



# CITY OF MEMPHIS

## COUNCIL AGENDA

Tuesday June 21, 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.*

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### 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 (June 7, 2022)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION honoring the Memphis Music Initiative. This resolution is sponsored by Chairwoman Swearengen.

#### PUBLIC HEARINGS (None)

#### DIVISION OF PLANNING AND DEVELOPMENT

2. RESOLUTION approving a special use permit for used vehicle sales at 2328 Elvis Presley Blvd. This resolution is sponsored by the Division of Planning and Development. (Held from 3/22)  
Johnson  
Chairman,

Planning &  
Zoning  
Committee

Case No. SUP 21-37

Applicant: Hythem Thahabieh of Bargain Divers, Inc.  
Evelyn Royston – Representative

Request: Special use permit for used vehicle sales

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

**ZONING ORDINANCE- THIRD AND FINAL READING** (None)



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## CONSENT AGENDA

**GENERAL ORDINANCES- FIRST READING** (None)

**GENERAL ORDINANCES - SECOND READING**

**ZONING ORDINANCE – FIRST READING** (None)

**ZONING ORDINANCE - SECOND READING** (None)

### **NOTATIONS FROM DPD**

3. **NOTATIONS from the Land Use Control Board that the following cases were heard and recommendations made requesting a date of public hearing:**

A. **Case No. MJR 22-23 (PD 95-380 CORRES) – RAINES ROAD PLANNED URBAN DEVELOPMENT**

Located at 4310 Tchulahoma Road containing +/- 106.22 acres (note this calculation includes areas marked as “future phase”).

Appellants: Mary Donald; Pedro, Magdalena, and Araceli Rodriguez; Jesse and Angela Clayton; Billy and Barbara Agee; Lewis and Elaine Crafton; Peggy and Judith Duffy; and O’Rane M. Cornish Sr.

Appellee: Land Use Control Board

Request: Overturn a decision of the Land Use Control Board

LUCB and DPD recommendation: APPROVAL, with conditions

**ACTION REQUESTED: Set a date of public hearing**

**SUGGESTED DATE: July 12, 2022**

B. **Case No. MJR 22-13 (PD 82-032 CORRES) – GURLEY WINCHESTER ROAD PLANNED DEVELOPMENT**

Located at the southside of TN385, north side of Riverdale Bend Road and east of Riverdale Road containing +/- 1.71 acres.

Appellant: MIM LLC – Prentiss Mitchell

Appellee: Land Use Control Board

Request: Overturn a decision of the Land Use Control Board

LUCB and DPD recommendation: REJECTION

**ACTION REQUESTED: Set a date of public hearing**

**SUGGESTED DATE: July 12, 2022**

**ENGINEERING DIVISION**

4. RESOLUTION approving the Engineering plans for STATELINE NORTH- 5414 & 5420 TULANE ROAD. **(Request for Same Night Minutes)**

Contract No. CR-5405

Resolution approves engineering plans within the present limits of the City of Memphis and located at 5414 & 5420 Tulane Road in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the RLI Insurance Company Performance Bond No. CMS0348440 in the amount of \$306,200.00 as security for the project.

**ACTION REQUESTED:** Adopt the resolution

5. RESOLUTION approving the Engineering plans for DMC MOBILITY CENTER SIGNAL MODIFICATIONS (MAIN & BEALE). **(Request for Same Night Minutes)**

Contract No. CR-5406

Resolution approves engineering plans within the present limits of the City of Memphis and located at the northwest corner of South Main and Beale Street in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Travelers Casualty and Surety Company Performance Bond No. 107599435 in the amount of \$55,100.00 as security for the project.

**ACTION REQUESTED:** Adopt the resolution

6. RESOLUTION approving the Engineering plans for 4726 & 4730 SUMMER AVENUE ASPR 2021-038. **(Request for Same Night Minutes)**

Contract No. CR-5407

Resolution approves engineering plans within the present limits of the City of Memphis and located at 4726 & 4730 Summer Avenue in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Bank3 Letter of Credit No. 126 in the amount of \$48,000.00 as security for the project.

ACTION REQUESTED: Adopt the resolution

7. RESOLUTION approving the Engineering plans for SOUTHRIDGE INDUSTRIAL PARK – 6401 EAST SHELBY DRIVE. **(Request for Same Night Minutes)**

Contract No. CR-5408

Resolution approves engineering plans within the present limits of the City of Memphis and located at 6401 East Shelby Drive in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the cash bond in the amount of \$114,600.00 as security for the project.

ACTION REQUESTED: Adopt the resolution

8. RESOLUTION approving the Engineering plans for FILL-N-GO SOUTH THIRD (SUP 20-12). **(Request for Same Night Minutes)**

Contract No. CR-5409

Resolution approves engineering plans within the present limits of the City of Memphis and located on the west side of South Third Street approximately 900 Feet north of Peebles Street in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Regions Letter of Credit No. 55110285 in the amount of \$101,600.00 as security for the project.

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION accepting public improvements for VELO AT SHELBY FARMS [CR-5313 AND CR-5313AM] and authorizing release of bond. **(Request for Same Night Minutes)**

(Contract No. CR-5313)

(Contract No. CR-5313AM)

Resolution approves accepting the public improvements within the present limits of the City of Memphis as shown on the engineering plans and located at 7620 Raleigh-Lagrange in Memphis, Tennessee. Resolution also authorizes the

release of the Westchester Fire Insurance Company Performance Bond No. K13538244 in the amount of \$180,300.00 held as security.

ACTION REQUESTED: Adopt the resolution

**GENERAL ITEMS** (None)



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## FISCAL CONSENT AGENDA

10. RESOLUTION to accept, allocate, and appropriate grants funds in the amount of (\$10,000.00) from the Institute of Museum and Library Services for program supplies and equipment. Project #LI90042. All Council Districts. This resolution is sponsored by Library Services. **(Request for Same Night Minutes)**
  
11. RESOLUTION to accept and appropriate grant funding in the amount of (\$1,038,400.00) from the State of Tennessee for In-Service Training for 1,298 employees. Project #FS90146. All Council Districts. This resolution is sponsored by Fire Services. **(Request for Same Night Minutes)**
  
12. RESOLUTION to accept and appropriate grant funds in the amount of (\$13,315.00) from the State of Tennessee for discretionary federal funding for qualifying law enforcement reimbursement following a mass violence incident. All Council Districts. This resolution is sponsored by Police Services. **(Request for Same Night Minutes)**
  
13. RESOLUTION to accept, allocate and appropriate grant funds in the amount of (\$67,994.00) from the Shelby County Sheriff's Office for the Gulf Coast High Coast Intensity Drug Trafficking Area (GC HIDTA). All Council Districts. This resolution is sponsored by Police Services. **(Request for Same Night Minutes)**



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## MLGW FISCAL CONSENT

14. 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.) (Held from 6/7)
15. RESOLUTION approving Change No. 10 to Contract No. 10741, Laser Disk Document Storage, with Jack Henry and Associates, Incorporated, a division of Profitstars, in the funded amount of \$7,200.00. (This change is to ratify and increase the contract value to purchase Synergy Reports and Synergy eDistribution professional service software subscription and licenses for the period covering July 1, 2022 through June 30, 2024. The new licenses will be used to setup a test environment for the Synergy output management application and set up of the test server. MLGW is requesting approval of these acquired services, which can only be provided by Jack Henry and Associates, Incorporated.)
16. RESOLUTION approving Change No. 1 to Contract No. 11743, NERC Access Management Solution Software, with HID Global Corporation (formerly Quantum Secure), in the funded amount of \$71,814.71. (This change is to ratify and renew software license maintenance and support services for software products covering the period March 1, 2021 through February 28, 2026.)
17. RESOLUTION approving Change No. 13 to Contract No. 10908, mobile data with ABB Enterprise Software, Incorporated, in the funded amount of \$188,969.33. (This change is to ratify and renew annual software maintenance, license, and support services for the Mobile Dispatching System, Mobile Mapping, and Street Level Routing through the Customer Information System (CIS) for the period covering July 1, 202 through June 30, 2023. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by ABB Enterprise Software, Incorporated.)
18. RESOLUTION approving Change No. 2 to Contract No. 12244, Smartsheet with Smartsheet, Incorporated, in the funded amount of \$286,550.00. (This change is to ratify, renew, and increase the contract value. There was an addition of 27 Premier Plan licenses for the period covering January 24, 2022 through January 23, 2023 in the amount of \$20,250.00. In addition, this change is to add 300 Premier Plan licenses; 300 Smartsheet University All Access upgrade licenses; one WorkApps Collaborator Pack 251-1000 subscription purchase; and one Team



Onboarding Package for the period covering January 24, 2023 through January 23, 2024 in the amount of \$266,300.00.)

19. RESOLUTION approving Change No. 1 to Contract No. 11821, NERC Compliance Management Solution Software with AssurX, Incorporated in the funded amount of \$235,963.31. (This change is to ratify, renew, and increase the contract value; In addition, to expand the scope of the contract to include: 1) Multiple Database (additional Production database), and 2) 140 Professional Services hours, which includes annual support, licenses, and maintenance for the period covering September 18, 2020 through September 17, 2025.)
20. RESOLUTION approving Change No. 1 to Contract No. 12194, NERC Professional Engineering Compliance Consultant to Guidehouse, Incorporated, in the funded amount of \$350,000.00. (This change is to increase the contract value and expand the scope of the contract to include the following services for the Federal Energy Regulatory Commission (FERC) audit: 1) Review evidence and prepare final evidence for the audit; 2) Assess and improve subject matter experts' readiness to participate in FERC interviews (including on-site walk downs) and offer approaches to enhance MLGW's ability to respond to interviews and data requests; 3) Support MLGW subject matter experts to facilitate mitigation and remediate any FERC Other Risks Identified (ORI); 4) Support MLGW by providing on-site resources during the FERC audit; and 5) Provide training and knowledge management to MLGW staff and leadership regarding NERC CIP best practices integrating compliance, operations, and security.)
21. RESOLUTION approving Change No. 1 to Contract No. 12227, High Volume Outage Call Management with Intrado Corporation, in the funded amount of \$315,000.00. (This change is to increase the current contract value with no increase in the current rates due to the increased call volume associated with the 2022 February ice storm. The contract term will remain from September 1, 2021 to August 31, 2026.)
22. RESOLUTION approving Change No. 1 to Contract No. 12280, South Service Center Repaving, with Lehman-Roberts Company, in the funded amount of \$1,168,502.00. (This change is to expand the scope to include paving at the North Service Center, 1060 Tupelo, Memphis, TN 38108. Also, this change is to extend the contract an additional six months and to increase the contract value in the funded amount of \$1,073,502.00 to cover labor and material cost increases. MLGW is adding \$95,000.00 in contingency funds for unforeseen pavement material costs.



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## REGULAR AGENDA

### APPOINTMENTS

23. **SOLID WASTE MUNICIPAL PLANNING BOARD**

Easter-

Thomas

Chairman,

Personnel &

Governmental

Affairs

Committee

Appointment

Amanda Fryer

Chandell Ryan

Reappointment

Kerry Roy

### **GENERAL ORDINANCES THIRD AND FINAL READING**

24. **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 **T H I R D** and **F I N A L** reading. Ordinance No. 5829 is sponsored by the Administration.

Jones

Chairman,

Budget

Committee

**ACTION REQUESTED:** Take whatever action Council deems advisable

25. **ORDINANCE** to establish funding dedicated to Transit and Mobility, up for **T H I R D** and **F I N A L** reading. Ordinance No. 5830 is sponsored by Councilmembers Ford, Carlisle, Robinson, Canale, Colvett, Easter-Thomas, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, and Warren.

Canale

Chairman,

Transportation

Committee

**ACTION REQUESTED:** Take whatever action Council deems advisable

26. **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

Swearingen

Chairman,

Executive

Session 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. (Held from 6/7)

ACTION REQUESTED: Take whatever action Council deems advisable

27. **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. (Held from 6/7)  
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**

**DIVISION OF FIRE SERVICES** (None)

**DIVISION OF GENERAL SERVICES**

**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 requesting that the Memphis Police Department decline a police escort for former President Donald Trump to an event in Southaven, Mississippi. All Council Districts. This resolution is sponsored by Councilmembers Smiley, Jones, and Easter-Thomas.

Easter-Thomas  
Chairman,  
Personnel &  
Governmental  
Affairs

ACTION REQUESTED: Negative recommendation

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**