



CITY OF MEMPHIS

COUNCIL AGENDA

Tuesday June 7, 2022

Public Session, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

*If You Are In Need Of A Special Accommodation While
Attending The Meeting, Please Alert The Council Staff.*

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 Chief of Staff of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (May 24, 2022)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION honoring Cohen Cooper, an accomplished Young Actor. This resolution is sponsored by Chairwoman Swearingen.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT (None)

ZONING ORDINANCE- THIRD AND FINAL READING (None)



CITY OF MEMPHIS

COUNCIL AGENDA

Tuesday June 7, 2022

Public Session, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CONSENT AGENDA

GENERAL ORDINANCES- FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

2. **SUBSTITUTE ORDINANCE** amending Ordinance 5686 establishing a Pre-K Education Special Fund to provide a new dedicated funding stream for Special Fund 245, up for S E C O N D reading. Ordinance No. 5829 is sponsored by the Administration.

Jones
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

3. **ORDINANCE** to establish funding dedicated to Transit and Mobility, up for S E C O N D reading. Ordinance No. 5830 is sponsored by Councilmembers Ford, Carlisle, Robinson, Canale, Colvett, Easter-Thomas, Johnson, Jones, Logan, Morgan, Smiley, Swearengen, and Warren.

Canale
Chairman,
Transportation
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

4. RESOLUTION approving the Engineering plans for WILLIAMSBURG VILLAGE SUBDIVISION LOT 2 REDEVELOPMENT. **(Request for Same Night Minutes)**

Contract No. CR-5403

Resolution approves engineering plans within the present limits of the City of Memphis and located at the southeast corner of South Mendenhall Road and Southern Avenue in Memphis, Tennessee. Cost of the required improvements to

be borne by the Developer. Resolution also accepts the Travelers Casualty and Surety Company of America Performance Bond No. 107640078 in the amount of \$43,100.00 as security for the project.

ACTION REQUESTED: Adopt the resolution

5. RESOLUTION approving the Engineering plans for GLIDE XPRESS CAR WASH (1470 GERMANTOWN PARKWAY). **(Request for Same Night Minutes)**

Contract No. CR-5404

Resolution approves engineering plans within the present limits of the City of Memphis and located at 1470 Germantown Parkway in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the U.S. Specialty Insurance Company Performance Bond No. 1001054258 in the amount of \$92,100.00 as security for the project.

ACTION REQUESTED: Adopt the resolution

6. RESOLUTION accepting public improvements for BLUE WATER WASH PHASE 13 (CASE #Z 2762) [CR-5318] and authorizing release of bond. **(Request for Same Night Minutes)**

(Contract No. CR-5318)

Resolution approves accepting the public improvements within the present limits of the City of Memphis, located approximately 234 linear feet north of Appling Farms Parkway/Whitten Road intersection on the east side of Whitten Road in Memphis, Tennessee as indicated on the final plat. Resolution also authorizes the release of the Travelers Casualty and Surety Company of America Performance Bond No. 107183196 in the amount of \$143,000.00 held as security.

ACTION REQUESTED: Adopt the resolution

7. RESOLUTION approving Supplemental Agreement #1 to DMC MOBILITY CENTER [CR-5401]. **(Request for Same Night Minutes)**

(Contract No. CR-5401)

Resolution authorizes the proper officials to accept Supplemental Agreement #1 which replaces the name of the Developer from Downtown Memphis Commission to the Parking Authority of the City of Memphis and County of Shelby, Tennessee d/b/a Downtown Mobility Authority (“DMA”). No other change in the terms of the agreement. Cost of the required improvements to be borne by the new Developer. Resolution also accepts the Travelers Casualty and Surety Company of America Performance Bond No. 107599434, reissued in the new Developer’s name, as security for the project.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)



CITY OF MEMPHIS

COUNCIL AGENDA

Tuesday June 7, 2022

Public Session, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

FISCAL CONSENT AGENDA

8. RESOLUTION accepting grant funds in the amount of (\$104,000.00) from Tennessee Department of Health for Project Diabetes Year 1, including implementation of Health & Wellness Manager/Park Program Specialist and health promotion efforts throughout the Memphis area. All Council Districts. This resolution is sponsored by Memphis Parks. **(Request for Same Night Minutes)**

9. RESOLUTION to accept and to appropriate Federal National Park Service, Certified Local Government funds passed through the Tennessee Historical Commission for City of Memphis Landmarks Commissioner and staff's training. All Council Districts. This resolution is sponsored by the Division of Planning and Development. **(Request for Same Night Minutes)**



CITY OF MEMPHIS

COUNCIL AGENDA

Tuesday June 7, 2022

Public Session, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

MLGW FISCAL CONSENT

10. RESOLUTION approving Change No. 2 to Contract No. 12282 (formerly purchase order #7020281), Citrix Maintenance with Technologyx, Inc., in the funded amount of \$103,881.05. (This change is to renew the current contract to continue vendor software support and maintenance for the period covering July 11, 2022 through July 10, 2023. Citrix imposed a company-wide 5% uplift on all business product lines in February 2022; however, the rate for the Citrix ADC VPX 3000 Mbps product decreased which resulted in a 2.62% increase in rates from the previous term.)
11. RESOLUTION approving Change No. 3 to Contract No. 12262, HP-UX Support with Abtech Technologies, Inc. in the funded amount of \$373,899.00 (This change is to renew the current contract for the final annual renewal term for the period covering February 3, 2023 through February 2, 2025 in the amount of \$149,448.00. This renewal is for a two year period which reflects the third and fourth renewal terms. In addition, this change is to add three HPE 3PAR STORESERV 7400 units which includes 7x24, 4-hour hardware support for the period covering November 1, 2022 through February 2, 2025 in the amount of \$224,451.00.
12. RESOLUTION approving the ratification of unit prices for Purchase Order Number 7032100 to Industrial Controls & Electrical LLC for distributed process control panels.
13. RESOLUTION awarding a purchase order to Meyer Utility Structures, LLC for steel transmission monopole structures in the amount of \$2,119,346.00.
14. RESOLUTION approving the ratification of a purchase order to Hawkins, Inc., formerly Vertex Chemical Corporation, for sodium hypochlorite in the additional amount of \$500,000.00.
15. RESOLUTION approving Change No. 2 to Contract No. 12218, Power Supply Consultant Solicitation with GDS Associates, Inc., in the funded amount of \$96,022.00. (This change is to expand the scope to evaluate all RFP proposals, supporting MLGW's internal transmission system upgrades, and validating the IRP savings during the March 2022 through June 2022.)
16. RESOLUTION approving Change No. 3 to Contract No. 12017, Security Automation Installation and Service Agreement with Access Control Integration, Inc., in the funded amount of \$100,000.00. This change is to renew the contract for the third and final renewal term for period covering July 10, 2022 through July 9, 2023, with no increase in rates. This renewal also includes changes in the product line due to discontinued products by the manufacturer.)

17. RESOLUTION approving payment of annual sewer discharge fee for the 2021 filter backwash discharge to the City of Memphis in the amount of \$647,416.91.



CITY OF MEMPHIS

COUNCIL AGENDA

Tuesday June 7, 2022

Public Session, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

REGULAR AGENDA

BUDGET

18. **ORDINANCE** to appropriate the proceeds of the tax levy on the assessed values on all properties of every species within the city limits of general purposes for the fiscal year July 1, 2022 through June 30, 2023, inclusive, together with all collections from privileges, licenses, fees, fines, permits, charges, revenue receipts of the City of Memphis for the Fiscal Year July 1, 2022 through June 30, 2023, inclusive, to provide the manner in which monies may be transferred from one fund to another and to provide the standard code or designations under which the appropriations are to be administered and accounting control maintained, up for T H I R D and F I N A L reading. Ordinance No. 5827 is sponsored by the Finance Division.

Jones
Chairman,
Budget
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

19. **ORDINANCE** fixing the Tax Rate of the City of Memphis for Fiscal Year 2023, up for T H I R D and F I N A L reading. Ordinance No. 5828 is sponsored by the Finance Division.

Jones
Chairman,
Budget
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

20. **RESOLUTION** for City Treasurer to Prepare 2022 Tax Bills for State Assessed Properties. This resolution is sponsored by Finance Division.

Jones
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

21. **RESOLUTION** for City of Memphis Capital Improvement Program Fiscal Year 2023. This resolution is sponsored by Finance Division.

Jones
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

APPOINTMENTS

(None)

GENERAL ORDINANCES THIRD AND FINAL READING

22. **REFERENDUM ORDINANCE** to amend, pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), provisions of the Charter of the City of Memphis, the same being Chapter 11 of the Acts of 1879, as amended, relative to partisan elections for the offices of Mayor and City Council members and to repeal all provisions of the City’s Charter inconsistent with this amendment, up for T H I R D and F I N A L reading. Ordinance No. 5824 is sponsored by Councilman Jones.

Swearengen
Chairman,
Executive
Session

ACTION REQUESTED: Take whatever action Council deems advisable

23. **ORDINANCE** amending Ordinance No. 5459 of the Code of Ordinances of the City of Memphis, Tennessee so as to make certain changes with regard to permitted days of operation for breweries with tasting rooms, up for T H I R D and F I N A L reading. Ordinance No. 5825 is sponsored by the Division of Public Works.

Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

24. **ORDINANCE** to amend the Code of Ordinances relative to the dollar limitations on Memphis Light Gas and Water Division contracts and salaries that require approval by the Memphis City Council before execution, up for T H I R D and F I N A L reading. Ordinance No. 5826 is sponsored by MLGW.

Robinson
Chairman,
MLGW
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

25. **RESOLUTION** affirming the intent to establish a Commercial Property Assessed Clean Energy and Resiliency (C-PACER) program within the City of Memphis, TN. Intent to authorize direct financing between property owners and capital providers as mean to finance qualified projects. All Council Districts. This resolution is sponsored by EDGE and the Division of Planning and Development.

Ford
Chairman,
Economic
Development
& Tourism
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

26. RESOLUTION requesting approval of the sale of a City owned parcel known as 1592 Ely Street, Parcel ID #034034 00015 Memphis, TN 38106. District 9, Super District 8. This resolution is sponsored by the General Services.

Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Adopt the resolution

27. RESOLUTION requesting the approval for the sale of a City owned parcel at 0 Winnona Avenue, Parcel ID #042049 00040C Memphis, Shelby County, TN 38108. This resolution is sponsored by the General Services.

Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MEMPHIS PARKS (None)

MLGW DIVISION

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

GENERAL ITEMS

28. RESOLUTION to amend the Memphis City Council Community Grant Program for FY23. All Council Districts. This resolution is sponsored by Councilwoman Johnson.

Jones
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

29. RESOLUTION approving a 2-percent pay increase for City of Memphis retirees. All Council Districts. This resolution is sponsored by Councilman Canale.

Jones
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

30. RESOLUTION to amend the FY23 budget to increase pay for general employees and Fire Division. All Council Districts. This resolution is sponsored by Councilman Jones.

Jones
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

31. RESOLUTION to amend the FY22 American Rescue Plan Act (ARPA) allocation. All Council Districts. This resolution is sponsored by Councilman Jones.

Jones
Chairman,
Budget
Committee

ACTION REQUESTED: No recommendation

32. RESOLUTION to amend the FY23 Capital Improvement Program (CIP) budget. All Council Districts. This resolution is sponsored by Councilman Jones.

Jones
Chairman,
Budget
Committee

ACTION REQUESTED: No recommendation

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT