Heavy Equipment Mechanics and (1) Lead Heavy Equipment Mechanic from Solid Waste Management and increasing the Heavy Equipment Personnel Budget by \$297,415.00.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

33. RESOLUTION amending the FY2014 Capital Improvement Budget by transferring an allocation and appropriating \$2,955,850.00 funded by G.O. Bonds-General to completely upgrade the electrical components at the Cypress Creek Pump Station.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

34. RESOLUTION appropriating \$300,000.00 in Other Project Cost funded by G.O. Bonds General to continue the implementation of the Urban Art Plan, CIP Project Number EN01003, chargeable to FY2014 Capital Improvement Budget.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ON

35. **ORDINANCE** to amend Chapter 2, Article IX, Code of Ordinances so as to update the Occupational Safety and Health Program Sections, up for F I R S T reading.

Consent

Ordinance No. 5536

ACTION REQUESTED: Adopt the ordinance on First reading

ACTION TAKEN BY COUNCIL ON THIS DATE

1. and 2 – Approved
3. and 4 – Approved, as amended
5. Approved
6. Public Hearing set for October 15, 2013
7. Through 10 – Approved
11. and 12 – Back to Committee on October 15, 2013
13. Through 26 – Approved
27. Held until December 3, 2013
28. and 29 – Approved
30. Held until November 5, 2013
31. Through 35 – Approved

ACTION TAKEN ON THE MINUTES OF SEPTEMBER 17, 2013

Approved