



Memphis City Council Summary Sheet

PERMANENT CONSERVATION EASEMENT BETHANY ROAD TRACT WETLAND MITIGATION RESOLUTION

- This is a resolution granting a Permanent Conservation Easement on 38.845 acres of a 620 acre tract purchased in 1996 (outside of the Memphis City Limits – Eads, TN 38028) by the City of Memphis and County of Shelby for the use and benefit of the Chickasaw Basin Authority and named the Bethany Road Tract Wetland Mitigation. The 38.845 acre tract is to be used for required wetland mitigation in ten projects in Shelby County, including the Riverfront Development Corporation project – Beale Street Landing (1.8 acres) and City of Memphis Holmes Road Improvements (3.15 acres).
- City of Memphis & Shelby County Government are the initiating parties.
- Passing this Resolution will save the City the cost of purchasing mitigation land which averages \$10,000.00 - \$15,000.00 per/acre.
- There are no current City contracts affected by this Resolution; however, the terms and conditions of this agreement will be governed by the attached Permanent Conservation Easement Agreement.
- This resolution will not require an expenditure of funds, and does not require a budget amendment.

RESOLUTION

WHEREAS, the City of Memphis and Shelby County acting through the Chickasaw Basin Authority has ownership of a certain parcel of real property located on the Wolf River north of the City of Collierville, identified by the Shelby County Assessor's Office as parcel number D0222 00482, and acquired by the City of Memphis and County of Shelby for the use and benefit of the Chickasaw Basin Authority in a warranty deed recorded as instrument number GD 9579 in the Shelby County Register's Office, Tennessee; and,

WHEREAS, the City of Memphis and Shelby County acting through the Chickasaw Basin Authority desires to convey, transfer and grant unto Shelby County Government, for the Use and Benefit of the Citizens of Shelby County 38.845 acres more or less, hereinafter referred to as the "Subject Property", a Permanent Conservation Easement on the entirety of said Area 1 through Area 10 described in Exhibit 1; and,

WHEREAS, the City has determined that it would be appropriate and beneficial to the citizens of Memphis to grant the said Permanent Conservation Easement to Shelby County Government, for the Use and Benefit of the Citizens of Shelby County, Tennessee, the City recommends granting said Permanent Conservation Easement on this property, under the conditions set forth therein; and,

WHEREAS, the description of the Conservation Easement as Area 1 through Area 10, said property being more particularly described as follows:

This easement is 38.845 acres in size over, under, across and upon a tract of land situate in Shelby County, Tennessee, being part of the same property conveyed to the City of Memphis and County of Shelby, for the use and benefit of Chickasaw Basin Authority, by Warranty Deed of Record as described in the Register's Office of Shelby County, Tennessee, in the Register's Official Record Book under Instrument Number GD9579, which easement is more particularly described as Area 1 through Area 10 and located as shown graphically on the property drawings attached; and,

WHEREAS, it is deemed to be in the best interest of the City of Memphis that said Permanent Conservation Easement be approved subject to the terms and conditions set forth in the Permanent Easement Agreement; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS that the Permanent Conservation Easement be granted. Per the City Ordinance, the sale of or transfer of real property to another government entity shall be submitted for approval to the City Council for first reading, which shall be final; and,

BE IT FURTHER RESOLVED, that the City of Memphis Real Estate Bureau shall prepare and the Mayor of the City of Memphis is hereby authorized to execute such documents as may be necessary to grant the Permanent Conservation Easement on behalf of the City.



Memphis City Council Summary Sheet

Resolution to make emergency repairs to stabilize the banks at the National Ornamental Metal Museum:

1. Resolution funding emergency repairs to stabilize the bank at the National Ornamental Metal Museum to protect the Foundry building.
2. This resolution is initiated by the Public Works Division in response to the recommendation of the City Engineer.
3. This project is currently in the CIP 2010 fiscal year budget listed under project PW04073, which has been approved by the City Council.
4. This project requires a construction contract with Chris-Hill Construction, LLC to make emergency repairs to stabilize the bank.
5. This project requires an expenditure of G. O. bonds as shown in the current CIP 2010 fiscal year budget.

RESOLUTION

WHEREAS, the Council of the City of Memphis approved the Metal Museum N. Bluff Repair, project number PW04073 as part of the Public Works Fiscal Year 2010 Capital Improvement Budget; and

WHEREAS, bids were taken on March 12, 2010 for emergency repairs to stabilize the bank at the National Ornamental Metal Museum with the only complying bid being \$1,536,615.85 submitted by Chris Hill Construction; and

WHEREAS, an additional \$250,000.00 is needed due to potential uncertainties which are associated with the project such as unsuitable fill material and soft soil as indicated in the geotechnical investigation, to relocate and / or replace existing utilities which are not in the City of Memphis right of way, and replace unknown utilities which may not be shown on any existing plans; and

WHEREAS, it is necessary to appropriate \$1,940,278.00 funded by G O Bonds – General in Metal Museum N. Bluff Repair, project number PW04073 for emergency repairs to stabilize the bank at the National Ornamental Metal Museum as follows:

Contract Amount	\$1,536,616.00
Project Contingencies	153,662.00
Potential Uncertainties	<u>250,000.00</u>
Total	\$1,940,278.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that that there be and is hereby appropriated the sum of \$1,940,278.00 funded by G O Bonds - General chargeable to Fiscal Year 2010 Capital Improvement Budget and credited as follows:

Project Title:	Metal Museum N. Bluff Repair
Project Number:	PW04073
Amount:	\$1,940,278.00



Memphis City Council Summary Sheet

This is a resolution to amend Chapter 15 of the Code of Ordinances to regulate the disposal of debris, refuse and trash by property owners, tenants, developers and others that do not pay solid waste disposal fees.

- This resolution is being initiated by the Public Works Division and is recommended and supported by the Administration.
- As previously stated, this resolution is to amend Chapter 15 of the Code of Ordinance by add an additional Section and language to the ordinance.
- This resolution would not have any impact or require changes to any current contract(s), although it would affect the level of solid waste collection services provided by City crews as well as contract crews.
- This resolution would not require any additional expenditure of funds or require a budget amendment, although it could potentially generate a small revenue stream as the City proceeds to bill property owners for the cost to remove debris left at the curb in accordance with this ordinance amendment.

ORDINANCE NO.: _____

**ORDINANCE TO AMEND CHAPTER 15,
TO REGULATE DISPOSAL OF ITEMS BY PROPERTY OWNERS
THAT DO NOT PAY SOLID WASTE DISPOSAL FEES**

WHEREAS, there continues to exist a problem throughout the city of Memphis with the improper disposal of items such as furniture, debris, clothing, and other forms of refuse and trash discarded onto property within the city right-of-ways and easements; and

WHEREAS, the city administration has determined that several owners of commercial and residential property which do not pay monthly solid waste fees for such property significantly contribute to the improper disposal of such items; and

WHEREAS, the improper disposal of such items within the city right-of-ways, easements, and at the curb of such commercial and residential properties continues to contribute to the creation and maintenance of urban blight throughout the communities, thereby threatening the health, safety, welfare, and economic growth of the city; and

WHEREAS, it is in the best interest of the citizens of Memphis that Chapter 15 be amended to regulate the disposal of debris, refuse and trash by property owners, tenants, developers and others that do not pay solid waste disposal fees, and that the Division of Public Works be authorized to enforce this ordinance as a matter of public health and safety;

NOW THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 15 is hereby amended to add the following section and to read as follows:

Section 15-32. Responsibility of Property Owners, Tenants, Developers, and Others That Do Not Pay Solid Waste Disposal Fees for Discarded Items.

- (a) The owner, responsible tenant, lessor, lessee, or developer of any commercial or residential property or real estate, including vacant lots and structures, which does not pay a monthly fee for solid waste services for such commercial or residential property or real estate shall be responsible for the removal of any debris, refuse, trash, or any other items placed at the curb, right-of-way or easement of the subject property.
- (b) Any debris, refuse, trash or other items discarded onto the curb, right-of-way or easement of the property referenced herein shall be tagged by the City of Memphis, Division of Public Works, with notice to the owner or

responsible person for the property to remove such debris or items of refuse within five (5) days of the tagging. If the debris, refuse, trash and other items are not properly removed within the five (5) day period, the Division of Public Works will remove all discarded items and bill the property owner or responsible party.

SECTION 2. BE IT FURTHER ORDAINED, That Chapter 15 is hereby further amended to reserve Sections 15-33 - 15-40.

SECTION 3. BE IT FURTHER ORDAINED, That the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases or parts is held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 4. BE IT FURTHER ORDAINED, That this Ordinance shall take effect from and after the date it shall have been passed by the City Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

Harold Collins, Chairman

EXECUTIVE SUMMARY

AN ORDINANCE TO AMEND CHAPTER 21, ARTICLE V, CODE OF ORDINANCES, CITY OF MEMPHIS, TO UPDATE REGULATIONS REGARDING THE OPERATION OF BICYCLES WITHIN THE CITY OF MEMPHIS

- The City of Memphis Code of Ordinance Section regulating the operation of bicycles was last updated in 1985 and does not coincide with our long range city and transportation plans which encourage modes of transport other than vehicles and plans for facilities to make walking and biking easy, convenient and safe
- Sponsored by Councilman Flinn at the request of Livable Memphis with input of MPD, Engineering and the City Attorney
- This ordinance amendment requires no expenditures and there are no contracts involved
- Highlights of the ordinance:
 - Updates sections re: equipment such as lights, reflectors and brake systems
 - Consolidates some code sections and eliminates those that are obsolete
 - Codifies safe practices for riding on roadways, bike lanes and sidewalks
 - Addresses yielding to pedestrians and child bicycle safety

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 21, ARTICLE V, CODE OF ORDINANCES, CITY OF MEMPHIS, TO UPDATE REGULATIONS REGARDING THE OPERATION OF BICYCLES WITHIN THE CITY OF MEMPHIS

WHEREAS, the current Chapter 21, Article V of the Code of Ordinances contains sections that do not comply with current laws of the State of Tennessee and generally accepted safe practices relating to bicycle operation; and

WHEREAS, the purpose of this Ordinance is to update regulations, in accordance with generally accepted safe practices and/or current laws of the State of Tennessee regarding the operation of bicycles within the boundaries of the City of Memphis for the protection, welfare and safety of the citizens of Memphis.

NOW THEREFORE,

SECTION 1, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 21, Article V, Code of Ordinances, City of Memphis, shall be amended to update the following sections:

Section 21-197. Traffic laws apply to persons riding bicycles, shall be amended to read as follows:

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special regulations in this article and except as to those provisions of this chapter which by their nature can have no application.

Section 21-199. Equipment – Lights and Reflectors, shall be amended to read as follows:

Every bicycle, operated upon streets in the City during hours of darkness, shall be equipped with the following: (1) a forward-facing lamp mounted on the front of the bicycle and shall emit a white light visible from a distance of at least five hundred feet (500') to the front; and (2) either a rearward-facing red reflector or rearward-facing lamp emitting a red light that shall be visible from a distance of at least five hundred feet (500') when directly in front of lawful upper beams of headlight or headlamps on a motor vehicle.

Section 21-200. Same – Brake, shall be deleted in its entirety and amended to rename the section and to read as follows:

Equipment - Brake.

Every bicycle operated upon streets in the City shall be equipped with a brake or brakes which will enable its driver to stop the bicycle within twenty-five feet (25') from a speed of ten miles per hour (10 mph) on dry, level, clean pavement. Such brake(s) shall be

maintained in good working order at all times. For purposes of this section, the drivetrain of a fixed gear bike is considered a brake provided the rider can demonstrate compliance with the braking requirement stated herein.

Section 21-201. Same – Bell or other signal device, shall be deleted in its entirety and amended to create a new section and to read as follows:

Use of permanent seat required - Carrying excess persons forbidden.

A. A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto, except for a certified police cyclist who is performing duties that require riding in a side dismounting position.

B. No bicycle shall be used at any time to carry more persons than the number for which it has been equipped per person in terms of seats and handlebars, with the exception of properly installed child carriers with hand and foot protection.

Section 21-202, Use of permanent seat required - Carrying excess persons forbidden, shall be deleted in its entirety and amended to create a new section and to read as follows:

Riding on roadways.

A. Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride in the same direction as other vehicular traffic as close as practicable to the right-hand curb or edge of the roadway, except under any of the following situations: (1) when overtaking and passing another vehicle proceeding in the same direction; (2) when preparing for a left turn at an intersection or into a private road or driveway; or (3) when reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, pedestrians, animals, surface hazards, or when traveling in a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane. This section shall not apply to a certified police cyclist engaged in the lawful performance of duty relating to traffic control or in pursuit of an actual or suspected violator of the law.

B. No person shall operate a bicycle on any part of any roadway where official signs have been erected and are in place indicating the prohibition of such activity.

C. Hand signals for stopping, turning and changing lanes shall be given at least one (1) time but are not required to be continuous if the bicycle is in a designated turn lane or if the operator's hands are needed for the safe operation of the bicycle. A person operating a bicycle shall either give a right turn signal by extending the left hand and arm upward and to the left side of the bicycle; or by extending the right hand and arm horizontally and to the right side of the bicycle.

D. Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two (2) abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane. This section shall not apply to a

certified police cyclist engaged in the lawful performance of duty relating to traffic control or in pursuit of an actual or suspected violator of the law.

Section 21-203. Riding on Roadways, shall be deleted in its entirety and amended to create a new section and to read as follows:

Obedience to traffic control devices.

Any person operating a bicycle shall obey the instructions of all official traffic signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer; except that a bicyclist who is faced with a red traffic-control signal or device may, after coming to a complete stop at the intersection and waiting a reasonable time to determine the signal or device will not change to green, proceed after yielding the right-of-way to all traffic lawfully proceeding through the intersection.

Section 21-204. Obedience to traffic control devices, shall be deleted in its entirety and amended to create a new section and to read as follows:

Bike lanes.

A. The creation of one or more bicycle lanes does not inhibit a bicycle operator's ability to operate a bicycle upon a roadway in accordance with this article.

B. Every person operating a motor vehicle shall yield the right-of-way to a person operating a bicycle within a bicycle lane. A person operating a motor vehicle may cross a bicycle lane when making a turn or when entering or leaving the roadway, but a bicycle lane shall not be used as a turning lane or passing lane.

C. Motor vehicles shall not be parked, stopped or left standing in a bicycle lane unless the City has determined that parking within the bicycle lane in specific locations is appropriate during certain hours and official signs have been erected in the designated area(s) to that effect or if the City of Memphis has issued a parking permit for a special event.

D. A person operating a bicycle within a bicycle lane shall give an audible signal before overtaking and passing another person operating a bicycle proceeding in the same direction and shall further pass on the left. The audible signal shall be given verbally or via a bell, and shall not be given via a whistle or siren.

E. A person operating a bicycle entering a bicycle lane shall yield the right of way to all bicycles in the bicycle lane. A person operating a bicycle leaving the bicycle lane shall yield the right of way to all vehicles and pedestrians. No person operating a bicycle within a bicycle lane shall leave the bicycle lane until the movement can be made with reasonable safety and, if any vehicle would be affected by the movement, by giving an appropriate signal before the movement is made.

F. A person operating a bicycle within a bicycle lane shall travel in the same direction as vehicles traveling in the adjacent traffic lane.

Section 21-205. Riding on sidewalks, shall be amended to read as follows:

A. Any person may operate a bicycle on a sidewalk except where official signs have been erected and are in place indicating the prohibition of such activity.

B. When operating a bicycle on a sidewalk, such person shall yield the right-of-way to any operator of sidewalk-type vehicles and give an audible signal before overtaking and passing any such operator. The audible signal shall be given verbally or via a bell, and shall not be given via a whistle or siren. For purposes of this subsection, sidewalk-type vehicles shall include coasters, sleds, non-motorized scooters, roller skates, or any similar vehicle, toy or article on wheels.

Section 21-207. To be ridden in single file, shall be deleted in its entirety and amended to create a new section and to read as follows:

Right-of-Way to pedestrians - Passing pedestrians.

A. Any person operating a bicycle, on a sidewalk or otherwise, shall yield the right-of-way to any pedestrian.

B. Any operator of a bicycle shall give an audible signal before overtaking and passing any pedestrian. The audible signal shall be given verbally or via a bell, and shall not be given via a whistle or siren.

Section 21-208. Clinging to moving vehicles, shall be amended to read as follows:

It shall be unlawful for any person riding upon a bicycle to cling or attach himself or herself or his or her bicycle to any other moving vehicle upon a street in the city.

Section 21-209. Towing other vehicles, shall be amended to read as follows:

The operator of a bicycle shall not tow or draw any coaster, sled, person on roller skates, toy vehicles or other similar vehicle. The provisions of this section shall not be construed to prohibit the attachment of a bicycle trailer or bicycle semitrailer to a bicycle if the trailer or semitrailer is designed specifically for that purpose.

Section 21-110. Racing and endurance contests, shall be amended to read as follows:

No person operating a bicycle upon a street in the city shall participate in any race of speed or endurance, or contest with any vehicle unless such activity is specifically authorized by the police director or his/her designee and is supervised.

Section 21-211. Acrobatic and unicycle riding, shall be deleted in its entirety and amended to create a new section and to read as follows:

Carrying articles on bicycles.

No person operating a bicycle shall carry any package, bundle or article that prevents the

driver from keeping at least one (1) hand upon the handlebars.

Section 21-212. Bicycle routes and bikeways, shall be deleted in its entirety and amended to create a new section to read as follows:

Child bicycle safety.

A. No person who is under sixteen (16) years of age shall operate a bicycle or ride as a passenger on a bicycle or a bicycle trailer on a roadway, bikeway, sidewalk, bike lane or bike path unless he or she is wearing a protective helmet of good fit fastened securely upon his/her head with the straps of the helmet and which meets or exceeds the standards set by the American National Standards Institute (ANSI) or the Snell Memorial Foundation, or that is otherwise approved by the commissioner of safety for the state of Tennessee.

B. No person who weighs less than forty pounds (40 lbs.) or is less than forty inches (40") in height shall be a passenger on a bicycle unless such person can be and is properly seated in and adequately secured to a restraining seat. For purposes of this section, a restraining seat means a seat separate from the saddle seat of the operator of the bicycle that is fastened securely to the frame of the bicycle and is adequately equipped to restrain the passenger in the seat and protect the passenger from the moving parts of the bicycle.

Section 21-213. Bicycle safety guide and bikeway map, shall be deleted in its entirety and reserved.

SECTION 2, BE IT FURTHER ORDAINED, that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 3, BE IT FURTHER ORDAINED, that this Ordinance shall take effect from and after the date it shall have been approved by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

SHEA FLINN
MEMPHIS CITY COUNCILMAN

HAROLD COLLINS
CHAIRMAN OF THE COUNCIL

Attest:
Patrice Thomas, Comptroller



Memphis City Council Summary Sheet Instructions

Please provide a brief summary of the item, in bullet form, not to exceed one page:

1. Describe item (Resolution, Ordinance, etc.)

This item is a resolution to accept funds from the Memphis Second Chance, Inc. on behalf of the Southeast Foundation. Funds will be used to procure the software, hardware and any training required to implement the case management and tracking system for the Second Chance program.

2. Identify initiating party (e.g., Public Works; at request of City Council, etc.)

The Division of Public Services and Neighborhoods - Second Chance Program is requesting that funds in the amount of \$20,000.00 be accepted and appropriated.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

There is no change to an existing ordinance and/or resolution.

4. State whether this requires a new contract, or amends an existing contract, if applicable.

This item does not require a new contract nor does it amend an existing contract.

5. State whether this requires an expenditure of funds/requires a budget amendment.

This item requires an amendment to the FY2010 Operating budget.

RESOLUTION

WHEREAS, the City of Memphis Second Chance Program has received grant funds in the amount of Twenty Thousand Dollars (\$20,000.00) from the Memphis Second Chance, Inc. on behalf of the Southeast Foundation; and

WHEREAS, these funds will be used to procure the software, hardware and any training required to implement the case management and tracking system.

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2010 Operating Budget to establish funds for the Second Chance Program; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Twenty Thousand Dollars (\$20,000.00) for the Second Chance Program; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Second Chance Program award in the amount of Twenty Thousand Dollars (\$20,000.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2010 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Second Chance Program in the amount of Twenty Thousand Dollars (\$20,000.00) as follows:

Revenue

Memphis Second Chance, Inc.	<u>\$20,000.00</u>
TOTAL	\$20,000.00

Expenditure

City Computer Service and Equipment	<u>\$20,000.00</u>
TOTAL	\$20,000.00



Memphis City Council Summary Sheet

Resolution approving the proposed Consolidated Plan Three-Year Strategy and FY2011 Annual Action Plan and Appropriating Federal Entitlement Funds to the FY2011 Housing and Community Development Budget.

- This item is a resolution in to approve and appropriate Community Development Block Grant (CDBG), HOME, Emergency Shelter Grant (ESG), and Housing Opportunities for Persons With AIDS (HOPWA) (HCD's Annual Entitlement Grants).
- The initiating department is Housing and Community Development.
- This does not reflect a change to an existing ordinance or resolution.
- This does not require a new contract or amend an existing contract.
- No contracts, expenditure of funds, or budget amendments are required.

**RESOLUTION APPROVING PROPOSED CONSOLIDATED PLAN
FY 2011 ANNUAL ACTION PLAN
AND APPROPRIATING FEDERAL ENTITLEMENT FUNDS TO THE FY 2011
HOUSING AND COMMUNITY DEVELOPMENT BUDGET**

WHEREAS, the purpose of the City of Memphis' Consolidated Plan for Housing and Community Development is to foster the development of viable urban neighborhoods which include decent housing for everyone, a suitable living environment, and expanded economic opportunities, especially for low and moderate income citizens; and

WHEREAS, specific projects and activities within the Consolidated Plan/FY 2011 Annual Action Plan address the needs of low and moderate income persons through goals, objectives, priorities, and strategies for housing, community and public services, assistance for the homeless and special needs populations, neighborhood, economic and community development; and

WHEREAS, projects and activities proposed to be implemented in the Consolidated Plan/FY 2011 Annual Action Plan will draw upon and augment the resources of the public, private, and nonprofit sectors to meet low and moderate income needs in the community; and

WHEREAS, the plan contains a description of anticipated federal, state, and local housing resources for FY 2011, including Community Development Block Grant (CDBG) funds received under Title I of the Housing and Community Development Act of 1974, HOME funds received under Title II of the National Affordable Housing Act of 1990, Emergency Shelter Grant (ESG) funds authorized under the Stewart B. McKinney Assistance Act of 1987, and Housing Opportunities for Person With AIDS (HOPWA) funds, as shown in the following tables:

Estimated FY 2011 Funds to be Received from HUD

Program Name	Estimated Funds	Percent of Total
CDBG Program	\$8,534,939.70	47%
Projected CDBG Program Income	\$2,203,420.00	12.4%
HOME Program	\$4,950,415.00	27.5%
Projected HOME Program Income	\$20,000.00	.1%
ESG Program	\$356,955.00	2%
HOPWA Program	\$2,019,277.00	11%
TOTAL	\$18,085,006.70	100.00%

;and

WHEREAS, the plan identifies and describes the following priority areas of projects and activities to be implemented in FY 2011 by the federal entitlement funds received from the U.S Department of Housing and Urban Development (HUD):

FY 2011 Priority Areas

Priority Area	FY 2011 Funds	Percent of FY 2011 Total
Housing	\$5,668,573.68	31.3%
Homeless	\$789,175.25	4.36%
Special Needs	\$2,707,230.69	14.97%
Non-Housing Community Development	\$1,772,815.00	9.8%
Administration, Program Delivery & Planning	\$7,147,212.08	39.5%
TOTAL PRIORITY AREAS	\$18,085,006.70	100%

and,

WHEREAS, the Consolidated Plan/FY 2011 Annual Action Plan includes and was developed within a framework of a citizen participation plan, requiring consultation with citizens and other social service and housing agencies; and

WHEREAS, the Consolidated Plan/FY 2011 Annual Action Plan is available for a 30-day public review and comment period ending May 7, 2010, and must be submitted to HUD on or before May 15, 2010, for approval; and

WHEREAS, the CDBG entitlement, estimated program income, the HOME, ESG, and HOPWA entitlement grants must be appropriated in the FY 2011 Operating Budget for HCD.

NOW, THEREFORE, BE IT RESOLVED that the Council and the City of Memphis hereby adopts and approves the proposed Consolidated Plan/FY 2011 Annual Action Plan.

BE IT FURTHER RESOLVED that there be and is hereby appropriated the sum of \$18,085,006.70 funded by federal resources for FY 2011, including Community Development Block Grant (CDBG) funds, Projected Program Income from CDBG and HOME, HOME Program funds, Emergency Shelter Grant (ESG) funds, and Housing Opportunities for Person With AIDS (HOPWA) chargeable to the FY 2011 Operating Budget and credited as follows:

Program Name	Estimated Funds
CDBG Program	\$8,534,939.70
Projected CDBG Program Income	\$2,203,420.00
HOME Program	\$4,950,415.00
Projected HOME Program Income	\$20,000.00
ESG Program	\$356,955.00
HOPWA Program	\$2,019,277.00
TOTAL	\$18,085,006.70

BE IT FURTHER RESOLVED that the Mayor and the Director of HCD are authorized to prepare and execute the necessary documents in connection with the proposed FY 2011 Consolidated Plan Annual Action Plan to apply for and accept funding which the City is entitled to receive from HUD.



Memphis City Council Summary Sheet

1. This is a resolution amending the FY 2010 CIP to appropriate \$2,000,000.00 in CIP funds to the Regional Medical Center to replace broken and antiquated equipment. This is the list of equipment and machines to be purchased:

Departments	Total
Radiology:	
<i>Digital Mammography</i>	\$ 490,000.00
<i>Mobile C-Arms (2)</i>	\$ 430,000.00
Anesthesia:	
<i>Anesthesia Machines/Monitors</i>	\$ 900,000.00
Operating Room:	
<i>Instruments</i>	\$ 180,000.00
Total	\$ 2,000,000.00

2. This resolution is sponsored by Councilman Joe Brown. Funding for the MED was discussed in Executive Session on January 26 and February 9 and in full Council Session on February 9 and February 23. This resolution is amended from the original resolution changing the funding from operating to capital. This resolution is a compromise agreed to by representatives of the City and the MED.
3. This resolution does not change any existing ordinances.
4. This resolution will require amending the FY2010 Capital Improvement Program.

CITY COUNCIL RESOLUTION

WHEREAS, The Regional Medical Center (the MED) serves as a critical link in the provision of urgent medical care to residents in Memphis and the Mid-South region; and

WHEREAS, The MED has historically operated at a deficit due significantly to a disproportionately high percentage of non paying patients, (those without TennCare or commercial insurance coverage and without personal resources to cover the cost of care provided), who receive medical services at the MED; and

WHEREAS, State of Tennessee has received \$80 million to \$90 million annually for the past four years in federal funding for the uncompensated care provided at the MED, but has only returned to the MED between \$30 million and \$39 million annually and the MED faces a serious financial shortage for FY2010; and

WHEREAS, currently a MED Task Force has been convened to analyze and recommend a plan of action to address concerns related to the current and future provisions of critical medical services to our county, state and region; and

WHEREAS, It is critical to the survival of the MED to procure short term funding to offset significant budget shortfalls and long term funding that will provide the MED adequate funding for uncompensated care sufficient to ensure its continued operations.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the FY 2010 CIP Budget be amended by appropriating \$2,000,000 (two million dollars) to the MED for the purpose of purchasing radiology, anesthesia and operating room equipment and machines.

Departments	Total
Radiology:	
<i>Digital Mammography</i>	\$ 490,000.00
<i>Mobile C-Arms (2)</i>	\$ 430,000.00
Anesthesia:	
<i>Anesthesia Machines/Monitors</i>	\$ 900,000.00
Operating Room:	
<i>Instruments</i>	\$ 180,000.00
Total	\$ 2,000,000.00

JOE W. BROWN
Council Member

HAROLD B. COLLINS
Chairman

Regional Medical Center at Memphis

March 22, 2010



The Honorable Harold Collins
Chairman, Memphis City Council
125 N. Main, Room 514
Memphis, TN 38103

Dear Chairman Collins:

Thank you for the opportunity to meet and discuss the Regional Medical Center at Memphis (The MED). As you aware, The MED has faced some uncertain times this fiscal year, and we are working diligently to overcome the challenges of the past. With commitments from all levels of government, we will be able to successfully navigate this fiscal year and move forward, as well as plan for next year. I appreciate your commitment on behalf of the Memphis City Council to seek ways to support our efforts.

We have compiled and reviewed the organization's extensive capital needs and humbly submit this list of equipment to you and the Council. The identified equipment is necessary in order to continue to provide quality patient care.

Radiology

Digital Mammography

In order to enhance the standard of care in the delivery of mammography services, a digital unit is needed. The upgraded and modern digital unit will be used to provide screening and diagnostic mammography services.

Mobile C-Arms

Two mobile C-Arms, portable radiology devices, used to perform multi-dimensional x-rays in the operating room are needed. These units are used extensively during orthopedic trauma procedures and to provide intravenous access for patients throughout the hospital.

Anesthesia

Anesthesia Machines

The anesthesia machines used in performing emergency and elective procedures in Trauma, Burn, the Women's Center and main operating rooms are in need of replacement and/or upgrade. Replacing and, as appropriate, upgrading these machines will allow The MED to provide the latest technology in anesthesia delivery and monitoring during surgical procedures, and more importantly enhance both the safety and quality of care delivered.

Chairman Collins
March 22, 2010
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Operating Rooms

Surgical Instruments

The organization has lacked the financial resources to invest in an annual operating room instrument replacement program. There is an immediate need to replace many of the surgical instruments in all of the operating rooms so that our surgeons will have readily available access to high quality and functional surgical equipment.

The enclosed equipment list includes the associated costs to purchase the needed equipment. We sincerely thank you and the Council for your consideration of these capital requests. Your investment in the success of The MED is appreciated. I look forward to a continued and successful relationship as we work together in moving The MED forward.

Sincerely,



Reginald W. Coopwood, M.D.
President/CEO

Encl: City Capital Request Summary

Cc: Mr. Gene Holcomb
Chairman, Shelby County Healthcare Corporation Board of Directors



THE REGIONAL MEDICAL CENTER AT MEMPHIS

City Capital Request Summary

Departments	Total
Radiology:	
<i>Digital Mammography</i>	\$ 490,000.00
<i>Mobile C-Arms (2)</i>	\$ 430,000.00
Anesthesia:	
<i>Anesthesia Machines/Monitors</i>	\$ 900,000.00
Operating Room:	
<i>Instruments</i>	\$ 180,000.00
Total	\$ 2,000,000.00