

# CITY OF MEMPHIS

## COUNCIL REGULAR MEETING

Tuesday , June 16, 2020, 3:30 p.m.

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### SUPPORTING DOCUMENTS

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ITEM #	DESCRIPTION	PAGE #
	<b>PRESENTATIONS</b>	
<b>1</b>	<b>RESOLUTION</b> designating June 19 <sup>th</sup> as Juneteenth and recognizing the liberation and emancipation of enslaved African Americans in the United States of America.	<b>1</b>
	<b>CONSENT AGENDA</b>	
<b>2</b>	<b>ORDINANCE</b> to amend Chapter 2, Article I, Section 2-10-10, Subsection B, to require the Board of Ethics to establish an online portal to require Lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis.	<b>2</b>
<b>3</b>	<b>RESOLUTION</b> accepting STOCKLEY PD 17-11 and authorizing release of Performance Bond No. 80C203466 in the amount of \$159,500.00.	<b>4</b>
<b>4</b>	<b>RESOLUTION</b> accepting funds for sewer credits from X Capital, LLC, to apply towards Sewer Development fees for GRAY'S CREEK BUSINESS PARK PD, 2 <sup>ND</sup> AMENDMENT, PHASE 6, PART OF AREA D SEWER PLAN	<b>6</b>
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	<b>MLGW FISCAL CONSENT</b>	
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**RESOLUTION OF THE MEMPHIS CITY COUNCIL DESIGNATING JUNE 19<sup>TH</sup> AS  
JUNETEENTH WITHIN THE CITY OF MEMPHIS THEREBY RECOGNIZING THE  
LIBERATION AND EMANCIPATION OF ENSLAVED AFRICAN AMERICANS IN  
THE UNITED STATES OF AMERICA**

**WHEREAS**, news of the end of slavery did not reach the frontier areas of the United States, in particular the State of Texas and the other Southwestern States, until months after the conclusion of the Civil War on April 9, 1865, more than 2½ years after President Abraham Lincoln formally issued the Emancipation Proclamation on January 1, 1863; and

**WHEREAS**, on June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with welcomed news that the Civil War had ended and that the enslaved were free; and

**WHEREAS**, African-Americans who had been enslaved in the Southwest began celebrating June 19, commonly known as “Juneteenth Independence Day,” to inspire and encourage future generations; and

**WHEREAS**, African-Americans from across the Nation have continued the tradition of observing Juneteenth Independence Day for over 150 years; and

**WHEREAS**, 47 States and the District of Columbia have designated Juneteenth Independence Day as a special day of observance in recognition of the emancipation of all enslaved African-Americans in the United States; and

**WHEREAS**, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures; and

**WHEREAS**, the faith and strength of character demonstrated by formerly enslaved African-Americans and the descendants of formerly enslaved African-Americans remain an example for all people of the United States, regardless of background, religion, or race; and

**WHEREAS**, despite the formal issuance of the Emancipation Proclamation on January 1, 1863, slavery was not officially abolished throughout the entire Nation until the ratification of the 13th Amendment to the Constitution of the United States in December 1865; and

**WHEREAS**, over the course of its history, the City of Memphis has seen the damaging effects of the slavery, the fight for freedom by way of the civil rights movement, and present-day efforts to achieve equity for all:

**NOW THEREFORE BE IT RESOLVED**, the Memphis City Council hereby designates June 19th as Juneteenth within the City of Memphis recognizing the liberation and emancipation of enslaved African-Americans in the United States of America. This resolution shall take effect from and after its passage, the welfare of the City requiring it.

**Sponsor:**  
Councilwoman Michalyn Easter-Thomas

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE I, SECTION 2-10-10, SUBSECTION B, TO REQUIRE THE BOARD OF ETHICS TO ESTABLISH AN ONLINE PORTAL TO REQUIRE LOBBYISTS TO FILE THEIR STATE MANDATED DISCLOSURE STATEMENTS WITH THE CITY OF MEMPHIS

**WHEREAS**, T.C.A. § 3-6-301(15) and (17), requires persons who communicate, directly or indirectly, with state government officials for the purpose of influencing action by the official for compensation, to register, each calendar year, with the Tennessee Ethics Commission; and

**WHEREAS**, regulating lobbying activities helps to ensure governmental transparency and thereby fosters public confidence in elected and appointed officers and government employees; and

**WHEREAS**, the possibility of special interests privately influencing decision makers outside of the public purview undermines the people's confidence that their City officials serve the broader public interest; and

**WHEREAS**, the Memphis City Council recognizes that First Amendment Rights must be safeguarded and endeavors to do so in all circumstances, including ensuring the public is aware of lobbyists; and

**WHEREAS**, since lobbying is a constitutional right, this ordinance is intended to both promote public confidence through transparency and respect individual rights; and

**WHEREAS**, establishing an online portal to require lobbyists to file their state mandated disclosure statements with the City of Memphis will enhance a robust, inclusive and transparent public process; and

**WHEREAS**, in order to increase transparency regarding lobbyists, it is in the best interests of the City to require lobbyists to file Disclosure Reports online and to make the information contained in the Disclosure Reports available to the public in more locatable places.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS** that the findings and recitations set out in the preamble to this ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

**BE IT FURTHER ORDAINED** that the Board of Ethics is required to establish an online portal to require lobbyists to file their state mandated disclosure statements with the City of Memphis to help promote transparency within the City of Memphis.

**BE IT FURTHER ORDAINED** that CHAPTER 2, ARTICLE I, SECTION 2-10-10, SUBSECTION B shall be amended by adding the following language:

Chapter 2, Article I, Section 2-10-10, subsection B(9):

9. To establish an online portal to require lobbyists to file their state mandated disclosure statements with the City of Memphis.

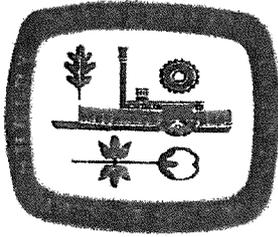
SECTION 1: The City of Memphis Board of Ethics is hereby directed to take the necessary action to provide for the online filing of Lobbyist Disclosure Reports. In addition, the Board of Ethics is directed to take the necessary action to make the information contained in the Disclosure Reports described herein available in a searchable format to members of the public.

SECTION 2: That the amendments reflected in this Ordinance shall become effective immediately upon approval.

SECTION 3: That all ordinances or parts thereof in conflict with this ordinance are hereby repealed to the extent of the conflict.

Sponsors: Chase Carlisle  
Michalyn Easter-Thomas  
Worth Morgan

Patrice Robinson  
Memphis City Council Chairwoman



# City Council Item Routing Sheet

Division: City Council    Committee: Budget    Hearing Date: June 16, 2020

- Ordinance                       Resolution                       Grant Acceptance  
 Budget Amendment               Commendation                   Other: [Click here to enter text.](#)

<p><b>Item Description:</b> RESOLUTION accepting Stockley PD 17-11 and authorizing release of the bond.</p> <p>Resolution approves accepting the public improvements of Stockley PD 17-11 with the City of Memphis as shown on the final plat located on the north side of Messick Road, east of Kirby Road – Messick Road intersection and west of the Kirby Parkway – Messick Road intersection in the City of Memphis, Tennessee. Resolution also authorizes the release of Performance Bond No. 80C203466 in the amount of \$159,500.00 held as security for the standard improvement contract.</p> <p>City Engineer recommends approval.</p>	
<p><b>Recommended Council Action:</b> ADOPT THE RESOLUTION</p>	
<p>Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: <b>September 25, 2018; CR-5248</b></p>	
<p>Does this item require city expenditure? No</p> <p><a href="#">Click here to enter text.</a></p> <p><a href="#">Click here to enter text.</a></p>	<p>Source and Amount of Funds:</p>

**Approvals**

Director WES 6/9/20 Date \_\_\_\_\_  
 Division Chief \_\_\_\_\_ Date \_\_\_\_\_  
 Budget Manager \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_

Chief Operating Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Council Committee Chair \_\_\_\_\_ Date \_\_\_\_\_



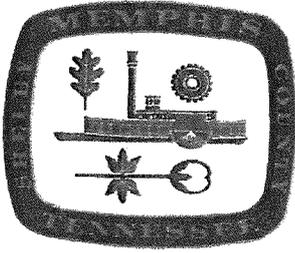
**RESOLUTION accepting Stockley PD 17-11 and authorizing release of bond.**

**WHEREAS, Kircher Uhlhorn Development, LLC** is the Developer has completed the public improvement with the City of Memphis as shown on the final plat for **Stockley PD 17-11** located on the north side of Messick Road, east of Kirby Road – Messick Road intersection and west of Kirby Parkway – Messick Road intersection in the City of Memphis, Tennessee.

**WHEREAS,** all of the public improvements required by the standard improvement contract for the project are completed.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the final plat for **Stockley PD 17-11, CR-5248** and the completion of the public improvements therein, be and the same are hereby accepted by the City.

**BE IT FURTHER RESOLVED** that the Performance Bond No. 80C203466 in the amount of \$159,500.00 held as security for the standard improvement contract is ordered refunded.



# City Council Item Routing Sheet

Division: City Council    Committee: Budget    Hearing Date: June 16, 2020

- Ordinance                       Resolution                       Grant Acceptance  
 Budget Amendment               Commendation                       Other: [Click here to enter text.](#)

Item Description: **RESOLUTION** accepting funds for sewer credits, from X Capital, LLC, to apply towards Sewer Development Fees for Gray's Creek Business Park PD, 2nd Amendment, Phase 6, Part of Area D Sewer Plan.

Resolution approves accepting 89,040.00 from the Developer, X Capital, LLC, for sewer credits to be used towards all Sewer Development Fees for Gray's Creek Business Park PD, 2nd Amendment, Phase 6, Part of Area D Sewer Plan. It is located at the intersection of Cobb Road and Old Well Terrace, northeast corner lots 1 – 4, southeast corner lots 5 – 9 in the City of Memphis, Tennessee.

City Engineer recommends approval.

Recommended Council Action: **ADOPT THE RESOLUTION**

Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: **No previous actions have been taking by any other entity.**

Does this item require city expenditure? No \$Click here to enter text. \$Click here to enter text.	Source and Amount of Funds:
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**Approvals**

Director W.E. Clark Date \_\_\_\_\_

Division Chief \_\_\_\_\_ Date \_\_\_\_\_

Budget Manager \_\_\_\_\_ Date \_\_\_\_\_

Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_

Chief Operating Officer \_\_\_\_\_ Date \_\_\_\_\_

Council Committee Chair \_\_\_\_\_ Date \_\_\_\_\_

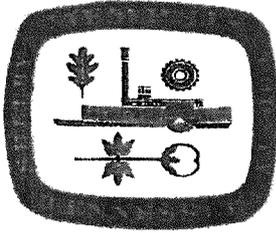


**RESOLUTION accepting funds for sewer credits, from X Capital, LLC, to apply towards Sewer Development Fees for Gray's Creek Business Park PD, 2<sup>nd</sup> Amendment, Phase 6, Part of Area D Sewer Plan.**

**WHEREAS, X Capital, LLC is the Developer of Gray's Creek Business Park PD, 2<sup>nd</sup> Amendment, Phase 6, Part of Area D Sewer Plan** located at the intersection of Cobb Road and Old Well Terrace, northeast corner lots 1 – 4, southeast corner lots 5 – 9 in the City of Memphis, Tennessee.

**WHEREAS, the Developer will pay Eighty-Nine Thousand Forty Dollars and Zero Cents (\$89,040.00) for sewer credits to be used towards all Sewer Development Fees for Gray's Creek Business Park PD, 2<sup>nd</sup> Amendment, Phase 6, Part of Area D Sewer Plan.**

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Eighty-Nine Thousand Forty Dollars and Zero Cents (\$89,040.00) be accepted for sewer credits for **Gray's Creek Business Park PD, 2<sup>nd</sup> Amendment, Phase 6, Part of Area D Sewer Plan** to be used towards all Sewer Development Fees therein, be and the same are hereby accepted by the City.



# City Council Item Routing Sheet

Division: City Council    Committee: Budget    Hearing Date: June 16, 2020

Ordinance

Resolution

Grant Acceptance

Budget Amendment

Commendation

Other: [Click here to enter text](#)

Item Description: **RESOLUTION** approving the engineering plans for Glycol Management Program Deice Facility.

Resolution approves the engineering plans for Glycol Management Program Deice Facility located on Shelby Drive between Swinnea Road and Louis Carruthers Drive on the north side of Shelby Drive (Memphis International Airport) in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept the Travelers Performance Bond No. 107259471 / Fidelity & Deposit Bond No. 9346486 in the amount of \$99,900.00 on behalf of the City of Memphis.

City Engineer recommends approval.

Recommended Council Action: ADOPT THE RESOLUTION

Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: **No previous actions have been taking by any other entity.**

Does this item require city expenditure? No

[Click here to enter text.](#)

[Click here to enter text](#)

Source and Amount of Funds:

### Approvals

Director W/S 6/9/20 Date \_\_\_\_\_

Division Chief \_\_\_\_\_ Date \_\_\_\_\_

Budget Manager \_\_\_\_\_ Date \_\_\_\_\_

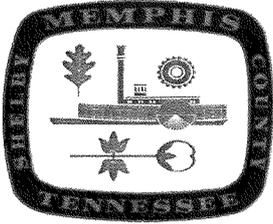
Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_

Chief Operating Officer

\_\_\_\_\_ Date \_\_\_\_\_

Council Committee Chair

\_\_\_\_\_ Date \_\_\_\_\_



RESOLUTION approving the engineering plans entitled **Glycol Management Program Deice Facility**

WHEREAS, **Memphis Shelby County Airport Authority** is the Developer of certain property within the present limits of the City of Memphis, located on Shelby Drive between Swinnea Road and Louis Carruthers Drive on the north side of Shelby Drive (Memphis International Airport) inside the City of Memphis, Tennessee as indicated on the engineering plans entitled **Glycol Management Program Deice Facility**; and

WHEREAS, the developer desires to develop the property reflected on the engineering plans; and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Memphis Shelby County Airport Authority** and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Glycol Management Program Deice Facility**; be and is hereby approved.

BE IT FURTHER RESOLVED, that the proper officials be and are hereby authorized to execute the attached standard improvement contract and accept Travelers Performance Bond No. 107259471 / Fidelity and Deposit Bond No. 9346486 in the amount of \$99,900.00.

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 3, 2020 Change No. 1 to Contract No. 12195, Substation Design Suite Renewal with DLT Solutions to renew maintenance and support in the funded amount of \$119,700.00 for existing software, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to allow DLT Solutions to provide software maintenance and support to assist in Substation Engineering by automating certain substation specific modeling tasks with specialized substation tools for above grade, below grade, and equipment design. The original purchase order agreement was for twelve (12) months of software maintenance and support for the Substation Design Suite Software. This change is to renew an existing purchase order for software, maintenance, and support services for three (3) years for the period covering July 27, 2020 through July 26, 2023 in the funded amount of \$119,700.00. MLGW is requesting continuous maintenance, license, and support services, which can only be performed by DLT Solutions. This renewal complies with all applicable laws and policies. The new contract value is \$161,700.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 1 of existing software under Contract No. 12195, Substation Design Suite Renewal with DLT Solutions to renew maintenance and support in the funded amount of \$119,700.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 3, 2020**

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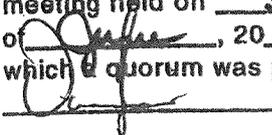
The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12195, Substation Design Suite Renewal with DLT Solutions to renew maintenance and support in the funded amount of \$119,700.00 for existing software.

The project scope is to allow DLT Solutions to provide software maintenance and support to assist in Substation Engineering by automating certain substation specific modeling tasks with specialized substation tools for above grade, below grade, and equipment design. The original purchase order agreement was for twelve (12) months of software maintenance and support for the Substation Design Suite Software. This change is to renew an existing purchase order for software, maintenance, and support services for three (3) years for the period covering July 27, 2020 through July 26, 2023 in the funded amount of \$119,700.00. MLGW is requesting continuous maintenance, license, and support services, which can only be performed by DLT Solutions. This renewal complies with all applicable laws and policies. The new contract value is \$161,700.00.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 of existing software under Contract No. 12195, Substation Design Suite Renewal with DLT Solutions to renew maintenance and support in the funded amount of \$119,700.00, as outlined in the foregoing preamble, is approved and further,

THAT, the President or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 3rd day of June, 2020, at which a quorum was present.  
  
Secretary-Treasurer

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 3, 2020 approved Change No. 1 to Contract No. 12196, Autodesk Renewal with DLT Solutions to renew maintenance and support in the funded amount of \$50,062.00 for existing software, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to allow DLT Solutions to provide software maintenance and support to design and update construction drawings in Substation Engineering. This software is a computer aided design package used to create overall designs of all MLGW substations. The original purchase order agreement was for twelve (12) months of software maintenance and support for the Autodesk Software. This change is to renew an existing purchase order for software, maintenance, and support services for one (1) year for the period covering July 27, 2020 through July 26, 2021 in the funded amount of \$50,062.00. MLGW is requesting continuous maintenance, license, and support services, which can only be performed by DLT Solutions. This renewal complies with all applicable laws and policies. The new contract value is \$99,088.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 1 of existing software under Contract No. 12196, Autodesk Renewal with DLT Solutions to renew maintenance and support in the funded amount of \$50,062.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 3, 2020**

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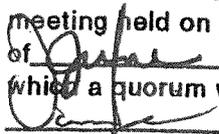
The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12196, Autodesk Renewal with DLT Solutions to renew maintenance and support in the funded amount of \$50,062.00 for existing software.

The project scope is to allow DLT Solutions to provide software maintenance and support to design and update construction drawings in Substation Engineering. This software is a computer aided design package used to create overall designs of all MLGW substations. The original purchase order agreement was for twelve (12) months of software maintenance and support for the Autodesk Software. This change is to renew an existing purchase order for software, maintenance, and support services for one (1) year for the period covering July 27, 2020 through July 26, 2021 in the funded amount of \$50,062.00. MLGW is requesting continuous maintenance, license, and support services, which can only be performed by DLT Solutions. This renewal complies with all applicable laws and policies. The new contract value is \$99,088.00.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 of existing software under Contract No. 12196, Autodesk Renewal with DLT Solutions to renew maintenance and support in the funded amount of \$50,062.00, as outlined in the foregoing preamble, is approved and further,

THAT, the President or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a ~~regular-special~~ meeting held on 3rd day of June, 2020, at which a quorum was present.  
  
Secretary-Treasurer

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 3, 2020 approved Change No. 1 to Contract No. 11900, Mobile Dispatch Replacement with Clevest Solutions, Inc. to increase the current contract in the funded amount of \$347,342.83, and is now recommending to the Council of the City of Memphis that it approves said change as approved; and

WHEREAS, the project scope is to provide a mobile dispatch solution in order to gather data from multiple systems and applications which includes the following: customer service, construction and maintenance, facility location, troubleshooting and work management. The term of this contract is for 60 months from the date of the Notice to Proceed, with provisions for continuous maintenance. This change is for additional software and to convert an old meter reading software application to the Clevest platform. This change also include costs for additional training and a new dataset in the amount of \$347,342.83. The contract term will remain through December 31, 2022. This change complies with all applicable laws and policies. The new contract amount is \$2,359,203.83; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 11900, Mobile Dispatch Replacement with Clevest Solutions, Inc. to change the current contract in the funded amount of \$347,342.83 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 3, 2020**

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The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 11900, Mobile Dispatch Replacement with Clevest Solutions, Inc. to increase the current contract in the funded amount of \$347,342.83.

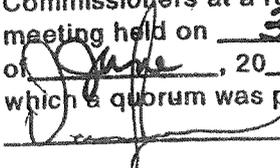
The project scope is to provide a mobile dispatch solution in order to gather data from multiple systems and applications which includes the following: customer service, construction and maintenance, facility location, troubleshooting and work management. The term of this contract is for 60 months from the date of the Notice to Proceed, with provisions for continuous maintenance. This change is for additional software and to convert an old meter reading software application to the Clevest platform. This change also include costs for additional training and a new dataset in the amount of \$347,342.83. The contract term will remain through December 31, 2022. This change complies with all applicable laws and policies. The new contract amount is \$2,359,203.83.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 to Contract No. 11900, Mobile Dispatch Replacement with Clevest Solutions, Inc. in the funded amount of \$347,342.83 as outlined in the foregoing preamble, is approved and further,

THAT, the President or his designated representative is authorized to execute the Change.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-~~special~~ meeting held on 3<sup>rd</sup> day of June, 2020, at which a quorum was present.

  
Secretary-Treasurer

## 11900 Mobile Dispatch Replacement

### **Meter Reading**

MLGW will be decommissioning the current Itron meter reading system and replacing with the Clevest solution.

Clevest will develop the workflows for the meter reading techs read the meters using an iPad. The WorkBook application will allow the technicians to get walking/driving directions to each order and show the best way to read the meters.

This will allow the CIS team to support one application for mobile and meter reading. They will also be able to make changes to the system as needed without the vendors help. This will be a \$70k savings in maintenance each year.

### **Customer Communication**

The Customer Communication & Engagement initiative is composed of two distinct feature sets:

#### **Customer Communication**

This feature set adds the ability to configure and send appointment reminders, based on specific triggers, from the Clevest Mobile Workforce Management (MWFM) system via Short Message Service (SMS), Interactive Voice Response (IVR), and Email.

This functionality includes the ability to configure appointment reminders by Business Group and Job Code (work type) and the ability to turn on one or all of the following reminder types for any given Job Code:

- Booking Confirmation
- One Week Prior
- One Day Prior
- Day of (triggered when the worker goes enroute)

#### **Customer Engagement**

This feature set adds the ability to configure and send customer surveys upon order completion from the Clevest MWFM system via SMS and IVR.

For both parts of this initiative, Clevest will support the capture of customer opt-ins to receive communications from the utility in the context of each order, both directly from the CIS and via Clevest's Appointment Booking API and appointment-related WorkSpace functionality.

**HERE Data**

The HERE Data is used for directions and routing in the Clevest mobile environment. We are adding this database to all the devices for directional information.

**User Training**

Clevest will conduct advanced online training for the MLGW team to develop applications in house and not have to rely on the vendor. The training will consist of system design, workflow development and reporting.

**Contract Change Amounts Breakdown:**

\$141,899.50 - Clevest Meter Reading Change Request  
\$154,000.00 - Clevest Communication Module Change Request  
\$ 31,500.00 - HERE driving direction data license  
\$ 19,943.33 - Clevest User Training  
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\$347,342.83 - Total

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 3, 2020 approved Change No. 2 to Contract No. 12023, Aerial Patrol of Gas Transmission Right-of-Way with Tennessee Helicopter Services, Incorporated to renew the current contract in the funded amount of \$80,000.00, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to provide transportation of MLGW employee(s) to conduct bi-monthly aerial surveys of all gas transmission lines throughout Memphis and Shelby County, Tennessee in accordance with MLGW's operation and maintenance procedures and the Code of Federal Regulations. The initial term of this contract was for one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewal terms. This change is to renew the current contract for the second of four (4) annual renewal terms for the period covering August 29, 2020 through August 28, 2021 in the funded amount of \$80,000.00, with no increase in rates from the previous year. This renewal complies with all applicable laws and policies. The new contract value is \$251,800.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 2 to Contract No. 12023, Aerial Patrol of Gas Transmission Right-of-Way with Tennessee Helicopter Services, Incorporated to renew the current contract in the funded amount of \$80,000.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 3, 2020**

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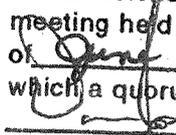
The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 2 to Contract No. 12023, Aerial Patrol of Gas Transmission Right-of-Way with Tennessee Helicopter Services, Incorporated to renew the current contract in the funded amount of \$80,000.00.

The project scope is to provide transportation of MLGW employee(s) to conduct bi-monthly aerial surveys of all gas transmission lines throughout Memphis and Shelby County, Tennessee in accordance with MLGW's operation and maintenance procedures and the Code of Federal Regulations. The initial term of this contract was for one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewal terms. This change is to renew the current contract for the second of four (4) annual renewal terms for the period covering August 29, 2020 through August 28, 2021 in the funded amount of \$80,000.00, with no increase in rates from the previous year. This renewal complies with all applicable laws and policies. The new contract value is \$251,800.00.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 2 to Contract No. 12023, Aerial Patrol of Gas Transmission Right-of-Way with Tennessee Helicopter Services, Incorporated to renew the current contract in the funded amount of \$80,000.00, as outlined in the foregoing preamble, is approved and further,

THAT, the President or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-~~special~~ meeting held on 3rd day of June, 2020, at which a quorum was present.  
  
Secretary-Treasurer

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 3, 2020 approved Change No. 5 to Contract No. 11788, Gas Leak Survey with Heath Consultants, Incorporated to extend the current contract in the funded amount of \$571,971.50, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to perform gas leak surveys and atmospheric corrosion inspections of MLGW's natural gas facilities throughout Memphis and Shelby County, Tennessee. The term of this contract is for one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewal terms. This change is to extend the current contract term for the period covering October 2, 2020 through March 31, 2021 in the funded amount of \$571,971.50, with a 2% increase in rates from the previous year. This increase is to continue to attract and retain top tier employees. This extension is for an additional six (6) months to continue performing federal mandated surveys and inspections which were delayed due to the COVID-19 pandemic. This extension complies with all applicable laws and policies. The new contract amount is \$4,849,704.90; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 5 to Contract No. 11788, Gas Leak Survey with Heath Consultants, Incorporated to extend the current contract in the funded amount of \$571,971.50 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 3, 2020**

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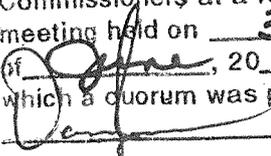
The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 5 to Contract No. 11788, Gas Leak Survey with Heath Consultants, Incorporated to extend the current contract in the funded amount of \$571,971.50.

The project scope is to perform gas leak surveys and atmospheric corrosion inspections of MLGW's natural gas facilities throughout Memphis and Shelby County, Tennessee. The term of this contract is for one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewal terms. This change is to extend the current contract term for the period covering October 2, 2020 through March 31, 2021 in the funded amount of \$571,971.50, with a 2% increase in rates from the previous year. This increase is to continue to attract and retain top tier employees. This extension is for an additional six (6) months to continue performing federal mandated surveys and inspections which were delayed due to the COVID-19 pandemic. This extension complies with all applicable laws and policies. The new contract amount is \$4,849,704.90.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 5 to Contract No. 11788, Gas Leak Survey with Heath Consultants, Incorporated to extend the current contract in the funded amount of \$571,971.50 as outlined in the above preamble, is approved; and further

THAT, the President or his designated representative is authorized to execute the Extension.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular ~~special~~ meeting held on 3rd day of June, 2020, at which a quorum was present.  
  
Secretary-Treasurer

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of June 3, 2020 approved the purchase of atomic absorption duo system and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2020 fiscal year budget; and

**WHEREAS**, the atomic absorption duo system will be used to analyze metals in drinking water at MLGW's Water Quality Assurance Laboratory; and

**WHEREAS**, bids were opened on March 25, 2020. Notice to Bidders was advertised. Three (3) bids were solicited and three (3) bids were received with the lowest complying bidder being the firm of Thermo Electron North America, LLC. This award complies with all applicable laws and policies; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved the purchase of atomic absorption duo system from Thermo Electron North America, LLC for the sum of \$50,817.08 chargeable to the MLGW 2020 fiscal year budget.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 3, 2020**

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The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Thermo Electron North America, LLC in the amount of \$50,817.08 for the purchase of an atomic absorption duo system.

The atomic absorption duo system will be used to analyze metals in drinking water at MLGW's Water Quality Assurance Laboratory.

Bids were opened on March 25, 2020. Notice to Bidders was advertised. Three (3) bids were solicited and three (3) bids were received with the lowest complying bidder being the firm of Thermo Electron North America, LLC. This award complies with all applicable laws and policies.

The 2020 budgeted amount for Water Lab Equipment is \$355,000.00; of which \$50,817.08 will be spent on this purchase order in 2020; leaving a balance of \$304,182.92 after award; and

**NOW THEREFORE BE IT RESOLVED BY** the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, Thermo Electron North America, LLC, be awarded a purchase order to provide:

Atomic Absorption Duo System in accordance with MLGW's Specifications dated March 2, 2020 at \$50,817.08 total;

Total Award amounts to \$50,817.08; f.o.b. Memphis, Tennessee, our dock, transportation prepaid, said price being firm; terms net 30 days; delivery 5 – 6 weeks.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-~~special~~ meeting held on 3rd day of June, 2020, at which a quorum was present.

Secretary-Treasurer

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of June 3, 2020 approved the purchase of a gas chromatograph mass spectrometer system and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2020 fiscal year budget; and

**WHEREAS**, the gas chromatograph mass spectrometer system will be used for the analyzation and measurement of purgeable volatile organic compounds in drinking water; and

**WHEREAS**, bids were opened on March 25, 2019. Notice to Bidders was advertised. Three (3) bids were solicited and two (2) bids were received with the most responsive and best complying bidder being the firm of Thermo Electron North America, LLC. This award complies with all applicable laws and policies; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved the purchase of a gas chromatograph mass spectrometer system from Thermo Electron North America, LLC for the sum of \$91,030.37 chargeable to the MLGW 2020 fiscal year budget.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 3, 2020**

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The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Thermo Electron North America, LLC in the amount of \$91,030.37 for a gas chromatograph mass spectrometer system.

The gas chromatograph mass spectrometer system will be used for the analyzation and measurement of purgeable volatile organic compounds in drinking water.

Bids were opened on March 25, 2020. Notice to Bidders was advertised. Three (3) bids were solicited and two (2) bids were received with the most responsive and best complying bidder being the firm of Thermo Electron North America, LLC. This award complies with all applicable laws and policies.

The 2020 budgeted amount for Water Lab Equipment is \$355,000.00; of which \$91,030.37 will be spent on this purchase order in 2020; leaving a balance of \$263,969.63 after award; and

**NOW THEREFORE BE IT RESOLVED BY** the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, Thermo Electron North America, LLC, be awarded a purchase order to provide:

Gas chromatograph mass spectrometer system in accordance with MLGW's Specifications dated March 2, 2020 at \$91,030.37 total;

Total Award amounts to \$91,030.37; f.o.b. Memphis, Tennessee, our dock, transportation prepaid, said price being firm; terms net 30 days; delivery 5 – 6 weeks.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 3rd day of June, 2020, at 4:15 which quorum was present.

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of June 3, 2020 approved the purchase of a inductively coupled plasma mass spectrometer and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2020 fiscal year budget; and

**WHEREAS**, the inductively coupled plasma mass spectrometer will be used to analyze trace metals in drinking water; and

**WHEREAS**, bids were opened on March 25, 2020. Notice to Bidders was advertised. Three (3) bids were solicited and three (3) bids were received with the most responsive and best complying bidder being the firm of Agilent Technologies, Inc. This award complies with all applicable laws and policies; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved the purchase of a inductively coupled plasma mass spectrometer from Agilent Technologies, Inc. for the sum of \$121,195.05 chargeable to the MLGW 2020 fiscal year budget.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 3, 2020**

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The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Agilent Technologies, Inc. in the amount of \$121,195.05 for an inductively coupled plasma mass spectrometer.

The inductively coupled plasma mass spectrometer will be used to analyze trace metals in drinking water.

Bids were opened on March 25, 2020. Notice to Bidders was advertised. Three (3) bids were solicited and three (3) bids were received with the most responsive and best complying bidder being the firm of Agilent Technologies, Inc. This award complies with all applicable laws and policies.

The 2020 budgeted amount for Water Lab Equipment is \$355,000.00; of which \$121,195.05 will be spent on this purchase order in 2020; leaving a balance of \$233,804.95 after award; and

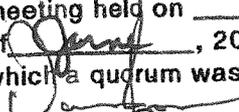
**NOW THEREFORE BE IT RESOLVED BY** the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, Agilent Technologies, Inc., be awarded a purchase order to provide:

Inductively coupled plasma mass spectrometer in accordance with MLGW's Specifications dated March 2, 2020 at \$121,195.05 total;

Total Award amounts to \$121,195.05; f.o.b. Memphis, Tennessee, our dock, transportation prepaid, said price being firm; terms net 30 days; delivery in 3 weeks.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 3rd day of June, 2020, at which a quorum was present.

  
Secretary-Treasurer

## **RESOLUTION**

**WHEREAS**, the Board of Light, Gas and Water Commissioners in their meeting of June 3, 2020 approved the purchase of Supervisory Control and Data Acquisition (SCADA) automation equipment and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2020 fiscal year budget; and

**WHEREAS**, this request will cover the purchase of system automation equipment needed to enhance and improve meter and SCADA communication by decreasing response time and increasing system reliability; and

**WHEREAS**, bids were opened on April 15, 2020. Notice to Bidders was advertised. Three (3) bids were solicited and two (2) bids were received with the lowest and best complying bidder being the firm of ABB, Inc. This award complies with all applicable laws and policies; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved the purchase of Supervisory Control and Data Acquisition (SCADA) automation equipment from ABB, Inc. in the sum of \$410,805.50 chargeable to the MLGW 2020 fiscal year budget.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 3, 2020**

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The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to ABB, Inc. in the amount of \$410,805.50 for Supervisory Control and Data Acquisition (SCADA) automation equipment.

This request will cover the purchase of system automation equipment needed to enhance and improve meter and SCADA communication by decreasing response time and increasing system reliability.

Bids were opened on April 15, 2020. Notice to Bidders was advertised. Three (3) bids were solicited and two (2) bids were received with the lowest and best complying bidder being the firm of ABB, Inc. This award complies with all applicable laws and policies.

The 2020 budgeted amount for Telecommunication Network is \$3,223,000.00; the amount spent to date is \$29,643.86; leaving a balance available of \$3,193,356.14; of which \$410,805.50 will be spent on this purchase order in 2020; leaving a balance of \$2,782,550.64 after award; and

**NOW THEREFORE BE IT RESOLVED BY** the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, award of purchase order to ABB, Inc. is approved for furnishing:

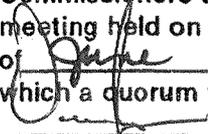
Tropos router 1420 Dual Bank at \$1,299.35 each,

Tropos router 1420 Supro license at \$199.00 each,

Ceraun 2 outdoor power supply & batteries at \$845.75 each,

Total award amount \$410,805.50; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; terms net 30 day.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a ~~regular-special~~ meeting held on 3rd day of June, 2020, at which a quorum was present.

  
Secretary-Treasurer

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 3, 2020 awarded Contract No. 12148, Steel Transmission Structure Inspection Services to Osmose Utilities Services, Inc. in the funded not-to-exceed amount of \$3,994,005.12, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to provide inspection and possible restoration and protection of MLGW's structures; and

WHEREAS, the Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on October 22, 2019. MLGW solicited three (3) bids; and received two (2) bids on January 7, 2020, of which one (1) was deemed non-compliant due to the failure to submit required bid bond. The lowest and best bid was from Osmose Utilities Services, Inc. in the amount of \$3,103,593.42. In addition, MLGW is requesting approval of contingency funds in the amount of \$890,411.70 in the event of unforeseen conditions for a total not-to-exceed amount of \$3,994,005.12. The term of this contract is for 24 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12148, Steel Transmission Structure Inspection Services to Osmose Utilities Services, Inc. in the funded not-to-exceed amount of \$3,994,005.12 as approved.

**EXCERPT**  
**from**  
**MINUTES OF MEETING**  
**of**  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
**held**  
**June 3, 2020**

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The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12148, Steel Transmission Structure Inspection Services to Osmose Utilities Services, Inc. in the funded not-to-exceed amount of \$3,994,005.12.

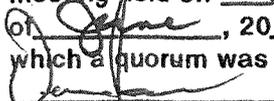
The project scope is to provide inspection and possible restoration and protection of MLGW's structures.

The Notice to Bidders was advertised using MLGW's On-Line Bid Notification System and the Memphis Daily News on October 22, 2019. MLGW solicited three (3) bids; and received two (2) bids on January 7, 2020, of which one (1) was deemed non-compliant due to the failure to submit required bid bond. The lowest and best bid was from Osmose Utilities Services, Inc. in the amount of \$3,103,593.42. In addition, MLGW is requesting approval of contingency funds in the amount of \$890,411.70 in the event of unforeseen conditions for a total not-to-exceed amount of \$3,994,005.12. The term of this contract is for 24 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of award of Contract No, 12148, Steel Transmission Structure Inspection Services to Osmose Utilities Services, Inc. in the funded not-to-exceed amount of \$3,994,005.12, as outlined in the above preamble, is approved; and further

THAT, the President or his designated representative is authorized to execute the Award.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a ~~regular~~ ~~meeting~~ meeting held on 3rd day of June, 2020, at which a quorum was present.  
  
Secretary-Treasurer

## RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 3, 2020 approved Change No. 1 to Contract No. 12200 (*Formerly C2205*), Davis Reservoir Inspection and Cleaning with H2O Solutions, LLC to change the current contract value in the funded not-to-exceed amount of \$18,100.00, and is now recommending to the Council of the City of Memphis that it approves said change as approved; and

WHEREAS, the project scope is to provide inspection and cleaning of the MLGW Davis Water Treatment Plant underground potable water storage reservoir. The initial term of this contract is for one (1) year from the date of the Notice to Proceed. This change is increase the current contract value for the period covering May 1, 2020 through April 30, 2021 in the funded amount of \$12,050.00. In addition, MLGW is requesting approval of contingency funds in the amount of \$6,050.00 in the event of unforeseen conditions, for a total funded not-to-exceed amount of \$18,100.00. This change will allow for additional days of cleaning and removal of excessive sediment buildup in the reservoir. This change complies with all applicable laws and policies. The new contract value is \$67,600.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 12200 (*Formerly C2205*), Davis Reservoir Inspection and Cleaning with H2O Solutions, LLC to change the current contract value in the funded not-to-exceed amount of \$18,100.00 as approved.

**EXCERPT**  
from  
**MINUTES OF MEETING**  
of  
**BOARD OF LIGHT, GAS AND WATER COMMISSIONERS**  
**CITY OF MEMPHIS**  
held  
**June 3, 2020**

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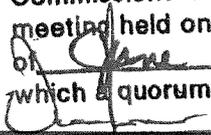
The Acting Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12200 (*Formerly C2205*), Davis Reservoir Inspection and Cleaning with H2O Solutions, LLC to change the current contract value in the funded not-to-exceed amount of \$18,100.00.

The project scope is to provide inspection and cleaning of the MLGW Davis Water Treatment Plant underground potable water storage reservoir. The initial term of this contract is for one (1) year from the date of the Notice to Proceed. This change is increase the current contract value for the period covering May 1, 2020 through April 30, 2021 in the funded amount of \$12,050.00. In addition, MLGW is requesting approval of contingency funds in the amount of \$6,050.00 in the event of unforeseen conditions, for a total funded not-to-exceed amount of \$18,100.00. This change will allow for additional days of cleaning and removal of excessive sediment buildup in the reservoir. This change complies with all applicable laws and policies. The new contract value is \$67,600.00.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 to Contract No. 12200 (*Formerly C2205*), Davis Reservoir Inspection and Cleaning with H2O Solutions, LLC to change the current contract value in the funded not-to-exceed amount of \$18,100.00, as outlined in the above preamble, is approved; and further

THAT, the President or his designated representative is authorized to execute the Change.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a ~~regular-special~~ meeting held on 3rd day of June, 2020, at which a quorum was present.  
  
Secretary-Treasurer

Resolution to increase the transparency of complaint process and encourage supplemental reporting for the Memphis Police Department.

**WHEREAS**, the Memphis City Council is committed to creating policy changes to protecting all citizens and ensuring transparency across all divisions of City Government; and

**WHEREAS**, the policies reducing violent interactions with police outlined in the “8 Can’t Wait” are a priority for this council; and

**WHEREAS**, the Memphis City Council believes that public trust and confidence in the fair and efficient operation of public safety is vital to the success of this city and believes that public access to complaints of excessive force can provide important procedural safeguards for citizens and public safety officers; and

**WHEREAS**, citizens have expressed frustration with the current public information polices and costs related to complaints of excessive force; and

**WHEREAS**, the City of Memphis has created data portals at [data.memphistn.gov](http://data.memphistn.gov) for citizens to track 311 service requests, capital improvement projects, civic assets, and crime; and

**WHEREAS**, larger law enforcement agencies including Chicago Police Department have created public portals to allow citizens free access to vital public safety records including excessive force complaints and misuse of body worn cameras to increase the public’s trust in our law enforcement agencies.

**NOW, THEREFORE BE IT RESOLVED** by the Memphis City Council that the Public Safety data portal be expanded to include all complaints of excessive force and misuse of body worn cameras outlining the details of each complaint and a timeline for the investigation of the complaint for Memphis Police Department and Memphis Fire Department.

**THEREFORE, BE IT FURTHER RESOLVED** that the Memphis City Council requests the administration to research the feasibility of expanding the portal to include Public Safety excessive force complaints and misuse of body worn cameras for Memphis Police Department and Memphis Fire Department and report its findings to this body by June 30, 2020.

Sponsors:  
J B Smiley, Jr.

Patrice J. Robinson,  
Chairwoman

Resolution requesting that the Memphis Police Department adopt “8 Can’t Wait” use of force reduction policies.

**WHEREAS**, violence against minorities, especially black people, by certain segments of the population has been a longstanding practice in the United States; and

**WHEREAS**, the Civil Rights Act of 1964 was adopted to curtail the violent, racist state-sanctioned antics against minorities who are unfairly targeted by authorities in the criminal justice system throughout this country; and

**WHEREAS**, minorities, not only in history, but in our time, have been devalued and dehumanized by authorities in the criminal justice system; and

**WHEREAS**, on May 25, 2020, the murder of another unarmed black man, George Floyd, while in police custody, has caused protestors across the country to protest his death and the ongoing systemic racism that appears to be woven into the fabric of the criminal justice system in the United States; and

**WHEREAS**, all Americans should consider it their call of duty to combat racism, both unconscious and conscious, throughout our communities and within the criminal justice system; and

**WHEREAS**, Campaign Zero, an anti-police brutality advocacy group, devised eight (8) policies, also referred to as “8 Can’t Wait” principals, for law enforcement agencies to implement to reduce and prevent violent encounters with criminal suspects and members of the public in general, e.g., civil protesters. According to Campaign Zero, “[r]esearch [from a 2016 study] shows more restrictive use of force policies can reduce killings by police [by up to 72%] and save lives.”<sup>1</sup> More specifically, the ‘#8cantwait’ recommended policies are: 1) ban chokeholds and strangleholds, 2) require de-escalation, 3) require warning before shooting, 4) exhaust all alternatives before shooting, 5) duty to intervene and stop excessive force by other officers, 6) ban shooting at moving vehicles, 7) require use-of-force continuum, and 8) require comprehensive

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<sup>1</sup> “A Project by Campaign Zero.” <https://8cantwait.org/> (Retrieved on June 7, 2020).

reporting each time an officer uses force or threatens to do so; and

**WHEREAS**, the campaign for the 8 Can't Wait principals has gained traction across the United States and several cities, like the City of Pittsburgh,<sup>2</sup> Carlsbad Police Department,<sup>3</sup> Tampa Police Department,<sup>4</sup> to name a few, are embracing the program; and

**WHEREAS**, the Memphis City Council calls upon the Memphis Police Department, Shelby County Sheriff's Office, and other law enforcement agencies in Tennessee to revisit their use of force policies and form deep, meaningful, year-round relationships with local communities and their leaders to better understand the issues that impact their neighborhoods and perceptions about those charged with protecting and serving said communities.

**NOW, THEREFORE, BE IT RESOLVED** that the Memphis City Council hereby requests that the Memphis Police Department adopt the '8 can't wait' principals to reduce and prevent violent encounters with criminal suspects and members of the public in general.

**THEREFORE, BE IT FURTHER RESOLVED** that the Memphis City Council applauds the Shelby County Board of Commissioners for their efforts to adopt this policy and their work with the Shelby County Sherriff's Office regarding implementation.

**THEREFORE, BE IT FURTHER RESOLVED**, that Campaign Zero's research shows that the Memphis Police Department already uses three (3) of the eight (8) recommended policies, i.e., "...Requires Warning Before Shooting, Requires Exhaust All Alternatives Before Shooting... and Has Use of Force Continuum...", and Memphis City Council hereby request that MPD adopts all eight (8) policies to reduce the number of violent encounters with citizens.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Memphis City Council requests that after review, the Memphis Police Department creates an updated Policies and

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<sup>2</sup> Wadas, A. "City Of Pittsburgh Embracing '8 Can't Wait' Campaign Aimed At Reducing Police Violence." <https://pittsburgh.cbslocal.com/2020/06/04/pittsburgh-8-cant-wait-reducing-police-violence>. (Retrieved on June 7, 2020).

<sup>3</sup> "Carlsbad Police adopt "8 Can't Wait" force-reduction policies." <https://kusi.com/carlsbad-police-adopt-8-cant-wait-force-reduction-policies/> (Retrieved on June 7, 2020).

<sup>4</sup> Gomez, G. "Tampa Police Department to adopt '8 can't wait' initiative after week of clashes with protesters." <https://www.fox13news.com/news/tampa-police-department-to-adopt-8-cant-wait-initiative-after--week-of-clashes-with-protesters> (Retrieved on June 7, 2020)

Procedures Manual and updated training procedures and requirements reflecting any adopted “8 Can’t Wait” Use of Force policy recommendations.

Sponsors:

Ford Canale

Chase Carlisle

Frank Colvett

Edmund H. Ford, Sr

Michalyn Easter-Thomas

Cheyenne Johnson

Martavius Jones

Rhonda Logan

J B Smiley, Jr.

Patrice Robinson

Jamita Swearengen

Dr. Jeff Warren

Patrice J. Robinson,  
Chairwoman

**A RESOLUTION REQUESTING MAYOR STRICKLAND TO FORM A COMMUNITY TASK FORCE TO ASSIST IN THE SELECTION OF A NEW MEMPHIS POLICE DEPARTMENT DIRECTOR**

**WHEREAS**, the Memphis City Council believes public safety is critical to the development of our community, and

**WHEREAS**, public trust in our public safety officials, namely its leadership, is key to ensuring healthy relationships with our local citizenry; and

**WHEREAS**, improving relationships between our local citizenry and the Memphis Police Department requires actively listening to the needs of said citizens, as well as establishing processes that secure the inclusion of Memphis citizens into decisions made as it pertains to the selection of persons tasked with protecting and serving Memphis residents; and

**WHEREAS**, the Director of Police Services is appointed by the Mayor of the City of Memphis; and

**WHEREAS**, the Council believes it prudent to include community-based input into the decision-making process of the selection of future Directors of the Division of Police Services for the purpose of reaching outcomes representative of the varied perspectives and experiences of our diverse population.

**NOW, THEREFORE, BE IT RESOLVED** that the Memphis City Council requests Mayor Strickland to form a community task force to assist in the selection of a new Memphis Police Department Director and inform the Council of the finalized hiring process for the new Memphis Police Director.

**BE IT FURTHER RESOLVED** that the community task force shall be selected by the Mayor of the City of Memphis, consisting of no more than thirteen (13) and no less than seven (7) Memphis citizens who identify with communities that include, but are not limited to, the following areas of interest: faith-based, business, education, human rights, and civil rights, to ensure community-wide input. This resolution shall take effect from and after its passage, the welfare of the City requiring it.

Sponsors:  
Councilwoman Michalyn Easter-Thomas  
Councilman J B Smiley, Jr.  
Councilwoman Jeff Warren, M.D.  
**Memphis City Council**



**A Resolution appropriating FY 2020 funds for construction of City of Memphis Municipal Complex CoMEM Phase II at the former Walter Simmons location.**

**WHEREAS**, the Council of the City of Memphis did include \$10,000,000 for CoMEM Phase II CIP Project GS01032, as part of the FY 2020 Capital Improvement Program budget; and

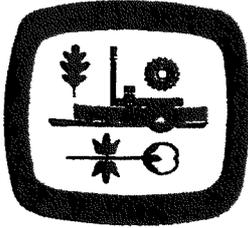
**WHEREAS**, this \$10,000,000 will initiate the construction of CoMEM Phase II - GS/Fire (Fleet Maintenance, Fueling Station and Fire Apparatus) at the former Walter Simmons location; and

**WHEREAS**, it is necessary to appropriate a sum of \$10,000,000 in Contract Construction funded by G O Bonds – General in CoMEM Phase II, CIP Project number GS01032.

**NOW, THEREFORE, BE IT RESOLVED** that there be and is hereby appropriated the sum of \$10,000,000 in Contract Construction funded by G O Bonds – General in CoMEM Phase II, CIP Project number GS01032 and credited as follows:

<b>Project Title:</b>	CoMem Phase II
<b>Project Number:</b>	GS01032
<b>Amount:</b>	\$10,000,000

**NO DOCUMENTS FOR THIS ITEM WERE AVAILABLE AT  
THE TIME THE MEETING SCHEDULE WAS RELEASED**



## Memphis City Council Summary Sheet

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

Resolution appropriating contract construction funds in the amount of \$45,000 funded by GO Bonds. This project provides for street repaving under the Surface Transportation Program. This project includes all City Council Districts and all City Council Super Districts.

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

Initiated by the Public Works Division and is being administered by the Engineering.

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

This resolution appropriates \$45,000 to PW01254 STP Repaving Project Group 5 to amend the construction contract #35399 with Lehman Roberts Company.

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

This requires <sup>an</sup> amendment to the existing contract.

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

The resolution requires an expenditure of funds.



# RESOLUTION

This resolution is an additive change order (*additional funds request*) to an existing construction contract to appropriate additional construction funds for street repaving.

**WHEREAS**, the Council of the City of Memphis approved STP Grp 5 Resurfacing, project number PW01254 as part of the Public Works Fiscal Year 2020 Capital Improvement Budget; and

**WHEREAS**, there currently exist a contract that Council approved appropriation via resolution (*CIP #PW01254*) awarding a construction contract to Lehman Roberts. (*Contract #35399*) on November 19, 2019 for street repaving; and

**WHEREAS**, it is necessary to extend said contract for additional funds for street repaving under the Surface Transportation Program; and

**WHEREAS**, it is necessary to appropriate \$45,000 funded by GO Bonds in STP Grp 5 Resurfacing, project number PW01254 for street repaving under the Surface Transportation Program; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Memphis that the Fiscal Year 2020 Capital Improvement Budget be and is hereby amended by appropriating the total amount of \$45,000 funded by GO Bonds for Contract Construction in STP Grp 5 Resurfacing, project number PW01254, for street repaving under the Surface Transportation Program chargeable to the Fiscal Year 2020 Capital Improvement Budget and credited as follows:

<b>Project Title:</b>	<b>STP Grp 5 Resurfacing</b>
<b>Project Number:</b>	<b>PW01254</b>
<b>Amount:</b>	<b>\$45,000.00</b>



## Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**  
Resolution to transfer and appropriate construction funds to repair the Watkins Street and McLean Street Bridges over the Wolf River. Project will include City Council Districts 1 and 7 and City Council Superdistrict 8
  
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**  
Public Works at the recommendation of the Engineering Department.
  
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**  
NA
  
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**  
This requires a new construction contract with Chris Hill Construction.
  
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**  
This requires an expenditure of funds and budget amendment.



# RESOLUTION

This is a resolution to transfer and appropriate construction funds to repair the Watkins Street and McLean Street bridges over the Wolf River.

**WHEREAS**, the Council of the City of Memphis approved Bridges Repair Coverline, project number PW20400 and Bridge Repair, project number PW02001, as part of the Public Works Fiscal Year 2020 Capital Improvement Budget; and

**WHEREAS**, bids were received on April 1, 2020 to repair the Watkins Street and McLean Street bridges over Wolf River with the lowest complying bid being \$1,709,868.00 submitted by Chris Hill Construction; and

**WHEREAS**, it is necessary to transfer construction allocations of \$1,045,813 in Bridge Repair, project number PW02001 and \$800,000.00 in Bridge Repair Coverline, project number PW20400 (*total amount of \$1,845,813.00*) funded by GO Bonds to PW Bridge Repairs III, project number PW01283 to repair the Watkins Street and McLean Street bridges over the Wolf River; and

**WHEREAS**, it is necessary to appropriate a total sum of \$1,845,813.00 funded by GO Bonds in PW Bridge Repairs III, project number PW01283 as follows:

<b>Contract Amount</b>	<b>\$1,709,868.00</b>
<b>Project Contingencies</b>	<b><u>\$135,945.00</u></b>
<b>Total Amount</b>	<b>\$1,845,813.00</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2020 Capital Improvement Budget be and is hereby amended by transferring construction allocations of \$1,045,813.00 in Bridge Repair, project number PW02001 and \$800,000.00 in Bridge Repair Coverline, project number PW20400 (*total amount of \$1,845,813.00*) funded by GO Bonds to PW Bridge Repairs III, project number PW01283 to repair the Watkins Street and McLean Street bridges over the Wolf River; and

**BE IT FURTHER RESOLVED**, that there be and is hereby appropriated the total sum of \$1,845,813.00 funded by GO Bonds chargeable to the FY 2020 Capital Improvement Budget and credited as follows:

<b>Project Title</b>	<b>PW Bridge Repairs III</b>
<b>Project Number</b>	<b>PW01283</b>
<b>Total Amount</b>	<b>\$1,845,813.00</b>

**A RESOLUTION ENCOURAGING PRIVATE EMPLOYERS TO PROVIDE PAID SICK LEAVE TO THEIR EMPLOYEES AND URGING TENNESSEE GOVERNOR BILL LEE AND THE TENNESSEE GENERAL ASSEMBLY TO REPEAL STATUTES THAT PREVENT LOCAL BODIES FROM REQUIRING PRIVATE EMPLOYERS TO PROVIDE PAID SICK LEAVE TO THEIR EMPLOYEES**

**WHEREAS**, as of May 31, 2020, there were 23,554 confirmed cases of COVID-19 within the State of Tennessee, with 87% of those confirmed cases being citizens over the age of twenty-one; and

**WHEREAS**, the COVID-19 pandemic has dramatically heightened the risk of viral transmission, particularly among working-age citizens as our local economy conducts a phased re-opening; and

**WHEREAS**, according to the U.S. Bureau of Labor Statistics, only 31% of workers in the bottom 10th percentile of earnings distribution receive paid sick leave; and

**WHEREAS**, minority workers are most affected by the lack of paid sick leave; by the numbers, Hispanic and African American workers are the least likely to have access to paid sick leave, with less than half of Hispanic workers, and only sixty percent of African American workers having access to paid sick leave, according to the Institute for Women's Policy Research; and

**WHEREAS**, the lack of paid sick leave makes workers more likely to go to work while sick, thereby putting our communities at risk; for instance, workers without access to paid sick leave are 1.5 times more likely to go to work while they have a contagious illness and are nearly twice as likely to send a sick child to school or daycare than those with access to this critical protection, according to the National Opinion Research Center at the University of Chicago; additionally, as recent as 2009, the lack of paid sick leave was responsible for an estimated five million (5,000,000) incidents of flu-like illness during the H1N1 pandemic of 2009, according to the American Journal of Public Health; and

**WHEREAS**, paid sick leave has broad public health benefits for entire communities; for instance, workers with paid sick leave are more likely to seek preventive care than workers without paid sick leave, leading to better health outcomes as well as saving public money; furthermore, workers with paid sick leave are less likely to use hospital emergency departments, reducing national hospital emergency department visits and medical costs by \$1.1 billion annually, with over \$500 million in savings for public health insurance programs (e.g., Medicaid), according to the Institute for Women's Policy Research; and

**WHEREAS**, President Trump signed into law the Families First Coronavirus Response Act (FFCRA) and the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which provide access to paid sick leave for *some* workers, i.e., employees of public agencies and private entities with fewer than 500 employees may be eligible for up to 80 hours of emergency paid sick leave for purposes related to COVID-19; *however*, approximately 1.5 million workers within the State of Tennessee are not covered by the paid leave provisions in the FFCRA and the CARES Act, and hundreds of thousands more may be excluded under new regulations, according to the Center for American Progress.

**NOW THEREFORE BE IT RESOLVED**, by the Memphis City Council that it hereby encourages private employers of all sizes operating within the City of Memphis to provide all employees with up to 80 hours of paid sick leave annually, for immediate use, for the following purposes:

- (1) The employee is experiencing symptoms and needs to seek medical care;
- (2) The employee is subject to a Federal, State, or Local quarantine or isolation order related to COVID-19 or other public health emergency;
- (3) The employee has been advised by a healthcare professional to self-quarantine due to concerns related to COVID-19 or other public health emergency;
- (4) The employee is caring for an individual who is subject to an order as described in (2) and (3) above; or
- (5) The employee is caring for a child because the child's school or the child's place of care has been closed, or is unavailable, due to COVID-19 or other public health emergency.

**BE IT FURTHER RESOLVED**, the Memphis City Council urges Tennessee Governor Bill Lee and the Tennessee State General Assembly to repeal Tenn. Code Ann. § 7-51-1802, which prevents local bodies, like the Memphis City Council, from requiring private employers to provide paid sick leave to their employees, and instead allow local bodies, such as this Council, to require private employers of all sizes operating within the City of Memphis to abide by the aforementioned life-saving, paid sick leave policies.

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Sponsored by Councilwoman Michalyn Easter-Thomas  
Memphis City Council

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Patrice Jordan Robinson, Chairwoman  
Memphis City Council

**MINUTES**

**TELEPHONIC MEETING OF MAY 19, 2020 RECESSED MEETING TO  
JUNE 2, 2020 MEETING OF THE CITY COUNCIL CITY OF MEMPHIS**

**MAY 19, 2020**

**3:30 P.M. MEETING RECONVENED**

(After the meeting was re-opened for the transaction of business and a quorum was declared present, Vice Chairman Colvett made a motion to adjourn the May 19, 2020 Council Meeting; this was seconded by Councilman Carlisle, without objection.)

(Chairwoman Robinson adjourned the May 19, 2020 Council Meeting being that there wasn't any unfinished business, without objection.)

**CITY OF MEMPHIS  
NOTICE OF REGULAR MEETING  
OF  
THE MEMPHIS CITY COUNCIL  
Tuesday, May 19, 2020, 3:30 p.m.**

Due to the declarations of a State of Emergency by the President of the United States, the Governor of Tennessee and the Mayor of Memphis relating to Covid-19 Epidemic the Council has determined that is necessary that the meeting be conducted by electronic or other means of communication in order to protect the health, safety and welfare of the public, City employees, Council staff and Members of the Council.

**THERE WILL BE NO PHYSICAL MEETING**

Attached to this Notice of Meeting are instructions on how members of the public may electronically access the meeting and/or a recording of the meeting and how the public may provide written comments concerning any agenda item or any other matter prior to the meeting.

**ADJOURNED MEETING AT 3:32 P.M.**



Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

\_\_\_\_\_  
CHAIRMAN

Attest:

\_\_\_\_\_  
Deputy Comptroller/Council Records

**MINUTES**  
**TELEPHONIC MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**

**June 2, 2020**

**3:30 P.M. SCHEDULED SESSION**

**3:33 P.M. MEETING COMMENCED**

**ROLL CALL:** J. Ford Canale, Chase Carlisle, Frank Colvett, Jr., Michalyn Easter-Thomas, Edmund Ford, Sr., Cheyenne Johnson, Martavius Jones, Rhonda Logan, Worth Morgan, JB Smiley, Jr., Jamita Swearingen, Jeff Warren and Chairwoman Patrice Robinson.

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with telephonic prayer by Rev. Jay Biedenharn of St. John’s Episcopal Church. Councilman Morgan thanked Rev. Jay Biedenharn for him being the Chaplain of the Day.

Chairwoman Robinson requested a moment of silence, to remember Mr. George Floyd.

Chairwoman Robinson asked Councilman Smiley to lead the Pledge of Allegiance.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council’s deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

Approval of the Minutes of the regular meeting of May 19, 2020 with the following motion:

MOTION: Colvett  
SECOND: Canale  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

**APPROVED**

26. **ORDINANCE AMENDING THE MEMPHIS CODE OF ORDINANCE RELATIVE TO REQUIREMENTS FOR PERSONS TO WEAR FACIAL COVERINGS OR MASKS WHILE PRESENT IN BUSINESSES AND PUBLIC PLACES WITHIN THE CITY OF MEMPHIS DURING PUBLIC HEALTH EMERGENCIES, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5751 IS SPONSORED BY COUNCILMAN WARREN AND COUNCILWOMAN EASTER-THOMAS.**

**TABLED**, until further notice by Council

27. **RESOLUTION REQUESTING THE APPROVAL FOR THE SALE OF CITY OWNED PROPERTY IN THE AMOUNT OF \$811,000.00 LOCATED AT 2998 TILLMAN COVE IN MEMPHIS, SHELBY COUNTY, TENNESSEE AND FURTHER DESCRIBED AS PARCEL ID #044009 00017. THIS PROPERTY IS IN DISTRICT 5, SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY HOUSING AND COMMUNITY DEVELOPMENT. (HELD FROM 5/5; 5/19) (REQUEST FOR SAME NIGHT MINUTES)**

Held until June 16, 2020

**FISCAL CONSENT AGENDA – Item #1 may be acted upon by one motion:**

1. **RESOLUTION APPROVING ACCEPTANCE AND EXPENDITURE OF GRANT FUNDS IN THE AMOUNT OF \$22,000.00 FROM THE PETCO FOUNDATION FOR CONTINUING LIFESAVING PROGRAMMING FOR PETS AT MEMPHIS ANIMAL SHELTER (MAS). THIS RESOLUTION IS SPONSORED BY MEMPHIS ANIMAL SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

**APPROVED**

**ROLL CALL FISCAL CONSENT ITEM**

MOTION: Colvett  
SECOND: Carlisle  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

**APPROVED**

**MLGW FISCAL CONSENT AGENDA – Items #2 - #22 may be acted upon by one motion:**

2. **RESOLUTION AWARDING A PURCHASE ORDER TO TECHNOLOGYX, INC. FOR CITRIX SOFTWARE MAINTENANCE AND SUPPORT, IN THE AMOUNT OF \$101,224.00.**

**APPROVED**

3. **RESOLUTION AWARDING A PURCHASE ORDER TO LOGICALIS, INC. FOR GENERATION 8 SERVER BLADES, IN THE AMOUNT OF \$576,566.48.**

**APPROVED**

4. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12181, APPMANAGER SCHEDULER WITH BROADCOM, INC. (FORMERLY CA TECHNOLOGIES, INC.) IN THE FUNDED AMOUNT OF \$201,000.00 FOR EXISTING SOFTWARE. (THIS CHANGE IS TO RATIFY AND RENEW AN EXISTING PURCHASE ORDER FOR SOFTWARE, MAINTENANCE, AND SUPPORT SERVICES FOR THREE YEARS FOR THE PERIOD COVERING MAY 19, 2020 THROUGH MAY 18, 2023. MLGW IS REQUESTING CONTINUOUS MAINTENANCE, LICENSE, AND SUPPORT SERVICES, WHICH CAN ONLY BE PERFORMED BY BROADCOM, INC.)**

**APPROVED**

5. **RESOLUTION APPROVING A CONTRACT BETWEEN MLGW AND TVA TO SUPPORT INDUSTRIAL RECRUITMENT, DEVELOPMENT AND EXPANSION OF BUSINESS AND INDUSTRY IN THE MEMPHIS/SHELBY COUNTY AREA. THE TOTAL FUNDED AMOUNT OF THE CONTRACT IS \$80,608 OF WHICH TVA REIMBURSES MLGW \$40,304.00.**

**APPROVED**

6. **RESOLUTION AWARDING A PURCHASE ORDER TO DATA CONNECT ENTERPRISE, INC. FOR RUGGEDCOM COMMUNICATIONS EQUIPMENT, IN THE AMOUNT OF \$123,848.92.**

**APPROVED**

7. **RESOLUTION AWARDING A PURCHASE ORDER TO BRIGHTER DAYS AND NITES, INC. FOR PROFILE 3 CIRCUIT BREAKER TRIP TEST KIT, IN THE AMOUNT OF \$63,000.00.**

**APPROVED**

8. **RESOLUTION AWARDING A PURCHASE ORDER TO BRIGHTER DAYS AND NITES, INC. FOR FUSE DISCONNECTING SWITCHES, IN THE AMOUNT OF \$55,463.10.**

**APPROVED**

9. **RESOLUTION AWARDING A PURCHASE ORDER TO UNITED RENTALS, INC. FOR A MOBILE POWER GENERATOR, IN THE AMOUNT OF \$72,799.26.**

**APPROVED**

10. **RESOLUTION AWARDING A PURCHASE ORDER TO ENGINEERED SEALING COMPONENTS, LLC FOR SUBSTATION FEEDER CUBICAL AND MAIN CUBICAL BREAKER, IN THE AMOUNT OF \$64,112.00.**

**APPROVED**

11. **RESOLUTION AWARDING A PURCHASE ORDER TO SATEC, INC. FOR BRANCH FEEDER MONITOR METERING EQUIPMENT, IN THE AMOUNT OF \$125,105.00.**

**APPROVED**

12. **RESOLUTION APPROVING AFTER THE FACT OF PURCHASE ORDER NUMBER 7018638 TO ENGINEERED SEALING COMPONENTS IN THE AMOUNT OF \$70,100.12, FOR UNINTERRUPTIBLE POWER SUPPLY.**

**APPROVED**

13. **RESOLUTION AWARDING CONTRACTS TO THE FOLLOWING VENDORS FOR PROFESSIONAL ENGINEERING SERVICES FOR GAS ENGINEERING & OPERATIONS AS FOLLOWS: CONTRACT NO. 12119 TO FISHER ARNOLD IN THE FUNDED NOT-TO-EXCEED AMOUNT OF \$100,000.00; CONTRACT NO. 12189 TO ALLEN & HOSHALL, INC. IN THE FUNDED NOT-TO-EXCEED AMOUNT OF \$100,000.00; CONTRACT NO. 12190 TO CHI ENGINEERING IN THE FUNDED NOT-TO-EXCEED AMOUNT OF \$100,000.00; CONTRACT NO. 12191 TO MID-SOUTH ENGINEERING CONSULTANTS LLC IN THE FUNDED NOT-TO-EXCEED AMOUNT OF \$100,000.00; AND CONTRACT NO. 12192 TO ENERGY LAND & INFRASTRUCTURE IN THE FUNDED NOT-TO-EXCEED AMOUNT OF \$100,000.00 FOR THE TOTAL NOT-TO-EXCEED AMOUNT OF \$500,000.00.**

**APPROVED**

14. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11861, SUBSTATION AND TRANSMISSION ENGINEERING SERVICES WITH FISHER & ARNOLD, INCORPORATED, IN THE FUNDED AMOUNT, BASED ON APPROVED RATES, NOT-TO-EXCEED \$300,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FOURTH AND FINAL ANNUAL RENEWAL TERM COVERING THE PERIOD OCTOBER 5, 2020 THROUGH OCTOBER 4, 2021, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

**APPROVED**

15. **RESOLUTION AWARDING CONTRACT NO. 12145, REWIND/REPAIR WATER DEPARTMENT WELL PUMP MOTORS TO MOCK, INC., D/B/A HI-SPEED INDUSTRIAL SERVICE, IN THE FUNDED NOT-TO-EXCEED AMOUNT OF \$300,000.00 FOR THIRTY-SIX MONTHS.**

**APPROVED**

16. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12043, PROPERTY & BOILER INSURANCE WITH FM GLOBAL, BASED ON APPROVED RATES, NOT-TO-EXCEED \$1,813,029.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JUNE 1, 2020 THROUGH MAY 31, 2021. THIS CHANGE TO RENEW THE CURRENT CONTRACT REFLECTS A 20% INCREASE FOR PROPERTY INSURANCE AND A 32% INCREASE IN TERRORISM COVERAGE, AS WELL AS AN INCREASE IN TOTAL INSURED VALUE RATES FROM THE PREVIOUS YEAR.)**

**APPROVED**

17. **RESOLUTION AWARDING PURCHASE ORDERS TO MHC FORD MEMPHIS IN THE AMOUNT OF \$106,625.00 AND AUTONATION FORD MEMPHIS IN THE AMOUNT OF \$823,190.81, FOR THE PURCHASE OF SERVICE BODY TRUCKS.**

**APPROVED**

18. **RESOLUTION AWARDING A PURCHASE ORDER TO AUTONATION FORD MEMPHIS FOR 1-TON EXTENDED CAB AND CREW CAB CHASSIS TRUCKS WITH AERIAL TOWERS, IN THE AMOUNT OF \$888,224.10.**

**APPROVED**

19. **RESOLUTION AWARDING A PURCHASE ORDER TO SUMMIT TRUCK GROUP FOR THE PURCHASE OF CLASS 8 CAB AND CHASSIS, IN THE AMOUNT OF \$405,208.00.**

**APPROVED**

20. **RESOLUTION AWARDING CONTRACTS TO SUMMIT TRUCK GROUP IN THE AMOUNT OF \$602,945.00 AND TAG TRUCK CENTER IN THE AMOUNT OF \$88,765.00, FOR 2-TON CAB AND CREW CAB AND CHASSIS.**

**APPROVED**

21. **RESOLUTION AWARDING A PURCHASE ORDER TO SHAW MATERIAL HANDLING FOR THE PURCHASE OF ELECTRIC STANDUP COUNTERBALANCED FORKLIFT TRUCKS, IN THE AMOUNT OF \$86,630.00.**

**APPROVED**

22. **RESOLUTION AWARDING A PURCHASE ORDER TO BRIGHTER DAYS AND NITES, INC. FOR 12" COATED STEEL GAS PIPE, IN THE AMOUNT OF \$195,048.00.**

**APPROVED**

**ROLL CALL MLGW FISCAL CONSENT ITEMS**

MOTION: Colvett  
SECOND: Morgan  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

**APPROVED**

23. **RESOLUTION APPROVING THE ESTABLISHMENT OF THE FISCAL YEAR 2021 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET. THIS RESOLUTION IS SPONSORED BY FINANCE DIVISION.**

MOTION: Jones  
SECOND: Canale  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

**APPROVED**, as amended

24. **ORDINANCE APPROPRIATING THE PROCEEDS OF THE TAX LEVY ON THE ASSESSED VALUES ON ALL PROPERTIES OF EVERY SPECIES WITHIN THE CITY LIMITS FOR GENERAL PURPOSES FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5749 IS SPONSORED BY FINANCE DIVISION.**

**(Special Item #1 – Councilman Jones made a motion to reduce the budget by \$1,858,288 and then allocated \$1,275,000 to various City of Memphis Departments and Nonprofit agencies with \$583,288 falling to unassigned fund balance.)**

MOTION: Jones  
SECOND: Ford  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Smiley, Swearingen, Warren and Chairwoman Robinson  
NAY: Morgan

**APPROVED**

MAIN MOTION: Jones  
SECOND: Ford  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Smiley, Swearingen, Warren and Chairwoman Robinson  
NAY: Morgan

**APPROVED**

25. **ORDINANCE FIXING THE TAX RATE OF THE CITY OF MEMPHIS FOR FISCAL YEAR 2021, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5750 IS SPONSORED BY FINANCE DIVISION.**

MOTION: Jones

SECOND: Canale

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearengen, Warren and Chairwoman Robinson

**APPROVED**

28. **RESOLUTION REQUESTING APPROVAL OF THE FISCAL YEAR 2020 4<sup>TH</sup> QUARTER BUDGET ADJUSTMENTS. THIS RESOLUTION IS SPONSORED BY FINANCE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Canale

SECOND: Carlisle

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearengen, Warren and Chairwoman Robinson

**APPROVED**

29. **RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND PAYMENT FOR INTERFUND LOAN CAPITAL OUTLAY NOTES FOR THE SOLID WASTE FUND. THIS RESOLUTION IS SPONSORED BY FINANCE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Canale

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Morgan, Smiley, Swearengen, Warren and Chairwoman Robinson  
Logan abstained

**APPROVED**

30. **RESOLUTION DIRECTING THE TREASURER TO PREPARE THE TAX BILLS FOR THE VARIOUS UTILITIES AND CARRIERS UTILIZING THE LAST CERTIFIED ASSESSMENT AVAILABLE AS OF JUNE 30, 2019 AND UNTIL THE NEW CERTIFIED ASSESSMENT ARRIVES ABOUT JANUARY 2021. THIS RESOLUTION IS SPONSORED BY FINANCE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Warren

SECOND: Canale

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearengen, Warren and Chairwoman Robinson

**APPROVED**

31. **RESOLUTION TO APPROVE THE FY 21 BUDGET FOR THE DOWNTOWN MEMPHIS COMMISSION AND AFFIRM THE ASSESSMENT OF \$0.65 PER \$100.00 OF ASSESSED VALUE. THIS RESOLUTION IS SPONSORED BY DOWNTOWN MEMPHIS COMMISSION.**

MOTION: Johnson  
SECOND: Carlisle  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

**APPROVED**

32. **RESOLUTION APPROVING PROPOSED CONSOLIDATED PLAN FY 2021 ANNUAL ACTION PLAN AND APPROPRIATING FEDERAL ENTITLEMENT FUNDS TO THE FY 2021 HOUSING AND COMMUNITY DEVELOPMENT BUDGET. THIS RESOLUTION IS SPONSORED BY HOUSING AND COMMUNITY DEVELOPMENT. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Johnson  
SECOND: Warren  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

**APPROVED**

33. **RESOLUTION ACCEPTING AND APPROPRIATING GRANT FUNDS IN THE AMOUNT OF \$2,523,880.00 FOR MEMPHIS POLICE DEPARTMENT, FROM THE US DEPARTMENT OF JUSTICE FOR THE FY2020 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Jones  
SECOND: Carlisle  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

**APPROVED**

34. **RESOLUTION ACCEPTING AND APPROPRIATING FUNDS FROM CARES ACT PROVIDER RELIEF FUND THROUGH US DEPARTMENT OF HEALTH AND HUMAN SERVICES IN THE AMOUNT OF \$453,410.38 FOR MEMPHIS FIRE DEPARTMENT. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Johnson  
SECOND: Swearingen  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan,

Smiley, Swearingen, Warren and Chairwoman Robinson

**APPROVED**

35. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF \$143,784.00, TO REPAIR THE CITY-OWNED LAKE IN THE CHICKASAW GARDENS NEIGHBORHOOD AND REPAIR A 60' SECTION OF FAILING CONCRETE-LINED CHANNEL IN CYPRESS CREEK. THIS PROJECT IS IN MEMPHIS CITY COUNCIL DISTRICT 5 AND SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Jones  
SECOND: Morgan  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

**APPROVED**

36. **RESOLUTION APPROVING FISCAL YEAR 2020 CARES ACT FUNDING ALLOCATION, IN THE AMOUNT OF \$11,295,100.00. THIS RESOLUTION IS SPONSORED BY FINANCE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Carlisle  
SECOND: Warren  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

**APPROVED**

37. **RESOLUTION EXPRESSING SORROW TO THE FAMILY OF MR. GEORGE FLOYD AND CONDEMNS THE ACT OF BETRAYAL OF PUBLIC TRUST THAT RESULTED IN THE LOSS OF YOUR LOVED ONE. THIS RESOLUTION IS SPONSORED BY COUNCILMAN CANALE, COUNCILMAN CARLISLE, COUNCILMAN COLVETT, COUNCILWOMAN EASTER-THOMAS, COUNCILMAN FORD, COUNCILWOMAN JOHNSON, COUNCILMAN JONES, COUNCILWOMAN LOGAN, COUNCILMAN MORGAN, COUNCILMAN SMILEY, COUNCILWOMAN SWEARENGEN, COUNCILMAN WARREN AND CHAIRWOMAN ROBINSON. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Warren  
SECOND: Logan  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

**APPROVED**

**(Special Item #2 – Vice Chairman Colvett made a motion to approve Same Night Minutes for Items #1, #28, #29, #30, #32, #33, #34, #35, #36 & #37 from tonight’s meeting.)**

MOTION: Colvett  
SECOND: Canale  
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearngen, Warren and Chairwoman Robinson

**APPROVED**

Vice Chairman Colvett read comment cards from the following people:

- Yvonne K. Chapman, 1313 Pebble Creek Lane, Memphis, Tennessee, 38120
- Nicholas Brimhall, 319 Goodwyn St., Memphis, Tennessee, 38111
- Dennis Lynch, 347 N. McLean, Memphis, Tennessee, 38112
- Trudy Stamps, 1801 Whatling St., Cordova, Tennessee, 38016
- Theryn C. Bond, 57 N. Somerville St., Memphis, Tennessee, 38104

**(Vice Chairman Colvett made a motion to recess the June 2, 2020 meeting until June 16, 2020. This was seconded by Councilman Carlisle.)**

**RECESSED MEETING AT 5:52 P.M.**

.....  
Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

\_\_\_\_\_  
CHAIRMAN

Attest:

\_\_\_\_\_  
Deputy Comptroller/Council Records

**CITY OF MEMPHIS**  
**NOTICE OF REGULAR MEETING**  
**OF**  
**THE MEMPHIS CITY COUNCIL**  
**Tuesday, June 2, 2020, 3:30 p.m.**

Due to the declarations of a State of Emergency by the President of the United States, the Governor of Tennessee and the Mayor of Memphis relating to Covid-19 Epidemic the Council has determined that is necessary that the meeting be conducted by electronic or other means of communication in order to protect the health, safety and welfare of the public, City employees, Council staff and Members of the Council.

**THERE WILL BE NO PHYSICAL MEETING**

Attached to this Notice of Meeting are instructions on how members of the public may electronically access the meeting and/or a recording of the meeting and how the public may provide written comments concerning any agenda item or any other matter prior to the meeting.

**INSTRUCTIONS OF STEPS TO VIEW THE JUNE 2, 2020 MEMPHIS CITY COUNCIL MEETING**

Take notice, the Memphis City Council will meet on **Tuesday, June 2, 2020 at 9:00 a.m.** However, due to Coronavirus disease (COVID-19) health and safety concerns, the public is not permitted to attend the meeting in-person. Instead, the public is permitted to participate in the meeting in the following manner: (I) Electronically, via live-stream, (II) Radio, via 88.5 FM (WQOX), and (III) Electronically, via digital archive.

**A. Electronically, via live-stream**

**To view the Tuesday, June 2, 2020 Memphis City Council meeting electronically, via live-stream, follow the steps below:**

- (1) Access the internet,
- (2) Go to the Memphis City Council's "Watch Meetings Online" page at <https://www.memphistn.gov/cms/One.aspx?portalID=11150816&pageID=15334953>
- (3) At 9:00 a.m., click on the June 2, 2020 Memphis City Council meeting

- (4) Begin viewing the June 2, 2020 Memphis City Council meeting electronically via live-stream
- (5) Click on the June 2, 2020 “Agenda” tab to view the agenda documents

**B. Radio, via 88.5 FM (WQOX)**

**To listen to the Tuesday, June 2, 2020 Memphis City Council meeting by radio, via 88.5 FM (WQOX), follow the steps below:**

- (1) Access a radio with FM-capabilities,
- (2) At 3:30 p.m., turn the radio dial to 88.5 FM (WQOX),
- (3) Begin listening to the June 2, 2020 Memphis City Council meeting by radio via 88.5 FM (WQOX)

**C. Electronically, via digital archive**

**To listen to the Tuesday, June 2, 2020 Memphis City Council meeting electronically, via digital archive, follow the steps below:**

- (1) Access the internet **after** the June 2, 2020 Memphis City Council meeting,
- (2) Go to the Memphis City Council’s “Archived Videos” page at [https://www.memphistn.gov/government/city\\_council/watch\\_public\\_meetings\\_online/city\\_council\\_archived\\_videos](https://www.memphistn.gov/government/city_council/watch_public_meetings_online/city_council_archived_videos)
- (3) Press play on the June 2, 2020 “City Council Full Meeting” tab
- (4) Begin viewing the June 2, 2020 Memphis City Council meeting electronically via digital archive
- (5) Click on the June 2, 2020 “Agenda” tab to view the agenda documents
- (6) Click on the June 2, 2020 “Minutes” tab to view the meeting minutes

**Note: Public comments may be submitted to the Memphis City Council twenty-four (24) hours prior to the June 2, 2020 meeting. To submit your public comment, please email [Patrice.robinson@memphistn.gov](mailto:Patrice.robinson@memphistn.gov) with your (a) full name, (b) full street address, (c) phone number, (d) agenda item, if applicable, and (e) comment. For more information, please call (901) 636-6786.**

**Thank you for your patience during this time. We look forward to continuing our work on your behalf as a thirteen-member council working to make Memphis a safe, healthy, and prosperous city for all!**

**With earnest appreciation,**

A handwritten signature in black ink that reads "Patrice J. Robinson". The signature is written in a cursive style with a large initial "P".

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**Patrice Jordan Robinson**  
**Chairwoman, Memphis City Council**

# MEMPHIS CITY COUNCIL

COMMITTEE SCHEDULE  
 Tuesday , June 16, 2020, 9:30 a.m.

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## SUPPORTING DOCUMENTS

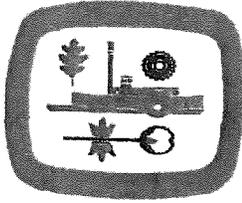
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ITEM #	DESCRIPTION	PAGE #
	<b>BUDGET COMMITTEE</b>	
1	A resolution to appropriate \$200,000.00 in the FY2021 Capital Improvement Project Budget Project to relocate and upgrade the City of Memphis Data Center from City Hall to Central Library <b>Same Night approval as consent item and minutes requested</b>	1
2	A resolution to allocate and appropriate funds for \$1,083,000.00 CIP project GS21101 FY 21 for roof replacement at Gaisman Community Center and Cherokee, North and Levi libraries <b>Same Night approval as consent item and minutes requested</b>	3
3	A resolution to allocate and appropriate FY21 GO Bonds \$ 942,022.00 for project # GS21102 for an exhaust system at the Police Indoor Firing Range, to repipe underground concourse feeders at the Liberty Bowl and to replace generators at Fire Stations 53 and 55 <b>Same Night approval as consent item and minutes requested</b>	5
4	A resolution to allocate and appropriate funds \$ 60,000.00 for CIP project GS21103 to replace plumbing at the Pink Palace Museum <b>Same Night approval as consent item and minutes requested</b>	7
5	A resolution for CIP project number GS21104 FY21 Major Modification HVAC /and or Boiler replacements or upgrades, for \$1,218,184.00 for Hickory Hill CC, Pink Palace Museum, the Zoo West Admin Bldg, Cordova Randolph Libraries and Fire Station 56. <b>Same Night approval as consent item and minutes requested</b>	9
	<b>GOVERNMENT AFFAIRS &amp; ANNEXATION COMMITTEE</b>	
1	An ordinance to amend Chapter 2, Article I, Section 2-10-10, subsection b, to require the board of ethics to establish an online portal to require lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis	11
	<b>HOUSING &amp; COMMUNITY DEVELOPMENT COMMITTEE</b>	
1	A resolution appropriating \$6,000,000.00 funded by GO Bonds- General chargeable to the FY2021 Capital Improvement Budget for	16

	South City Project <b>Same Night approval as consent item and minutes requested</b>	
	<b>PARKS &amp; ENVIRONMENT COMMITTEE</b>	
<b>1</b>	A resolution to approve the Allocation and Appropriation of funds of \$ 250,000.00 CIP Project Number PKO9002, Zoo Major Maintenance. <b>Same Night approval as consent item and minutes requested</b>	<b>18</b>
<b>2</b>	A resolution to allocate and appropriate \$ 600,000.00 from CIP FY21 Project Number PK03004 Tennis Major Maintenance, Contract Construction and Architecture -Engineering <b>Same Night approval as consent item and minutes requested</b>	<b>20</b>
<b>3</b>	A resolution to transfer and allocation and appropriation of \$ 406,617.00 from FY2019 CIP Number PKO1031 Council District Community Center Improvements. Project Number PKO7124 McFarland Park Improvement <b>Same Night approval as consent item and minutes requested</b>	<b>22</b>
<b>4</b>	A resolution to allocate and appropriate TDOT grant funds of \$ 5,931,800.00 from FY20 CIP Project Number GA01004 Cobblestone Landing, Contract Construction and allocate Funds \$1,090,418.00, from FY20 Project Number GAO1004, Contract Construction G.O. Bonds General, total funding of \$7,022,218 a combination of TDOT grant funds and G.O. Bonds General <b>Same Night approval as consent item and minutes requested</b>	<b>24</b>
<b>5</b>	A resolution to allocate, appropriate and transfer funds \$ 150,000.00 from FY2021 CIP Project # PK21100, Park Cover Line Furniture Fixtures and Equipment. <b>Same Night approval as consent item and minutes requested</b>	<b>27</b>
<b>6</b>	A resolution appropriation of funds of \$ 1,400,000.00 in G.O. Bonds for FY 21 CIP project # PK21200, <b>Same Night approval as consent item and minutes requested</b>	<b>29</b>
<b>7</b>	A resolution to allocate, appropriate and transfer funds of \$ 200,000.00 from CIP Project # PK21100, Park Cover Line A/E to FY 2021 CIP. <b>Same Night approval as consent item and minutes requested</b>	<b>31</b>
<b>8</b>	A resolution to allocate and appropriate funds \$ 300,00.00 from CIP Project # PK21100 Park Cover Line and \$200,000.00 for Contract Constructions Improvements. funds total \$500.000.00 FY2021 CIP Project # PKTBD Kennedy Park Playground, <b>Same Night approval as consent item and minutes requested</b>	<b>33</b>
<b>9</b>	A resolution to allocate, appropriate and transfer funds of \$ 600,000.00 from FY2021 CIP Project # PK21100, Park Cover Line Playground Resurfacing, <b>Same Night approval as consent item and minutes requested</b>	<b>36</b>
<b>10</b>	A resolution to allocate, appropriate and transfer funds for \$ 900,000.00 from CIP Project # PK21100, Park Cover Line Contract	<b>38</b>

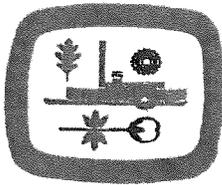
	Construction funds for FY2021 CIP Project # PKTBD Miscellaneous Park Improvement. <b>Same Night approval as consent item and minutes requested</b>	
11	A resolution to allocate, appropriate and transfer \$ 350,000.00 from CIP2021 Project # Pk21100 Park Cover Line Construction Funds to FY2021 CIP Project # PKTBD Miscellaneous Park Paving, <b>Same Night approval as consent item and minutes requested</b>	40
	<b>PUBLIC SAFETY &amp; HOMELAND SECURITY COMMITTEE</b>	
1	A resolution for the Memphis Fire Department requesting the transfer of allocation from the FY20 Fire Station Repair Cover Line FS20100 to FS18102 Avery Renovations Phase II and to appropriate funds in the amount of \$40,785.00 <b>Same Night approval as consent item and minutes requested</b>	42
2	A resolution to appropriate \$750,000.00 MPD Training Academy Gym Renovation :funds for CIP Project number PDO2013 funded by G.O. Bonds General. FY2021 <b>Addition to Consent Agenda and Same Night minutes requested</b>	44
3	Resolution to remove residency from the November 2020 ballot	46
	<b>PUBLIC WORKS, SOLID WASTE, TRANSPORTATION &amp; GENERAL SERVICES COMMITTEE</b>	
1	A resolution requesting the approval of the sale of City owned surplus parcel, in the amount of \$5,000.00, acquired by the City of Memphis, located a 0 Willowview Avenue, Memphis, Shelby County, Tennessee 38111 and further described as Parcel #058102 00019.	48
2	A resolution requesting the approval of the sale of City owned parcel, in the amount of \$500.00, acquired by the City of Memphis, located at 0 E. Utah Avenue, Memphis, Shelby County,	51
3	A resolution to allocate appropriate funds for the emergency contract number 32988 for Hervey's Home Improvement, LLC for \$ 1,000,000.00 <b>Same Night approval as consent item and minutes requested</b>	53
4	A resolution requesting the approval of the sale of City owned vacant parcel in the amount of 1,650.00 located at 1534 Robin Hood Lane, Parcel # 0508086 0047 Memphis, Shelby County, TN	55
5	A resolution amending the FY21 Capital Improvement Budget by transferring an allocation and appropriating \$1,700,000.00 in G.O. Bonds- from the Traffic Calming Devices Cover line Project # EN21200, to Speed Hump Installation- Group 12, Project # EN)1099, for a Construction Contract with Precise Concrete <b>Same Night approval as consent item and minutes requested</b>	61
6	A resolution appropriating \$500,000.00 in G.O. Bonds- to LED Traffic Signal Replacement, Project # EN01096 <b>Same Night approval as</b>	63

	<b>consent item and minutes requested</b>	
<b>7</b>	A resolution approval for \$6,500,000.00 from FY21 CIP Budget, providing funding for Street Maintenance personnel, material, and supplies <b>Same Night approval as consent item and minutes requested</b>	<b>65</b>
	<b>PLANNING &amp; ZONING COMMITTEE</b>	
<b>1</b>	Resolution requiring neighborhood meetings prior to Land Use Control Board Hearings <b>Same Night minutes requested</b>	<b>67</b>
	<b>EXECUTIVE SESSION</b>	
<b>2</b>	Substitute ordinance amending the Memphis Code of Ordinances relative to requirements for persons to wear facial coverings or masks while present in businesses and public places within the City of Memphis during public health emergencies	<b>69</b>
<b>3</b>	Resolution to allocate and appropriate \$4,150,000.00 in available Tourism Development Zone surplus revenues for infrastructure improvement projects in the Pinch District	<b>86</b>
<b>4</b>	Resolution to allocate and appropriate \$5,000,000.00 for Pinch District Infrastructure Improvements	<b>92</b>
<b>5</b>	Resolution to allocate and appropriate \$25,000,000.00 for the remodel of the Renasant Convention Center and \$5,000,000.00 for adjacent streetscape improvements, project GS17102	<b>97</b>
<b>6</b>	Resolution authorizing the issuance, sale and delivery of not to exceed thirty-one million dollars (\$31,000,000) aggregate principal amount of City of Memphis, Tennessee, General Improvement Bonds, Series 2020A, for the purpose of financing the cost of public works projects	<b>101</b>
<b>7</b>	An initial resolution authorizing the issuance of not to exceed thirty-one million dollars (\$31,000,000) of General Obligation Bonds of the City of Memphis, Tennessee, for the purpose of financing the cost of public works projects in the City	<b>118</b>
<b>8</b>	Resolution requesting Mayor Strickland to establish June 19th as Juneteenth within the City of Memphis	<b>121</b>



## Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**  
Relocate existing data center from City Hall to Central Library, which is a more efficient facility.  
Relocation scheduled to be completed in Fiscal Year 2022.
  
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**  
Information Systems
  
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**
  
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**  
Existing contract
  
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**  
Requires appropriation of \$200,000.00, no budget amendment required.



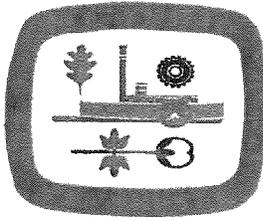
**A Resolution to appropriate \$200,000.00 for CIP  
Project #IS01081, Data Center Relocation**

**WHEREAS**, the Council of the City of Memphis did include the Data Center Relocation, CIP Project Number IS01081, as part of the Fiscal Year 2021 Capital Improvement Budget and;

**WHEREAS**, Information Services has a project to relocate the data center and;

**WHEREAS**, it is necessary to appropriate \$200,000.00 in G.O. Bonds in CIP Project IS01081, Data Center Relocation and;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby appropriated \$200,000.00 in General Obligation Bonds chargeable to the FY 2021 Capital Improvement Budget



**Memphis City Council Summary Sheet:** A Resolution establishing CIP project number GS21101 FY21 Major Modification (Roofing) by transferring FY 2021 allocations and appropriating these funds for roof replacement at Gaisman Community Center and the following library – Cherokee, North and Levi.

## Memphis City Council Summary Sheet

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

A resolution transferring allocations from CIP Project number GS21100, FY21 Major Modification, a cover line, to establish GS21101 FY21 Major Modification (Roofing) and appropriating \$108,000 in Engineering-Architecture and \$1,083,000 in Contract Construction funded by G O Bonds – General for roof replacement at Gaisman Community Center and the following library branches – Cherokee, North and Levi.

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

General Services

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

Does not change an existing ordinance or resolution

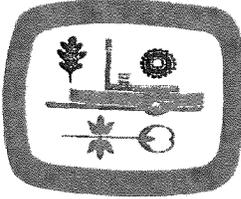
**4. State whether this requires a new contract, or amends an existing contract, if applicable.**

Requires new contracts

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

A budget amendment is needed to transfer allocations from a cover line project.

City Council Resolution – Establishing GS21101 FY21 Major Mod (Roofing)



**A Resolution establishing CIP project number GS21101 FY21 Major Modification (Roofing) by transferring FY 2021 allocations and appropriating these funds for roofing work at Gaisman Community Center and the following libraries – Cherokee, North and Levi.**

**WHEREAS**, the Council of the City of Memphis did include the FY21 Major Modification, Project number GS21100, as part of the FY 2021 Capital Improvement Program budget; and

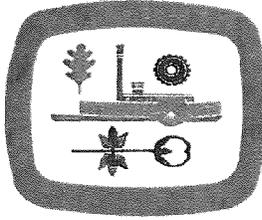
**WHEREAS**, FY21 Major Modification, Project Number GS21100 is a cover line, it is necessary to transfer allocations totaling \$1,191,000 to establish CIP Project number GS21101, FY21 Major Modification (Roofing); and

**WHEREAS**, it is necessary to appropriate a sum of \$108,000 in Engineering-Architecture and \$1,083,000 in Contract Construction funded by G O Bonds – General in FY21 Major Modification (Roofing), CIP Project number GS21101 for roofing replacement at Gaison Community Center and the following library – Cherokee, North and Levi.

**NOW, THEREFORE, BE IT RESOLVED** that there be and is hereby transferred allocations totaling \$1,191,000 from CIP Project FY21 Major Modification, GS21100 to CIP Project FY21 Major Modification (Roofing), CIP project number GS21101 and

**BE IT FURTHER RESOVLED** that the sum of \$108,000 in Engineering-Architecture and \$1,083,000 in Contract Construction funded by G O Bonds – General in CIP project number GS21101, FY21 Major Modification (Roofing) are appropriated and credited as follows:

<b>Project Title:</b>	FY21 Major Modification (Roofing)
<b>Project Number:</b>	GS21101
<b>Amount:</b>	\$1,191,000



**Memphis City Council Summary Sheet:** A Resolution establishing CIP project number GS21102 FY21 Major Modification (Electric) by transferring FY 2021 allocations and appropriating these funds for an exhaust system at the Police Indoor Firing Range, to repipe underground concourse feeders and to replace generators at Fire Stations 53 and 55.

## Memphis City Council Summary Sheet

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

A resolution transferring allocations from CIP Project number GS21100, FY21 Major Modification, a cover line, to establish GS21102 FY21 Major Modification (Electric) and appropriating \$93,138 in Engineering-Architecture and \$848,884 in Contract Construction funded by G O Bonds – General for an exhaust system at the Police Indoor Firing Range, to repipe underground concourse feeders at the Liberty Bowl and to replace generators at Fire Stations 53 and 55.

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

General Services

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

Does not change an existing ordinance or resolution

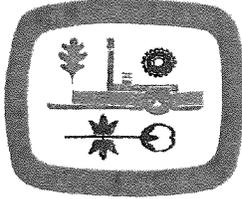
**4. State whether this requires a new contract, or amends an existing contract, if applicable.**

Requires new contracts

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

A budget amendment is needed to transfer allocations from a cover line project.

City Council Resolution – Establishing GS21102 FY20 Major Mod (Electric)



**A Resolution establishing CIP project number GS21102 FY21 Major Modification (Electric) by transferring FY 2021 allocations and appropriating these funds for an exhaust system at the Police Indoor Firing Range, to repipe underground concourse feeders at the Liberty Bowl and to replace generators at Fire Stations 53 and 55.**

**WHEREAS**, the Council of the City of Memphis did include the FY21 Major Modification, Project number GS21100, as part of the FY 2021 Capital Improvement Program budget; and

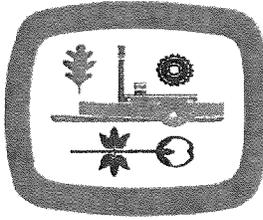
**WHEREAS**, FY21 Major Modification, Project Number GS21100 is a cover line, it is necessary to transfer allocations totaling \$942,022 to establish CIP Project number GS21102, FY21 Major Modification (Electric); and

**WHEREAS**, it is necessary to appropriate a sum of \$93,138 in Engineering-Architecture and \$848,884 in Contract Construction funded by G O Bonds – General in FY21 Major Modification (Electric), CIP Project number GS21102 for an exhaust system at the Police Indoor Firing Range, to repipe underground concourse feeders at the Liberty Bowl and to replace generators at Fire Stations 53 and 55.

**NOW, THEREFORE, BE IT RESOLVED** that there be and is hereby transferred allocations totaling \$942,022 from CIP Project FY21 Major Modification, GS21100 to CIP Project FY21 Major Modification (Electric), CIP project number GS21102 and

**BE IT FURTHER RESOVLED** that the sum of \$93,138 in Engineering-Architecture and \$848,884 in Contract Construction funded by G O Bonds – General in CIP project number GS21102, FY21 Major Modification (Electric) are appropriated and credited as follows:

<b>Project Title:</b>	FY21 Major Modification (Electric)
<b>Project Number:</b>	GS21102
<b>Amount:</b>	\$942,022



**Memphis City Council Summary Sheet: A Resolution establishing CIP project number GS21103 FY21 Major Modification (Plumbing) by transferring FY 2021 allocations and appropriating these funds to replace piping in an unisex restroom at the Pink Palace Museum.**

Memphis City Council Summary Sheet

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

A resolution transferring allocations from CIP Project number GS21100, FY21 Major Modification, a cover line, to establish GS21103 FY21 Major Modification (Plumbing) and appropriating \$6,000 in Engineering-Architecture and \$54,000 in Contract Construction funded by G O Bonds – General to replace the piping in an unisex restroom at the Pink Palace Museum.

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

General Services

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

Does not change an existing ordinance or resolution

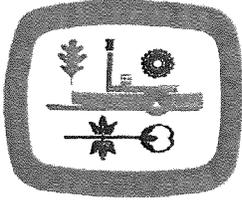
**4. State whether this requires a new contract, or amends an existing contract, if applicable.**

Requires new contracts

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

A budget amendment is needed to transfer allocations from a cover line project.

City Council Resolution – Establishing GS21103 FY21 Major Mod (Plumbing)



**A Resolution establishing CIP project number GS21103 FY21 Major Modification (Plumbing) by transferring FY 2021 allocations and appropriating these funds to replace the piping in an unisex restroom at the Pink Palace Museum.**

**WHEREAS**, the Council of the City of Memphis did include the FY21 Major Modification, Project number GS21100, as part of the FY 2021 Capital Improvement Program budget; and

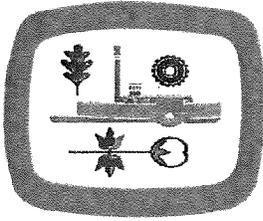
**WHEREAS**, FY21 Major Modification, Project Number GS21100 is a cover line, it is necessary to transfer allocations totaling \$60,000 to establish CIP Project number GS21103, FY21 Major Modification (Plumbing); and

**WHEREAS**, it is necessary to appropriate a sum of \$6,000 in Engineering-Architecture and \$54,000 in Contract Construction funded by G O Bonds – General in FY21 Major Modification (Plumbing), CIP Project number GS21103 to replace piping in an unisex restroom at the Pink Palace Museum.

**NOW, THEREFORE, BE IT RESOLVED** that there be and is hereby transferred allocations totaling \$60,000 from CIP Project FY21 Major Modification, GS21100 to CIP Project FY21 Major Modification (Plumbing), CIP project number GS21103 and

**BE IT FURTHER RESOVLED** that the sum of \$6,000 in Engineering-Architecture and \$54,000 in Contract Construction funded by G O Bonds – General in CIP project number GS21103, FY21 Major Modification (Plumbing) are appropriated and credited as follows:

<b>Project Title:</b>	FY21 Major Modification (Plumbing)
<b>Project Number:</b>	GS21103
<b>Amount:</b>	\$60,000



**Memphis City Council Summary Sheet:** A Resolution establishing CIP project number GS21104 FY21 Major Modification (HVAC) by transferring FY 2021 allocations and appropriating these funds for HVAC and/or Boiler replacements or upgrades at Hickory Hill CC, Goodwill Holmes, Appling Farms Station, Frayser/Raleigh, Lewis and McWherter Senior Centers, the Pink Palace Museum, the Zoo West Admin Bldg, Cordova and Randolph Libraries and Fire Station 56.

## Memphis City Council Summary Sheet

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

A resolution transferring allocations from CIP Project number GS21100, FY21 Major Modification, a cover line, to establish GS21104 FY21 Major Modification (HVAC) and appropriating \$137,880 in Engineering-Architecture and \$1,280,304 in Contract Construction funded by G O Bonds – General for HVAC and/or Boiler replacements or upgrades at Hickory Hill CC, Goodwill Holmes, Appling Farms Station, Frayser/Raleigh, Lewis and McWherter Senior Centers, the Pink Palace Museum, the Zoo West Admin Bldg, Cordova and Randolph Libraries and Fire Station 56.

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

General Services

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

Does not change an existing ordinance or resolution

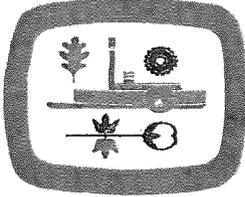
**4. State whether this requires a new contract, or amends an existing contract, if applicable.**

Requires new contracts

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

A budget amendment is needed to transfer allocations from a cover line project.

City Council Resolution – Establishing GS21104 FY21 Major Mod (HVAC)



**A Resolution establishing CIP project number GS21104 FY21 Major Modification (HVAC) by transferring FY 2021 allocations and appropriating these funds HVAC and/or Boiler replacements or upgrades at Hickory Hill CC, Goodwill Holmes, Appling Farms Station, Frayser/Raleigh, Lewis and McWherter Senior Centers, the Pink Palace Museum, the Zoo West Admin Bldg, Cordova and Randolph Libraries and Fire Station 56.**

**WHEREAS**, the Council of the City of Memphis did include the FY21 Major Modification, Project number GS21100, as part of the FY 2021 Capital Improvement Program budget; and

**WHEREAS**, FY21 Major Modification, Project Number GS21100 is a cover line, it is necessary to transfer allocations totaling \$1,418,184 to establish CIP Project number GS21104, FY21 Major Modification (HVAC); and

**WHEREAS**, it is necessary to appropriate a sum of \$137,880 in Engineering-Architecture and \$1,280,304 in Contract Construction funded by G O Bonds – General in FY21 Major Modification (HVAC), CIP Project number GS21104 for HVAC and/or Boiler replacements or upgrades at Hickory Hill CC, Goodwill Holmes, Appling Farms Station, Frayser/Raleigh, Lewis and McWherter Senior Centers, the Pink Palace Museum, the Zoo West Admin Bldg, Cordova and Randolph Libraries and Fire Station 56.

**NOW, THEREFORE, BE IT RESOLVED** that there be and is hereby transferred allocations totaling \$1,418,184 from CIP Project FY21 Major Modification, GS21100 to CIP Project FY21 Major Modification (HVAC), CIP project number GS21104 and

**BE IT FURTHER RESOLVED** that the sum of \$137,880 in Engineering-Architecture and \$1,280,304 in Contract Construction funded by G O Bonds – General in CIP project number GS21104, FY21 Major Modification (HVAC) are appropriated and credited as follows:

<b>Project Title:</b>	FY21 Major Modification (HVAC)
<b>Project Number:</b>	GS21104
<b>Amount:</b>	\$1,418,184

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE I, SECTION 2-10-10, SUBSECTION B, TO REQUIRE THE BOARD OF ETHICS TO ESTABLISH AN ONLINE PORTAL TO REQUIRE LOBBYISTS TO REGISTER ANNUALLY AND TO FILE THEIR STATE MANDATED DISCLOSURE STATEMENTS WITH THE CITY OF MEMPHIS

**WHEREAS**, T.C.A. § 3-6-301(15) and (17), requires persons who communicate, directly or indirectly, with state government officials for the purpose of influencing action by the official for compensation, to register, each calendar year, with the Tennessee Ethics Commission; and

**WHEREAS**, regulating lobbying activities also helps to ensure local governmental transparency and thereby fosters public confidence in elected and appointed officers and government employees; and

**WHEREAS**, the possibility of special interests privately influencing decision makers outside of the public purview undermines the people's confidence that their City officials serve the broader public interest; and

**WHEREAS**, the Memphis City Council recognizes that First Amendment Rights must be safeguarded and endeavors to do so in all circumstances, including ensuring the public is aware of lobbyists; and

**WHEREAS**, since lobbying is a constitutional right, this ordinance is intended to both promote public confidence through transparency and respect individual rights; and

**WHEREAS**, establishing an online portal to require lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis will enhance a robust, inclusive and transparent public process; and

**WHEREAS**, in order to increase transparency regarding lobbyists, it is in the best interests of the City to make the information regarding lobbyists available to the public in more locatable places.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS** that the findings and recitations set out in the preamble to this ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

**BE IT FURTHER ORDAINED** that the Board of Ethics is required to establish an online portal to mandate paid lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis to help promote transparency within the City of Memphis.

**BE IT FURTHER ORDAINED** that CHAPTER 2, ARTICLE I, SECTION 2-10-10, SUBSECTION B shall be amended by adding the following language:

Chapter 2, Article I, Section 2-10-10, subsection B (9):

9. To establish an online portal to require lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis.

#### **Section 1. Short Title**

This Ordinance shall be known as "Regulating Lobbying"

#### **Sections 2. Purpose**

The purpose of "Regulating Lobbying" is to

- A. Effectuate the people's right to monitor their government's work and thereby ensure that it functions to promote the general welfare;
- B. Preserve the right of individuals, groups and entities to petition and influence their government and thereby advance their own interests.

#### **Sections 3. Definitions**

For purposes of this chapter, the following definitions shall apply.

- (a) **City Official** means all full-time and part-time elected or appointed officers and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the city.
- (b) **Client** means any person, entity, organization or group that compensates a lobbyist for lobbying or on whose behalf compensated lobbying occurs.
- (c) **Contact or Contacting** means any direct or indirect communication with a City Official, undertaken by any means, oral, written or electronic, including, but not limited to, through an agent, associate or employee and undertaken in any context, including at a public meeting.
- (d) **Compensation or Compensated** means any economic consideration for services rendered or to be rendered in the future to a client, including, but not limited to, payment, distribution, transfer, loan, deposit or other rendering of money, property services or anything else of value totaling \$1,000 or more in any consecutive 3-month period.
- (e) **Lobbying or Lobbying Activity** means influencing or attempting to influence a City Official with regard to a legislative or administrative action of the City.
- (f) **Lobbyist** means is anyone who receives a salary, commission, or fee from any entity for the purpose of influencing the decision, for or against, of any decision-maker within the city. "Lobbyist" does not include anyone conducting such activity who receives only reimbursement at value for meals and/or travel.

#### **Section 4. Exemptions**

The following are exempt from the requirements of this chapter:

- (a) Public official acting in their official capacities;
- (b) Persons engaged in creating, publishing or broadcasting news items, editorials, commentaries and similar communications;
- (c) Those whose attempts to influence government action are limited to appearing at public meetings or preparing, processing, or submitting writings for consideration or use at public meetings if their communications are part of the public record;
- (d) City employees and contractors providing reports or recommendations to City Officials as part of their work for the City;
- (e) Persons representing themselves attempting to obtain decisions relating to their own properties or businesses;
- (f) Anyone submitting a bid or proposal for a City contract or negotiating the terms of a City contract for goods or services;
- (g) Persons lodging "whistleblower" complaints with the City;
- (h) Persons who meet with the City Attorney or City Clerk regarding any claim or litigation matter;
- (i) Persons whose communications relate solely to a memorandum of understanding or collective bargaining agreement between the City and an employee organization;
- (j) Communications about solely ministerial actions of the City or City enforcement actions;

#### **Section 5. Registration Requirement**

A lobbyist shall register online annually with the Board of Ethics within five (5) business days of becoming a lobbyist by filing the lobbyist registration form. The lobbyist shall include in the registration the names of all clients for whom he is lobbying the city and the specific issues about which he is lobbying, and shall thereon disclose:

- (a) name;
- (b) business street and mailing address;
- (c) e-mail address;
- (d) telephone number;
- (e) the names of all owners of the lobbyist's business if the business is a sole proprietorship or partnership of less than 5 members;
- (f) a description of the nature of the business entity or organization;
- (g) the name, business address and phone number of each client receiving lobbying services;
- (h) the nature of each client's business;

- (i) a brief description of the governmental decision that the lobbyist seeks to influence on each client's behalf;
- (j) the name of each person employed or retained by the lobbyist to engage in lobbying activities on each client's behalf.

#### **Section 6. File State Mandated Disclosure Statements**

A. A lobbyist shall file and attach state mandated disclosure statements to registration annually or at any time a lobbyist's state mandated disclosure statements are updated with the Tennessee Ethics Commission.

B. Records pertaining to the registration and annual reports must be preserved by the lobbyist for inspection and audit by the City for a period of five years from the date of production.

#### **Section 7. Prohibitions**

A lobbyist shall not do any of the following:

- (a) Intentionally deceive or attempt to deceive a City Official as to any material fact pertinent to any proposed or pending Governmental Decision;
- (b) Act or refrain from acting with the purpose and intent of placing any City Official under personal obligation to the lobbyist;
- (c) Cause or influence the introduction of any ordinance, resolution, appeal, application, petition or amendment thereto for the purpose of thereafter being employed as a lobbyist to secure its granting denial confirmation, rejection, passage or defeat;
- (d) Cause any communication to be sent to a City Official in the name of a fictitious person, group or entity or in the name of a real person, group or entity without their consent;
- (e) Represent directly or indirectly that the lobbyist can control or obtain a vote or action of any City Official.

#### **Section 8. Lobbyist Registration Fees**

A lobbyist's annual registration fee is hereby established to be set and periodically adjusted by City Council resolution in an amount sufficient to cover the costs of administering this Chapter.

#### **Section 9. Fine and Penalties.**

- (a) 1<sup>st</sup> Violation – \$
- (b) 2<sup>nd</sup> Violation – \$
- (c) 3<sup>rd</sup> Violation - \$... and censure from the Council with a ban from Lobbying Activities for a period not to exceed one (1) year.

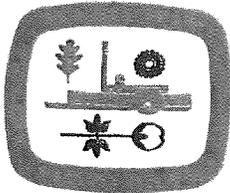
SECTION 1: The City of Memphis Board of Ethics is hereby directed to take the necessary action to provide an online portal to require lobbyists to register annually and file their state mandated disclosure statements with the City of Memphis.

SECTION 2. Severability. The provision of this ordinance is 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 3. Effective date. This Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

Sponsors: Chase Carlisle  
Michalyn Easter-Thomas  
Worth Morgan

Patrice Robinson  
Memphis City Council Chairwoman



## RESOLUTION

*A resolution appropriating the sum of \$6,000,000.00 funded by GO Bonds chargeable to the FY2021 Capital Improvement Budget for the South City Project.*

**WHEREAS**, in partnership with the City of Memphis, the Memphis Housing Authority and its competitively selected development partner, McCormack Baron Salazar, Inc. are continuing with the City's mission to develop quality affordable housing for low and moderate-income families, as part of the formerly known Foote Homes (now South City) Project; and

**WHEREAS**, the South City site will be developed in 6 phases, creating a 712 unit mixed use community, 600 onsite and 112 offsite units on the former Foote Homes Public Housing Development site; and

**WHEREAS**, planned redevelopment activities will consist of the development of 480 family rental apartments onsite; 120 senior rental apartments onsite; 112 family units offsite; installation of public improvements; and related activities to support the successful development of these components; and

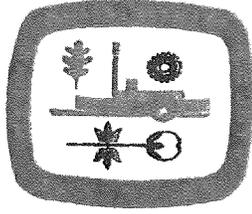
**WHEREAS**, in accordance with the Choice Neighborhoods Implementation Grant, the second phase of development is ready to commence for the on-site rental component consisting of the construction of 134 units, and as funds are necessary to begin on-site construction, infrastructure improvements, site preparation/grading engineering design work and related activities; offsite land acquisition; and

**WHEREAS**, the City of Memphis has committed allocations totaling \$30,000,000 from the FY2017, 2018, 2019, 2020, and 2021 Capital Improvement Budgets and those funds will be encumbered to fund the aforementioned activities in the targeted area; and

**WHEREAS**, the Memphis City Council has also approved the FY2021 Capital Improvement Budget which included an allocation of SIX MILLION DOLLARS AND NO CENTS (\$6,000,000.00) for the Memphis Housing Authority project known as South City Project Number CD01030 to provide funding for the aforementioned activities in the targeted area.

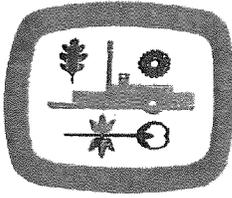
**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby appropriated the sum of SIX MILLION DOLLARS AND NO CENTS (\$6,000,000.00) funded by GO Bonds chargeable to the FY2021 Capital Improvement Budget and credited as follows:

<b>Project Title:</b>	South City
<b>Project Number:</b>	CD01030
<b>Contract Construction:</b>	\$6,000,000.00



## Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**  
\$250,000.00 transfer of funds to the Memphis Zoological Society for various maintenance issues.
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**  
Parks and Neighborhoods
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**  
No it is not.
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**  
No it does not.
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**  
This Resolution will result in the expenditure of \$250,000.00.



***Resolution appropriates funds for improvements and to address major maintenance issues at the Memphis Zoo.***

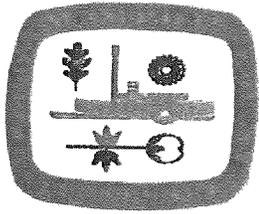
**WHEREAS**, the Council of the City of Memphis did include Zoo Major Maintenance, CIP Project Number PK09002 as part of the Fiscal Year 2021 Capital Improvement Program; and

**WHEREAS**, the City of Memphis has entered into an agreement with the Memphis Zoological Society which provides for the procedures for the use and payment of the current and future Capital Appropriation; and

**WHEREAS** it is necessary to appropriate \$250,000.00, Contract Construction, funded by G.O. Bonds General, in Construction funds for Zoo Major Maintenance, Fiscal Year 2021 CIP Project Number PK09002.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$250,000.00, Contract Construction, funded by G. O. Bonds General, chargeable to the Fiscal Year 2021 Capital Improvement Budget; with said appropriations being credited as follows:

<b>Project Title:</b>	<b>Zoo Major Maintenance</b>
<b>Project Number:</b>	<b>PK09002</b>
<b>Amount:</b>	<b>\$250,000.00</b>



## Memphis City Council Summary Sheet

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

Resolution to allocate and appropriate \$600,000.00 from FY21 PK03004 Tennis Major Maintenance, Contract Construction.

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

Parks and Neighborhoods

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

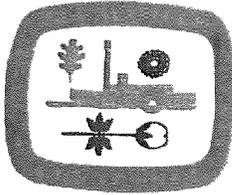
( Not Applicable )

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

This will require a construction contract.

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

This will require an expenditure of \$675,000.00



***Resolution to allocate and appropriate funds for Tennis Major Maintenance***

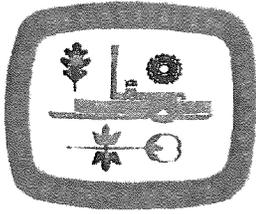
**WHEREAS**, the Council of the City of Memphis did include Tennis Major Maintenance CIP Project Number PK03004, as part of the Fiscal Year 2021 Capital Improvements Budget; and

**WHEREAS**, the Council of the City of Memphis did provide an allocation of \$600,000.00 in Fiscal Year 2021 CIP Project Number PK03004, Tennis Major Maintenance, Contract Construction, as part of the Fiscal Year 2021 Capital Improvements Budget; and

**WHEREAS**, the Administration requests that Council to approve the allocation and appropriation of \$600,000 in Contract Construction in Fiscal Year 2021 CIP Project Number PK03004, Tennis Major Maintenance, to complete major maintenance at the Frayser and Singleton Tennis Centers.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that it hereby approves the allocation and appropriation of \$600,000.00 from Fiscal Year 2021 CIP Project Number PK03004, Tennis Major Maintenance, Contract Construction, funded by G.O. Bonds General, chargeable to the Fiscal Year 2021 Capital Improvement Budget; with said appropriations being credited as follows:

<b>Project Title:</b>	<b>Tennis Major Maintenance</b>
<b>Project Number:</b>	<b>PK03004</b>
<b>Amount:</b>	<b>\$600,000.00</b>



## Memphis City Council Summary Sheet

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

Transfer and allocation and appropriation of \$406,617.00 from FY2019 CIP Project Number PK01031 Council District Community Center Improvements Contract Construction to FY2020 CIP Project Number PK07124 McFarland Park Improvements, Contract Construction.

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

Parks and Neighborhoods

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

No it is not.

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

No it does not.

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

This Resolution will result in the expenditure of \$406,617.00.

## **Resolution to Appropriate Construction Funds For PK07124 McFarland Park Improvements**

**WHEREAS**, the Council of the City of Memphis did include Council District Community Center Improvements, CIP Project Number PK01031, as part of the Fiscal Year 2019 Capital Improvements Budget; and

**WHEREAS**, the Council of the City of Memphis did provide an allocation of \$1,400,000.00 for Contract Construction funds in Fiscal Year 2019 CIP Project Number PK01031, Council District Community Center Improvements, as part of the Fiscal Year 2019 Capital Improvement Budget; and

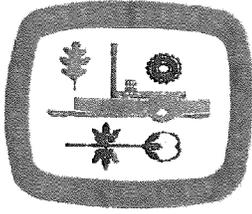
**WHEREAS**, the Council of the City of Memphis on February 18, 2020 did appropriate and approve funding of \$645,000.00 for improvements at McFarland Park; and

**WHEREAS**, the Administration did receive bids for McFarland Park improvements and desires to accept Alternate Number Two for construction of a playground at a cost of \$406,617.00; and

**WHEREAS**, the Administration desires to allocate, appropriate and transfer funds of \$406,617.00 from Fiscal Year 2019, CIP Project Number PK01031 Council District Community Center Improvements, Contract Construction to Fiscal Year 2020 CIP Project PK07124, McFarland Park Improvements, Contract Construction; and

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that it hereby approves the allocation, appropriation and transfer of funds of \$406,617.00 from Fiscal Year 2019 CIP Project Number PK01031, Council District Community Center Improvements, Contract Construction to Fiscal Year 2020 CIP Project Number PK07124, McFarland Park Improvements, Contract Construction funded by G.O. Bonds General.

<b>Project Title:</b>	<b>McFarland Park</b>
<b>Project Number:</b>	<b>PK07124</b>
<b>Appropriation</b>	<b>\$406,617.00</b>



## Memphis City Council Summary Sheet

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

*Resolution to allocate and appropriate TDOT grant funds of \$5,931,800.00 from FY20 CIP Project Number GA01004 Cobblestone Landing, Contract Construction and allocate and appropriate funds of \$1,090,418.00, from FY20 CIP Project Number GA01004, Contract Construction, G.O. Bonds General, total funding of \$7,022,218, a combination of TDOT grant funds and G.O. Bonds General.*

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

Parks and Neighborhoods

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

( Not Applicable )

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

This will require a construction contract.

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

This will require an expenditure of \$7,022,218.00

**Resolution to Appropriate Construction Funds  
For Cobblestone Landing GA01004**

**WHEREAS**, the Council of the City of Memphis did include Cobblestone Landing, CIP Project Number GA01004, as part of the Fiscal Year 2020 Capital Improvements Budget; and

**WHEREAS**, the Council of the City of Memphis did provide an allocation of \$1,090,418.00 for Contract Construction funds in Fiscal Year 2020 CIP Project Number GA01004, Cobblestone Landing as part of the Fiscal Year 2020 Capital Improvement Budget; and

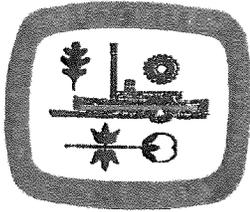
**WHEREAS**, the Administration did receive a grant of \$5,931,800.00 from the Tennessee Department of Transportation in July 16, 2012 as an awardee through the 2012 TDOT STP Grant Program; and

**WHEREAS**, the Administration has developed plans to refurbish the historic riverfront Cobblestone Landing to stabilize the original cobblestone surfaces and mitigate long-term erosion, to allow for better pedestrian access to and viewing from Riverside Drive of the historic cobblestones and to meet current ADA standards for accessibility to much of the cobblestone areas; and

**WHEREAS**, the Administration desires to allocate and appropriate TDOT grant funds of \$5,931,800.00 from Fiscal Year 2020, CIP Project Number GA01004 Cobblestone Landing, Contract Construction and allocate and appropriate funds of \$1,090,418.00 from Fiscal Year 2020, CIP Project Number GA01004, Contract Construction.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that it hereby approves the allocation and appropriation of TDOT grant funds of \$5,931,800.00 from Fiscal Year 2020 CIP Project Number GA01004, Cobblestone Landing, Contract Construction and also approves the allocation and appropriation of \$1,090,418.00 funded by G.O. Bonds General, total funds of \$7,022,218.00, a combination of TDOT grant funds and G.O. Bonds General.

<b>Project Title:</b>	<b>Cobblestone Landing</b>
<b>Project Number:</b>	<b>GA01004</b>
<b>Appropriation</b>	<b>\$7,022,218.00</b>



## Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**  
\$150,000.00 allocation, appropriation and transfer of funds from FY2021 CIP PK21100 Park Cover Line FFE to FY2021 CIP PKTBD Community Center/Park FFE, Fixtures Furniture and Equipment.
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**  
Parks and Neighborhoods
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**  
No it is not.
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**  
No it does not.
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**  
This Resolution will result in the expenditure of \$150,000.00.

**Resolution to Appropriate FFE Funds for  
PKTBD Community Center/Park  
Furniture Fixtures and Equipment**

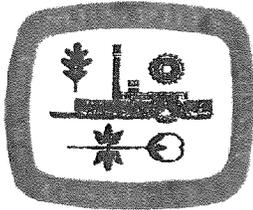
**WHEREAS**, the Council of the City of Memphis did include Park Services Cover Line, CIP Project Number PK21100, as part of the Fiscal Year 2021 Capital Improvements Budget; and

**WHEREAS**, the Council of the City of Memphis did provide an allocation of \$150,000.00 for Furniture Fixtures and Equipment funds in Fiscal Year 2021 CIP Project Number PK21100, Park Services Cover Line, as part of the Fiscal Year 2021 Capital Improvement Budget; and

**WHEREAS**, the Administration desires to allocate, appropriate and transfer \$150,000.00 for Furniture Fixtures and Equipment funds from Fiscal Year 2020, CIP Project Number PK21100 to Fiscal Year 2021 CIP Project PKTBD, Community Center/Park FFE; Furniture Fixtures and Equipment.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that it hereby approves the allocation, appropriation and transfer of \$150,000.00 for Furniture Fixtures and Equipment funds from Fiscal Year 2021 CIP Project Number PK21100, Park Services Cover Line, to Fiscal Year 2021 CIP Project Number PKTBD, Community Center/Park FFE funds, Furniture Fixtures and Equipment, funded by G.O. Bonds General.

<b>Project Title:</b>	<b>Community Center/Park FFE</b>
<b>Project Number:</b>	<b>PKTBD</b>
<b>Appropriation</b>	<b>\$150,000.00</b>



## Memphis City Council Summary Sheet

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

Resolution seeks approval of the appropriation of funds of \$1,400,000 for FY21 CIP Project Number PK21200 Council District Community Center Improvements to complete repairs/maintenance projects and purchase Furniture, Fixtures and Equipment as necessary.

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

Division of Parks & Neighborhoods

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

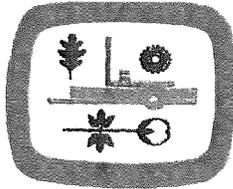
No

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

There will be contracts required for the purchase of Furniture, Fixtures and Equipment and contract construction work.

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

This will require an expenditure of \$1,400,000.00.



**Resolution to appropriate funds for Council District  
Community Center Improvements PK21200**

**WHEREAS**, the Council of the City of Memphis did include funds of \$1,400,000.00 in CIP Project Number PK21200 Council District Community Center Improvements, as part of the Fiscal Year 2021 Capital Improvements Program budget; and

**WHEREAS**, each of the seven Council Districts shall be allocated \$200,000.00 for improvements, major maintenance and furniture, fixtures and equipment at community centers, senior centers and park locations within the geographic boundaries of the District; and

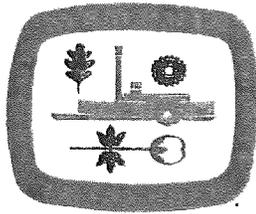
**WHEREAS**, the Parks & Neighborhoods Division has or will consult with the District Council member to determine District priority projects for the utilization of the District funds prior to the expenditure of funds; and

**WHEREAS**, it is necessary to allocate and appropriate and \$1,400,000.00 funded by G.O. Bonds General for Fiscal Year 2021 CIP, PK21200 Council District Community Center Improvements; and

**WHEREAS**, the appropriated funds of \$1,400,000.00 shall be credited as \$400,000.00 for Furniture, Fixtures and Equipment and \$1,000,000.00 for Contract Construction, for the Fiscal Year 2021 CIP, PK21200 Council District Community Center Improvements.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that it hereby approves the appropriation of \$1,400,000.00 in G. O. Bonds in Fiscal Year 2021 PK21200 Council District Community Center Improvements, being credited as \$400,000.00 for Furniture, Fixtures and Equipment and \$1,000,000.00 for Contract Construction, funded by G.O. Bonds General, chargeable to the Fiscal Year 2021, Capital Improvement Budget, with said appropriation being credited as follows:

<b>Project Title:</b>	<b>Council District Community Center Improvements</b>
<b>Project Number:</b>	<b>PK21200</b>
<b>Appropriation:</b>	<b>\$1,400,000.00</b>



## Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**  
\$200,000.00 allocation, appropriation and transfer of funds from FY2021 CIP Project Number PK21100 Park Cover Line A/E to FY2021 CIP Project Number PKTBD Park Cover Line A/E.
  
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**  
Parks and Neighborhoods
  
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**  
No it is not.
  
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**  
No it does not.
  
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**  
This Resolution will result in the expenditure of \$200,000.00.

**Resolution to Appropriate Park Cover Line  
Architecture/Engineering Fees PKTBD**

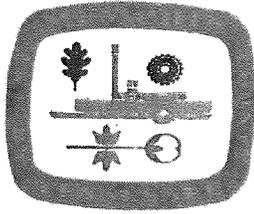
**WHEREAS**, the Council of the City of Memphis did include Park Services Cover Line, CIP Project Number PK21100, as part of the Fiscal Year 2021 Capital Improvements Budget; and

**WHEREAS**, the Council of the City of Memphis did provide an allocation of \$200,000.00 for Architecture/Engineering funds in Fiscal Year 2021 CIP Project Number PK21100, Park Services Cover Line, as part of the Fiscal Year 2021 Capital Improvement Budget; and

**WHEREAS**, the Administration desires to transfer and appropriate 200,000.00 for Architecture/Engineering funds from Fiscal Year 2020, CIP Project Number PK21100 to Fiscal Year 2021 CIP Project PKTBD, Park Cover Line Architecture/Engineering funds.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that it hereby approves the transfer and appropriation of \$200,000.00 for Architecture/Engineering funds from Fiscal Year 2021 CIP Project Number PK21100, Park Services Cover Line, to Fiscal Year 2021 CIP Project Number PKTBD, Park Cover Line Architecture/Engineering funds and approves the allocation and appropriation of \$200,000.00 for Fiscal Year 2021 CIP Project Number PKTBD, Park Cover Line A/E funds, Architecture/Engineering, funded by G.O. Bonds General.

<b>Project Title:</b>	<b>Park Cover Line Architecture/Engineering Funds</b>
<b>Project Number:</b>	<b>PKTBD</b>
<b>Appropriation</b>	<b>\$200,000.00</b>



## Memphis City Council Summary Sheet

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

\$300,000.00 allocation, appropriation and transfer of funds from FY2021 CIP Project Number PK21100 Park Cover Line Contract Construction to FY2021 CIP Project Number PKTBD Kennedy Park Playground, Contract Construction and \$200,000.00 allocation, appropriation and transfer of funds from FY2021 CIP Project Number PK21101 Council District Community Center Improvements to FY2021 CIP Project Number PKTBD Kennedy Park Playground, Contract Construction for a total of \$500,000.00 G.O. Bonds General.

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

Parks and Neighborhoods

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

No it is not.

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

No it does not.

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

This Resolution will result in the expenditure of \$500,000.00.

## **Resolution to Appropriate Construction Funds For Kennedy Park Playground PKTBD**

**WHEREAS**, the Council of the City of Memphis did include Park Services Cover Line, CIP Project Number PK21100, as part of the Fiscal Year 2021 Capital Improvements Budget; and

**WHEREAS**, the Council of the City of Memphis did provide an allocation of \$2,150,000.00 for Contract Construction funds in Fiscal Year 2021 CIP Project Number PK21100, Park Services Cover Line, as part of the Fiscal Year 2021 Capital Improvement Budget; and

**WHEREAS**, the Administration desires to construct a new playground at Kennedy Park to expand the recreational amenities from the current softball and soccer activities now offered at the park; and

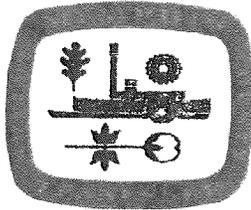
**WHEREAS**, the Administration desires to allocate, appropriate and transfer funds of \$300,000.00 from Fiscal Year 2020, CIP Project Number PK21100 Park Cover Line, Contract Construction to Fiscal Year 2021 CIP Project PKTBD, Kennedy Park Playground, Contract Construction; and

**WHEREAS**, the Administration desires to allocate, appropriate and transfer funds of \$200,000.00 from Fiscal Year 2021, CIP Project Number PKTBD Council District Community Center Improvements, Contract Construction to Fiscal Year 2021 CIP Project PKTBD, Kennedy Park Playground, Contract Construction.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that it hereby approves the allocation, appropriation and transfer of funds of \$300,000.00 from Fiscal Year 2021 CIP Project Number PK21100, Park Services Cover Line, Contract Construction to Fiscal Year 2021 CIP Project Number PKTBD, Kennedy Park Playground, Contract Construction and the allocation, appropriation and transfer of funds of \$200,000.00 from Fiscal Year 2021, CIP Project Number PKTBD

Council District Community Center Improvements, Contract Construction to Fiscal Year 2021 CIP Project  
Number PKTBD, Kennedy Park Playground, Contract Construction, a total of \$500,000.00 funded by  
G.O. Bonds General.

<b>Project Title:</b>	<b>Kennedy Park Playground</b>
<b>Project Number:</b>	<b>PKTBD</b>
<b>Appropriation</b>	<b>\$500,000.00</b>



## Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**  
\$600,000.00 allocation, appropriation and transfer of funds from FY2021 CIP PK21100 Park Cover Line Contract Construction to FY2021 CIP PKTBD Playground Resurfacing.
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**  
Parks and Neighborhoods
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**  
No it is not.
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**  
No it does not.
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**  
This Resolution will result in the expenditure of \$600,000.00.

## **Resolution to Appropriate Construction Funds for PKTBD Playground Resurfacing**

**WHEREAS**, the Council of the City of Memphis did include Park Services Cover Line, CIP Project Number PK21100, as part of the Fiscal Year 2021 Capital Improvements Budget; and

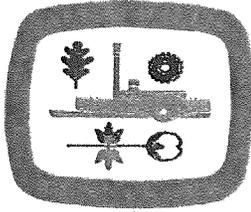
**WHEREAS**, the Council of the City of Memphis did provide an allocation of \$2,150,000.00 for Contract Construction funds in Fiscal Year 2021, CIP Project Number PK21100, Park Services Cover Line, as part of the Fiscal Year 2021 Capital Improvement Budget; and

**WHEREAS**, the Administration desires to replace playground surfacing at Binghampton, Cherokee, Flowering Peach, George Albertson, Martin Luther King and Williamson Parks; and

**WHEREAS**, the Administration desires to allocate, appropriate and transfer \$600,000.00 for Contract Construction funds from Fiscal Year 2021, CIP Project Number PK21100 to Fiscal Year 2021 CIP Project PKTBD, Playground Resurfacing, Contract Construction.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that it hereby approves the allocation, appropriation and transfer of \$600,000.00 for Contract Construction funds from Fiscal Year 2021 CIP Project Number PK21100, Park Services Cover Line, to Fiscal Year 2021 CIP Project Number PKTBD, Playground Resurfacing, Contract Construction, funded by G.O. Bonds General.

<b>Project Title:</b>	<b>Playground Resurfacing</b>
<b>Project Number:</b>	<b>PKTBD</b>
<b>Appropriation</b>	<b>\$600,000.00</b>



## Memphis City Council Summary Sheet

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

\$900,000.00 allocation, appropriation and transfer of funds from FY2021 CIP Project Number PK21100 Park Cover Line Contract Construction to FY2021 CIP Project Number PKTBD Miscellaneous Park Improvements, Contract Construction.

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

Parks and Neighborhoods

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

No it is not.

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

No it does not.

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

This Resolution will result in the expenditure of \$900,000.00.

## **A Resolution to Appropriate Funds for Miscellaneous Park Improvements**

**WHEREAS**, the Council of the City of Memphis did include Park Cover Line, CIP Project Number PK21100, as part of the Fiscal Year 2021 Capital Improvements Budget; and

**WHEREAS**, the Council of the City of Memphis did provide an allocation of \$2,150,000.00 for Contract Construction in Fiscal Year 2021 CIP Project Number PK21100, Park Cover Line, as part of the Fiscal Year 2021 Capital Improvement Budget; and

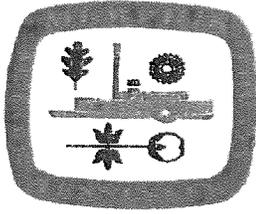
**WHEREAS**, the Administration has multiple repairs and improvements that need to be addressed as follows; and

**WHEREAS**, the Administration desires to make outdoor improvements at Cunningham Community Center, upgrade parking lot security lighting at Raleigh Community Center, install repurposed sports lighting at May Park, construct a new playground at Kennedy Park, continue pavilion improvements at Lincoln Park, and provide general improvements at Denver, Patton and Williamson Parks; and

**WHEREAS**, the Administration desires to allocate, appropriate and transfer \$900,000.00 from Fiscal Year 2021 CIP Project Number PK21100, Park Cover Line, to Fiscal Year 2021 CIP Project Number PKTBD, Miscellaneous Park Improvements.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that it hereby approves the allocation, appropriation and transfer of \$900,000.00 from Fiscal Year 2021 CIP Project Number PK21100, Park Cover Line, to Fiscal Year 2021 CIP Project Number PKTBD, Miscellaneous Park Improvements, Contract Construction, funded by G.O. Bonds General.

<b>Project Title:</b>	<b>Misc. Park Improvements</b>
<b>Project Number:</b>	<b>PKTBD</b>
<b>Appropriation</b>	<b>\$900,000.00</b>



## Memphis City Council Summary Sheet

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

\$350,000.00 allocation, appropriation and transfer of funds from FY2021 CIP Project Number PK21100 Park Cover Line Contract Construction to FY2021 CIP Project Number PKTBD Miscellaneous Park Paving, Contract Construction.

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

Parks and Neighborhoods

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

No it is not.

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

No it does not.

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

This Resolution will result in the expenditure of \$350,000.00.

**A Resolution to approve the appropriation  
of funds for Miscellaneous Park Paving**

**WHEREAS**, the Council of the City of Memphis did include Park Services Cover Line, CIP Project Number PK21100, as part of the Fiscal Year 2021 Capital Improvements Budget; and

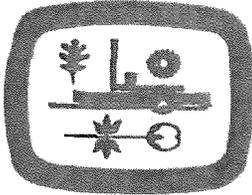
**WHEREAS**, the Council of the City of Memphis did provide an allocation of \$2,150,000.00 for Contract Construction in CIP Project Number PK21100, Park Services Cover Line, as part of the Fiscal Year 2021 Capital Improvement Budget; and

**WHEREAS**, the Administration proposes to make paving improvements to the walking trail at Bert Ferguson Park and repave parking lots at Gaisman and May Parks; and

**WHEREAS**, the Administration desires to transfer \$350,000.00 from Fiscal Year 2021 PK21100, Park Services Cover Line, Contract Construction to Fiscal Year 2021 CIP Project Number PKTBD, Miscellaneous Park Paving, Contract Construction.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that it hereby approves the allocation, appropriation and transfer of \$350,000.00 from Fiscal Year 2021 CIP Project Number PK21100, Park Services Cover Line, to Fiscal Year 2021 CIP Project Number PKTBD, Miscellaneous Park Paving, Contract Construction, funded by G.O. Bonds General.

<b>Project Title:</b>	<b>Misc. Park Paving</b>
<b>Project Number:</b>	<b>PKTBD</b>
<b>Appropriation:</b>	<b>\$350,000.00</b>



## Memphis City Council Summary Sheet

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

This resolution is requesting the transfer of allocations from the FY20 Fire Station Repair Cover line FS20100 to FS18102 Avery Renovations Phase II and to appropriate funds in the amount of \$40,785.00. The contract was negotiated with the Renaissance Group, Inc. for the Division of Fire Services, CIP Project Number FS18102, which is part of the FY20 Capital Improvement Program Budget funded by G.O. Bonds General.

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

Memphis Fire Services

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

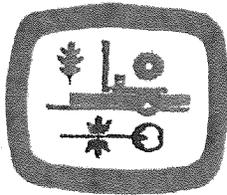
This is the original resolution requesting the appropriation of funding for this project.

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

This request will require a new A & E contract.

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

This project is part of the FY20 Capital Improvement Program Budget funded by G.O. Bonds General, CIP Project Number FS20100.



## Resolution – Fire Services

**A resolution transferring an allocation of \$40,785.00 from FS20100, to Avery Renovations Phase II and appropriating \$40,785.00.**

**WHEREAS**, the Council of the City of Memphis did include Avery Renovations Phase II, CIP Project Number FS18102, as part of the Fiscal Year 2020 Capital Improvement Program Budget; and

**WHEREAS**, a negotiated contract has been agreed upon between the City of Memphis Fire Services and Renaissance Group, Inc. in the amount of \$70,000.00 for the design of Avery Renovations Phase II; and

**WHEREAS**, it is necessary to transfer an allocation of \$40,785.00 funded by G.O. Bonds from FY20 Fire Station Repair Cover line FS20100 to Avery Renovations Phase II; and

**WHEREAS**, it is necessary to appropriate \$40,785.00, CIP Project Number FS18102, Contract Construction funded by G.O. Bonds General for the Avery Renovation Phase II Project as follows:

Contract Amount:	\$ 60,000.00
Reimbursable Expenses:	\$ 10,000.00
Total:	\$ 70,000.00

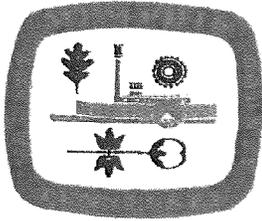
**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Memphis that the Fiscal Year 2020 Capital Improvement Budget be and is hereby amended by transferring an allocation from FS20100 in the amount of \$40,785.00, funded by G.O. Bonds from FY20 Fire Station Cover line, project number FS20100 to Avery Renovations Phase II, project number FS18102 performed by Fire Services.

**NOW, THEREFORE, BE IT ALSO RESOLVED**, by the Council of the City of Memphis there be and is hereby appropriated the amount of \$40,785.00, CIP Project Number FS18102, Architecture and Engineering funded by G.O. Bonds General for Avery Renovations Phase II.

**Project Title: Avery Renovations Phase II**

**CIP Project Number: FS18102**

**Total Design Contract Cost: \$70,000.00**



## Memphis City Council Summary Sheet

**1. Description of the Item**

This item is a resolution to appropriate additional funds for PD02013, MPD Training Academy Gym Renovation.

**2. Initiating Party**

Police Services

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

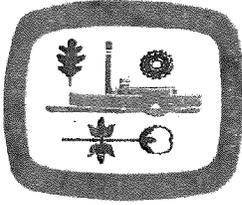
This resolution does not change any existing ordinance or resolution.

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

This request will require a change order to the existing construction contract.

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

This project is part of the FY21 Capital Improvement Budget funded by G. O. Bonds General, CIP Project Number PD02013.



## RESOLUTION

**WHEREAS**, the Council of the City of Memphis did include MPD Training Academy Gym Renovation, CIP Project Number PD02013, as part of the Fiscal Year 2021 Capital Improvement Budget; and

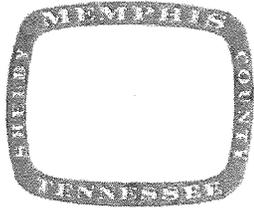
**WHEREAS**, it is necessary to appropriate additional funding in the amount of \$750,000.00 in Contract Construction, CIP Project Number PD02013, for the MPD Training Academy Gym Renovation; and

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis is hereby approves the appropriation of \$750,000.00 in Contract Construction for the MPD Training Academy Gym Renovation, CIP project number PD02013, funded by G.O. Bonds General, chargeable to the FY21 Capital Improvement Budget, with said appropriations being credited as follows:

Project Title:	MPD Training Academy Gym Renovation
Project Number:	PD02013
Amount:	\$750,000.00

Resolution to remove residency from the November 2020 ballot

**THIS ITEM WAS NOT AVAILABLE AT THE TIME OF  
DISTRIBUTION OF DOCUMENTS**



## Memphis City Council Summary Sheet

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

This is a Resolution requesting the approval for the sale of City owned surplus parcel acquired by the City of Memphis, located at 0 Willowview Avenue in Memphis, Shelby County, Tennessee 38111 and further described as Parcel ID # 058102 00019.

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

General Services

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

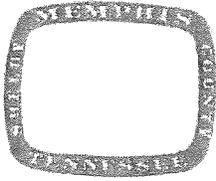
This item does not require a change to an existing ordinance.

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

This item does not require a new contract or amend an existing contract.

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

This item does not require an expenditure of funds or a budget amendment.



**A Resolution approving the sale of 0 Willowview Avenue- Parcel ID #058102  
00019 Memphis, Tennessee 38111**

Whereas the City of Memphis owns a surplus parcel located at 0 Willowview Avenue and is further identified by Shelby County Tax Assessor as Parcels 058102 00019 containing 0.523 ac, more or less;

Whereas the sale of the surplus parcel will increase the General Fund, generate tax revenue, and eliminate blight and maintenance cost for the City of Memphis;

Whereas Yeni Carolina Quijada Serrano, submitted an offer of Five Thousand Dollars (\$5000.00) for the Parcel along with a Five Hundred Dollars (\$500.00) Earnest Money deposit to the City of Memphis Real Estate Center; and

Whereas it is deemed to be in the best interest of the Citizens of the City of Memphis and County of Shelby that said sale be accepted subject to City Ordinance 5637, Amendment to Section 2-291(A) of the City's Code of ordinance; which states in part, "The city real estate manager shall place a value on all properties being considered for sale in a manner herein determined and on all properties having an estimated and probable value of \$10,000.00 or less shall place a value without obtaining an independent appraisal."

*Resolved*, by the Council of the City of Memphis that the offer made by Yeni Carolina Quijada Serrano of Shelby County Tennessee on the above described property is hereby accepted subject to the City Ordinance 2-291-1(A) which states in part, "The city real estate manager shall place a value on all properties being considered for sale in a manner herein determined and on all properties having an estimated and probable value of \$10,000.00 or less shall place a value without obtaining an independent appraisal."

*Be it further resolved*, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.

Exhibit A

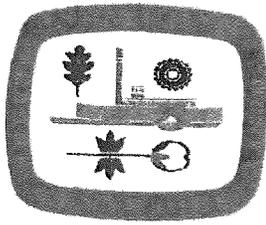


Shenelle V. Ford  
Shelby County Register of Deeds

Owner: CITY OF MEMPHIS  
Parcel Address: 0 WILLOWVIEW AVE, MEMPHIS  
Parcel ID: 058102 00618  
2020 Appraisal: \$4,700  
Tax District: MEMPHIS  
Year Built:  
Lot Number:  
Subdivision: EAST MEMPHIS PARK  
  
Pat BK & PG: UNKNOWN  
Dimensions:  
Total Acres: 0.523  
Owner Address: 0 GENERAL DELIVERY  
MEMPHIS, TN  
38101-8995



Map prepared on 3/27/2020



## Memphis City Council Summary Sheet

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

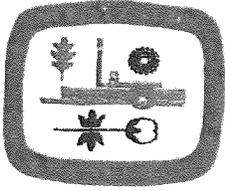
This is a Resolution requesting the approval for the sale of a City owned parcel located a O E. Utah Avenue in Memphis, Shelby County, Tennessee and further described as Parcel ID # 024057 00028.
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**

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

This item does not require a change to an existing ordinance.
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**

This item does not require a new contract or amend an existing contract.
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**

This item does not require an expenditure of funds or a budget amendment.



**A Resolution approving the sale of 0 E. Utah Avenue- Parcel ID #024057 00028  
Memphis, Tennessee 38106**

Whereas the City of Memphis owns a surplus parcel located at 0 E. Utah Avenue and is further identified by Shelby County Tax Assessor as Parcels 024057 00028 containing 0.082ac, more or less;

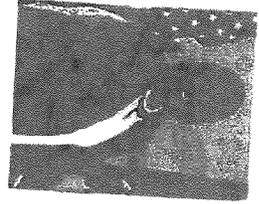
Whereas the sale of the City owned parcel will increase the General Fund, generate tax revenue, and eliminate blight and maintenance cost for the City of Memphis;

Whereas Jesse Price an adjoining property owner, submitted an offer of Five Hundred Dollars (\$500.00) for the Parcel along with a Fifty Dollars (\$50.00) Earnest Money deposit to the City of Memphis Real Estate Center; and

Whereas it is deemed to be in the best interest of the Citizens of the City of Memphis and County of Shelby that said sale be accepted subject to City Ordinance Section 2-291(A) of the City's Code of ordinance; which states in part, "The city real estate manager shall place a value on all properties being considered for sale in a manner herein determined and on all properties having an estimated and probable value of \$10,000.00 or less shall place a value without obtaining an independent appraisal.

*Resolved*, by the Council of the City of Memphis that the offer made by Jessie and Shawn Price of Shelby County Tennessee on the above described property is hereby accepted subject to the City Ordinance 2-291-1(A) which states in part, "The city real estate manager shall place a value on all properties being considered for sale in a manner herein determined and on all properties having an estimated and probable value of \$10,000.00 or less shall place a value without obtaining an independent appraisal."

*Be it further resolved*, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.



Sheldandra Y. Ford  
Shelby County Register of Deeds

Owner: MEMPHIS CITY OF COMM DEV

Parcel Address: 0 E UTAH , MEMPHIS

Parcel ID: 024057 00028

2020 Appraisal: \$1,900

Tax District: MEMPHIS

Year Built:

Lot Number: 90

Subdivision: RANDOLPH'S FLORIDA

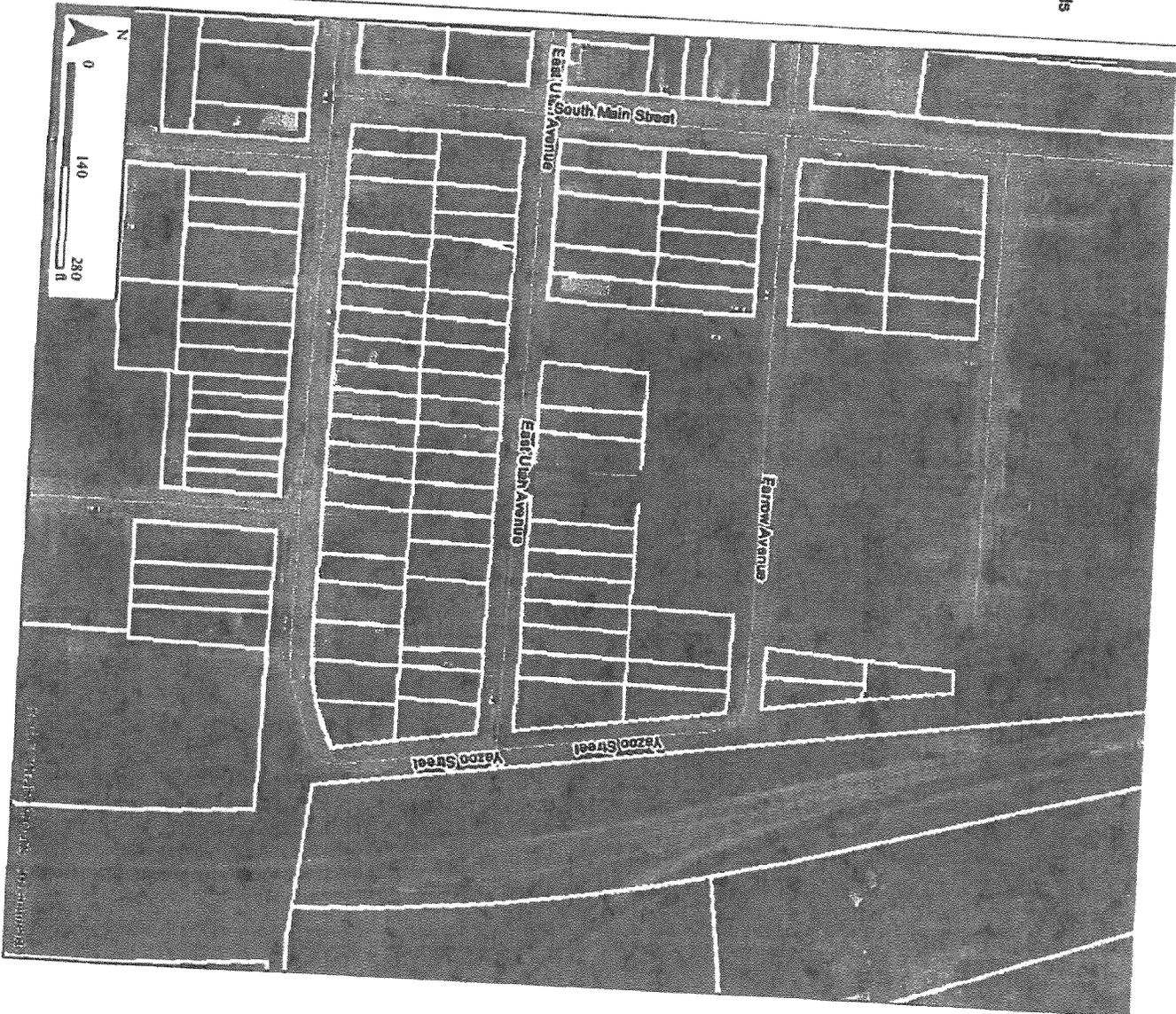
Plat BK & PG: 7-111

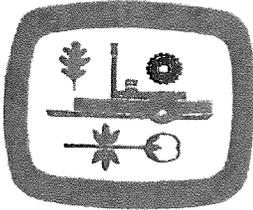
Dimensions: 30 X 119

Total Acres: 0.082

Owner Address: 125NMAINST  
MEMPHIS, TN  
38103-2026

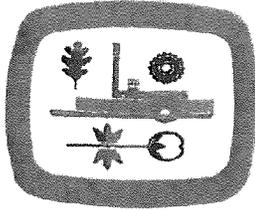
Map prepared on 3/20/2020





## Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**  
Resolution to approve the reallocation of Solid Waste funds for Hervery's Home Improvement, LLC., contract number 32988. Contract is to provide unmanageable volume and emergency response due to service delay failure
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**  
This contract is initiated by the Solid Waste Division.
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**  
The funding for contract 32988 is available in the FY2020 Solid Waste Budget. The funds must be reallocated.
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**  
Contract number 32988 currently exist, however funds need to be reallocated to pay unanticipated invoices.
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**  
No city funds are required. Yes, approval will require amendment to reallocate funds in the FY2020 Operating Budget.
- 6. Same night meeting minutes are requested**



This is a resolution to reallocate appropriate funds for Hervey's Home Improvement, LLC.

**WHEREAS**, the City of Memphis Division of Solid Waste and Hervey's Home Improvement entered into an Agreement to provide the Unmanageable Volume Emergency Response; and

**WHEREAS**, due to Services Delay Failure, Increase Volume due to Covid-19, and Increased High Volume of Spring-Cleaning Season; and

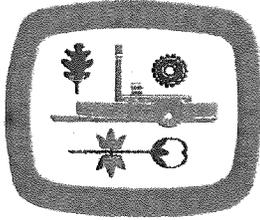
**WHEREAS**, it is necessary to appropriate One Million dollars (\$1,000,000.00) for payment of invoices to Hervey's Home Improvement, LLC, as follows:

Invoice #'s 18157 & 18158	\$874,172.00
Invoice Contingencies	<u>\$125,828.00</u>
Total Amount	\$1,000,000.00

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2020 Budget be and is hereby amended by allocating One Million Dollars (\$1,000,000.00) for services rendered by Hervey's Home Improvement, LLC

**BE IF FURTHER RESOLVED**, that the Fiscal Year 2020 Operating Budget be and is hereby amended by appropriating the Expenditures for the Solid Waste Division in the amount of One Million Dollars (\$1,000,000.00) as follows:

Contract Title	Hervey's Home Improvement
Contract Number	32988
Total Amount	\$1,000,000.00



## Memphis City Council Summary Sheet

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

This is a Resolution requesting the approval of the sale of a City owned vacant parcel located at 1534 Robin Hood Lane, and further described as Parcel #058086 00047, Memphis, Shelby County, Tennessee. The proposed sale will be executed pursuant to the Mow-to-Own Program as described in the amended ordinance 2-291.1 and the approved Memorandum of Understanding (MOU).

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

General Services

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

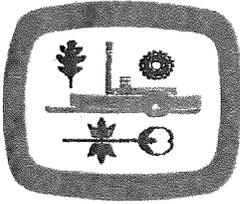
This item does not change an existing ordinance.

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

This item does not require a new contract or amend an existing contract.

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

This item does not require an expenditure of funds or budget amendment.



**A Resolution approving the sale of 1534 Robin Hood Lane,  
Memphis, TN 38111 to Lori Vongphrachanh and Troy Connatser as part of the  
Mow-to-Own Program**

Whereas the City of Memphis is the owner of a vacant parcel located at 1534 Robin Hood Lane, Memphis, TN 38111 and further described as Parcel # 058086 00047. The City no longer has a need for the parcel and has declared it eligible for the Mow-to-Own Program;

Whereas Lori Vongphrachanh and Troy Connatser have qualified and been approved to be a participant in the Mow-to-Own program and have signed the required Memorandum of Understanding and have submitted the required \$175 administrative fee;

Whereas The City of Memphis, Lori Vongphrachanh and Troy Connatser have mutually agreed on the sale amount of \$1,650;

Whereas the sale of 1534 Robin Hood Lane will increase the City's General Fund, generate tax revenue, and eliminate blight and maintenance cost for the City of Memphis; and

Whereas it is deemed to be in the best interest of the Citizens of the City of Memphis and County of Shelby that said sale be accepted subject to City Ordinance 2-291 and 2-291.1 as well as the terms and conditions in the Memorandum of Understanding, "now, therefore, be it"

*Resolved*, by the Council of the City of Memphis, the above described parcel be hereby approved for sale subject to the City Ordinance 2-291.1 as amended (Mow-to-Own Program) which states in part, "The manager of the city real estate department shall be authorized to sell tax adjudicated vacant property that adjoining property owners have maintained and are able to purchase through credits and pursuant to the terms of a Memorandum of Understanding (MOU), see attached signed and executed MOU."

*Be it further resolved*, that subject to the Ordinance, the City of Memphis Real Estate Department shall manage, prepare and arrange for credits to be applied for the mowing of the property and the subsequent execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deed or any other documents necessary to complete the sale and conveyance.

**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding ("MOU") is hereby entered into this 17<sup>th</sup> day of April, 2019 by and between the City of Memphis, TN, a Tennessee municipal corporation, by and through its Department of General Services, ("Seller"), and Lorie Vongphrachanh and Troy Connatser, ("Purchasers"), which are collectively referred to as the "Parties".

**RECITALS**

- A. WHEREAS, the City's Department of General Services instituted a Mow to Own Program ("Program") as part of the City of Memphis' ongoing efforts to improve neighborhoods by returning vacant, abandoned, and underutilized properties into productive community assets; and,
- B. WHEREAS, under the Program homeowners may qualify and be approved for the purchase of vacant lot(s) adjacent to their home; and
- C. WHEREAS, under the Program non-profit organizations that are registered and in good standing with the State of Tennessee, that are existing stakeholders within the same neighborhood as specific vacant lots may qualify and be approved for purchase thereof; and,
- D. WHEREAS, the Purchaser has successfully submitted an application, to the Seller, attached here to and made a part here of and marked "Exhibit A" ("Application"), outlining the Purchaser's maintenance program of the specific vacant lot(s) identified as "Exhibit B" attached here to and made a part hereof; and,
- E. WHEREAS, in exchange for the Purchaser's commitment to maintain the vacant lot(s), the Seller agrees to permit the non-exclusive use thereof; and,
- F. WHEREAS, the Parties are in agreement and desire to memorialize their intentions relative to the purchase of the vacant lot(s); and,

**NOW, THEREFORE**, subject to subsequent approval of Memphis City Council, the Parties hereby agree as follows:

- 1. Subject to all terms and conditions of this MOU and the Application, the Seller may submit to the Memphis City Council a resolution requesting authority to sell, "As-Is Where-Is" by quitclaim deed, the following real property ("Property") to the Purchaser:

Tax Parcel № 058086 00047;

Commonly known as 1534 Robin Hood Lane., Memphis, TN 38111;

Situated in the County of Shelby, in the State of Tennessee, and in the City of Memphis and bounded and described as follows:

Part of Lot 19, E.L. Roger's East Memphis Park Subdivision, Section A, and being the same property described in Instrument # 09133724 recorded in the Shelby County Register's Office, Shelby County, Tennessee.

2. Purchaser shall pay the Seller the recording fee to the Shelby County Register.
3. The Seller will credit to the Purchaser at the time of conveyance, the sum not to exceed One Thousand Three Hundred and Fifty Dollars and 00/100 U.S. Dollars (\$1,350.00) against the agreed upon purchase price, for the value of the maintenance made to the Property according to the Application. If this MOU is terminated for any reason or if the sale of the Property is not approved by Memphis City Council, Purchaser agrees that it shall not be reimbursed or compensated for any maintenance undertaken on the Property.
4. Until conveyance of the Property to the Purchaser, Purchaser may only have non-exclusive rights of access and use of the Property consistent with the terms of this MOU and the Application. Purchaser shall not permit any waste or damage to Property and shall not occupy or use the Property for any purposes that are unlawful, hazardous, unsanitary, noxious, or offensive.
5. Purchaser shall not conduct any business on the Property for profit or otherwise, except for the permitted access and maintenance uses described in this MOU.
6. Purchaser shall not store or use petroleum-based products, fertilizers, pesticides, or other chemicals on the Property, while the Property is still owned by the Seller
7. No alcoholic beverages or controlled substances of any kind shall be permitted, consumed, used, or kept on the Property, while the Property is still owned by the Seller.
8. At the time the Quit Claim deed is recorded, the City shall submit the necessary application with the Shelby County Assessor's Office to combine the Property with the Purchaser's existing adjacent property, if applicable.
9. Purchaser shall continue to maintain the Property in a manner consistent with the Application and all local, state, and federal laws, regulations, and property/housing/zoning codes.

10. Purchaser hereby waives and releases the City of Memphis, TN all of its departments and divisions and all of its employees, agents or other representatives from any loss, claim, cause of action, damage, or liability whatsoever, whether without limitation strict or absolute liability in tort or by statute imposed, charge, cost or expense, including without limitation, attorneys' fees to the extent any damage or loss to property or injury or death resulting in any manner from this MOU, Application, or exercising the rights and obligations therein.
11. Purchaser hereby agrees to indemnify the City of Memphis, TN, all of its departments and divisions and all of its employees, agents or other representatives against any monetary award, both compensatory and punitive, or equitable relief by a judge or jury that may result from damages or loss to persons or property sustained as a result of this MOU, Application, or exercising the rights and obligations therein.
12. Purchaser shall not permit any interest or lien to be placed on the Property, while the Property is still owned by the Seller.
13. In the event the Purchaser:
  - A. Fails to perform the terms of this MOU; or
  - B. No longer owns a lot adjacent to the Property; or
  - C. Violates the terms of the Application, including the timely payment of the purchase price; or
  - D. If the Memphis City Council fails to pass the necessary Resolution,

This MOU shall automatically terminate and become null and void and neither party shall have further liability to the other arising out of this MOU, except paragraphs 10, 11 and 12, which shall survive.

14. Purchaser shall not assign, lease or otherwise transfer any rights under this MOU, without the written consent of the City of Memphis, Department of General Services and City Council.

IN WITNESS WHEREOF, the Parties have executed this MOU this 17<sup>th</sup> day of April, 2019.

**CITY OF MEMPHIS, TN**

a municipal corporation

Maria B. Bell  
Administrator, Memphis Code Enforcement

Lorie Vongprachanh  
Lorie Vongprachanh  
Purchaser

Troy Connatser  
Troy Connatser  
Purchaser

3. Have you or your Company/Organization ever been found guilty by Environmental Court of violating the City Housing Code? Please explain a "yes" answer below. Use additional paper if needed.

Yes

No

- The City reserves the right to reject the applications of any applicant for any reason, including but not limited to the following:
  - Applicants who are delinquent in the payment of local property taxes
  - Applicants who own unoccupied properties
  - Applicants whose properties are in violation of City Codes.

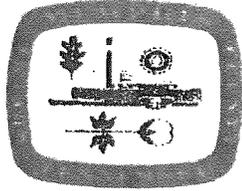
**Tax Payment/MLGW Info:**

- Include with your application a printout of the tax payment history from the Shelby County Trustee's and the City's e-payment website for each of the properties listed above. Alternatively, a copy of a paid receipt will be accepted.
- Include with your application a copy of all current MLGW bills for each of the properties listed above.
- Except in rare situations, applications from owners of tax delinquent properties or properties with tax liens will not be approved.

**About the property you wish to purchase: (To be completed by City of Memphis)**

Parcel ID Number:	058086 00047
Address:	1534 ROBIN HOOD LN
Proposed Purchase Price:	\$ 1,650 (Revised sales price 3/9/2020)

**Why do you want to purchase this City Property? Please describe your plans for the property here.**



## Memphis City Council Summary Sheet

**1. Description of the Item**

This resolution amends the Fiscal Year 2021 Capital Improvement Budget by transferring and appropriating funds to install speed humps at various locations throughout the city.

**2. Initiating Party**

The Engineering Division (upon citizens' request) has determined the need for installation of speed humps in various neighborhoods.

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

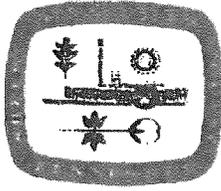
This project does not involve a change to an existing ordinance or resolution.

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

This request will not require a new contract. An on-call contract is currently active.

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

Expenditure of funding will be required.



*A Resolution appropriating Contract Construction Funds for EN01099 –  
Speed Hump Installation-Group 12*

**WHEREAS**, the Council of the City of Memphis did include the Traffic Calming Devices Cover Line, Project Number EN21200 as part of the Engineering Fiscal Year 2021 Capital Improvement Budget; and

**WHEREAS**, bids were taken on July 10, 2019 for on-call speed hump installation at various locations (3-Year Term), with the lowest complying bid submitted by PRECISE CONCRETE; and

**WHEREAS**, it is necessary to transfer an allocation of \$1,700,000.00 funded by G.O. Bonds – from the Traffic Calming Devices Cover Line, Project Number EN21200 to Speed Hump Installation – Group 12, Project Number EN01099; and

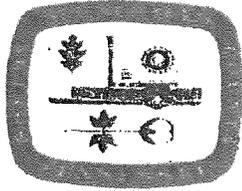
**WHEREAS**, it is necessary to appropriate \$1,700,000.00 funded by G.O. Bonds in Speed Hump Installation – Group 12, Project Number EN01099 as follows:

**Contract Construction \$1,700,000.00**

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2021 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$1,700,000.00 funded by G.O. Bonds from the Traffic Calming Devices Cover Line, Project Number EN21200 to Speed Hump Installation – Group 12, Project Number EN01099.

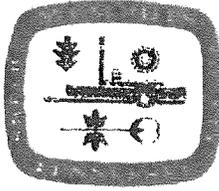
**BE IT FURTHER RESOLVED**, that there be and is hereby appropriated the sum of \$1,700,000.00 funded by G.O. Bonds and chargeable to the Fiscal Year 2021 Capital Improvement Budget and credited as follows:

<b>Project Title</b>	<b>Speed Hump Installation – Group 12</b>
<b>Project Number</b>	<b>EN01099</b>
<b>Total Amount</b>	<b>\$1,700,000.00</b>



## Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**  
This resolution amends the Fiscal Year 2021 Capital Improvement Budget by appropriating funds for LED Traffic Signal Replacement (EN01096)
  
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**  
This project is being initiated by the Division of Engineering.
  
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**  
This project does not involve a change to an existing ordinance or resolution.
  
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**  
This LED Replacement project will not require a new contract (Existing On-Call Contract available).
  
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**  
A new expenditure of funds is required.



*A Resolution appropriating Construction Funds for EN01096 – LED Traffic Signal Replacement*

**WHEREAS**, the Council of the City of Memphis did include LED Traffic Signal Replacement, Project Number EN01096 as part of the Engineering Fiscal Year 2021 Capital Improvement Budget; and

**WHEREAS**, bids were taken on September 7, 2018 for an On-Call, LED Replacement Project (3-year term), with the lowest complying bid being submitted by Shelby Electric; and

**WHEREAS**, it is necessary to encumber additional funding into this existing LED Replacement Contract to expedite the replacement of LED Modules that have exceeded their useful service life at various Signalized Intersections throughout the City; and

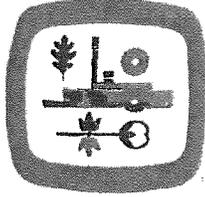
**WHEREAS**, it is necessary to appropriate \$500,000.00 funded by G.O. Bonds to LED Traffic Signal Replacement, Project Number EN01096 in Contract Construction.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$500,000.00 funded by G.O. Bonds and chargeable to the Fiscal Year 2021 Capital Improvement Budget and credited as follows:

**Project Title:** LED Traffic Signal Replacement

**Project Number:** EN01096

**Contract Construction:** \$500,000.00



## Memphis City Council Summary Sheet

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

Resolution for FY21 CIP Street Resurfacing recoveries for Public Works, Street Maintenance to fund paving operations.

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

Public Works

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

NA

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

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

This resolution requires an expenditure of funds and budget amendment. This resolution recovers \$6,500,000.00 from FY21 CIP Budget, providing funding for Street Maintenance personnel as well as materials and supplies.

## RESOLUTION

This resolution is for the Fiscal Year 2021 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 Asphalt Paving Coverline, project number PW21100 as part of the Fiscal Year 2021 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 Asphalt Paving Coverline, project number PW21100 to FY21 Asphalt Paving In-house OP Project, project number PW21103; 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 FY21 Asphalt Paving In-house OP.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2021 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$6,500,000 funded by G O Bonds from Asphalt Paving Coverline, project number PW21100 to FY21 Asphalt Paving In-house OP Project, project number PW21103; 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 2021 Capital Improvement Budget and credited as follows:

<b>Project Title:</b>	<b>FY21 Asphalt Paving In-house OP</b>
<b>Project Number:</b>	<b>PW21103</b>
<b>Amount:</b>	<b>\$6,500,000</b>

**Resolution Requiring Community Meetings Prior to Hearings Before the  
Land Use Control Board**

WHEREAS, land use in the City of Memphis and unincorporated Shelby County is regulated by the Memphis and Shelby County Unified Development Code (“UDC”); and

WHEREAS, the UDC regulates the administration and review of all land use applications, including those applications that must be heard before the Land Use Control Board (“LUCB”) under Section 9.3 “Common Review Procedures;” and

WHEREAS, UDC Section 9.3.2 “Neighborhood Notification and Meeting” states,

[a]t least ten days but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall host and/or attend a neighborhood meeting with representatives from neighborhoods adjacent to the development site which the hearing involves:

1. Zoning changes not in compliance with any plans to be considered;
2. Special use permit or amendment to a special use permit;
3. Planned development outline plan or amendment to a planned development outline plan; and
4. All subdivisions except minor subdivisions.

WHEREAS, although suspension of UDC Section 9.3.2 is not mentioned, during the last three months, the provision requiring neighborhood meetings was not enforced; and

WHEREAS, it is understandable that in-person meetings are suspended at this time due to the public health concerns caused by the Coronavirus; however, these public health concerns do not negate the desire and need for community input on land use decisions;

WHEREAS, any potential land use changes could alter or diminish citizens’ enjoyment of neighboring parks, schools, community centers, and places of business.

NOW, THEREFORE, BE IT RESOLVED that the applicant of any land use matters that will come before the Memphis City Council must hold a community meeting prior to the Land Use Control Board’s public hearing either in-person or via electronic means in accordance with UDC Section 9.3.2 “Neighborhood Notification and Meeting.”

BE IT FURTHER RESOLVED by the Memphis City Council that all cases previous heard by the LUCB in which community meetings were not held are remanded to the LUCB for public hearing upon the satisfaction of UDC Section 9.3.2 “Neighborhood Notification and Meeting.”

**BE IT FURTHER RESOLVED** that a report of the community meeting shall be included in the hearing packet submitted to the Memphis City Council by the Office of Planning and Development.

**SPONSOR:** Cheyenne Johnson

**Patrice Robinson  
CHAIRWOMAN**

**Substitute Ordinance No. 5751**

**Substitute Ordinance Amending the Memphis Code of Ordinances Relative to Requirements for Persons to wear facial coverings or masks while present in businesses and public places within the City of Memphis during public health emergencies**

**WHEREAS**, the transmission of the COVID-19 virus continues to threaten our citizens despite the City's efforts to slow the spread of the virus over the past two (2) months;

**WHEREAS**, as businesses and operations reopen in the City, it is critical that Memphians remain vigilant to protect themselves and their fellow Memphians;

**WHEREAS**, scientific evidence shows that a substantial number of individuals with the COVID-19 virus are asymptomatic and that individuals who contract the virus may still transmit the virus to others before ever showing symptoms by speaking, coughing, or sneezing.

**WHEREAS**, employees of businesses that reopen are put in a vulnerable position when patrons come in without a face covering;

**WHEREAS**, the Council desires to make sure workers are safe as they interact with customers.

**WHEREAS**, science shows that face coverings are one of the most effective means of reducing the spread of the COVID-19 virus;

**WHEREAS**, the risks of inaction are high and likely fatal for elderly persons and individuals with serious underlying health conditions, including high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune system is compromised such as by chemotherapy for cancer and other conditions requiring such therapy;

**WHEREAS**, the risks are particularly high for African American citizens. As of May 27, 2020, there was a cumulative total of 4,703 confirmed cases of infection by the COVID-19 virus and 102 deaths in Shelby County, of which over 65% of the confirmed cases and over 68% of deaths were African-American citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS** that the various sections of this ordinance shall upon becoming effective as provided by law shall be and become a new Chapter under Title 9 of the Code of Ordinances and shall read as follows:

**Section 1: SHORT TITLE**

1.01 This Ordinance shall be known as the “Face Covering/Mask Ordinance.”

**Section 2: LEGISLATIVE FINDINGS AND INTENT**

2.01 Tennessee General Assembly has declared the State’s policy that safeguarding the life and property of its citizens is an innate responsibility of the governing body of each political subdivision of the state;

2.02 The Council, as the governing body of the City, does hereby find, declare and conclude that it has the power and duty under the City’s Charter:

- 1) to pass all laws to preserve the health of the City;
- 2) to prevent the introduction of contagious diseases within the City; and
- 3) to define, prevent, remove and cause to be abated nuisances within the City;

2.03 The Council, as the governing body of the City, does hereby further find, declare and conclude that it has the power and authority under State statutes to take whatever prudent action is necessary to ensure the health,

safety, and welfare of the community during a declared state of emergency and that this Ordinance is adopted pursuant to State policy and the authority granted it under State statutes and the City's Charter;

2.04 The Council does hereby find and declare that this Ordinance is based on evidence of increasing occurrence of COVID-19 within the City, the State of Tennessee, and the United States of America and on scientific evidence, and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically;

2.05 The Council does hereby find and declare that this Ordinance is also issued in light of the existence, as of May 27, 2020, of a cumulative total of 4,703 confirmed cases of infection by the COVID-19 virus and 102 deaths in Shelby County, of which over 65% of the confirmed cases and over 68% of deaths are African-American citizens;

2.06 It is the intent of this Ordinance:

- A. To help reduce the spread of the COVID-19 virus and mitigate the impact of the virus on members of the public and on the delivery of critical healthcare services to those in need. All provisions of this Ordinance must be interpreted to effectuate this intent.
- B. To ensure that all people who are visiting or working at Essential Businesses and all people who are seeking care at healthcare facilities or engaged in certain types of public transit or transportation with others wear a Face Covering to reduce the likelihood that they may transmit or receive the COVID-19 virus.
- C. To ensure that people who work for or seek services from entities engaged in Essential Infrastructure work, Minimum Basic Operations, or Essential Government Functions also wear a Face Covering when they are in close proximity to others.
- D. To create environments where employees, customers and members of the public may feel safe in visiting and/or working

in Essential Businesses, Essential Government Functions and Healthcare Operations.

**Section 3: REQUIRMENTS FOR WEARING FACE COVERINGS**

3.01. GENERAL REQUIRMENT FOR WEARING FACE COVERINGS. Except as specifically exempted herein, Face Coverings shall be worn at all times by all persons when in a public place within the City of Memphis during public health emergencies and/or recognized epidemics or pandemics to prevent the spread of contagious air borne diseases

3.02 SPECIFIC REQUIREMENT FOR WEARING FACE COVERINGS. All members of the public, except as specifically exempted herein, are required to wear a Face Covering outside their home or other place they reside in the following **specific** situations:

- 1) When they are inside of, or in line to enter, any Essential Business including, but not limited to, grocery stores, convenience stores, supermarkets, laundromats, and restaurants;
- 2) When they are inside of, or in line to enter, any Non-Essential Business as defined in this Ordinance.
- 3) When they are inside or at any location or facility engaging in seeking or receiving Essential Government Functions, including but not limited to City Hall or other City buildings and facilities;
- 4) When they are at the entrance to and inside elevators in all public and private buildings;
- 5) When they are engaged in Essential Infrastructure work;
- 6) When they are obtaining services at Healthcare Operations—including hospitals, clinics, COVID-19 testing locations, dentists, pharmacies, blood banks and blood drives, other healthcare facilities, mental health providers, or facilities providing veterinary care and similar healthcare services for animals—unless directed otherwise by an employee or worker at the Healthcare Operation; or

- 7) When they are waiting for or riding on public transportation (including without limitation any bus, MATA, street car or paratransit or are in a taxi, private car service, or ride-sharing vehicle.
- 8) Each driver or operator of any public transportation or paratransit vehicle, taxi, or private car service or ride-sharing vehicle must wear a Face Covering while driving or operating such vehicle, regardless of whether a member of the public is in the vehicle, due to the need to reduce the spread of respirator}' droplets in the vehicle at all times.
- 9) All Essential Businesses, Non-Essential Businesses, as well as entities and organizations with workers engaged in Essential Infrastructure work, or Essential Government Functions (except for Healthcare Operations, which are subject to their own regulation regarding specified face coverings), must:
  - a) Require their employees, contractors, owners, and volunteers to wear a Face Covering at the workplace and when performing work off-site any time the employee, contractor, owner, or volunteer is:
    - i. interacting in person with any member of the public;
    - ii. working in any space visited by members of the public, such as by way of example and without limitation, reception areas, grocery' store or pharmacy aisles, service counters, public restrooms, cashier and checkout areas, waiting rooms, service areas, and other spaces used to interact with the public, regardless of whether anyone from the public is present at the time;
    - iii. working in any space where food is prepared or packaged for sale or distribution to others; working in or walking through common areas such as hallways, stairways, elevators, and parking facilities; or
    - iv. in any room or enclosed area when other people (except for members of the person's own household or residence) are present.
    - v. Take reasonable measures, such as posting signs, to remind their customers and the public of the requirement that they wear a Face Covering while inside of or waiting in line to enter the business, facility, or location. Essential Businesses and entities or organizations that engaged in Essential Infrastructure work must take all reasonable steps to prohibit any member of the public who

is not wearing a Face Covering from entering and must not serve that person if those efforts are unsuccessful.

3.03 Reusable face coverings or masks must remain clean and sanitary via regular washing and daily disinfecting.

#### **Section 4: EXEMPTIONS FROM REQUIRMENTS FOR WEARING FACE COVERINGS**

4.01 A Face Covering is not required when a person is in a personal office (a single room) when others outside of that person's household are not present as long as the public does not regularly visit the room. By way of example and without limitation, a construction worker, plumber, bank manager, accountant, or bike repair person is not required to wear a Face Covering if that individual is alone and in a space not regularly visited by the public, but that individual must put on a Face Covering when coworkers are nearby, when being visited by a client/customer, and anywhere members of the public or other coworkers are regularly present.

4.02 A Face Covering is not required when a person is eating or drinking in a restaurant or bar or similar facility.

4.03 Any child aged two years or less must not wear a Face Covering because of the risk of suffocation. This Ordinance does not require that any child aged twelve years or less wear a Face Covering. Parents and caregivers must supervise use of Face Coverings by children to avoid misuse.

4.04 Wearing a Face Covering is recommended but not required while engaged in outdoor recreation such as walking, hiking, bicycling, or running. But each person engaged in such activity must comply with social distancing requirements including maintaining at least six feet of separation from all other people to the greatest extent possible. Additionally, it is recommended that each person engaged in such activity bring a Face Covering and wear that Face Covering in circumstances where it is difficult to maintain

compliance with Social Distancing Requirements and that they carry the Face Covering in a readily accessible location, such as around the person's neck or in a pocket, for such use.

4.05 Because running or bicycling causes people to more forcefully expel airborne particles, making the usual minimum 6 feet distance less adequate, runners and cyclists must take steps to avoid exposing others to those particles, which include the following measures: wearing a Face Covering when possible; crossing the street when running to avoid sidewalks with pedestrians; slowing down and moving to the side when unable to leave the sidewalk and nearing other people; never spitting; and avoiding running or cycling directly in front of or behind another runner or cyclist who is not in the same household.

4.06 This Ordinance does not require any person to wear a Face Covering while driving alone, or exclusively with other members of the same family or household, in a motor vehicle.

4.07 A Face Covering is also not required by this Order to be worn by a particular individual if the person can show either: (1) a medical professional has advised that wearing a Face Covering may pose a risk to the person wearing the mask for health-related reasons; or (2) wearing a Face Covering would create a risk to the person related to their work as determined by local, state, or federal regulators or workplace safety guidelines; or because the person suffers from a Medical Condition that prevents that person from wearing a Face Covering.

4.08 A Face Covering should also not be used by anyone who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the Face Covering without assistance.

## **Section 5: VIOLATIONS**

5.01 The Council does hereby expressly find and declare that this Ordinance is necessary to slow the rate of spread of COVID-19 in the City, especially among its most vulnerable citizens. Failure to comply with any of

the provisions of this Ordinance constitutes an imminent threat and immediate menace to public health, especially and therefore is declared to be a public nuisance, which is a Class C Misdemeanor that is punishable in the manner set forth herein or is subject to other extraordinary legal remedies available to the City to eliminate and/or abate public nuisances.

**Section 6: ADMINISTRATION AND ENFORCEMENT**

6.01 Pursuant to the City's Charter, the Mayor, by virtue of his office, is the Chief Executive Officer of the City government, and each and every department thereof, and as such, shall have under his control and be charged with the duty of supervising and compelling the performance of duties by all other officers and employees. The Mayor is required to see that provisions of the City's Charter and Ordinances are obeyed and enforced.

6.02 Notwithstanding any City Ordinance to the contrary, whenever any emergency occurs, or any rare or unusual disease appears, or when any disease becomes unduly prevalent, the Mayor, in consultation with a medical professional selected by him, shall have the power to employ any measures necessary for the protection of the public health; and the Mayor shall have the power, by proclamation, to establish quarantine and contact tracing measures and to promulgate such rules and regulations as may be necessary to combat such emergencies, including rules and regulations for persons residing in, entering or leaving the city, and the regulation of property, and he or she shall have power to make such expenditures as may be necessary for such purposes.

6.03 The Mayor shall be authorized to appoint his officers, assistants and employees to enforce the rules and regulations promulgated by the Mayor under the provisions of this Ordinance. Any person who violates any such regulation, or who fails to carry out any lawful order of the Mayor or his designee(s) in such emergencies, shall be guilty of a misdemeanor.

6.04 Whenever the Mayor deems it necessary to carry out the provisions of this Ordinance, the Mayor shall have the power to call upon the Chief of

police services for a detail of officers, and the director of police shall furnish such officers, and the officers so detailed shall act under the direction of the Mayor for the purpose of carrying out the provisions of this Ordinance or any proclamation or regulation issued by the Mayor to abate any public health nuisances and may issue citations for violations hereof.

6.05 The Municipal Courts of the City shall have jurisdiction over any citations issued for violations of this ordinance.

6.06 The fines or penalties that may be assessed by the City's Municipal Courts shall be as follows:

- 1) First offense – warning
- 2) Second offense – community service

6.07 The Mayor shall also be authorized to seek restraining orders or injunctive relief in courts of appropriate jurisdiction to abate any continuing health nuisances that have occurred and are continuing in violation of Section 3.02 of this Ordinance.

6.08 The Mayor shall be authorized to create and operate COVID-19 community service activities to be performed by violators of this Ordinance.

6.09 The Mayor is requested to develop and post on the City's website a sample sign to be used by Essential Business and Governmental Operations for notifying customers and the public of the need to comply with the requirements of this Ordinance for wearing face coverings.

6.10 The Mayor is authorized to use any available federal COVID-19 funding for implementation of this Ordinance, including but not limited to compensation of inspectors and other employees whose services are substantially dedicated to mitigation of the COVID-19 public health emergency as provided in this Ordinance or for the provision of masks to small businesses, public transportation vehicles and for use by visitors to public buildings and facilities.

6.11 The Mayor is authorized to establish a system for employees of Essential and Non-Essential Businesses to report the failure of an employer to provide masks for their work and for members of the public to report violations of this Ordinance or any executive orders relating to reopening of businesses and activities, which may include telephone hot-lines and/or internet systems.

**Section 7: MISCELLANEOUS**

7.01 This Ordinance is also issued in consistent with, and incorporates by reference all operative Executive Orders of the Governor of the State of Tennessee and the Mayor of the City of Memphis and any applicable orders of the Health Officer for Shelby County.

**Section 8: DEFINITIONS**

8.02 "Essential Businesses" are:

- i. Healthcare Operations and businesses that operate, maintain, or repair Essential Infrastructure;
- ii. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of unprepared food, canned food, dry goods, non-alcoholic beverages, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, as well as hygienic products and household consumer products necessary for personal hygiene or the habitability, sanitation, or operation of residences. The businesses included in this subparagraph (ii) include establishments that sell multiple categories of products provided that they sell a significant amount of essential products identified in this subparagraph, such as liquor stores that also sell a significant amount of food;
- iii. Food cultivation, including farming, livestock, and fishing;

iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;

v. Construction,

Affordable housing that is or will be income-restricted, including multi-unit or mixed-use developments containing at least 10% income-restricted units;

Public works projects;

Shelters and temporary housing, but not including hotels or motels;

Projects immediately necessary to provide critical noncommercial services to individuals experiencing homelessness, elderly persons, persons who are economically disadvantaged, and persons with special needs;

Construction or repair necessary to ensure that residences and buildings containing Essential Businesses are safe, sanitary, or habitable to the extent such construction or repair cannot reasonably be delayed;

vi. Newspapers, television, radio, and other media services;

vii. Gas stations and auto-supply, auto-repair (including, but not limited to, for cars, trucks, motorcycles and motorized scooters), and automotive dealerships;

viii. Bicycle repair and supply shops;

ix. Banks and related financial institutions;

x. Service providers that enable residential transactions (including rentals, leases, and home sales), including, but not limited to, real estate agents, escrow agents, notaries, and title companies

xi. Hardware stores;

xii. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the habitability,

sanitation, and operation of residences and Essential Businesses, but not for cosmetic or other purposes;

xiii. Arborists, landscapers, gardeners, and similar service professionals, but only to the limited extent necessary to maintain the habitability, sanitation, operation of businesses or residences, or the safety of residents, employees, or the public (such as fire safety or tree trimming to prevent a dangerous condition);

xiv. Businesses providing mailing and shipping services, including post office boxes;

xv. Educational institutions—including public and private K-12 schools, colleges, and universities—

xvi. Laundromats, drycleaners, and laundry service providers;

xvii. Restaurants and other facilities that prepare and serve food, including schools and other entities that typically provide free food services to students or members of the public, but only for delivery or carry out, unless authorized for in person service pursuant to a state, county or city back-to-business order.

xviii Businesses that supply other Essential Businesses with the support or supplies necessary to operate.

xx. Businesses that have the primary function of shipping or delivering groceries, food, or other goods directly to residences or businesses. This exemption shall not be used to allow for manufacturing or assembly of non-essential products or for other functions besides those necessary to the delivery operation;

xxi. Airlines, taxis, rental car companies, rideshare services (including shared bicycles and scooters), and other private transportation providers providing transportation services necessary for Essential Activities;

xxii. Home-based care for seniors, adults, children, and pets;

- xxiii. Residential facilities and shelters for seniors, adults, and children;
- xxiv. Professional services, such as legal, notary, or accounting services;
- xxv. Services to assist individuals in finding employment with Essential Businesses;
- xxvi. Moving services that facilitate residential or commercial moves;
- xxvii. Childcare facilities providing services that enable owners, employees, volunteers, and contractors for Essential Businesses or Essential Governmental Functions to work as permitted. Children of owners, employees, volunteers, and contractors who are not exempt under this Order may not attend childcare facilities.

8.02 "Essential Government Functions" means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public.

8.03 "Essential Infrastructure," means airports, utilities (including water, sewer, gas, and electrical), oil refining, roads and highways, public transportation, solid waste facilities (including collection, removal, disposal, and processing facilities), cemeteries, mortuaries, crematoriums, and telecommunications systems (including the provision of essential global, national, and local infrastructure for internet, computing services, business infrastructure, communications, and web-based services).

8.04 "Health Conditions" means health conditions, including but not limited to, high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune system is compromised such as by chemotherapy for cancer and other conditions requiring such therapy.

8.05 "Non-Essential Businesses" means all brick and mortar retail businesses not otherwise covered by this Ordinance.

**Section 9.** To the extent that this ordinance is in conflict with other ordinances of the City of Memphis, this ordinance shall supersede the others until the conflicting ordinance is amended or repealed.

**Section 10.** 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 11.** This Ordinance shall take effect from and after the date it shall have been passed by the City Council, signed by the Chair 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.

SPONSORS: Dr. Jeff Warren  
Michalyn Easter-Thomas

Patrice J. Robinson  
Chairwoman

**LAW OFFICES**  
**ALLAN J. WADE, PLLC**  
5050 Poplar Avenue, Suite 1028  
Memphis, Tennessee 38157  
Telephone (901) 322-8005

Allan J. Wade  
Brandy S. Parrish

June 9, 2020

Dr. Jeff Warren  
City Councilman  
Memphis City Council  
Memphis, TN 38103

Dear Dr. Warren:

As we discussed, I have prepared a substitute mask ordinance. This Ordinance seeks a balance between protecting workers and customers of essential business and government operations. It combines a global requirement for masks with a targeted requirement for places where citizens do not have the option of avoiding This will protect a large segment of our population and may make the Ordinance more palatable to those who are cavalier in dealing with the risks of COVID-19. As you know source control measures work. Also, it appears that businesses are making an effort to require masks to make their patrons feel safe to patronize their establishments. This ordinance will make masks a required accessory for all, because everyone will go to the grocery, drug store, liquor store and large brick and mortar retail businesses. I have summarized to highlights of the substitute ordinance below. I think the Ordinance thoroughly covers the subject, but let me know if you have any questions.

**ORDINANCE SUMMARY**

One key transmission method for the COVID-19 virus is respiratory droplets that people expel when they breathe or sneeze. With the virus that causes COVID-19, people can be infected and not have any symptoms, meaning they are asymptomatic, but they can still be contagious. People can also be infected and contagious 48 hours before developing symptoms, the time when they are pre-symptomatic.

Many people with the COVID-19 virus have mild symptoms and do not recognize they are infected and contagious, and they can unintentionally infect others. Therefore, the CDC now believes that wearing a face covering, when combined with physical distancing of at least 6 feet and frequent hand washing, may reduce the risk of transmitting coronavirus when in public and engaged in essential activities by reducing the spread of respiratory droplets.

And because it is not always possible to maintain at least 6 feet of distance, members of the public and workers should wear face coverings while engaged in most essential activities and other activities when others are nearby.

This Ordinance requires that people wear Face Coverings, which may be simple do-it-yourself coverings, in three main settings.

First, members of the public must wear Face Coverings while inside of or waiting in line to enter Essential Businesses, Brick and Mortar Retail Businesses and other businesses or facilities engaged in providing Essential Infrastructure, and providing Essential Government Functions (except Healthcare Operations, which are subject to different requirements), when seeking healthcare from Healthcare Operations, and when waiting for or riding on public transportation and other types of shared transportation.

Second, this Ordinance also requires employees, contractors, owners, and volunteers of all Essential Businesses or those operating public transportation and other types of shared transportation to wear a Face Covering when at work.

Third, this Ordinance also requires workers engaged in Essential Infrastructure work and Essential Government Functions to wear a Face Covering in areas where the public is present or likely to be and at any time when others are nearby.

This Ordinance includes certain exceptions. For instance, this Ordinance does not require that any child aged twelve years or younger wear a Face Covering and recommends that any child aged two years or younger should not wear one because of the risk of suffocation. It does not apply to persons medically unable to wear masks. It does not apply to persons eating or drinking at a restaurant or bar.

This Ordinance also does not apply to people who are in their own cars alone or with members of their own household.

It also does not require people wear Face Coverings while engaged in outdoor recreation such as walking, hiking, bicycling, or running, though it does recommend that they have a Face Covering with them but encourages them to practice social distancing and other measures to protect against transmission of the virus.

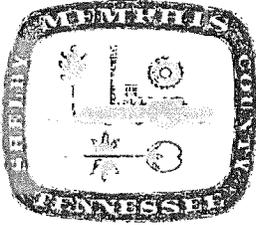
Finally, the Ordinance places administration with the Mayor and clarifies his authority under the City's Charter and Ordinances. There may be administrative items to resolved before the Ordinance can be fully implemented, but passage will allow the process to begin and will put in place a system for protecting the public, if and when, there is a second surge.

- 3 -

June 9, 2020

Very truly yours,

*/s/ Allan J. Wade*



# City Council Item Routing Sheet

Division: Housing & Community Development Committee: Econ Dev & Tourism Hearing Date: 11/7/2017

- Ordinance                       Resolution                       Grant Acceptance  
 Budget Amendment               Commendation                   Other:

**Item Description:**  
 Resolution to allocate and appropriated \$4,150,000.00 in available Tourism Development Zone surplus revenues for infrastructure improvement projects in the Pinch District.

**Recommended Council Action:**

**Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:**  
 No previous actions have been taken by any other entity.

Does this item require city expenditure?	Source and Amount of Funds
\$ 4,150,000.00 Amount	\$ Operating Budget
\$ - Revenue to be received	\$4,150,000.00 CIP Project # <u>CD18105 &amp; CD180108</u>
	\$ - Federal/State/Other

## Approvals

Director Paul A. Young Date 6/10/20 Chief Operating Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Division Chief \_\_\_\_\_ Date \_\_\_\_\_  
 Budget Manager \_\_\_\_\_ Date \_\_\_\_\_ Council Committee Chair \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 City Attorney \_\_\_\_\_ Date \_\_\_\_\_

ALLOCATION  
 APPROPRIATION

CITY OF MEMPHIS  
 CAPITAL IMPROVEMENT BUDGET  
 REQUEST FOR COUNCIL TRANSFER

DIVISION: Housing & Community Development  
 PROJECT: From: Downtown TDZ CIP GO Bonds  
 To: CD18105-Pinch Sewer  
CD18108-Pinch MLGW  
 INITIATED BY: LaTonya T. Alexander

DATE: 06/10/20

TITLE: Accounting Budget Manager HCD

Finance Office Only		
Fund	Fiscal Month	Trans. No.
0400	12	

REVENUE

FROM	Award (Approp. Only)	Resource	CIP Project	AMOUNT	
				FROM	TO
	11196	TDZ CIP GO Bonds		\$ 4,150,000.00	
TO	11196	Pinch Sewer	CD18105		\$ 2,650,000.00
	11196	Pinch MLGW	CD18108		1,500,000.00

EXPENDITURES

FROM	Award (Approp. Only)	EXPENDITURES	CIP Project	AMOUNT	
				FROM	TO
	11196	TDZ CIP GO Bonds		\$ 4,150,000.00	
TO	11196	Contract Construction	CD18105		\$ 2,650,000.00
	11196	Contract Construction	CD18108		1,500,000.00

Justification: To allocate and appropriate available TDZ surplus revenues for Pinch District infrastructure improvement projects.

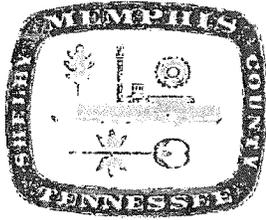
*LaTonya T. Alexander*  
 6.10.2020

Approved: *Paul D. Young* 6/10/20  
 Division Director

FOR TRANSFER: \_\_\_\_\_  
 Budget Manager/Comptroller/Deputy Comptroller DATE

APPROVED: \_\_\_\_\_  
 Chief Financial Officer DATE

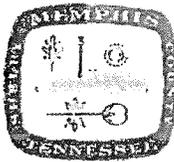
Finance Only  
 EFFECTIVE DATE  
 / /



## Memphis City Council Summary Sheet

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

1. Item is a resolution to allocate and appropriate \$4,150,000.00 in available Tourism Development Zone surplus revenues for infrastructure improvement projects in the Pinch District.
2. The initiating party is the Division of Housing & Community Development.
3. Not a change to an existing ordinance or resolution.
4. New contracts will be required.
5. An expenditure of funds will be required.



*Resolution to allocate and appropriate \$4,150,000 in available Tourism Development Zone surplus revenues for various infrastructure improvement projects in the Pinch District.*

**WHEREAS**, the Memphis City Council in 1999 authorized and the Tennessee State Building Commission (the SBC) in 2001 approved the establishment of a Tourism Development Zone in Downtown Memphis (Downtown TDZ) pursuant to TCA §7-88-103 of the Convention Center and Tourism Development Financing Act of 1998, as amended (the TDZ Statute), and the SBC approved amendments to the Downtown TDZ in 2011 and 2018; and

**WHEREAS**, the Memphis City Council has previously approved resolutions requesting Center City Revenue Finance Corporation (CCRFC) issue and sell Bonds in an aggregate principal amount necessary to fund prior TDZ project costs (the TDZ Bonds); and

**WHEREAS**, pursuant to TCA §7-88-106, state and local sales and use taxes shall be apportioned and distributed to the City of Memphis from the State in an amount equal to the incremental increase in state and local sales and use tax revenue derived from the sale of goods, products and services within the Downtown TDZ in excess of base tax revenues (the TDZ Revenue); and

**WHEREAS**, pursuant to Section 406(c) of the Trust Indenture relative to the TDZ Bonds, any TDZ Revenue not required for debt service, debt service reserve replenishment, bond redemption or bond defeasance as of June 30<sup>th</sup> of any Fiscal Year shall be deemed as surplus (the Annual TDZ Surplus and cumulatively over time the TDZ Surplus); and

**WHEREAS**, the Pinch District is one of five components designated as Qualified Public Use Facilities (QPUFs) within the Downtown TDZ and is therefore eligible for TDZ expenditures, along with certain associated and ancillary development as set forth in TCA §7-88-103, which includes improvements to supportive infrastructure such as sanitary sewers and electrical; and

**WHEREAS**, such application of the TDZ Surplus by the Bond Trustee for such costs, heretofore mentioned, shall be carried out in accordance with the submission of a Written Request from the City to pay such Costs of the Project and a Certification to the Trustee certifying the projected TDZ Revenues to which the City is entitled to collect are sufficient to pay debt service and all other legally authorized obligations; and

**WHEREAS**, the City certifies that all debt service is paid current, all reserve accounts are fully funded, TDZ Revenues which the City is entitled to collect are projected to be sufficient to pay debt service with an acceptable Debt Service Coverage Ratio (DSCR); and

**WHEREAS**, the City further certifies that the TDZ Surplus is sufficient to cover all existing contractual encumbrances against it, maintain a reserve fund of \$5 Million, and leave in excess of \$8,000,000 available for additional TDZ projects (the Available TDZ Surplus);

**WHEREAS**, the Tennessee Department of Economic and Community Development has awarded St. Jude Children's Research Hospital & ALSAC, in partnership with City of Memphis, a Fast Track grant awarding

up to \$36 Million for certain infrastructure improvements to St. Jude's campus and the Pinch District, with the requirement that the City provide a minimum of \$12 Million in matched funds (the Local Match Requirement); and

**WHEREAS**, \$3.1 Million of TDZ Surplus has already been appropriated and allocated for direct costs for the planning, architecture and engineering, project management, and construction of infrastructure improvements within the Pinch District (the TDZ Project Costs), and the City anticipates using up to \$5 Million of future bond proceeds for such costs; and

**WHEREAS**, it is necessary to use **\$4,150,000 of the Available TDZ Surplus** for the TDZ Project Costs to fulfill the Local Match Requirement; and

**WHEREAS**, in accordance with the terms and conditions of the Trust Indenture, and as eligible under the TDZ Statute, it has been determined that sufficient TDZ Surplus exists to pay **\$4,150,000** for the TDZ Project Costs; and

**WHEREAS**, it is now the intent of the City to make a Written Request and Certification to the Bond Trustee to pay the aforementioned TDZ Project Costs; and

**WHEREAS**, upon receipt of said funds, it is necessary to appropriate the TDZ Surplus funds for the TDZ Project Costs in the amount of **\$4,150,000**, to amend the FY2021 Budget by approving a budget amendment and to allocate said funds as provided below; and

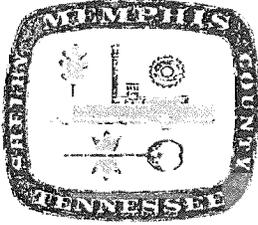
**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Memphis as follows:

1. Until such time as the final payment of principal and interest is made relative to the TDZ Bonds and pursuant to the terms of Section 406(c) of the Trust Indenture, as of June 30<sup>th</sup> of each Fiscal Year, any surplus TDZ Revenue not required for debt service, debt service reserve replenishment, bond redemption or bond defeasance (Annual TDZ Surplus) shall be applied to or paid for eligible 1) TDZ Project Costs or 2) Reimbursement to the City for TDZ Project Costs, not previously reimbursed.
2. Until such time as the final payment of principal and interest is made relative to the TDZ Bonds, the Administration of the City of Memphis is hereby authorized and shall make application and certification to the Bond Trustee for payment of eligible TDZ Project Costs and Reimbursement to the City for TDZ Project Costs, not previously reimbursed, from the Annual TDZ Surplus.
3. All Annual TDZ Surplus funds received from the Bond Trustee are hereby dedicated to and restricted for appropriation and allocation to the TDZ Project Costs, and all budget/s are subject to and shall be amended to reflect the same.
4. The City of Memphis has determined and hereby certifies that as of June 30, 2020, sufficient TDZ Surplus in the amount of **\$4,150,000** is available to pay the eligible direct project costs associated with the planning and due diligence, architecture and engineering, and project management and

construction related to the Pinch District component and associated and ancillary development (the TDZ Project Costs);

5. The authorized officials of the City of Memphis shall prepare the appropriate documents pursuant to Section 406(c) of the Trust Indenture and deliver said documents to the Bond Trustee ordering the payment of said TDZ Project Costs.
6. The FY2021 Budget is hereby amended to reflect the appropriation of the TDZ Surplus for the aforementioned TDZ Project Costs in the amount of **\$4,150,000** and also to reflect the allocation of said funds as provided below.

CD18105	Pinch Sewer	\$ 2,650,000.00
CD18108	Pinch MLGW	\$ 1,500,000.00



# City Council Item Routing Sheet

Division: Housing & Community Development Committee: Econ Dev & Tourism Hearing Date: 6/16/2020

- Ordinance                       Resolution                       Grant Acceptance  
 Budget Amendment               Commendation                   Other:

**Item Description:**  
 Resolution to allocate and appropriated \$5,000,000.00 for Pinch District infrastructure improvements. (From the new GO Bonds: \$3.5 million is going to the underground conversion by Pinch MLGW and \$1.5 million to the Pinch Sewer projects).

**Recommended Council Action:**

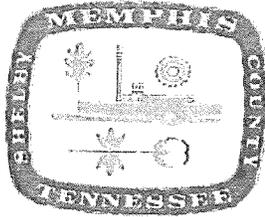
Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:  
 No previous actions have been taken by any other entity.

Does this item require city expenditure?	Source and Amount of Funds
\$ 5,000,000.00 Amount	\$ Operating Budget
\$ - Revenue to be received	\$5,000,000.00 CIP Project # <u>CD18105 &amp; CD18108</u>
	\$ - Federal/State/Other

## Approvals

Director *Paul A. Young* Date 6/10/20 Chief Operating Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Division Chief \_\_\_\_\_ Date \_\_\_\_\_  
 Budget Manager \_\_\_\_\_ Date \_\_\_\_\_ Council Committee Chair \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 City Attorney \_\_\_\_\_ Date \_\_\_\_\_

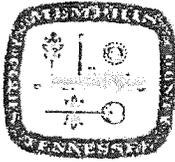




## Memphis City Council Summary Sheet

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

1. Item is a resolution to allocate and appropriate \$5,000,000.00 for Pinch District infrastructure improvements.
2. The initiating party is the Division of Housing & Community Development.
3. Not a change to an existing ordinance or resolution.
4. New contracts will be required.
5. An expenditure of funds will be required.



*Resolution to allocate and appropriate \$5,000,000 for Pinch District infrastructure Improvements.*

**WHEREAS**, on June 16, 2020, an authorizing resolution for the issuance of \$31,000,000 of G.O Bonds (the "Bonds") was presented to Council for funding eligible projects and improvements within the Tourism Development Zone (TDZ) in downtown Memphis (the "Downtown TDZ"); and

**WHEREAS**, the Pinch District was approved as a Qualified Public Use Facility (QPUF) as part of the amendment to the Downtown TDZ approved by the Tennessee State Building Commission in 2011, the Downtown TDZ having been established in 2000 pursuant to TCA §7-88-101 et seq. of the Convention Center and Tourism Development Financing Act of 1998, as amended; and

**WHEREAS**, under TCA §7-88-103, improvements to the Pinch District's infrastructure are eligible expenditures as "qualified associated development" provided that said improvements are located no farther than one and a half miles outside the established outer boundaries of the Pinch District; and

**WHEREAS**, the Tennessee Department of Economic and Community Development has awarded St. Jude Children's Research Hospital & ALSAC, in partnership with City of Memphis, a Fast Track grant awarding up to \$36 Million for certain infrastructure improvements to St. Jude's campus and the Pinch District, with the requirement that the City provide a minimum of \$12 Million in matched funds (the Local Match Requirement); and

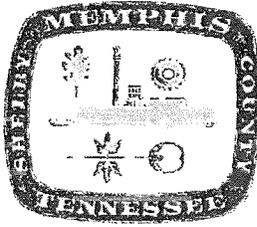
**WHEREAS**, \$3.1 Million of surplus TDZ revenues (TDZ Surplus) has already been appropriated and allocated for direct costs for the planning, architecture and engineering, project management, and construction of infrastructure improvements within the Pinch District, including moving a sewer line currently under the St. Jude campus into the public right of way and burying the overhead electrical lines along Second and Third Streets within the Pinch District to facilitate vertical development of these smaller lots (the TDZ Project Costs), and the City is seeking the allocation and appropriation of an additional \$4.15 M of TDZ Surplus for such costs; and

**WHEREAS**, it is necessary to allocate and appropriate an additional \$5,000,000 for Pinch District infrastructure improvements to fulfill the Local Match Requirement; and

**WHEREAS**, the administration wishes to allocate and appropriate **\$5,000,000** in G.O. Bond proceeds to satisfy the Local Match Requirement; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Memphis, that **\$5,000,000** in G.O. Bond proceeds be allocated and appropriated for Pinch District infrastructure improvements as follows:

CD18105	Pinch Sewer	\$ 1,500,000
CD18108	Pinch MLGW	\$ 3,500,000



## City Council Item Routing Sheet

Division: Housing & Community Development    Committee: Econ Dev & Tourism    Hearing Date: 6/16/2020

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Ordinance        | <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Grant Acceptance |
| <input type="checkbox"/> Budget Amendment | <input type="checkbox"/> Commendation          | <input type="checkbox"/> Other:           |

**Item Description:**  
 Resolution to allocate and appropriate \$25,000,000.00 for the remodel of the Renasant Convention Center and \$5,000,000.00 for adjacent streetscape improvements, project GS17102. (The \$25 million is from the new GO Bonds and \$5 million is from accumulated interest).

**Recommended Council Action:**

**Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:**  
 No previous actions have been taken by any other entity.

Does this item require city expenditure?	Source and Amount of Funds
\$ 30,000,000.00 <b>Amount</b>	\$ <b>Operating Budget</b>
\$ - <b>Revenue to be received</b>	\$30,000,000.00 <b>CIP Project #</b> <u>GS17102</u>
	\$ - <b>Federal/State/Other</b>

**Approvals**

Director <u>Paul A. Young</u> Date <u>6/10/20</u> Division _____ Chief _____    Date _____ Budget Manager _____    Date _____ Chief Financial Officer _____    Date _____ City Attorney _____    Date _____	<b>Chief Operating Officer</b> _____    Date _____  <b>Council Committee Chair</b> _____    Date _____
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ALLOCATION  
 APPROPRIATION

**CITY OF MEMPHIS  
 CAPITAL IMPROVEMENT BUDGET  
 REQUEST FOR COUNCIL TRANSFER**

DIVISION: Housing & Community Development DATE: 06/10/20  
 PROJECT: From- Downtown TDZ CIP GO Bonds  
 To- GS17102-Renasant Convention Center  
 INITIATED BY: LaTonya T. Alexander TITLE: Accounting Budget Manager HCD

Finance Office Only		
Fund	Fiscal Month	Trans. No.
0400	12	

**REVENUE**

Award (Approp. Only)	Resource	CIP Project	AMOUNT	
			FROM	TO
FROM	11196 TDZ CIP GO Bonds	GS17102	\$ 30,000,000.00	
TO	11196 Renasant Convention Center	GS17102		\$ 25,000,000.00
	11196 Streetscape Improvements	GS17102		5,000,000.00

**EXPENDITURES**

Award (Approp. Only)	EXPENDITURES	CIP Project	AMOUNT	
			FROM	TO
FROM	11196 TDZ CIP GO Bonds	GS17102	\$ 30,000,000.00	
TO	11196 Contract Construction	GS17102		\$ 30,000,000.00

To allocate and appropriate TDZ CIP Bonds for the remodel of the Renasant Convention Center and adjacent streetscape improvements.

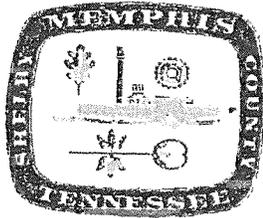
*(Signature)* 6.10.2020

Approved: *(Signature)* 6/10/20  
 Division Director

FOR TRANSFER: \_\_\_\_\_  
 Budget Manager/Comptroller/Deputy Comptroller DATE

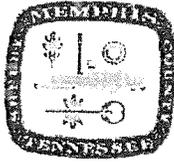
APPROVED: \_\_\_\_\_  
 Chief Financial Officer DATE

Finance Only  
 EFFECTIVE DATE  
 / /



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

1. Item is a resolution to allocate and appropriate \$25,000,000.00 for the remodel of the Renasant Convention Center and \$5,000,000.00 for adjacent streetscape improvements, project GS17102.
2. The initiating party is the Division of Housing & Community Development.
3. Not a change to an existing ordinance or resolution.
4. New contracts will be required.
5. An expenditure of funds will be required.



*Resolution to allocate and appropriate \$25,000,000 for the remodel of the Renasant Convention Center and \$5,000,000 for adjacent streetscape improvements, project GS17102.*

**WHEREAS**, on March 6, 2018, the Memphis City Council did approve an allocation and appropriation of \$175,000,000 for renovations to the Memphis Cook Convention Center, now renamed the Renasant Convention Center, project number GS17102 (the "Project"); and

**WHEREAS**, the administration determined during the bidding process in November 2018 that the inclusion of certain desired additive alternates would necessitate a construction budget of \$200,000,000; and

**WHEREAS**, on June 16, 2020, an authorizing resolution for the issuance of \$31,000,000 of G.O Bonds (the "Bonds") was presented to Council for funding eligible projects and improvements within the Tourism Development Zone (TDZ) in downtown Memphis (the "Downtown TDZ"); and

**WHEREAS**, the Renasant Convention Center was approved as a Qualified Public Use Facility (QPUF) during the establishment of the Downtown TDZ by the Tennessee State Building Commission in 2001 pursuant to TCA 57-88-101 et seq. of the Convention Center and Tourism Development Financing Act of 1998, as amended, and is therefore eligible for expenditures from TDZ bonds and TDZ surplus revenues; and

**WHEREAS**, the administration wants to allocate and appropriate **\$25,000,000** from the proceeds of the Bonds for the completion of the renovations at Renasant Convention Center; and

**WHEREAS**, on March 6, 2018, the Memphis City Council did also authorize the issuance of \$175,000,000 of G. O. Bonds for the Project, the proceeds of which have since generated in excess of \$5,000,000 in interest (the "Interest"); and

**WHEREAS**, the administration wants to allocate and appropriate the **\$5,000,000** in Interest for streetscape improvements around the Renasant Convention Center, particularly on Main Street; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Memphis, that **\$25,000,000** in G.O. Bond proceeds be allocated and appropriated for the completion of renovations at the Renasant Convention Center, **project number GS17102**; and

**BE IT FUTHER RESOLVED**, that **\$5,000,000** in accumulated interest generated from the \$175,000,000 in G.O. Bonds originally issued in support of the Project be allocated and appropriated for streetscape improvements to those streets adjacent to the Convention Center, **project number GS17102**.

## RESOLUTION

RESOLUTIONS OF THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED THIRTY-ONE MILLION DOLLARS (\$31,000,000) AGGREGATE PRINCIPAL AMOUNT OF CITY OF MEMPHIS, TENNESSEE, GENERAL IMPROVEMENT BONDS, SERIES 2020A, FOR THE PURPOSE OF FINANCING THE COST OF PUBLIC WORKS PROJECTS; MAKING PROVISIONS FOR THE RAISING ANNUALLY BY THE CITY OF A SUM SUFFICIENT TO PAY, AS THE SAME SHALL BECOME DUE, THE PRINCIPAL OF AND PREMIUM, IF ANY, AND INTEREST ON SUCH BONDS; PRESCRIBING THE FORM AND CERTAIN DETAILS OF SUCH BONDS AND DELEGATING TO THE CHIEF FINANCIAL OFFICER OF THE CITY THE AUTHORITY TO DETERMINE ADDITIONAL DETAILS; APPOINTING THE PAYING AGENT AND REGISTRAR FOR SUCH BONDS; AUTHORIZING AND PROVIDING FOR THE COMPETITIVE SALE OF SUCH BONDS AND APPROVING THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT RELATING TO SUCH BONDS AND APPROVING THE FORM THEREOF; AUTHORIZING AND APPROVING AN OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; AND AUTHORIZING CERTAIN OTHER MATTERS WITH RESPECT TO THE ISSUANCE OF SAID BONDS.

BE IT RESOLVED by the Council of the City of Memphis, Tennessee, as follows:

### SECTION 1. Findings and Determinations.

(a) The Council of the City of Memphis, Tennessee (the "Council"), on June 16, 2020, adopted an initial resolution (the "Initial Resolution") authorizing the issuance of general obligation bonds of the City of Memphis, Tennessee (the "City"), in the maximum principal amount of not to exceed thirty-one million dollars (\$31,000,000), for the purpose of financing various public works projects of the City, as further described herein.

(b) The City deems it to be in its best interests to provide at this time, by adoption of this resolution, for the issuance of general obligation bonds of the City to finance various public works projects of the City, to be issued pursuant to the Initial Resolution and this

resolution in an aggregate principal amount not in excess of the authorized amount under the Initial Resolution.

SECTION 2. Approval and Authorization of 2020A Bonds. There is hereby authorized to be issued, sold and delivered under the Initial Resolution and this resolution, one or more series of general obligation bonds of the City in the maximum aggregate principal amount of not to exceed thirty-one million dollars (\$31,000,000) to be designated "General Improvement Bonds, Series 2020A" (the "2020A Bonds") for the purpose of (a) financing the cost of public works projects of the City and (b) providing for the payment of costs of issuance of the 2020A Bonds.

SECTION 3. Certain Details of 2020A Bonds. The 2020A Bonds, or such portion thereof as shall be determined by the Chief Financial Officer of the City (the "Chief Financial Officer"), shall be sold at one time or from time to time on a date or dates to be selected by the Chief Financial Officer. The 2020A Bonds of each series shall be numbered from R-1 upwards in order of issuance. The 2020A Bonds shall be dated as of a date to be determined by the Chief Financial Officer, shall be issued in the denomination of \$5,000 each or any integral multiple thereof, and shall bear interest payable initially and semiannually thereafter in each year on the dates and at the rates per annum, not to exceed 6% per annum, to be determined by the Chief Financial Officer. The 2020A Bonds shall mature in serial or term forms not later than the end of the fiscal year of the City following the fiscal year of the City in which the 2020A Bonds are issued, on the maturity dates and in the amounts to be determined by the Chief Financial Officer.

The 2020A Bonds shall be issued only in fully registered form without coupons. One 2020A Bond representing each maturity will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), as registered owner of the 2020A Bonds and each such 2020A Bond shall be immobilized in the custody of DTC. DTC will act as securities depository for the 2020A Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the 2020A Bonds purchased except as provided by Section 4 hereof.

Unless the City and the paying agent and registrar named below agree otherwise, so long as DTC or its nominee is the registered owner of the 2020A Bonds as such securities depository, payments of principal, premium, if any, and interest payments on the 2020A Bonds will be made by the City through the Paying Agent and Registrar named below, by wire transfer to DTC or its nominee, Cede & Co., as registered owner of the 2020A Bonds, which will in turn remit such payments to the DTC participants for subsequent disbursement to the beneficial owners of the 2020A Bonds. Transfer of principal, premium, if any, and interest payments to DTC participants will be the responsibility of DTC. Transfers of such payments to beneficial owners of the 2020A Bonds by DTC participants will be the responsibility of such participants and other nominees of such beneficial owners. Transfers of ownership interests in the 2020A Bonds

will be accomplished by book entries made by DTC and, in turn, by the DTC participants who act on behalf of the indirect participants of DTC and the beneficial owners of the 2020A Bonds.

The City will not be responsible or liable for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants or for transmitting payments to, communicating with, notifying, or otherwise dealing with any beneficial owner of the 2020A Bonds.

Regions Bank is hereby appointed as Paying Agent and Registrar for the 2020A Bonds (the "Paying Agent and Registrar").

SECTION 4. Procedure in the Event of Revision of Book-Entry Transfer System Replacement Bonds. The City shall issue 2020A Bond certificates (the "Replacement Bonds") directly to the beneficial owners of the 2020A Bonds other than DTC, or its nominee, but only in the event that:

(a) DTC determines to discontinue providing its services with respect to the 2020A Bonds at any time by giving notice to the City and discharging its responsibilities; or

(b) the City discontinues use of DTC (or substitute depository or its successor) at any time upon determination by the City that the use of DTC (or substitute depository or its successor) is no longer in the best interests of the City and the beneficial owners of the 2020A Bonds, subject to applicable procedures of DTC.

The City and the Paying Agent and Registrar may rely upon information provided by DTC, DTC participants or other nominees of beneficial owners, or beneficial owners with respect to the names, addresses and amounts owned by the beneficial owners and other information supplied by them for the purpose of delivering Replacement Bonds.

Upon occurrence of the events described in either (a) or (b) above, the City shall attempt to locate another qualified securities depository. If the City fails to locate another qualified securities depository to replace DTC, the City shall execute and deliver Replacement Bonds in substantially the form set forth in Section 11 hereof. Such Replacement Bonds shall bear thereon a certificate of authentication in the form set forth in Section 11 hereof executed manually by an authorized officer of the Paying Agent and Registrar as registration agent for the City. Only such 2020A Bonds as shall bear thereon such certificate of authentication shall be entitled to any right or benefit under this resolution and no 2020A Bond shall be valid or obligatory for any purpose until such certificate of authentication shall have been duly executed by an authorized officer of the Paying Agent and Registrar. Any such certificate of the Paying Agent and Registrar upon any 2020A Bond executed on behalf of the City shall be conclusive evidence that the 2020A Bond so authenticated has been duly authenticated and delivered under this resolution and that the registered owner of such 2020A Bond is entitled to the benefits and security of this resolution.

Prior to the execution and delivery of Replacement Bonds, the City shall notify the beneficial owners of the 2020A Bonds by mailing an appropriate notice to DTC. Principal of and interest on the Replacement Bonds shall be payable by check or draft mailed to each registered owner of such Replacement Bonds at the address of such owner as it appears in the books of registry maintained by the Paying Agent and Registrar. Replacement Bonds will be transferable only by presentation and surrender to the Paying Agent and Registrar, together with an assignment duly executed by the registered owner of the Replacement Bond or by such owner's representative in form satisfactory to the Paying Agent and Registrar and containing information required by the Paying Agent and Registrar in order to effect such transfer.

The City may charge a fee or fees sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to an exchange or transfer of a 2020A Bond and may charge the person requesting such exchange or transfer such fee or fees which shall be paid as a condition precedent to the exercise of the privilege of making such exchange or transfer.

SECTION 5. Redemption. Any or all of the 2020A Bonds (or portions thereof in installments of \$5,000) may be subject to redemption at the option of the City and, in the case of term 2020A Bonds, be subject to mandatory sinking fund redemption, prior to their stated maturities, in whole at any time or in part from time to time; provided, however, that subject to the next proviso, the initial optional redemption date for 2020A Bonds shall be no later than eleven (11) years after the date of delivery thereof and payment therefor; provided further, however, that any 2020A Bonds also may be made not redeemable prior to maturity. The redemption provisions, if any, shall be finally determined by the Chief Financial Officer.

If any 2020A Bond (or any portion of the principal amount thereof in installments of \$5,000) shall be called for redemption, notice of the redemption thereof, specifying the date, number and maturity of such 2020A Bond, the date and place or places fixed for its redemption, the premium, if any, payable upon such redemption, and if less than the entire principal amount of such 2020A Bond is to be redeemed, that such 2020A Bond must be surrendered in exchange for the principal amount thereof to be redeemed and a new 2020A Bond or 2020A Bonds issued equaling in principal amount that portion of the principal amount thereof not to be redeemed, shall be mailed not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption by first class mail, postage prepaid, to the registered owner of such 2020A Bond at such owner's address as it appears on the books of registry kept by the Paying Agent and Registrar as of the close of business on the forty-fifth (45th) day preceding the date fixed for redemption; provided, however, that any notice of redemption may state that it is conditioned upon the receipt by the Paying Agent and Registrar of sufficient moneys to pay the redemption price, plus interest accrued and unpaid to the redemption date, or upon satisfaction of any other condition, or that it may be rescinded upon the occurrence of any other event, and any conditional notice so given may be rescinded at any time before payment of such redemption price and accrued interest if any such condition so specified is not satisfied or if any other such event occurs. Notice of such rescission shall be given by the Paying Agent and Registrar to affected registered owners of 2020A Bonds as

promptly as practicable upon the failure of such condition or the occurrence of such other event and shall be given in the same manner as the notice of redemption was given.

If notice of the redemption of any 2020A Bond shall have been given as aforesaid, and payment of the principal amount of such 2020A Bond (or the portion of the principal amount thereof to be redeemed) and of the accrued interest and premium, if any, payable upon such redemption shall have been duly made or provided for, interest on such 2020A Bond shall cease to accrue from and after the date so specified for redemption thereof. The failure of any registered owner to receive any such mailed notice shall not affect the sufficiency or validity of the proceedings for the redemption of the related 2020A Bonds.

Notwithstanding the foregoing, so long as the 2020A Bonds are registered in the name of DTC or its nominee for purchase in book-entry only form, (i) any notice of redemption or of rescission of conditional notice of redemption will be given only to DTC or its nominee, (ii) notice of redemption given to DTC or its nominee may be given at such time and in such manner as is required by the operational procedures of DTC or its nominee, (iii) the selection of beneficial ownership interests in the 2020A Bonds to be redeemed within a maturity may be determined in accordance with such procedures, and (iv) the City shall not be responsible for providing any beneficial owner of the 2020A Bonds with any such notice.

2020A Bonds may be made subject to purchase in lieu of redemption as determined by the Chief Financial Officer.

SECTION 6. Security. The full faith and credit and unlimited taxing power of the City are hereby pledged to the punctual payment of the principal of and interest on the 2020A Bonds. In accordance with the provisions of T.C.A. Section 9-21-215, it is hereby recited that adequate provision will be made for raising annually by tax upon all property subject to taxation by the City of a sum sufficient to pay the interest on and principal of the 2020A Bonds as the same shall become due. The City hereby agrees that a tax sufficient to pay when due such principal and such interest shall be levied annually and assessed, collected and paid in like manner with the other taxes of the City and shall be in addition to all other taxes authorized or limited by law. This resolution shall be deemed to be the tax resolution required to be adopted in respect of the 2020A Bonds under T.C.A. Section 9-21-215.

It is the duty of the Council to include in the annual levy a tax sufficient to pay the principal of and interest on the 2020A Bonds as the same become due. If any part of the principal of or interest on any of the 2020A Bonds is not paid when due, there shall be levied and assessed by the Council and collected by the proper collecting officers at the first assessment, levy and collection of taxes in the City after such omission or failure, a tax sufficient to pay the same.

SECTION 7. Execution and Authentication of 2020A Bonds. The 2020A Bonds shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor of the City and of the Comptroller of the City and shall have impressed or imprinted thereon or affixed thereto, by facsimile or otherwise, the official seal of the City. In case any

officer of the City whose signature or whose facsimile signature shall appear on the 2020A Bonds shall cease to be such officer before the delivery of such 2020A Bonds, such signature or the facsimile signature thereof shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The 2020A Bonds shall bear thereon a certificate of authentication in the form set forth in Section 11 hereof executed manually by an authorized officer of the Paying Agent and Registrar. No 2020A Bond shall be valid or obligatory for any purpose until such certificate of authentication shall have been duly executed by an authorized officer of the Paying Agent and Registrar.

SECTION 8. Payment of 2020A Bonds; Books of Registry; Exchanges and Transfers of Bonds.

(a) Payment of Bonds.

(i) At any time during which the 2020A Bonds shall be in fully registered form, the interest on the 2020A Bonds shall be payable by wire transfer or by check or draft mailed by the Paying Agent and Registrar to the registered owners of the 2020A Bonds at their addresses as the same appear on the books of registry as of a record date determined by the Chief Financial Officer, and the principal of and premium, if any, on the 2020A Bonds shall be payable at the principal office of the Paying Agent and Registrar or any other office of the Paying Agent and Registrar designated for such purpose; provided, however that at any time during which the 2020A Bonds shall be in book-entry form, the principal of and premium, if any, and interest on the 2020A Bonds shall be payable in accordance with the provisions of Section 3 hereof.

(ii) The principal of and premium, if any, and interest on the 2020A Bonds shall be payable in such coin or currency of the United States of America as at the respective dates of payment is legal tender for public and private debts.

(b) Books of Registry; Exchanges and Transfers of 2020A Bonds.

(i) At all times during which any 2020A Bond remains outstanding and unpaid, the Paying Agent and Registrar shall keep or cause to be kept, at its principal office or any other office of the Paying Agent and Registrar designated for such purpose, books of registry for the registration, exchange and transfer of the 2020A Bonds. Upon presentation at the principal office of the Paying Agent and Registrar or any other office of the Paying Agent and Registrar designated for such purpose, the Paying Agent and Registrar, under such reasonable regulations as it may prescribe, shall register, exchange, transfer, or cause to be registered, exchanged or transferred, on the books of registry the 2020A Bonds as herein set forth.

(ii) Any 2020A Bond may be exchanged for a like aggregate principal amount of such 2020A Bonds in authorized principal amounts of the same interest rate and

maturity.

(iii) Any 2020A Bond may, in accordance with its terms, be transferred upon the books of registry by the person in whose name it is registered, in person or by their duly authorized agent, upon surrender of such 2020A Bond to the Paying Agent and Registrar for cancellation, accompanied by a written instrument of transfer duly executed by the registered owner in person or their duly authorized agent, in form satisfactory to the Paying Agent and Registrar.

(iv) All transfers or exchanges pursuant to this Section 8(b) shall be made without expense to the registered owner of such 2020A Bond, except as otherwise herein provided, and except that the Paying Agent and Registrar shall require the payment by the registered owner of the 2020A Bond requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange. All 2020A Bonds surrendered pursuant to this Section 8(b) shall be canceled.

SECTION 9. CUSIP Identification Numbers. CUSIP identification numbers may be printed on the 2020A Bonds, but neither the failure to print any such number on any 2020A Bond, nor any error or omission with respect thereto, shall constitute cause for failure or refusal by the purchaser of the 2020A Bonds to accept delivery of and pay for the 2020A Bonds in accordance with the terms of its proposal to purchase the 2020A Bonds. No such number shall constitute or be deemed to be a part of any 2020A Bond or a part of the contract evidenced thereby, and no liability shall attach to the City or any of its officers or agents because of or on account of any such number or any use made thereof.

SECTION 10. Tax Covenant. The City covenants and agrees to comply with the provisions of Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended, and the applicable Treasury Regulations promulgated thereunder or otherwise applicable thereto, in each case whether prospective or retroactive, that must be satisfied in order that interest on the 2020A Bonds shall be and continue to be excluded from gross income for federal income tax purposes under said Sections 103 and 141 through 150.

SECTION 11. Form of 2020A Bonds. The 2020A Bonds shall be in substantially the form set forth below with such necessary or appropriate variations, omissions and insertions as are incidental to their series, numbers, interest rates and maturities or as are otherwise permitted or required by law or this resolution:

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED REPRESENTATIVE OF DTC TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER, EXCHANGE OR PAYMENT, AND ANY BOND ISSUED IS REGISTERED IN THE NAME OF CEDE & CO. OR SUCH OTHER NAME AS REQUIRED BY AN AUTHORIZED REPRESENTATIVE OF DTC AND ANY PAYMENT IS MADE TO CEDE & CO., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSONS IS WRONGFUL SINCE THE REGISTERED OWNER HEREOF, CEDE & CO., HAS AN INTEREST HEREIN.

REGISTERED

REGISTERED

No. R-\_\_

\$ \_\_\_\_\_

UNITED STATES OF AMERICA  
 STATE OF TENNESSEE  
 CITY OF MEMPHIS  
 GENERAL IMPROVEMENT BOND  
 SERIES 2020A

INTEREST RATE	DATED DATE	MATURITY DATE	CUSIP NO.
	_____, 2020	_____, 20__	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The City of Memphis, Tennessee (hereinafter referred to as the "City"), for value received, hereby promises to pay the Registered Owner (named above), or registered assigns, on the Maturity Date (specified above), [unless this Bond is subject to redemption prior to maturity and shall have been called for previous redemption and payment of the redemption price shall have been duly made or provided for], the Principal Amount (specified above), and to pay interest on such Principal Amount-semiannually on each \_\_\_\_\_ and \_\_\_\_\_ thereafter until the payment of such Principal Amount at the Interest Rate (specified above) per annum, calculated on the basis of a [30-day month and a 360-day] year, by wire transfer or by check or draft mailed by the Paying Agent and Registrar hereinafter mentioned to the Registered Owner in whose name this Bond is registered on the books of registry kept and maintained by the Paying Agent and Registrar as of the close of business on the fifteenth (15th) day of the calendar month preceding the month in which interest is payable to the address of the Registered Owner as it appears on such books of registry.

The principal of and premium, if any, on this Bond are payable upon presentation and surrender hereof at the principal office of Regions Bank (the "Paying Agent and Registrar") or such other office of the Paying Agent and Registrar as may be designated for such purpose. The principal of and premium, if any, and interest on this Bond are payable in such coin or currency of the United States of America as at the respective dates of payment is legal tender for public and private debts.

This Bond is one of a duly authorized series of 2020A Bonds (herein referred to as the "2020A Bonds") of the aggregate principal amount of \_\_\_\_\_ million dollars (\$ \_\_\_\_\_) of like date and tenor herewith, except for number, denomination, interest rate, maturity and redemption provisions, and is issued for the purpose of (a) financing the cost of various public works projects of the City and (b) providing for the payment of costs of issuance of the 2020A Bonds, under and pursuant to and in full compliance with the Constitution and statutes of the State of Tennessee, including Title 9, Chapter 21, being the Local Government Public Obligations Act of 1986, and a resolution duly adopted by the Council of the City under such Chapter 21 on June 16, 2020.

[The 2020A Bonds maturing on or before \_\_\_\_\_ shall not be subject to redemption prior to maturity. The 2020A Bonds maturing on and after \_\_\_\_\_ (or portions thereof in authorized denominations) are subject to optional redemption by the City on and after, \_\_\_\_\_, in whole or in part at any time in such order as determined by the City and by lot within a maturity (if less than a full maturity is to be redeemed),] [at a redemption price equal to the principal amount of the 2020A Bonds or portion thereof to be redeemed, together with the interest accrued on such principal amount to the date fixed for redemption.] [at the prices and dates set forth below, in each case together with the interest accrued on the principal amount of the 2020A Bonds or portion thereof to be redeemed:]

[insert other applicable redemption provisions, if any]

[If this 2020A Bond or any portion of the principal amount hereof shall be called for redemption, notice of the redemption hereof, specifying the date and number of this 2020A Bond, the date and place or places fixed for its redemption, the premium, if any, payable upon such redemption, and if less than the entire principal amount of this 2020A Bond is to be redeemed, that this 2020A Bond must be surrendered in exchange for the principal amount hereof to be redeemed and the issuance of a new 2020A Bond equaling in principal amount that portion of the principal amount hereof not redeemed, shall be mailed not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption by first class mail, postage prepaid, to the Registered Owner of this 2020A Bond at such owner's address as it appears on the books of registry kept by the Paying Agent and Registrar as of the close of business on the forty-fifth (45th) day preceding the date fixed for redemption; provided, however, that any notice of redemption may state that it is conditional upon the receipt by the Paying Agent and Registrar of sufficient moneys to pay the redemption price, plus interest accrued and unpaid to the redemption date, or upon satisfaction of any other condition, or that it may be rescinded upon the occurrence of any other event, and any conditional notice so given

may be rescinded at any time before payment of such redemption price and accrued interest if any such condition so specified is not satisfied or if any other such event occurs. Notice of such rescission shall be given by the Paying Agent and Registrar to affected registered owners of 2020A Bonds as promptly as practicable upon the failure of such condition or the occurrence of such other event and shall be given in the same manner as the notice of redemption was given. If notice of redemption shall have been given as aforesaid, and payment of the principal amount of this 2020A Bond (or portion of the principal amount hereof to be redeemed) and of the accrued interest and premium, if any, payable upon such redemption shall have been made or provided for, interest hereon shall cease to accrue from and after the date so specified for the redemption hereof. The failure of the Registered Owner to receive any such mailed notice shall not affect the sufficiency or validity of proceedings for the redemption of this 2020A Bond.]

Notwithstanding the foregoing, so long as the 2020A Bonds are registered in the name of a securities depository for purchase in book-entry only form, (i) any notice of redemption or of rescission of conditional notice of redemption will be given only to the securities depository or its nominee, (ii) notice of redemption given to the securities depository may be given at such time and in such manner as is required by the operational procedures of the securities depository or its nominee, (iii) the selection of beneficial ownership interests in the 2020A Bonds to be redeemed within a maturity may be determined in accordance with such procedures, and (iv) the City shall not be responsible for providing any beneficial owner of the 2020A Bonds with any such notice.

[Insert provisions for purchase in lieu of redemption, if any.]

Subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the 2020A Bonds, this 2020A Bond may be exchanged at the principal office of the Paying Agent and Registrar, or such other office of the Paying Agent and Registrar as may be designated for such purpose for a like aggregate principal amount of 2020A Bonds of other authorized principal amounts and of the issue of which this 2020A Bond is one. This 2020A Bond is transferable by the Registered Owner hereof, in person or by their attorney duly authorized in writing, at the office of the Paying Agent and Registrar but only in the manner, subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the 2020A Bonds of the issue of which this 2020A Bond is one, and upon the surrender hereof for cancellation. Upon such transfer, a new 2020A Bond or 2020A Bonds of authorized denominations and of the same aggregate principal amount of the series of which this 2020A Bond is one will be issued to the transferee in exchange herefor.

The full faith, credit and unlimited taxing power of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on this 2020A Bond as the same become due. In the resolution hereinabove referred to adopted on June 16, 2020, it is recited that adequate provision will be made for raising annually by tax upon all property subject to taxation by the City of a sum sufficient to pay the interest on and principal of this Bond as the same shall become due.

This Bond shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Paying Agent and Registrar.

It is hereby certified, recited and declared that all acts, conditions and things required to have happened, to exist and to have been performed precedent to and in the issuance of this 2020A Bond and the series of which it is one, do exist, have happened and have been performed in regular and due time, form and manner as required by law, and that this 2020A Bond and the 2020A Bonds of the series of which this 2020A Bond is one do not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the City, by its Council, has caused this 2020A Bond to be executed by the manual or facsimile signature of its Mayor; the seal of the City or a facsimile thereof to be impressed or imprinted hereon or affixed hereto, attested by the manual or facsimile signature of the Comptroller; and this Bond to be dated as of the Dated Date set forth above.

CITY OF MEMPHIS, TENNESSEE

[SEAL]

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Comptroller

**(FORM OF ASSIGNMENT)**

For value received, \_\_\_\_\_ hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY  
OR OTHER TAX IDENTIFYING NUMBER

OF ASSIGNEE:

\_\_\_\_\_

\_\_\_\_\_

the within-mentioned Bond and hereby irrevocably constitutes and appoints \_\_\_\_\_, attorney, to transfer the same on the books of registry of the City kept at the principal office of the Paying Agent and Registrar with full power of substitution in the premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Registered Owner

Signature Guaranteed: \_\_\_\_\_

NOTE: The signature to this assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration, enlargement or any change whatsoever.

**Certificate of Authentication**

This Bond is one of the Bonds described in the within mentioned Resolution

\_\_\_\_\_  
As Bond Paying Agent and Registrar

By: \_\_\_\_\_  
Authorized Officer

Date of Authentication: \_\_\_\_\_  
\_\_\_\_\_

SECTION 12. Sale of Bonds. The 2020A Bonds shall be sold at public sale on a date to be selected by the Chief Financial Officer and at a price of not less than 98% of the principal amount of the 2020A Bonds. The Chief Financial Officer is hereby authorized to publish and distribute a Notice of Sale of the 2020A Bonds, substantially in the form previously delivered to the Council members, with such changes as shall be approved by the Chief Financial Officer, upon the advice of counsel (including the Chief Legal Officer/City Attorney, Co-Bond Counsel and Co-Disclosure Counsel) and the City's Co-Financial Advisors, which approval shall be conclusively evidenced by its publication and distribution, as applicable. The Chief Financial Officer is also hereby authorized to distribute to purchasers of and investors in the 2020A Bonds a Preliminary Official Statement of the City relating to the 2020A Bonds (the "Preliminary Official Statement"), substantially in the form previously delivered to the Council members, with such changes as shall be approved by the Chief Financial Officer, upon the advice of counsel (including the Chief Legal Officer/City Attorney, Co-Bond Counsel and Co-Disclosure Counsel) and the City's Co-Financial Advisors, which approval shall be conclusively evidenced by its publication and distribution, as applicable. As so changed, the Preliminary Official Statement may recite, or the Chief Financial Officer may separately certify, that it is in a form which is "deemed final" as of its date as described in, and with such omissions as are permitted by, Rule 15c2-12(b)(1) of the United States Securities and Exchange Commission (the "SEC"), but is subject to revision, amendment and completion of a final Official Statement as defined in Rule 15c2-12(e)(3) of the SEC, and the Chief Financial Officer is authorized to separately so certify. The Chief Financial Officer also is hereby authorized to prepare or cause to be prepared, and distribute or cause to be distributed, and the Mayor or Chief Financial Officer is hereby authorized to execute, an Official Statement, relating to the 2020A Bonds (the "Official Statement") in substantially the form of the Preliminary Official Statement as so modified, after the same has been completed by the insertion of the maturities, interest rates, and other details of the 2020A Bonds and by making such other insertions, changes or corrections as the Chief Financial Officer, based on the advice of counsel (including the Chief Legal Officer/City Attorney, Co-Bond Counsel and Co-Disclosure Counsel) and the City's Co-Financial Advisors, deem necessary or appropriate, such approval to be conclusively evidenced by the execution thereof; and the Council hereby authorizes the Preliminary Official Statement and the Official Statement and the information contained therein to be used by the initial purchasers in connection with the sale of the 2020A Bonds.

A Continuing Disclosure Agreement between the City and Digital Assurance Disclosure, L.L.C., as disclosure dissemination agent ("DAC"), substantially in the form described in the Preliminary Official Statement (as the same may be amended pursuant to the terms thereof, the "Continuing Disclosure Agreement"), is hereby authorized to be executed and delivered by the Mayor, upon consultation with the Chief Financial Officer. The form of Continuing Disclosure Agreement as executed and delivered may include such changes as shall be approved by such officers, upon the advice of counsel (including the Chief Legal

Officer/City Attorney, Co-Bond Counsel and Co-Disclosure Counsel), which approval shall be conclusively evidenced by the execution thereof.

Upon termination of DAC's services as disclosure dissemination agent under the Continuing Disclosure Agreement, the City agrees to appoint a successor disclosure dissemination agent under a successor continuing disclosure agreement, the execution and delivery of which by the Mayor, upon consultation with the Chief Financial Officer and advice of counsel (including the Chief Legal Officer/City Attorney, Co-Bond Counsel and Co-disclosure Counsel), is hereby authorized, to assume substantially the same responsibilities or, alternately, agrees to assume all disclosure responsibilities of DAC or the entity then serving as disclosure dissemination agent under such Continuing Disclosure Agreement. For purposes of the next paragraph, any such successor agreement or assumption of responsibilities by the City also shall be deemed to be a "Continuing Disclosure Agreement."

The City covenants with the holders from time to time of the 2020A Bonds that it will, and hereby authorizes the appropriate officers and employees of the City to take all action necessary or appropriate to, comply with and carry out all of the provisions of the Continuing Disclosure Agreement as amended from time to time. Notwithstanding any other provision of this resolution, failure of the City to perform in accordance with the Continuing Disclosure Agreement shall not constitute a default under this resolution and the Continuing Disclosure Agreement may be enforced only as provided therein.

SECTION 13. Application of Proceeds of Sale of the Bonds. Proceeds of the sale of the 2020A Bonds shall be applied as follows:

(A) Accrued interest received on the 2020A Bonds, if any, from their dated date to the date of delivery of and payment for the 2020A Bonds shall be applied to the payment of interest on the 2020A Bonds on the first interest payment date thereof.

(B) The balance shall be paid to the City to be deposited with a financial institution regulated by the Federal Deposit Insurance Corporation or similar or successor federal agency to be determined by the Chief Financial Officer to be kept separate and apart from all other funds of the City. The funds shall be disbursed solely to (i) pay costs of the public works projects authorized herein or reimburse the City for the prior payment thereof, and (ii) pay costs of issuance of the 2020A Bonds. The funds shall be invested as directed by the Chief Financial Officer in such investments as shall be permitted by applicable law and the earnings thereon shall be applied to the purposes described above. Any funds remaining following completion of the public works projects shall be deposited to the applicable City debt service fund to be used to pay debt service on the 2020A Bonds. The Chief Financial Officer shall be authorized to amend the budget of the debt service fund to account for any changes made in compliance with this section.

SECTION 14. Defeasance. If the City shall pay and discharge the indebtedness evidenced by any of the 2020A Bonds in any one or more of the following ways, to wit:

(a) By paying or causing to be paid the principal of and interest on such 2020A Bonds as and when the same become due and payable; or

(b) By depositing or causing to be deposited with any trust company or bank whose deposits are insured by the Federal Deposit Insurance Corporation and which has trust powers (the "Agent" which Agent may be the Paying Agent and Registrar), in trust, on or before the date of maturity or redemption, sufficient money or obligations of the United States of America that, at the time of the purchase thereof, are permitted investments under Tennessee law for the purposes described in this Section 14 (the "Obligations"), the principal of and interest on which, when due and payable, will provide sufficient moneys to pay or redeem such 2020A Bonds and to pay premium, if any, and interest thereon when due until the maturity or redemption date (provided, if such 2020A Bonds are to be redeemed prior to maturity thereof, proper notice of such redemption shall have been given or adequate provision shall have been made for the giving of such notice); or

(c) By delivering such 2020A Bonds to the Paying Agent and Registrar for cancellation;

and if the City shall also pay or cause to be paid all other sums payable hereunder by the City with respect to such 2020A Bonds, or make adequate provision therefor, and by resolution of the Council instruct any such Agent to pay amounts when and as required to the Paying Agent and Registrar for the payment of principal of and interest and redemption premiums, if any, on such 2020A Bonds when due, then and in that case the indebtedness evidenced by such 2020A Bonds shall be discharged and satisfied and all covenants, agreements and obligations of the City to the holders of such 2020A Bonds shall be fully discharged and satisfied and shall thereupon cease, terminate and become void.

If the City shall pay and discharge the indebtedness evidenced by any of the 2020A Bonds in the manner provided in clause (b) above, then the registered owners thereof shall thereafter be entitled only to payment out of the money or Obligations of the United States of America deposited as aforesaid.

Except as otherwise provided in this Section 14, neither the Obligations of the United States of America nor moneys deposited with the Agent pursuant to this Section nor principal or interest payments on any such Obligations of the United States of America shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal and premium, if any, and interest on said 2020A Bonds; provided, that any cash received from such principal or interest payments on such Obligations of the United States of America deposited with the Agent, (i) to the extent such cash will not be required at any time for such purpose, shall be paid over to the City as received by the Agent and (ii) to the extent such cash will be required for such purpose at a later date, shall, to the extent practicable, be reinvested in Obligations of the United States of America maturing at times and in amounts sufficient to pay when due the principal and premium, if any, and interest to become due on said 2020A Bonds on or prior to such redemption date or maturity date thereof, as the case may be,

and interest earned from such reinvestments shall be paid over to the City, as received by the Agent.

SECTION 15. TDZ Revenues. There has previously been established within the downtown area of the City a Tourism Development Zone (the "Downtown TDZ") pursuant to The Convention Center and Tourism Development Financing Act of 1998, codified at T.C.A. Title 7, Chapter 88, Sections 7-88-101 *et seq.*, as heretofore or hereafter amended (the "Tourist Development Financing Act"). The City uses Tourism Development Zone revenues (the "TDZ Revenues") made available by the State of Tennessee (the "State") pursuant to the Tourist Development Financing Act to finance the cost of "qualified public use facilities" (as defined in the Tourist Development Financing Act, and which may, among other things, include the Convention Center). The City intends to apply any excess TDZ Revenues to the payment of debt service on the 2020A Bonds. Application to the State for any approval that may be required for the receipt and use of TDZ Revenues as contemplated by, or by the documents authorized by, this resolution is hereby authorized. In furtherance thereof, the Mayor is hereby authorized to execute and deliver an agreement with the State to amend, restate, revise, supercede and/or replace the Agreement Concerning Memphis Tourism Development Zone, dated as of April 24, 2017, by and between the City and the State, and the Temporary Statement of Intent referred to therein, upon consultation with counsel (including the Chief Legal Officer/City Attorney, Co-Bond Counsel and Co-Disclosure Counsel), its execution to be conclusive evidence of such consultation.

SECTION 16. Further Authorizations. The appropriate officers and employees of the City are hereby authorized to take all such actions and execute such documents (upon advice of counsel (including the Chief Legal Officer/City Attorney, Co-Bond Counsel and Co-Disclosure counsel)) as shall be necessary to effect the delivery of and payment for the 2020A Bonds and as may be reasonably required to carry out, give effect to and consummate the transactions contemplated hereby, including the purchase, if deemed to the City's financial advantage, of a bond insurance policy guaranteeing payment of principal of and interest on the 2020A Bonds and to provide for the payment of the premium cost thereof.

SECTION 17. Severability. If any one or more of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements and provisions hereof or of the 2020A Bonds issued hereunder.

SECTION 18. Repealer. All resolutions in conflict or inconsistent herewith are hereby repealed insofar as any conflict or inconsistency.

SECTION 19. Effective Date. This resolution shall not become effective unless and until the Initial Resolution shall have been adopted and published, the protest period with respect to the Initial Resolution as set forth in Section 9-21-206 of the T.C.A. shall have

expired, and no sufficient petition protesting the issuance of the 2020A Bonds shall have been filed as permitted by law.

52894549.v5

**AN INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED THIRTY-ONE MILLION DOLLARS (\$31,000,000) GENERAL OBLIGATION BONDS OF THE CITY OF MEMPHIS, TENNESSEE, PURSUANT TO THE LOCAL GOVERNMENT PUBLIC OBLIGATIONS ACT OF 1986, BEING TITLE 9, CHAPTER 21, OF THE TENNESSEE CODE ANNOTATED, FOR THE PURPOSE OF FINANCING THE COST OF PUBLIC WORKS PROJECTS IN THE CITY.**

BE IT RESOLVED by the Council of the City of Memphis, Tennessee as follows:

1. It is hereby determined that there shall be issued and there are hereby authorized to be issued general obligation bonds of the City of Memphis, Tennessee (the "City"), in the maximum principal amount of not to exceed thirty-one million dollars (\$31,000,000), pursuant to the Local Government Public Obligations Act of 1986, being Title 9, Chapter 21, of the Tennessee Code Annotated (the "Code"), for the purpose of financing the cost of the following public works projects:

Abattoirs, acquisitions of land for the purpose of providing or preserving open land, airports, alleys, ambulances, auditoriums, bridges, city halls, city stables or garages, community houses, corrective, detention and penal facilities, including but not limited to, jails, workhouses and reformatories, courthouses, culverts, curbs, dispensaries, drainage systems, including storm water sewers and drains, electric plants and systems, expositions, facilities for the handicapped, including physically and mentally handicapped, facilities for the indigent, fairgrounds and fairground facilities, fire department equipment and buildings, fire alarm systems, flood control, garbage collection and disposal systems, gas and natural gas systems and storage facilities, heat plants and systems, harbor and riverfront improvements, health centers and clinics, including medical and mental health centers and clinics, highways, major roads, highway and street equipment, hospitals, hotels and supporting or incidental facilities built by the

City which are built adjacent to and as a supporting facility of civic or convention centers located in the central business improvement district of the City created under the provisions of the Central Business Improvement District Act of 1971, compiled in Title 7, Chapter 84 of the Code, improvements made pursuant to a plan of improvement for a central business improvement district created pursuant to the Central Business Improvement District Act of 1971, compiled in Title 7, Chapter 84 of the Code, incinerators, law enforcement and emergency services equipment, levees, libraries, markets, memorials, museums, nursing homes, parks, parking facilities, parkways, playgrounds, plazas, port facilities, docks and dock facilities, including any terminal storage and transportation facilities incident thereto, public art, public buildings, preserves, railroads, including the extension of railroads, and railway beltlines and switches, reclamation of land, recreation centers and facilities, reservoirs, rights-of-way, river and navigation improvements, roads, sanitariums, schools, transportation equipment for schools, sewers, sewage and waste water systems, including, but not limited to, collection, drainage, treatment and disposal systems, ship canals, sidewalks, stadiums, streets, swimming pools, thermal transfer generating plants and/or distribution systems, tunnels, viaducts, voting machines, water treatment distribution and storage systems, wharves, zoos, business parks, industrial parks, urban renewal projects, urban transit facilities, facilities for the storage and maintenance of any of the items of equipment which constitute public works projects, all property real and personal, appurtenant thereto or connected with such work, undertaking or project, and the existing work, undertaking or project, if any, to which such work, undertaking or project is an extension, addition, betterment or improvement and any other project for the benefit of the people at large of the City where any state or federal agency will match the funds of the City with grants-in-aid or gratuities to subsidize or assist in the development of a public works

project, and all other items relating to a public works project as provided in Section 9-21-105(21) of the Code.

2. Such bonds shall bear interest at such rate or rates not to exceed the maximum rate permitted by law at the time of sale thereof, payable in such manner and at such times as shall hereafter be determined by or pursuant to a subsequent resolution of the Council of the City.

3. Such bonds shall be payable from ad valorem taxes levied upon all the taxable property in the City and other available revenues of the City, and the full faith and credit and unlimited taxing power of the City shall be pledged to the punctual payment of the principal thereof and the interest thereon.

4. In the event that it is determined that it is in the City's best financial interest to expend moneys from other sources of the City prior to issuance of the bonds and to reimburse such expenditures from such other sources from the proceeds of the bonds when sold, the Chief Financial Officer is hereby authorized to declare from time to time the official intent on behalf of the City as to reimbursement from the proceeds of the bonds of expenditures made from other sources of the City.

5. This complete resolution shall be published once in a newspaper of general circulation in the City, together with a notice substantially in the form prescribed by Section 9-21-206 of the Code.

6. This resolution shall take effect immediately upon its adoption.

52894346.v4

**RESOLUTION OF THE MEMPHIS CITY COUNCIL DESIGNATING JUNE 19<sup>TH</sup> AS  
JUNETEENTH WITHIN THE CITY OF MEMPHIS THEREBY RECOGNIZING THE  
LIBERATION AND EMANCIPATION OF ENSLAVED AFRICAN AMERICANS IN  
THE UNITED STATES OF AMERICA**

**WHEREAS**, news of the end of slavery did not reach the frontier areas of the United States, in particular the State of Texas and the other Southwestern States, until months after the conclusion of the Civil War on April 9, 1865, more than 2½ years after President Abraham Lincoln formally issued the Emancipation Proclamation on January 1, 1863; and

**WHEREAS**, on June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with welcomed news that the Civil War had ended and that the enslaved were free; and

**WHEREAS**, African-Americans who had been enslaved in the Southwest began celebrating June 19, commonly known as “Juneteenth Independence Day,” to inspire and encourage future generations; and

**WHEREAS**, African-Americans from across the Nation have continued the tradition of observing Juneteenth Independence Day for over 150 years; and

**WHEREAS**, 47 States and the District of Columbia have designated Juneteenth Independence Day as a special day of observance in recognition of the emancipation of all enslaved African-Americans in the United States; and

**WHEREAS**, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures; and

**WHEREAS**, the faith and strength of character demonstrated by formerly enslaved African-Americans and the descendants of formerly enslaved African-Americans remain an example for all people of the United States, regardless of background, religion, or race; and

**WHEREAS**, despite the formal issuance of the Emancipation Proclamation on January 1, 1863, slavery was not officially abolished throughout the entire Nation until the ratification of the 13th Amendment to the Constitution of the United States in December 1865; and

**WHEREAS**, over the course of its history, the City of Memphis has seen the damaging effects of the slavery, the fight for freedom by way of the civil rights movement, and present-day efforts to achieve equity for all:

**NOW THEREFORE BE IT RESOLVED**, the Memphis City Council hereby designates June 19th as Juneteenth within the City of Memphis recognizing the liberation and emancipation of enslaved African-Americans in the United States of America. This resolution shall take effect from and after its passage, the welfare of the City requiring it.

**Sponsor:**  
Councilwoman Michalyn Easter-Thomas