



**CITY COUNCIL
MEETING AGENDA
December 5, 2023
3:30 p.m.**

**Council Chambers, Lobby Floor
City Hall - 125 North Main Street
Memphis, Tennessee 38103-2017**

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

Super District 8-3. Chairman Martavius Jones
Super District 8-1. Vice Chairman JB Smiley, Jr.
District 1. Rhonda Logan
District 2. Frank Colvett, Jr.
District 3. Patrice J. Robinson
District 4. Jana Swearengen-Washington
District 5. Worth Morgan
District 6. Edmund Ford, Sr.
District 7. Michalyn Easter-Thomas
Super District 8-2. Cheyenne Johnson
Super District 9-1. Chase Carlisle
Super District 9-2. J. Ford Canale
Super District 9-3. Dr. Jeff Warren

ORDER OF BUSINESS

I. CALL TO ORDER by the Sergeant-at-Arms

II. INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Chief of Staff of the Memphis City Council.

III. PLEDGE OF ALLEGIANCE

IV. CALL OF ROLL by the Comptroller

V. APPROVAL OF PREVIOUS MEETING MINUTES (November 21, 2023)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION recognizing Lashell Vaughn, Vice President & Chief Information Officer for Memphis Light, Gas and Water, as one of the Top 50 Women Leaders of Tennessee for the year 2023 by Women We Admire. This Resolution is sponsored by Councilwoman Swearengen-Washington.
2. RESOLUTION approving an Honorary Street Name Change on Monroe Ave between Riverside Drive and South Second Street for Attorney Ricky Wilkins. District 7, Super District 8. This Resolution is sponsored by Chairman Jones.

PUBLIC HEARING

3. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 8851 Rocky Point Road. This Resolution is sponsored by the Division of Planning and Development. **(Held from 11/21)**

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. PD 23-14

Applicant: Patrick Ardis
David Bray of the Bray Firm (Representative)

Request: 128-lot single-family residential planned development

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

Opposition at LUCB; Public Hearing Required

71 NOTICES WERE MAILED ON NOVEMBER 15, 2023

DIVISION OF PLANNING AND DEVELOPMENT

4. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 2000 Sycamore View Road. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. PD 23-18

Applicant: WD General Partnership
Cindy Reaves, SR Consulting LLC (Representative)

Request: Commercial planned development to combine the 2 parcels with the existing building and parking to remain and a new building and parking on the parcel to the rear

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

No opposition at LUCB; No Public Hearing Required

5. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 7689 US Highway 64. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. PD 23-19

Applicant: U Properties GS LLC/Rockfield Engineering
U Properties GS LLC (Representative)

Request: Planned Development for a Genesis Automotive Dealership

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No opposition at LUCB; No Public Hearing Required

6. RESOLUTION approving the closure of 16.5-foot-wide alley between 130 Keel Ave and 707 N. Second Street. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. SAC 23-02

Applicant: Noah Gray
The Bray Firm (Representative)

Request: Closure of 16.5-foot-wide alley between 130 Keel Ave and 707 N. Second Street

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No opposition at LUCB; No Public Hearing Required

7. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at 100 N. Main St. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. SUP 23-23

Applicant: 100 North Main, LLC
Mike Fahy (Representative)

Request: Special use permit for a hotel

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE- THIRD AND FINAL READING

8. **ZONING ORDINANCE** amending Ordinance No. 5367 of Code of Ordinances, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to authorize a Zoning Use District reclassification for land located on 1106 Colonial Road by taking the land out of the Residential Single Family – 10 (R-10) Use District and including it in the Residential Single Family – 8 (R-8) Use District, up for T H I R D and F I N A L reading. This Ordinance is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. Z 23-09
Ordinance No. 5889

Applicant: Church of Christ at White Station, Inc.
David G. Bray of the Bray Firm (Representative)

Request: Rezoning of +/-11.604 acres from Residential Single Family – 10 (R-10) to Residential Single Family – 8 (R-8)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

9. **ORDINANCE** to establish City Council Meeting Dates for 2024, up for S E C O N D reading. Ordinance No. 5891 is sponsored by Chairman Jones.

Jones
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the Ordinance on Second Reading

10. **ORDINANCE** to fix and determine the salary and compensation of the Mayor pursuant to Home Rule Amendments, up for S E C O N D reading. Ordinance No. 5892 is sponsored by Chairman Jones.

Jones
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the Ordinance on Second Reading

11. **REFERENDUM ORDINANCE** pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), to amend provisions of the Charter of the City of Memphis, the same being Chapter 11 of the Acts of 1870, as amended, relative to Mayor, Council, and Appointed Salaries, up for S E C O N D reading. Ordinance No. 5893 is sponsored by Chairman Jones.

Jones
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the Ordinance on Second Reading

ZONING ORDINANCE - FIRST READING

12. **ZONING ORDINANCE** amending Ordinance No. 5367 of Code of Ordinances, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to authorize a Zoning Use District reclassification for land located on 5516 Raines Road by taking the land out of the Residential Single-Family – 6 (R-6) Use District and including it in the Employment (EMP) Use District, up for F I R S T reading. This Ordinance is sponsored by the Division of Planning and Development.

Case No. Z 23-12
Ordinance No. 5894

Applicant: James E. Brooks and Odell Brooks III (RS)
The Bray Firm (Representative)

Request: Rezoning of +/-70,070 SQF from Residential Single-Family – 6 (R-6)
to Employment (EMP)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on First Reading

ZONING ORDINANCE - SECOND READING

13. **ZONING ORDINANCE** amending Ordinance No. 5367 of Code of Ordinances, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to authorize a Zoning Use District reclassification of land municipally addressed as 3549, 3555, and 3561 Fuller Road from the Residential Single Family – 6 (R-6) Use District and including it in the Employment (EMP) Use District, up for S E C O N D reading. This Ordinance is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. Z 23-13
Ordinance No. 5890

Applicant: Fleet Equipment, LLC
Cindy Reaves of SR Consulting, LLC (Representative)

Request: Rezoning of +/-0.538 acres from Residential Single-Family – 6 (R-6) to Employment (EMP)

LUCB recommendation: APPROVAL

DPD recommendation: REJECTION

ACTION REQUESTED: Adopt the Ordinance on Second Reading

NOTATIONS FROM DPD

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

A. Case No. SAC 23-04 – LAFAYETTE STREET ALLEY CLOSURE

Located at Lafayette Place located between E. Goodwyn Street and Lafayette Street.

Applicant: CHICKASAW HOA
Cindy Reaves, SR Consulting, LLC (Representative)

Request: Right-of-way vacation of Lafayette Place located between E. Goodwyn Street and Lafayette Street

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: December 19, 2023

B. Case No. SAC 23-05 – LOMBARDY ROAD STREET ALLEY CLOSURE

Located at Lombardy Road located between S. Fenwick Road and Cherokee Drive

Applicant: CHICKASAW HOA
Cindy Reaves, SR Consulting, LLC (Representative)

Request: Right-of-way vacation of Lombardy Road located between
S. Fenwick Road and Cherokee Drive

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: December 19, 2023

ENGINEERING DIVISION

- 15. RESOLUTION accepting public improvements for AVIATION FACILITIES PD RE-RECORDING OF PHASES 2, 4, & 5 (UPS OAKHAVEN HUB) [CR#5332] and releasing bond. (Request for Same Night Minutes)

(Contract No. CR-5332)

Resolution accepts public improvements in the present limits of the City of Memphis, located at the northeast corner lot of the Swinnea Road and Winchester Road intersection in Memphis, Tennessee. Resolution also releases the Travelers Casualty and Surety Company Performance Bond No. 107233600 in the amount of \$304,100.00 as security.

ACTION REQUESTED: Adopt the Resolution

- 16. RESOLUTION accepting public improvements for ALOFT HOTEL [CR-5385] and releasing bond. (Request for Same Night Minutes)

(Contract No. CR-5385)

Resolution accepts public improvements in the present limits of the City of Memphis, located at 131 Jefferson Avenue, in Memphis, Tennessee. Resolution also releases the Old Republic Surety Company Performance Bond No. OFL2060841 in the amount of \$49,800.00 as security.

ACTION REQUESTED: Adopt the Resolution

17. RESOLUTION accepting public improvements for POLO GROUNDS NORTH P.D. – TOP GOLF (3450 S. Germantown Road) [CR-5424] and releasing bond. (Request for Same Night Minutes)

(Contract No. CR-5424)

Resolution accepts public improvements within the present limits of the City of Memphis, and located at 3450 S. Germantown Road in Memphis, Tennessee. Resolution also releases the Travelers Casualty and Surety Company Performance Bond No. 107676852 in the amount of \$865,800.00 as security.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

18. RESOLUTION to accept grant funds in the amount of (\$1,295,956.00) from Department of Homeland Security-FEMA for Tennessee Task Force One Readiness Cooperative Agreement. All Council Districts. This Resolution is sponsored by Fire Services. (Request for Same Night Minutes)
19. RESOLUTION to accept grant funds in the amount of (\$31,314.00) from Shelby County Sheriff's Office through the Office of National Drug Control Policy. All Council Districts. This Resolution is sponsored by Police Services. (Request for Same Night Minutes)

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Worth Morgan

20. RESOLUTION approving Change No. 13 to Contract No. 11070, Utility Meter Data Application with Automated Energy, Incorporated (AEI), (This change is to extend the current contract for an additional two-year term for the period covering January 1, 2024 through December 31, 2025) in the funded amount of \$220,000.00.
21. RESOLUTION awarding Contract No. 12470, Professional Services IS/IT, to Vaco in the funded amount of \$ 1,917,495.00.
22. RESOLUTION awarding Contract No. 12469, Professional Services IS/IT, to TEKsystems in the funded amount of \$1,959,868.40.
23. RESOLUTION awarding Contract No. 12468, Professional Services IS/IT, to Stragistics Technology, Inc., in the funded amount of \$2,106,700.00.
24. RESOLUTION awarding Contract No. 12467, Professional Services IS/IT, to Nextech in the funded amount of \$1,812,231.20.
25. RESOLUTION awarding Contract No. 12466, (solicited under Contract No. 12433) Professional Services IS/IT, to CTD Staffing in the funded amount of \$2,225,490.00.
26. RESOLUTION awarding Contract No. 12465 (solicited under Contract No. 12433), Professional Services IS/IT, to Cook Systems in the funded amount of \$2,252,440.00.
27. RESOLUTION awarding Contract No. 12433, Professional Services IS/IT, to 1Link Technology, LLC in the funded amount of \$1,910,918.00.
28. RESOLUTION approving Change No. 1 to Contract No. 12151, Line Clearance Minor with ABC Professional Tree Services, Incorporated to ratify the approval of invoice payments, based on agreed-upon emergency rates, in the funded amount of \$2,148,556.23.
29. RESOLUTION awarding Contract No. 12446 (solicited under Contract No. 12407), Environmental Abatement Services to Northwest Contracting Services, Incorporated in the funded not-to-exceed amount of \$5,500,000.00.
30. RESOLUTION awarding Contract No. 12407, Environmental Abatement Services to General Construction Services in the funded not-to-exceed amount of \$1,500,000.00.
31. RESOLUTION approving the ratification of increase in the amount of \$4,856.00 for Purchase Order Number 7044531 to Prime Controls, LP for distributed process control panels to cover additional price increases.

32. RESOLUTION awarding Contract No. 12408, Environmental Consulting Services to BH&M Environmental Consultants, Incorporated in the funded not-to-exceed amount of \$11,000,000.00.
33. RESOLUTION awarding a purchase order to Engineered Sealing Components LLC., for arm apitong deadends 96" in the amount of \$701,710.00.
34. RESOLUTION approving the ratification of Purchase Order Number 7047013 to Dejana Truck & Utility Equipment Company LLC for single reel cable puller trailer in the amount of \$370,010.00.

REGULAR AGENDA

APPOINTMENTS (None)

GENERAL ORDINANCES THIRD AND FINAL READING

35. **REFERENDUM ORDINANCE** to amend, pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), provisions of the Charter of the City of Memphis, the same being Chapter 11 of the Acts of 1879, as amended, relative to partisan elections for the Offices of the Mayor and City Council Members and to repeal all provisions of the City’s Charter inconsistent with this Amendment, up for T H I R D and F I N A L reading. Ordinance No. 5883 is sponsored by Chairman Jones. **(Held from 11/7; 11/21)**

Easter-Thomas Chairman, Personnel & Governmental Affairs Committee

ACTION REQUESTED: Take whatever action Council deems advisable

36. **REFERENDUM ORDINANCE** to amend, pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), provisions of the Charter of the City of Memphis, the same being Chapter 11 of the Acts of 1879, as amended, relative to application of City Charter Referendum Ordinance No. 1794 to city municipal elections, up for T H I R D and F I N A L reading. Ordinance No. 5884 is sponsored by Councilmembers Smiley, Johnson, Logan, and Warren. **(Held from 11/7; 11/21)**

Easter-Thomas Chairman, Personnel & Governmental Affairs Committee

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

37. RESOLUTION approving a 5-year lease to BLOC Ministries, Inc. to use City owned property located at 1720 RKS Commercial Cove in Memphis, TN 38114. District 4, Super District 8. This Resolution is sponsored by General Services.
Smiley
Chairman,
Public Works,
Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
General Services
Committee

38. RESOLUTION approving the sale of City owned property in the amount of (\$2,000.00) known as 2420 Dexter Ave, Memphis, TN 38108, Parcel ID Number 042036 00047. District 7, Super District 8. This Resolution is sponsored by General Services.
Smiley
Chairman,
Public Works,
Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
General Services
Committee

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION

**COUNCIL RECESSES AS CITY COUNCIL AND CONVENES AS
A RATE MAKING BOARD**

**MEETING CALLED TO ORDER AS A RATE MAKING BOARD BY
THE SERGEANT-AT-ARMS**

39. RESOLUTION to approve the 2024 increase in electric revenues of 4.0%, to be effective with meters read on Cycle 1 of the January 2024 revenue month on a non-prorated basis, the 2025 increase in electric revenues of 4.0% to be effective with meters read on Cycle 1 of the January 2025 revenue month on a non-prorated basis, and the 2026 increase in electric revenues of 4.0% to be effective with meters read on Cycle 1 of the January 2026 revenue month on a non-prorated basis. All Council Districts. This Resolution is sponsored by the MLGW Administration.

Robinson
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the Resolution

**ADJOURNMENT AS A RATE MAKING BOARD
BY THE SERGEANT-AT-ARMS**

**MEETING CALLED BACK TO ORDER AS THE CITY COUNCIL
BY THE SERGEANT-AT-ARMS**

40. RESOLUTION to approve the 2024 Budget of the Memphis Light, Gas, and Water Division Operations and Capital Budget. All Council Districts. This Resolution is sponsored by the MLGW Administration.

Robinson
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the Resolution

MEMPHIS PARKS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

41. RESOLUTION to accept, allocate, and appropriate federal grant funds in the amount of (\$82,768.00) for Overton Park Trail, Project PW01256, and allocate and appropriate (\$20,692.00) in G.O. Bonds for local match. District 7, Super District 8. This Resolution is sponsored by the Division of Public Works.

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

ACTION REQUESTED: Adopt the Resolution

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS

42. RESOLUTION approving the lease agreement with B & G Partnership for land situated in the Pidgeon Industrial area, Term of 5 years 1/1/24 –12/31/28 with 2 years renewal options. Rent shall be \$191.14 per plantable acre per year. District 6, Super District 8. This Resolution is sponsored by the Administration.

Ford
Chairman,
Economic
Development
& Tourism
Committee

ACTION REQUESTED: Adopt the resolution

43. RESOLUTION to transfer Simmons Bank Liberty Stadium and allocate \$120,000,000.00 of State Grant funds for Sports Facilities Improvements to University of Memphis Auxiliary Services Foundation. All Council Districts. This Resolution is sponsored by the Administration.

Carlisle
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the Resolution

44. RESOLUTION to allocate \$150,000.00 to the Driver’s License Reinstatement and Diversion Amnesty Program. All Council Districts. This Resolution is sponsored by Councilmembers Logan, Easter-Thomas, and Smiley.

Logan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: No Recommendation

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT