

MINUTES
TELEPHONIC MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS
March 24, 2020

3:30 P.M. SCHEDULED SESSION

MEETING RECESSED AT 4:45 P.M.

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 Swearngen, 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. Byron C. Moore, from St. Andrew A.M.E. Church. Councilwoman Easter-Thomas thanked Rev. Byron for being the Chaplain of the Day.

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 March 3, 2020 with the following motion:

MOTION: Colvett
SECOND: Canale
AYES: Canale, Colvett, Easter-Thomas, Ford, Johnson, Logan, Morgan, Smiley, Swearngen and Chairwoman Robinson
Carlisle and Warren did not cast a vote

APPROVED

6. **NOTATIONS FROM THE LAND USE CONTROL BOARD THAT THE FOLLOWING CASES WERE HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

- A. Case No. PD 99-362 – QUINCE/LYNNFIELD PLANNED DEVELOPMENT
- B. Case No. SUP 19-29 – VEHICLE SALES

DROPPED, until a later date

CONSENT AGENDA – Items #1 & #15 may be acted upon by one motion: See Page 5412 for Roll Call Consent Items.

- 1. **ORDINANCE AMENDING CHAPTER 21 OF THE CITY OF MEMPHIS, CODE OF ORDINANCES TO ADD A SECTION RELATED TO THE SPEED ENFORCEMENT PHOTOGRAPHIC SYSTEM, UP FOR S E C O N D READING. ORDINANCE NO. 5747 IS SPONSORED BY THE DIVISION OF ENGINEERING.**

APPROVED, on Second reading

15. **APPOINTMENTS**

MEMPHIS ALCOHOL COMMISSION

REAPPOINTMENT

ANNA VERGOS BLAIR

DOWNTOWN MEMPHIS COMMISSION

REAPPOINTMENT

JULIE ELLIS

PENSION BOARD OF ADMINISTRATION

REAPPOINTMENT

THEODORE DAVIS

CIVILIAN LAW ENFORCEMENT REVIEW BOARD

APPOINTMENT

STEVIE W. MOORE SR.

APPROVED

ROLL CALL CONSENT ITEMS

MOTION: Colvett
 SECOND: Canale
 AYES: Canale, Colvett, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen,
 Warren and Chairwoman Robinson
 Easter-Thomas abstained
 Carlisle did not cast a vote

APPROVED**FISCAL CONSENT AGENDA – Items #2, #3, #4, #5, #7, #18 & #19 may be acted upon by one motion:****2. RESOLUTION APPROVING THE FINAL PLAT FOR RAINES ROAD PD, AMENDED, PHASE 4, PARCEL B.**

Case No. (PD 95-380)
 Contract No. CR-5322

Resolution approves the final plat located approximately 1,500 linear feet east of Raines Road/Tchulahoma intersection 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 Performance Bond No. 016224481 in the amount of \$125,600.00 on behalf of the City of Memphis.

City Engineer recommends approval

APPROVED**3. RESOLUTION APPROVING THE ENGINEERING PLANS FOR COLLAGE BALLET.**

Contract No. CR-5323

Resolution approves the engineering plans located at 505 Tillman Street on the southwest corner lot of the Tillman Street and Sam Cooper intersection 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 Independent Bank Letter of Credit No. 1116 in the amount of \$140,800.00 on behalf of the City of Memphis.

City Engineer recommends approval

APPROVED

4. **RESOLUTION APPROVING THE FINAL PLAT FOR WHITE OAK PD.**

Case No. (PD 00-371)

Contract No. CR-5324

Resolution approves the final plat located approximately 520' south of Wheelis Drive and White Station Road intersection on the west side of White Station Road 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 Bank 3 Letter of Credit No. 116 in the amount of \$94,900.00 on behalf of the City of Memphis. **(Request for same night minutes)**

City Engineer recommends approval

APPROVED

5. **RESOLUTION APPROVING THE ENGINEERING PLANS FOR GREEN DOT PUBLIC SCHOOLS, PH 4-ROSS ROAD WIDENING.**

Contract No. CR-5325

Resolution approves the engineering plans located along Ross Road north of the Raines and Ross Road intersection approximately 775 liner feet 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 Performance Bond No. 4428344 in the amount of \$276,400.00 on behalf of the City of Memphis.

City Engineer recommends approval

APPROVED

7. **RESOLUTION AMENDING THE FY2020 OPERATING BUDGET BY ACCEPTING, ALLOCATING AND APPROPRIATING GRANT FUNDS IN THE AMOUNT OF \$19,740.00 FOR THE CITY OF MEMPHIS/MEMPHIS PUBLIC LIBRARY & INFORMATION CENTER FROM THE STATE OF TENNESSEE, OFFICE OF THE SECRETARY OF STATE, TENNESSEE STATE LIBRARY AND ARCHIVES (TSLA) TO BE USED FOR PROFESSIONAL FEES/GRANTS & AWARDS AND SUPPLIES. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF LIBRARY SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

18. **RESOLUTION TRANSFERRING AN ALLOCATION AND APPROPRIATION OF FUNDS IN THE AMOUNT OF \$21,663.00 FROM FY19 EMA SIRENS PROJECT FS02027 TO FY20 EMA SIRENS PROJECT FS02032 AND APPROPRIATE \$120,000.00 IN FY20 EMA SIRENS PROJECT FS02032. DISTRICT 3, SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES.**

APPROVED

19. **RESOLUTION AMENDING THE FY2020 OPERATING BUDGET BY ACCEPTING AND APPROPRIATING EXPENDITURES AND REVENUES FOR THE WEATHERIZATION ASSISTANCE PROGRAM (WAP) GRANT IN THE AMOUNT OF \$200,000.00 PROVIDED BY MHA'S WEATHERIZATION ASSISTANCE PROGRAM FOR HUD'S WEATHERIZATION PROGRAM (WAP) AS PART OF A BUY-DOWN AGREEMENT TO FINANCIALLY CONTRIBUTE TO THE WEATHERIZATION OF THE MONTGOMERY PLAZA MULTI-FAMILY PROJECT. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT.**

APPROVED

ROLL CALL FISCAL CONSENT ITEM

MOTION: Johnson
SECOND: Easter-Thomas
AYES: Canale, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson
Carlisle did not cast a vote

APPROVED

MLGW FISCAL CONSENT AGENDA – Items #8 - #14 may be acted upon by one motion:

8. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11682 FOR CUSTOMER CARE CENTER BACK UP COMMUNICATIONS PLAN WITH AT&T BUSINESS SYSTEM IN THE AMOUNT OF \$80,000.00. (THIS CHANGE IS TO INCREASE THE CURRENT CONTRACT VALUE DUE TO SYSTEM CHANGES REQUIRED DURING THE INSTALLATION OF THE GENESYS IVR SYSTEM. THE CONTRACT TERM WILL REMAIN THROUGH AUGUST 15, 2020.)**

APPROVED

9. **RESOLUTION APPROVING PAYMENT OF AN INVOICE FROM THE TENNESSEE VALLEY PUBLIC POWER ASSOCIATION FOR THE 2020 MEMBERSHIP DUES IN THE AMOUNT OF \$51,605.45.**

APPROVED

10. **RESOLUTION AWARDED CONTRACT NO. 12129. WATKINS BRIDGE OVER LOOSAHATCHIE RIVER MAIN RELOCATION TO OWENS IRRIGATION INC. IN THE AMOUNT OF \$1,490,000.00.**

APPROVED

11. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11841 FOR PROFESSIONAL ENGINEERING SERVICES FOR CENTRAL SUPPORT SERVICES WITH CCS GROUP, INCORPORATED IN THE AMOUNT NOT-TO-EXCEED \$50,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FOURTH AND FINAL ANNUAL RENEWAL TERM FOR THE PERIOD COVERING MAY 17, 2020 THROUGH MAY 16, 2021.)**

APPROVED

12. **RESOLUTION AWARDING CONTRACT NO.12138, NORTH SERVICE CENTER RE-PAVING TO LEHMAN-ROBERTS COMPANY IN THE AMOUNT OF \$561,056.45.**

APPROVED

13. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11873, PROFESSIONAL LOCKSMITH SERVICES WITH QUALITY SAFE & LOCK COMPANY, INCORPORATED IN THE AMOUNT OF \$50,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FOURTH AND FINAL ANNUAL RENEWAL TERM FOR THE PERIOD COVERING MAY 14, 2020 THROUGH MAY 13, 2021, BASED ON AGREED UPON RATES, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

APPROVED

14. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11740, CLAIMS CASE MANAGEMENT WITH AMERICAN TECHNICAL SERVICES IN THE AMOUNT OF \$15,800.00. (THIS CHANGE IS TO RENEW ANNUAL SOFTWARE MAINTENANCE AND SUPPORT SERVICES FOR THE FOURTH OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD APRIL 1, 2020 THROUGH MARCH 31, 2021.)**

APPROVED

ROLL CALL MLGW FISCAL CONSENT ITEMS

MOTION: Morgan
 SECOND: Colvett
 AYES: Canale, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearngen, Warren and Chairwoman Robinson
 Carlisle did not cast a vote

APPROVED

16. **RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$150,000,000.00 GENERAL OBLIGATION BONDS AND BOND ANTICIPATION NOTES OF THE CITY OF MEMPHIS, TENNESSEE. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION.**

MOTION: Jones
 SECOND: Canale
 AYES: Canale, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearngen, Warren and Chairwoman Robinson
 Carlisle did not cast a vote

APPROVED

17. **RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND DELIVER OF NOT TO EXCEED \$240,000,000.00 AGGREGATE PRINCIPAL AMOUNT OF CITY OF MEMPHIS, TENNESSEE, GENERAL IMPROVEMENT REFUNDING BONDS, SERIES 2020; FOR THE PURPOSE OF CURRENTLY REFUNDING CERTAIN GENERAL OBLIGATION DEBT FOR THE CITY; PAYING AT MATURITY THE PRINCIPLE OF CERTAIN OUTSTANDING BOND ANTICIPATION NOTES OF THE CITY ISSUED AS GENERAL OBLIGATION COMMERCIAL PAPER. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION.**

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

APPROVED

21. **RESOLUTION APPROPRIATING \$5,875,000.00 OF ALLOCATED FUNDING IN PROJECTS LI01030 NEW FRAYSER LIBRARY (\$3,975,000.00); LI01031-NEW RALEIGH LIBRARY (\$1,850,000.00); AND LI01032-TECHNOLOGY FOR COSSITT LIBRARY (\$50,000.00). DISTRICTS 1, 6, AND 7, AND SUPER DISTRICTS 8 AND 9. THIS RESOLUTION IS SPONSORED BY LIBRARY SERVICES.**

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

APPROVED

22. **RESOLUTION APPROPRIATING \$1,250,000.00 IN PLEASANT HILL SHELBY HOLMES, PROJECT #PW01127 FOR CONTACT CONSTRUCTION. THIS RESOLUTION IS SPONSORED BY THE PUBLIC WORKS DIVISION.**

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

APPROVED

23. **RESOLUTION TRANSFERRING AND APPROPRIATING CONSTRUCTION FUNDS IN THE AMOUNT OF \$4,000,000.00 FOR INFRASTRUCTURE AND CONSTRUCTION IMPROVEMENTS IN VARIOUS LOCATIONS WITHIN THE CITY OF MEMPHIS. THIS RESOLUTION IS SPONSORED BY THE PUBLIC WORKS DIVISION.**

MOTION: Smiley

SECOND: Colvett

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

APPROVED

24. **RESOLUTION MODIFYING THE FISCAL YEAR 2020 OPERATING BUDGET IN RESPONSE TO THE DECLARATION OF STATE OF EMERGENCY AND THE FINANCIAL IMPACT OF THE CORONAVIRUS DISEASE 2019 (COVID-19). THIS RESOLUTION IS SPONSORED BY CHAIRWOMAN ROBINSON. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Jones

SECOND: Canale

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

APPROVED

25. **RESOLUTION ON COVID-19 EMERGENCY. THIS RESOLUTION IS SPONSORED BY THE CITY COUNCIL ATTORNEY. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Colvett

SECOND: Logan

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

APPROVED

26. **RESOLUTION AUTHORIZING THE MEMPHIS-SHELBY COUNTY AIRPORT AUTHORITY TO ISSUE AIRPORT REVENUE BONDS IN THE TOTAL PRINCIPAL AMOUNT NOT TO EXCEED \$320,000,000.00 TO FINANCE A PORTION OF THE COSTS OF A CONSOLIDATED DE-ICING FACILITY AND OTHER ANCILLARY IMPROVEMENTS AND EQUIPMENT AT THE MEMPHIS INTERNATIONAL AIRPORT AND REFUND ALL OR A PORTION OF ITS AIRPORT REVENUE BONDS, SERIES 20110A AND AIRPORT REVENUE REFUNDING. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION AT THE REQUEST OF**

THE MEMPHIS-SHELBY COUNTY AIRPORT AUTHORITY. (REQUEST FOR SAME NIGHT MINUTES)

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

APPROVED

- 20. **RESOLUTION APPROPRIATING \$5,000,000.00 OF THE CITY OF MEMPHIS DIVISION OF POLICE SERVICES CIP PROJECT PD04025, RADIO SYSTEM UPGRADE ALLOCATION. THE ENTIRE AMOUNT TO TECHNOLOGY WILL BE APPROPRIATED FOR THE RADIO SYSTEM UPGRADE PROJECT. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES.**

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

APPROVED

- 27. **RESOLUTION EXPRESSING MEMPHIS CITY COUNCIL SUPPORT FOR TENNESSEE HOUSE BILL 1697 (2020) AND TENNESSEE SENATE BILL 2683 (2020) AS THEY PERTAIN TO THE FOOD TAX HOLIDAY ACT. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN EASTER-THOMAS. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

(Co-Chairman Colvett recognized the following people from the public, who emailed Chairwoman Robinson their speaker information):

Dr. Yvonne Nelson
Ms. Melinda Taylor
Brandon Lancaster

(Special Item #1 – Chairman Colvett made a motion to approves same night minutes for Items #3, #4, #7, #16, #17 #24, #25, #26, #27 & #28 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

28. **A VOTE AFFIRMING THAT THE MEETING OF MARCH 24, 2020, WAS HELD PURSUANT TO THE PUBLIC NOTICE AND ACCESS INSTRUCTIONS PROVIDED TO THE PUBLIC IN ADVANCE OF THE MEETING, WHICH ARE ATTACHED TO THESE MINUTES AND INCORPORATED HEREIN VERBATIM BY REFERENCE. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

**CITY OF MEMPHIS
NOTICE OF REGULAR MEETING
OF
THE MEMPHIS CITY COUNCIL
Tuesday, March 24, 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 MARCH 24, 2020 MEMPHIS CITY COUNCIL MEETING

Take notice, the Memphis City Council will meet on **Tuesday, March 24, 2020 at 1:45 p.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, March 24, 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 1:45 p.m., click on the March 24, 2020 Memphis City Council meeting
- (4) Begin viewing the March 24, 2020 Memphis City Council meeting electronically via live-stream
- (5) Click on the March 24, 2020 "Agenda" tab to view the agenda documents

B. Radio, via 88.5 FM (WQOX)**To listen to the Tuesday, March 24, 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 March 24, 2020 Memphis City Council meeting by radio via 88.5 FM (WQOX)

C. Electronically, via digital archive**To listen to the Tuesday, March 24, 2020 Memphis City Council meeting electronically, via digital archive, follow the steps below:**

- (1) Access the internet **after** the March 24, 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
- (3) Press play on the March 24, 2020 "City Council Full Meeting" tab
- (4) Begin viewing the March 24, 2020 Memphis City Council meeting electronically via digital archive
- (5) Click on the March 24, 2020 "Agenda" tab to view the agenda

documents

- (6) Click on the March 24, 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 March 24, 2020 meeting. To submit your public comment, please email 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,



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

(Councilman Carlisle made a motion to recess the meeting. This was seconded by Councilman Colvett)

RECESSED MEETING AT 4:45 P.M.

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


CHAIRMAN

Attest:

Deputy Comptroller/Council Records