



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

An ordinance amend Section 4-28-22 to allow for any employee who elected to participate in the DROP program between 9/1/2012 and 6/30/2015 and whose effective date of retirement is between 10/1/2015 and 9/1/2018, may elect to "freeze" in place and suspend participation in the DROP program.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Human Resources

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

Yes, this would amend Section 4-28-22 to add pragraph G.

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

No

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

No

ORDINANCE NO.: _____

AN ORDINANCE TO AMEND CHAPTER 25, CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO AMEND SECTION 25-200 OF THE 1978 PLAN TO ADD PARAGRAPH G TO ALLOW FOR LIMITED SUSPENSION OF THE DROP PROGRAM BY QUALIFYING PARTICIPANTS

WHEREAS, the City of Memphis, Tennessee has established a Deferred Retirement Option Plan (DROP) as part of its 1978 plan which may have a defined benefit retirement plan known as City of Memphis Retirement System for General Employees, as subsequently amended and restated under the provisions of section 25-200 as codified a section 4-28-22

WHEREAS, the City of Memphis desires to allow certain individuals currently participating in the DROP program to suspend their current participation.

NOW, THEREFORE, the DROP program is modified by adding paragraph G. Section 4-28-22 reads as follows:

Sec. 4-28-22. Deferred retirement option plan (DROP).

- A. *DROP overview.* Except as provided in subsection F of this section, an eligible employee (as defined in subsection B of this section), who has made the election described in subsection C of this section, will participate in the program and receive the benefit described in subsection D of this section, and receives distributions in the form described in subsection E of this section.
- B. *Definition. Eligible employee* means any employee who is a participant who has attained his or her normal retirement date and has at least 25 years of service.
- C. *Election.* An eligible employee can make an irrevocable election to participate in the DROP program (as described in subsection D of this section), during December, March, June, or September, by completing an election form to participate in the DROP program for a maximum one-year, two-year, or three-year period beginning on the effective date of the election, and agreeing to retire no later than the end of his or her one-, two-, or three-year period of participation in the DROP program. The December election is effective on the next January 15; the March election is effective on the next April 15, the June election is effective on the next July 15; and the September election is effective on the next October 15.
- D. *Participation and benefits.* During the one-year, two-year, or three-year period elected by the employee:
1. The employee's contributions and the city's contributions to the plan shall cease as of the effective date;

2. No additional years of service or compensation shall be considered (with the exception of possible ad hoc benefit increases granted by the city), so the employee's benefit under the plan is frozen (or fixed) as of the date his or her election is effective;

3. The employee's frozen benefit shall be calculated as though the employee retired on the effective date of his or her election, and a DROP account shall be established for such eligible employee; and

4. A DROP account shall be established for each electing employee. The DROP account shall be a recordkeeping account for the benefit of electing participants, which beginning on the effective date of the electing participant's election, shall be credited with an amount equal to the monthly pension benefit the electing participant would receive had he or she retired and begun receiving payments on the effective date.

Interest shall be credited each calendar quarter on the average monthly balance in the DROP account during such quarter based on 25 percent of the 90-day treasury bill yield published in the last Wall Street Journal of such quarter.

E. *Distribution from DROP program.* As soon as is administratively feasible after the employee has ceased to participate in the DROP program, the city will begin to pay the employee his or her monthly benefit, and also, pay the employee in a lump-sum the balance in his or her DROP account as of the end of the last quarter. The lump-sum payment of the DROP account may be rolled-over at the participant's direction.

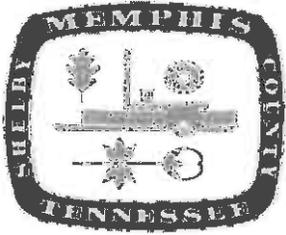
F. *Exceptions and limitations.* In the event an employee who has elected to participate in the DROP program becomes disabled or dies in the line of duty as defined in section 4-4-1(27), 4-28-12(A) or 4-28-16, the participant's election shall be retroactively revoked and such participant or beneficiary shall be eligible for line of duty disability retirement or death benefits as defined in section 4-28-12(A) or 4-28-16 as if the DROP program had never been elected.

G. Notwithstanding any other limitations, for any employee who elected to participate in the DROP program between 9/1/2012 and 6/30/2015 and whose effective date of retirement is between 10/1/2015 and 9/1/2018, such employee may elect to temporarily "freeze" in place and suspend participation in the DROP program ("Drop Suspension"). Requests for a Drop Suspension must be submitted in writing on a DROP Suspension Form to the Human Resources Director's Office on or before 10/30/2015. The Drop Suspension Period shall commence on the first Business Day after Human Resources Director's Office receives the Drop Suspension Form and shall continue until the participating employee elects to "unfreeze" and resume participation in the DROP program by submitting a written notice to the Human Resources Directors Office, which may be made at anytime after the Drop Suspension Period commences.

By electing to "freeze" and suspend participation in the DROP program, the participating employee agrees that during the Drop Suspension Period he or she will be deemed to be an "Employee" under the City's Pension Plan and for all other City purposes and shall thereby receive creditable service for pension purposes as an regular employee during the Drop Suspension Period. The City and the electing employee will be required to make all City and Employee Contributions to the City's Pension Plan during the Drop Suspension Period.

During the Drop Suspension Period the City's payments to the employees DROP account will immediately cease. However, any amount accrued in the employees DROP account as of the commencement of the Drop Suspension Period will be held for the benefit of the electing employee and will accrue normal interest during the Drop Suspension Period.

Upon termination of the Drop Suspension Period, the employee's participation in the DROP Program shall recommence at that time and the employee shall be entitled to complete any time remaining in the original election period (1, 2 or 3- years) at the time the employee suspended participation in the DROP program, except that the City's payments into the employee's Drop Account from that point forward shall be based on recalculated Pension Benefits using the additional credible service earned during the Drop Suspension Period. The employee shall not receive pension credible service time for the period of time the employee previously participated in the DROP program. Upon re-entry of the DROP program the provisions of Subsection D will apply.



Resolution to: Require all City of Memphis Retirees to participate in Medicare A & B upon qualifying for Medicare A & B.

WHEREAS, the Human Resources Division is responsible for administering and monitoring the results of the city's Healthcare and OPEB funds to ensure financial stability and completeness; and

WHEREAS, the Human Resources Division is continuing its efforts to ensure the financial security of the City's Pension fund and to ensure the continued financial stability and completeness of the Healthcare Fund; and

WHEREAS, individuals who retired prior to January 1, 2014 are not currently required to enroll in Medicare Parts A & B upon eligibility while individuals who retire after January 1, 2014 are required to enroll in Medicare Parts A & B upon eligibility; and

WHEREAS, the City has removed retirees with Medicare Parts A & B from its self-funded plans to fully insured plans and decreased the amount of the City subsidy for those individuals enrolled in Medicare Parts A & B from 70% to 25%; and

WHEREAS, the City wants all retirees who become eligible for Medicare Parts A & B to enroll in Medicare Parts A & B upon eligibility to reduce the overall health care costs to the City; and

NOW, THEREFORE, BE IT RESOLVED that City Council adopts the recommendations of the Human Resources Division and Health Care Oversight Committee and requires all retirees and enrolled dependents that first become eligible to enroll in Medicare Parts A & B on or after July 1, 2015 regardless of the date of retirement to enroll in Medicare Parts A & B. If the retiree or the enrolled dependents fail to enroll in Medicare Parts A & B, the retiree and/or the enrolled dependents shall no longer be entitled a premium subsidy and if the retiree or dependents remain in the City's health care plan any claims will be paid as if the retiree or the eligible dependent enrolled in Medicare Parts A & B.

CITY COUNCIL RESOLUTION

WHEREAS the Memphis City Council believes that citizens expect and deserve excellent performance by city employees and that is typically what employees deliver for Memphians and,

WHEREAS it is counterproductive for employees that engage in bad behavior to be treated the same as other employees when it comes to compensation and,

WHEREAS in 2014 the City Council did approve a referendum vote to change the Civil Service Ordinance so that "Performance" and "merit" could be a metric that could be used "for advancement" and,

WHEREAS the citizens of Memphis overwhelmingly agreed in 2014 when the Charter Amendment was approved in the referendum and,

WHEREAS "employee performance" is still not measured across city government and performance reviews are not standard practice and,

WHEREAS the City Council directs the Administration of the City of Memphis to adopt by January 1, 2016 a meaningful system for employee reviews to ensure that all employees understand their goals and objectives and,

WHEREAS the Police and Fire Divisions currently do at least track disciplinary action and in MPD there were a total of 2,516 full time employees at the end of 2014 (2,142 commissioned and 374 civilian). A total of 380 employees were charged. This accounted for 15.1% of total personnel. Of the 380 employees who were charged, 58 employees (15.26%) received more than one Statement of Charges in the year, with many having more than two.

WHEREAS in MFD as on January 1, 2014 there were 1744 filled positions with 115 employees charged with 19 repeat actions, and one with 8 repeat charges, and,

WHEREAS at a minimum employees with at least two disciplinary actions should not get raises and the Administration should develop such a tracking decision across City government by January 1, 2016 to not only penalize poor behavior but to also reward positive behavior where appropriate and,

THEREFORE be it resolved by the Memphis City Council that no employees with two or more disciplinary actions shall receive pay raises (unless there is a compelling rationale to the contrary) and the Council directs the Administration to work with stakeholders develop a more comprehensive and sophisticated plan for implementation by January 1, 2016.

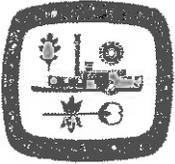
Kemp Conrad
City Council Member



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.).
Resolution amending FY 2016 Capital Improvement Budget, Walker Avenue Streetscape Phase 1, project number PW04094 by transferring an allocation of \$125,000.00 contract construction to A&E and appropriating funds in the amount of \$724,644.00 for contract construction funded by Federal Grants CIP and G.O. Bonds.
2. Identify initiating party (e.g., Public Works; at request of City Council, etc.) Initiated by Engineering Division
3. State whether this is a change to an existing ordinance or resolution, if applicable. This ordinance does not change existing ordinance or resolution.
4. State whether this requires a new contract, or amends an existing contract, if applicable. The resolution requires a new contract
5. State whether this requires an expenditure of funds/requires a budget amendment. This ordinance will require expenditure of funds in the current FY16 Capital Improvement Project.



A resolution to transfer an allocation and appropriate A&E and contract construction funds for PW04094 Walker Avenue Streetscape Phase 1

WHEREAS, the Council of the City of Memphis approved Walker Avenue Streetscape Phase 1, project number PW04094, as part of the Public Works Fiscal Year 2016 Capital Improvement Budget; and

WHEREAS, this is a state grant funded project; and

WHEREAS, certain A&E expenses are required by the grant agreement including Construction, Engineering and Inspection (CEI) and TDOT administrative fees; and

WHEREAS, it is necessary to transfer a construction allocation of \$125,000.00 to A&E as follows:

Federal Grants CIP (80%)	\$100,000.00
G.O. Bonds (20%)	\$25,000.00
Total Amount	\$125,000.00

WHEREAS, bids were taken on April 2015 for streetscape improvements with the lowest complying bid being \$658,767.00 submitted by WHITE CONSTRUCTION; and

WHEREAS, the base bid of \$658,767.00 plus contingency of \$65,877.00 totals \$724,644.00; and

WHEREAS, it is necessary to add and appropriate \$724,644.00 funded by Federal Grants CIP and G.O. Bonds for construction in Walker Avenue Streetscape Phase 1, project number PW04094 as follows:

Federal Grants CIP (80%)	\$429,436.00
G.O. Bonds (20%)	\$295,208.00
Total Amount	\$724,644.00

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the Fiscal Year 2016 Capital Improvement Budget be and is hereby amended transferring an allocation of \$125,000.00 contract construction to A&E.

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Fiscal Year 2016 Capital Improvement Budget be and is hereby amended by appropriation of \$724,644.00 funded by Federal Grants CIP and G.O. Bonds for construction of Walker Avenue Streetscape Phase 1, project PW04094 and credited as follows:

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$724,644.00 funded by Federal Grants CIP and G.O. Bonds chargeable to the FY 2016 Capital Improvement Budget and credited as follows:

Project Title	Walker Avenue Streetscape Phase 1
Project Number	PW04094
Total Amount	\$724,644.00



Memphis City Council Summary Sheet Instructions

Resolution for FY16 CIP Street Resurfacing recoveries for Public Works, Street Maintenance

- This resolution is for the fiscal year 2016 CIP and funds the paving operations performed by Public Works or directly by the Street Maintenance department.
- This is part on yearly CIP budget process whereby Public Works, Street Maintenance receives funding from CIP in order to pave City streets.
- This has no impact to any current ordinance or resolution.
- This resolution indirectly funds several contracts as the funds recovered by the CIP allow Street Maintenance to purchase the various materials used to produce asphalt for paving. These materials are generally bid and purchased under contracts.
- This resolution recovers \$6,500,000 from the FY16 CIP budget, providing funding for Street Maintenance personnel as well as materials and supplies.

RESOLUTION

This resolution is for the Fiscal Year 2016 CIP and funds the paving operations performed by Public Works or directly by the Street Maintenance Department.

WHEREAS, the Council of the City of Memphis approved FY16 Asphalt Paving Coverline, project number PW01272 as part of the Fiscal Year 2016 Capital Improvement Budget; and

WHEREAS, \$6,500,000 is needed for the paving operations performed by Public Works or directly by the Street Maintenance department; and

WHEREAS, it is necessary to transfer an allocation of \$6,500,000 funded by G.O. Bonds from FY16 Asphalt Paving Coverline PW01272 to FY16 Asphalt Paving Inhouse OP, project number PW01271 needed for the paving operations performed by Public Works or directly by the Street Maintenance department; and

WHEREAS, it is necessary to appropriate \$6,500,000 funded by GO Bonds for FY16 Asphalt Paving Inhouse OP, project number PW01271

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2016 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$6,500,000 funded by G O Bonds from FY16 Asphalt Paving Coverline, project number PW01272 to FY16 Asphalt Paving Inhouse OP, project number PW01271 needed for the paving operations performed by Public Works or directly by the Street Maintenance department.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$6,500,000 in G.O. Bonds chargeable to the Fiscal Year 2016 Capital Improvement Budget and credited as follows:

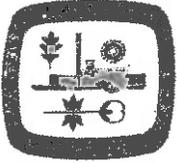
Project Title:	FY16 Asphalt Paving Inhouse OP
Project Number:	PW01271
Amount:	\$6,500,000



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.).
Resolution to transfer a construction allocation of \$142,000.00 funded by G.O. Bonds – from Asphalt/Paving, Project Number PW01272, \$9,000.00 funded by G.O. Bonds – from ADA Curb Ramp, Project Number PW04007 and \$25,000 funded by G.O. Bonds – from Sidewalk Replacement, Project Number PW04024, combined totaling \$176,000 to Walker Avenue Streetscape – Phase 1, Project Number PW04094 Contract Construction.
2. Identify initiating party (e.g., Public Works; at request of City Council, etc.) Initiated by Engineering Division
3. State whether this is a change to an existing ordinance or resolution, if applicable. This ordinance does not change existing ordinance or resolution.
4. State whether this requires a new contract, or amends an existing contract, if applicable. The resolution requires a new contract
5. State whether this requires an expenditure of funds/requires a budget amendment. This ordinance will require expenditure of funds in the current FY16 Capital Improvement Project.



A resolution to transfer construction funds for PW04094 Walker Avenue Streetscape Phase 1

WHEREAS, the Council of the City of Memphis reprogrammed funding for Walker Avenue Streetscape, project number PW04094, as part of the Public Works Fiscal Year 2016 Capital Improvement Budget; and

WHEREAS, bids were taken on April 2015 for streetscape improvements with the lowest complying bid submitted by WHITE CONSTRUCTION; and

WHEREAS, previously budgeted grant funding was insufficient to cover total project costs; and

WHEREAS, under the conditions of the grant the City is responsible for all additional funding; and

WHEREAS, it is necessary to transfer a construction allocation of \$142,000.00 funded by G.O. Bonds – from Asphalt/Paving, Project Number PW01272, \$9,000.00 funded by G.O. Bonds – from ADA Curb Ramp, Project Number PW04007 and \$25,000 funded by G.O. Bonds – from Sidewalk Replacement, Project Number PW04024, combined totaling \$176,000 to Walker Avenue Streetscape – Phase 1, Project Number PW04094 Contract Construction; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2016 Capital Improvement Budget be and is hereby amended by transferring construction allocation of \$176,000.00 funded by GO Bonds - General Fund as follows:

FROM:

Project Title	Asphalt/Paving
Project Number	PW01272
Total Amount	\$142,000.00

Project Title	ADA Curb Ramp
Project Number	PW04007
Total Amount	\$9000.00

Project Title	Sidewalk Replacement
Project Number	PW04024
Total Amount	\$25,000

TO:

Project Title	Walker Avenue Streetscape – Phase 1
Project Number	PW04094
Total Amount	\$176,000

to project number PW04094 Walker Avenue Streetscape Phase 1 for construction.



Memphis City Council Summary Sheet

Resolution to appropriate G.O. Bonds to replace personal safety equipment, including coats, pants, helmets, gloves, and suspenders, that is damaged or worn beyond repair from Capital Project FS04001 Personal Protective Equipment in the amount of \$743,014.00.

1. This item is a resolution to appropriate G.O. Bonds to replace personal safety equipment, including coats, pants, helmets, gloves, and suspenders, that is damaged or worn beyond repair.
2. Fire Services is continually replacing personal safety equipment annually.
3. The original contract was signed on July 28, 2005 between the City of Memphis and Total Fire Group.
4. This item requires an appropriation of G.O. Bonds that were allocated in the FY16 Capital Improvement Budget.



RESOLUTION

WHEREAS, Project Number FS04001, Fire Fighting Turnouts/Fire Protective Ensemble, for the purchase of Fire Fighting Turnouts/Fire Protective Ensemble designated for the annual procurement of protective clothing, is included in the FY 2016 Capital Improvement budget; and

WHEREAS, the original contract was signed on July 28, 2005 in the amount of \$3,074,092.32 being executed between the City of Memphis and Total Fire Group; and

WHEREAS, it is necessary to appropriate \$743,014.00 in General Obligation Bonds for the purchase of Fire Fighting Turnouts/Fire Protective Ensemble designated for the annual procurement of protective clothing, and

WHEREAS, the funding for the purchase of the Fire Fighting Turnouts has been Allocated in Capital Improvement Project Number FS04001, Other Costs

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$743,014.00 in General Obligation Bonds chargeable to the FY 2016 Capital Improvement Budget and credited as follows:

Project Title	Personal Protective Equipment
Project Number	FS04001
Amount	\$743,014.00

General Obligation Bonds



Memphis City Council Summary Sheet

Resolution to appropriate G. O. Bonds to replace, test, and repair self contained breathing apparatus from Capital Project FS04001 Personal Protective Equipment in the amount of \$242,311.00.

1. This item is a resolution to appropriate G. O. Bonds to replace, test, and repair self-contained breathing apparatus.
2. Fire Service is continually replacing, testing, and repairing self-contained breathing apparatus on an annual basis.
3. The original contract was signed on February 12, 2004 between the City of Memphis and Draeger Safety, Inc. and extended February 28, 2014.
4. This item requires an appropriation of G.O. Bonds that were allocated in the FY16 Capital Improvement Budget.



RESOLUTION

WHEREAS, Project Number FS04001, Personal Protective Equipment, Other Costs, for the purchase of Airmask System Units and Accessories, is included in the FY 2016 Capital Improvement budget; and

WHEREAS, the original contract was signed on February 12, 2004 in the amount of \$2,696,169.00 and was extended on February 28, 2014 being executed between the City of Memphis and Draeger Safety, Inc.; and

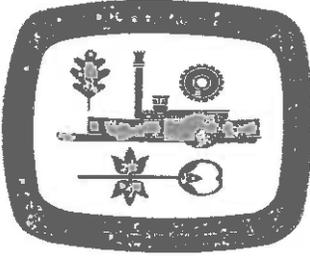
WHEREAS, the funding for the purchase of the Airmask System Units and Accessories has been allocated in Capital Improvement Project Number FS04001, Personal Protective Equipment, Other Costs; and

WHEREAS, it is necessary to appropriate \$242,311.00 in General Obligation Bonds for the purchase of these Airmask System Units and Accessories designated for annual procurement of replacement Airmask Units:

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$242,311.00 in General Obligation Bonds chargeable to the FY 2016 Capital Improvement Budget and credited as follows:

Project Title	Personal Protective Equipment
Project Number	FS04001
Amount	\$242,311.00

General Obligation Bonds



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This item is a resolution to accept grant funds from the State of Tennessee Department of Labor and Workforce Development in the amount of \$3,076,001.00. These funds will be used for the WIA Title One Youth Program.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

The State of Tennessee Department of Labor and Workforce Development which acts as a pass-through for the U.S. Department of Labor, allocated these grant funds to the Workforce Investment Network.

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

This is a new grant award, pending council acceptance.

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

Acceptance of these funds will require a new contract between the State of Tennessee and the City of Memphis, which acts as the administrative entity for the Workforce Investment Network.

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

Acceptance of these will require an amendment to the FY2016 operating budget to appropriate the funds.



A Resolution to accept WIA Title One Youth funds for the State of Tennessee Department of Labor and Workforce Development.

WHEREAS, the City of Memphis Workforce Investment Network has received grant funds in the amount of Three Million Seventy Six Thousand One Dollars, (\$3,076,001.00) from the State of Tennessee Department of Labor and Workforce Development; and

WHEREAS, these funds will be used to provide a contingency fund for WIA Title One Youth Program; and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2016 Operating Budget to establish funds for the WIA Title One Youth Program; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Three Million Seventy Six Thousand One Dollars, (\$3,076,001.00) for WIA Title One Youth Program;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the WIA Title One Youth Program in the amount of Three Million Seventy Six Thousand One Dollars (\$3,076,001.00) be accepted by the City of Memphis

BE IT FURTHER RESOLVED, that the Fiscal Year 2016 Operating Budget be and is hereby amended by appropriation the Expenditures and Revenues for the WIA Title One Youth Program in the amount of Three Million Seventy Six Thousand One Dollars, (\$3,076,001).