



CITY OF MEMPHIS

COUNCIL AGENDA

May 19, 2015

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 (May 5, 2015)

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 change of Channel 3 Drive for
W. Boyd Rev. Burton D. Carley.

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION approving an honorary street name change of Dudley Street for Sam
W. Boyd Abraham.

ACTION REQUESTED: Adopt the resolution

3. RESOLUTION honoring 100 years of Kiwanis.
Strickland

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARING

4. RESOLUTION approving a special use permit located at 3683 Austin Peay Highway on the west side of Austin Peay Highway; +/-900 feet north of Lakehurst Drive, containing 5.95 acres in the Residential Single Family-10 (R-10) District. This resolution is sponsored by the Office of Planning and Development.

Collins
Chairman,
Planning &
Zoning Committee

Case No. SUP 15-205

Applicant: Raleigh Assembly of God
Don Hardy - Representative

Request: Seminary with dormitories for ministerial students

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

76 NOTICES WERE MAILED ON MAY 8, 2015

ZONING ORDINANCES – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCES - FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

5. **ORDINANCE** to appropriate the proceeds of the Tax Levy on the assessed values on all properties of every species within the city limits for general purposes for the Fiscal Year July 1, 2015 through June 30, 2016, up for **S E C O N D** reading. Ordinance No. 5587 is sponsored by Administration.
- Strickland
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

6. **ORDINANCE** to fix the Tax Rate of the City of Memphis for Fiscal Year 2016, up for **S E C O N D** reading. Ordinance No. 5588 is sponsored by Administration.
- Strickland
Chairman,
Budget Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE - FIRST READING

7. **ORDINANCE** amending the Memphis and Shelby County Unified Development Code as adopted by the City of Memphis August 10, 2010 and by Shelby County August 9, 2010, as amended, to revise and enhance the Joint Zoning and Subdivision Regulations as recommended by the Memphis and Shelby County Office of Planning and Development and the Land Use Control Board. This text amendment affects all property within the City of Memphis, up for **F I R S T** reading. This ordinance is sponsored by the Office of Planning and Development.
- Collins
Chairman
Planning &
Zoning
Committee

Case No. ZTA 15-001

Ordinance No. 5589

Applicant: Memphis & Shelby County Office of Planning & Development
Josh Whitehead, Planning Director - Representative

Request: Adopt amendments to the Memphis & Shelby County
Unified Development Code

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING (None)

NOTATION FROM OPD (None)

GENERAL ITEM (None)



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FISCAL CONSENT AGENDA

8. RESOLUTION to accept grant funds in the amount of \$10,000.00 from the National Recreation and Park Association Recreation and Parks Association (NRPA) Out-of-School Time (OST) Programs, in partnership with the Walmart Foundation, that will amend the existing OST grant. This resolution is sponsored by Parks and Neighborhoods.
- W. Boyd
Chairman,
Parks
Committee

ACTION REQUESTED: Adopt the resolution



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MLGW FISCAL CONSENT

9. RESOLUTION awarding Contract No. 11755, Street Light Construction Contract for the South Cordova Annexation, to Standard Electric Company, Incorporated, in the funded amount of \$1,144,500.00.
10. RESOLUTION awarding a thirty-six month contract to Memphis Ready Mix, for concrete, in the amount of \$3,598,168.40.
11. RESOLUTION approving Change No. 6 to Contract No. 10907, Data Feed Analysis, with CQG, Incorporated, in the funded amount of \$29,873.00. (This change is to renew the contract for an additional 13-month term covering the period July 1, 2015 through July 31, 2016. This renewal increases the number of users receiving the New York Mercantile Exchange (NYMEX) pricing feeds and reconciles enablement changes and exchange fee increases in 2014. Further, staff is authorized to enable services accessed by users to meet the needs of MLGW during the term of this renewal. Additional fees incurred due to exchange fee increases will be reconciled during the next renewal period. MLGW is requesting approval of the renewal to this web-based access system, which can only be provided by CQG, Incorporated.)
12. RESOLUTION approving Change No. 1 to Contract No. 11450, Peak Period Call Management System, with Twenty First Century Communications, Incorporated, in the funded amount of \$4,580.00. (This change includes purchasing two routers capable of handling Multiprotocol Label Switching (MPLS) traffic and security licenses, supported by Maxxis Network Service. In addition, this upgrade will result in a decrease in connections, support and the current backup Integrated Services Digital Network (ISDN) lines and Plain Old Telephone Services (POTS) lines which will no longer be needed. The contract term will remain through January 31, 2016.)
13. RESOLUTION awarding a contract to Black Box Network Services, for the Electric Operations voice telephone equipment upgrade, in the amount of \$436,142.28.
14. RESOLUTION approving a rate schedule for the law firms of Constangy, Brooks, Smith & Prophete, LLP, for legal services rendered concerning labor, employment, and workers' compensation matters uniquely related to the utility industry.

15. RESOLUTION approving Change No. 8 to Contract No. 9547, IBM Maintenance, with International Business Machines (IBM), in the funded amount of \$227,405.12. (This change is to renew the current contract for annual software licenses, maintenance, and support for the following IBM products: WebSphere MQ (Message Queue) z/OS, Enterprise COBOL z/OS (Operating System for IBM's zSeries 900 Servers), z/OS Base, z/OS DFSORT and WebSphere MQ processors. This renewal is for the period covering July 1, 2015 through June 30, 2016. In addition, for the period covering January 1, 2016 through June 30, 2016, this change will reflect an increase not to exceed 5% in the unit cost due to IBM changing their licensing model effective January 1, 2016. However, this increase is offset by the adjustment in licenses from 4,000 to 2,000 for the Hewlett Packard Distribution hardware as a result of eliminating one of the two systems. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by IBM.)
16. RESOLUTION awarding a twenty-four month contract to Mitchell Graphic Repair, to cover maintenance for the printing equipment, in the amount of \$46,268.00.
17. RESOLUTION awarding a contract to Tropos Networks Inc., a subsidiary of ABB Inc., for outdoor wireless mesh routers, in the amount of \$157,114.00.



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REGULAR AGENDA

18.

B. Boyd
Chairman,
MLGW
Committee

APPOINTMENTS

MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD

Appointment

Alfred M. Washington

MUNICIPAL SOLID WASTE REGION PLANNING BOARD

Appointment

Kerry R. Roy

GENERAL ORDINANCES – THIRD AND FINAL READING

19.

Collins
Chairman,
Planning &
Zoning
Committee

JOINT ORDINANCE to amend the provisions of the 2012 Joint Mechanical Code of Memphis and Shelby County related to the operation and safety monitoring of certain Power Boilers to make these requirements more closely align with State of Tennessee requirements for the operation of such equipment, up for T H I R D and F I N A L reading. Ordinance No. 5584 is sponsored by the Office of Planning and Development.

ACTION REQUESTED: Take whatever action Council deems advisable

20.

Hedgepeth
Chairman,
Public Works &
Transportation
Committee

ORDINANCE to amend Article II, Chapter 4-14, City of Memphis Code of Ordinances, and Article III, Chapter 39 to allow the Consumption of Alcoholic Beverages by an individual(s) who is a passenger in certain non-motorized Vehicles for Hire, up for T H I R D and F I N A L reading. Ordinance No. 5585 is sponsored by Councilman Reid Hedgepeth.

ACTION REQUESTED: Take whatever action Council deems advisable

21. **ORDINANCE** to amend Chapter 28, Article VII, City of Memphis Code of Ordinances, establishing the Civilian Law Enforcement Review Board, up for Strickland Vice-Chairman, T H I R D and F I N A L reading. Ordinance No. 5586 is sponsored by Councilwoman Personnel Committee Halbert.

ACTION REQUESTED: Hold until June 16, 2015

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

22. RESOLUTION requesting a minimum of \$13,500,000.00 for paving and \$7,000,000.00 for community projects be included in the FY2016 Capital Improvement Budget. This Strickland Chairman, Budget Committee resolution is sponsored by Councilwoman Halbert. Co-sponsored by Councilman Berlin Boyd, Councilman Bill Morrison and Councilman Edmund Ford, Jr. (Held from 4/21; 5/5)

ACTION REQUESTED: Adopt the resolution

23. RESOLUTION to adopt Funding Policy for City of Memphis general employees. Strickland Chairman, Budget Committee This resolution is sponsored by Administration. (Held from 3/3)

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION to adopt Funding Policy for Memphis Library and Information Strickland Chairman, Budget Committee Center employees. This resolution is sponsored by Administration. (Held from 3/3)

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES

25. RESOLUTION accepting a 2015, 2500 Crew Cab Truck from Shelby County Government under a State Homeland Security Grant to be used by the City of Memphis Strickland Chairman, Public Safety Committee Office of Emergency Management. Equipment has an estimated value of \$27,999.00. This resolution is sponsored by Fire Services.

ACTION REQUESTED: Adopt the resolution

26. RESOLUTION accepting and appropriating \$708,000.00 in State In-Service Training Strickland Chairman, Public Safety Committee funds from the State of Tennessee. This resolution is sponsored by Fire Services.

ACTION REQUESTED: Adopt the resolution

27. RESOLUTION appropriating \$699,712.00, CIP Project Number FS02001, Contract Construction funded by G.O. Bonds General, for Fire Station Repair. This resolution is sponsored by Fire Services.

Conrad
Chairman,
Public Safety
Committee

Council did include Fire Station Repair, FY 15 Pavement Improvements, CIP Project Number FS02001 as part of the Fiscal Year 2015 Capital Improvement Program. Bids were received on March 6, 2015 for pavement improvements with the best complying bid submitted by Shelby Electric Co., in the amount of \$647,881.35 plus contingency in the amount of \$51,830.65 for a total of \$699,712.00.

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES

28. RESOLUTION approving \$1,500,000.00 acquisition, \$6,230,000.00 renovation and \$680,000.00 relocation costs relative to the Donnelly J. Hill State Office Building located at 170 N. Main St., Memphis, TN 38103 and the allocation and appropriation of the current year sum of \$8,033,000.00 chargeable to the FY 15 CIP and Operating Budgets of the Division of General Services. This resolution is sponsored by the Finance Division.

Lowery
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

29. RESOLUTION amending the FY2015 Operating Budget by accepting and appropriating the revenues and expenditures for the HUD Continuum of Care (formerly Shelter Plus Care) grant, implemented by SHIELD, Inc., in the amount of \$215,175.00. This resolution is sponsored by Housing & Community Development.

Brown
Chairman,
Housing &
Community
Development
Committee

ACTION REQUESTED: Adopt the resolution

30. RESOLUTION amending the FY2015 Operating Budget by accepting and appropriating the revenues and expenditures for the HUD Continuum of Care (formerly Shelter Plus Care) grant, implemented by Friends for Life in the amount of \$145,073.00. This resolution is sponsored by Housing and Community Development.

Brown
Chairman,
Housing &
Community
Development
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF HUMAN RESOURCES

31. RESOLUTION to approve an increase of the City Attorney's Office Authorized Complement to take effect upon the approval of the minutes. This resolution is sponsored by the Law Division. (Held from 4/7; 4/21; 5/5)

Strickland
Vice-Chairman,
Personnel &

Intergovernmental
Committee

ACTION REQUESTED: Adopt the resolution

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

DIVISION OF PARK SERVICES (None)

DIVISION OF POLICE SERVICES

32. RESOLUTION accepting grant funds in the amount of \$419,166.00 from Shelby County Government through the U. S. Department of Justice. This resolution is sponsored by Police Services.

Conrad
Chairman,
Public Safety
Committee

ACTION REQUESTED: Adopt the resolution

33. RESOLUTION accepting grant funds in the amount of \$197,000.00 from the State of Tennessee, Office of Criminal Justice Programs. This resolution is sponsored by Police Services.

Conrad
Chairman,
Public Safety
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

34. RESOLUTION transferring and appropriating \$241,571.00 in construction funds to construct a detention basin on the athletic field at Catholic High School. Project Number ST03130. This resolution is sponsored by Public Works. (Held from 5/5)

Hedgepeth
Chairman,
Public Works &
Transportation
Committee

ACTION REQUESTED: Adopt the resolution

35. RESOLUTION approving an amendment to the Exclusive Archery Rights Memorandum Agreement with TWRA dated April 23, 2001, as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on October 15, 2014. This resolution is sponsored by the Port Commission. (Held from 3/17)

Hedgepeth
Chairman,
Public Works
& Transporta-
tion Committee

Contract No. CR-5228

ACTION REQUESTED: Adopt the resolution

36. RESOLUTION appropriating \$2,637,554.00 in G.O. Bonds for repaving of various streets throughout the City of Memphis. This resolution is sponsored by Public Works.

Hedgepeth
Chairman,
Public Works

& Transportation
Committee

Council did include Asphalt/Paving, Project Number PW01040 as part of the Fiscal Year 2015 Capital Improvement Budget. Bids were received on April 10, 2015 for Resurfacing Fiscal Year 2015 Group 1, Project Number PW01266 with the lowest complying bid submitted by Lehman Roberts, Co., in the amount of \$2,442,179.65 plus contingency of \$195,374.35 for a total of \$2,637,554.00.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

37. SELECTION of a candidate for the vacant District 9-2 position.
Conrad

38. RESOLUTION approving a loan in the amount of \$5,191,125.00 to the Downtown
Hedgepeth Parking Authority from CCRFC's PILOT Extension Fund for the purpose of
Chairman, acquiring and constructing a public parking garage across from the Tennessee
Public Works & Brewery.
Transportation

Committee ACTION REQUESTED: Adopt the resolution

39. RESOLUTION approving grant funds in the amount of \$13,360.00 from the State of
Conrad Tennessee Department of Labor and Workforce Development for WIA Incentive
Vice-Chairman Program. This resolution is sponsored by Administration.
Executive

Session ACTION REQUESTED: Adopt the resolution

40. RESOLUTION supporting legislation pending before Congress to increase trans-
Conrad portation and infrastructure funding. This resolution is sponsored by Admini-
Vice-Chairman stration.
Executive

Session ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

- 1. and 2 – Approved
- 3. Held until June 2, 2015
- 4. Through 16 – Approved
- 17. Back to Committee on June 2, 2015
- 18. Approved
- 19. Held until June 2, 2015
- 20. Approved, as amended
- 21. and 22 – Held until June 2, 2015
- 23. Through 30 – Approved
- 31. Held until June 2, 2015
- 32. Through 34 – Approved
- 35. Held until June 2, 2015
- 36. Through 40 – Approved

ACTION TAKEN ON THE MINUTES OF MAY 5, 2015

Approved, as amended

ADD-ONS

ACTION TAKEN ON THE MINUTES OF MAY 19, 2015 FOR ITEMS 1, 37, 39
& 40 ONLY

Approved