

## Memphis City Council Summary Sheet

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

A resolution to amend the FY2024 Operating Budget by accepting and appropriating the Expenditures and Revenues for the Lead Hazard Reduction Demonstration 2023 Grant (\$5,000,000.00) that includes funding for the Health Homes Initiative (\$700,000.00) in the total amount of Five Million, Seven Hundred Thousand Dollars (\$5,700,000.00).

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

The Division of Housing and Community Development Lead Program

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

Not applicable.

**4. State whether this will impact specific council districts or super districts.**

City Wide

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

New contracts and contract amendments will be required.

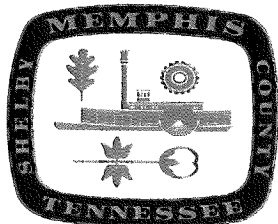
**6. State whether this requires an expenditure of funds/requires a budget amendment.**

Expenditure of funds will be required.

**7. If applicable, please list the MWBE goal and any additional information needed.**

Not applicable to MWBE.

Resolution-Division of Housing and Community Development 8-Jan-2024



*A resolution to amend the FY2024 Operating Budget by accepting and appropriating the Expenditures and Revenues for the Lead Hazard Reduction Demonstration 2023 Grant (\$5,000,000.00) that includes funding for the Health Homes Initiative (\$700,000.00) in the total amount of Five Million, Seven Hundred Thousand Dollars (\$5,700,000.00).*

**WHEREAS**, the City of Memphis Division of Housing and Community Development (HCD) has received Lead Hazard Reduction Demonstration grant funds in the amount of Five Million Dollars (\$5,000,000.00) and funding for the Health Homes Initiative in the amount of Seven Hundred Thousand Dollars (\$700,000.00) from the U.S. Department of Housing and Urban Development; and

**WHEREAS**, HCD received these funds through a competitive grant application process; and

**WHEREAS**, these funds will be used by HCD for lead hazard reduction activities and to coordinate with community partners to educate, train and mitigate lead issues in housing units.

**WHEREAS**, it is necessary to accept the grant funding and amend the Fiscal Year 2024 Operating Budget to establish funds for the 2023 Lead Hazard Reduction Demonstration grant; and

**WHEREAS**, it is necessary to appropriate the FY2024 grant funds in the amount of Five Million, Seven Hundred Thousand Dollars (\$5,700,000.00) for the Lead Hazard Reduction Demonstration grant and the Health Homes Initiative.

Resolution-Division of Housing and Community Development 8-Jan-2024

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the 2023 Lead Hazard Reduction Demonstration Grant funds and the Health Homes Initiative grant funds in the amount of Five Million, Seven Hundred Thousand Dollars (\$5,700,000.00) be accepted by the City of Memphis.

**BE IT FURTHER RESOLVED** that the Fiscal Year 2024 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the 2023 Lead Hazard Reduction Demonstration Grant (\$5,000,000.00) that includes funding for the Health Homes Initiative (\$700,000.00) in the total amount of Five Million, Seven Hundred Thousand Dollars (\$5,700,000.00) as follows:

**REVENUES**

U.S. Department of Housing and Urban Development	<u>\$5,700,000.00</u>
Total	\$5,700,000.00

**EXPENDITURES**

Lead Hazard Reduction Demonstration Grant	\$5,000,000.00
Health Homes Initiative	<u>\$ 700,000.00</u>
Total	\$5,700,000.00

## GRANT AWARD NOTIFICATION

**AWARD INFORMATION****\*Please Attach Copy of Award Letter****Division Information**

Division: HOUSING & COMMUNITY DEVELOPMENT Program Area: 0221 HCD  
 Division Contact: LATONYA T ALEXANDER Phone: 901.636.7306

**Funding Source**

Grantor: HUD, OFFICE OF LEAD HAZARD CONTROL & HEALTHY HOMES  
 Address: 451 SEVENTH STREET, SW WASHINGTON, DC 20410  
 Grantor Contact Name/ Email: BRUCE BAILEY BRUCE.E.BAILEY@HUD.GOV  
 Grantor Award Number: TNLHD0511-23 CFDA Number: 14.905  
 Full Name of Program: LEAD HAZARD  
 Start Date: 11/15/2023 End Date: 11/15/2027 Budget Source: Operating  CIP   
 Award Type: Federal Grants other  
 Award Amount: 5,700,000.00

**Will matching funds be provided?** Yes  No 

Amount of Matching Funds: \_\_\_\_\_ Source of Matching Funds: \_\_\_\_\_

**To be completed by Accounting Department**

Award Number: \_\_\_\_\_ Purpose Area: \_\_\_\_\_

**PROJECT INFORMATION**

Amount	Project Name (30 characters or less including spaces)	Project Number
5,700,000.00	LEAD	CD0050

**Check here if the grant requires splitting funds into multiple projects.** 

If yes, please provide the specific amounts and project names in the box above.

If no, list the entire award amount and project name in the first row in the box above.

**Check here if this award being applied to an existing project(s).** 

If yes, please identify the specific amounts, projects and project numbers in the box above.

If no, the Accounting Department will assign new project numbers.

Reviewed by Grants Compliance Office \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed by Accounting/Entered in Oracle: \_\_\_\_\_ Date: \_\_\_\_\_

Please complete and return with a copy of the Grant Award Letter or other Official Notification  
 to the Grants Compliance Office • 170 N Main St. 6<sup>th</sup> floor • [comgrantscompliance@memphistn.gov](mailto:comgrantscompliance@memphistn.gov)

## Assistance Award/Amendment

U.S. Department of Housing and  
Urban Development  
Office of Administration

1. Assistance Instrument <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Grant		2. Type of Action <input checked="" type="checkbox"/> Award <input type="checkbox"/> Amendment	
3. Instrument Number <b>TNLHD0511-23</b>		4. Amendment Number	5. Effective Date of this Action <b>See Block #20</b>
6. Control Number		7. Name and Address of Recipient <b>City of Memphis 170 North Main Street 3rd Floor Memphis, TN 38103</b>	
8. HUD Administering Office HUD, Office of Lead Hazard Control and Healthy Homes 451 Seventh Street, SW Room 8236 Washington, DC 20410		8a. Name of Administrator <b>Markquonda Mathis</b>	8b. Telephone Number <b>202-402-5120</b>
10. Recipient Project Manager <b>Cassandra Gray, <a href="mailto:Cassandra.gray@memphistn.gov">Cassandra.gray@memphistn.gov</a>, (901)636-7325</b>		9. HUD Government Technical Representative <b>Bruce Bailey, <a href="mailto:Bruce.E.Bailey@hud.gov">Bruce.E.Bailey@hud.gov</a>, 202-402-6249</b>	
11. Assistance Arrangement <input checked="" type="checkbox"/> Cost Reimbursement <input type="checkbox"/> Cost Sharing <input type="checkbox"/> Fixed Price	12. Payment Method <input type="checkbox"/> Treasury Check Reimbursement <input type="checkbox"/> Advance Check <input checked="" type="checkbox"/> Automated Clearinghouse	13. HUD Payment Office U.S. Dept. of HUD CFO Accounting Center, 6AF 801 Cherry St., Unit #45 Ste. 2500 Fort Worth, TX 76102	
14. Assistance Amount		15. HUD Accounting and Appropriation Data	
Previous HUD Amount <b>\$0.00</b>		8621/230174 211.RLH/L.RLHR LRI 00/98 <b>\$5,000,000.00</b>	15b. Reservation number
HUD Amount this action		8622/240174 221.RLHH/L.RHHI HHI 00/98 <b>\$700,000.00</b>	<b>LHD 23-7</b>
Total HUD Amount <b>\$5,700,000.00</b>		Amount Previously Obligated <b>\$0.00</b>	
Recipient Amount <b>\$794,728.53</b>		Obligation by this action <b>\$5,700,000.00</b>	
Total Instrument Amount <b>\$ 6,494,728.53</b>		Total Obligation <b>\$5,700,000.00</b>	

## 16. Description

Employer Identification: 62-6000361

UEI: LSWERD3XLNU8

Program: LRI/HHI

This instrument sets forth the agreement between the parties as to all terms and conditions and provisions herein. By signing this award document, the Grantee certifies that it is in compliance with all administrative and financial provisions of this award. This grant instrument consists of the following, some of which are incorporated by reference:

- Cover Page, HUD 1044
- FY 2023 Terms and Conditions
- Statement of Work/Work Plan/Benchmark Standards
- Grantee's financial and technical proposal
- Mutually agreed and negotiated proposal changes
- Abstract of grant activities
- Lead Hazard Control Program Policy Guidance Issuances "PGI-2015-01- Clarification of Costs for LHRD and LBPHC Grant Programs"
- TITLE 2: GRANTS AND AGREEMENTS - PART 200—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS <https://www.ecfr.gov/current/title-2/part-200>
- Notice of Grant Opportunity announced in GRANTS.GOV FR-6600-N-13 Posted date: 6/17/22

**Period of Performance: November 15, 2023 to November 15, 2027 months – 48 months**

17. <input checked="" type="checkbox"/> Recipient is required to sign and return three (3) copies of this document to the HUD Administering Office		18. <input type="checkbox"/> Recipient is not required to sign this document.	
19. Recipient (By Name) <i>Ashtley Cash</i>		20. HUD (By Name) <b>Robert M. Houston, Grants Officer</b>	
Signature & Title <i>Ashtley Cash, Director</i>	Date (mm/dd/yyyy) <b>11/8/23</b>	Signature & Title <i>Robert M. Houston</i>	Date (mm/dd/yyyy) <b>11/3/2023</b>



## Memphis City Council Summary Sheet

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

A resolution amending the FY24 CIP Budget by accepting additional Federal grant funding from the Tennessee Department of Transportation (TDOT) and appropriating \$551,230.00 to initiate construction on the Mississippi Blvd. Pedestrian Crossing project (EN01062).

### **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 will impact specific council districts or super districts.**

Capital improvements in Districts 4, 6, and Super District 8.

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

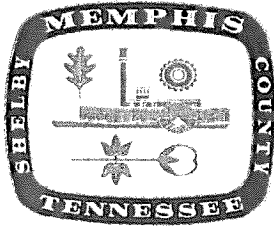
Amends an existing grant agreement with the Tennessee Department of Transportation for EN01062 to award the Construction funds.

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

Appropriation will require an amendment to the FY24 Capital Budget to appropriate funds in the amount of \$551,230.00

### **7. If applicable, please list the MWBE goal and any additional information needed**

The Goal setting committee set an MWBE participation goal of 8% in accordance with TDOT policy. The project bid on 12-13-23.



*A resolution amending the FY24 CIP Budget by accepting additional Federal grant funding from the Tennessee Department of Transportation (TDOT) and appropriating \$551,230.00 to initiate construction on the Mississippi Blvd. Pedestrian Crossing project (EN01062).*

**WHEREAS**, the Tennessee Department of Transportation has awarded \$551,230.00 in additional Federal grant funding for the Construction phase of the Mississippi Blvd. Pedestrian Crossing project (EN01062); and

**WHEREAS**, it is necessary to accept the grant funding and amend the Fiscal Year 2024 CIP Budget to initiate construction on the Mississippi Blvd. Pedestrian Crossing project (EN01062); and

**WHEREAS**, it is necessary to appropriate funding in the amount of Five Hundred Fifty-One Thousand, Two Hundred Thirty Dollars (\$551,230.00) for the Mississippi Blvd. Pedestrian Crossing project (EN01062); and

**WHEREAS**, this appropriation would allow the encumbrance of funding for a construction contract with Ferrell Paving

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2024 Capital Budget be and is hereby amended by accepting, allocating, and appropriating Federal grant funding in the amount of \$551,230.00 for the Mississippi Blvd. Pedestrian Crossing project (EN01062).

**BE IT FURTHER RESOLVED** that the fiscal year 2024 CIP Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Mississippi Blvd. Pedestrian Crossing project (EN01062) in the amount of Five Hundred Fifty-One Thousand, Two Hundred Thirty Dollars (\$551,230.00) as follows:

**Revenue**

**TDOT (Grant Funding) \$551,230.00**

**Expenditure**

**Contract Construction \$551,230.00**

**RESOLUTION TO ESTABLISH THE MEMPHIS CITY COUNCIL COMMUNITY GRANT PROGRAM FOR FY25**

**WHEREAS**, the Memphis City Council desires to promote community programming and improve neighborhoods; and

**WHEREAS**, Tenn. Code Annotated § 6-64-111, empowers the Memphis City Council to appropriate funds for the financial aid of nonprofit organizations working to promote the general welfare of Memphis residents; and

**WHEREAS**, nonprofit organizations and citizens work together to meet the needs of Memphians in need by extending the reach of City of Memphis Services; and

**WHEREAS**, The Memphis City Council recognizes nonprofit agencies as valued partners in the continuing efforts to improve the lives of Memphians; and

**WHEREAS**, it is important to the members of the Memphis City Council to prioritize funding specialized programs congruent with the needs of the City, the Memphis City Council will be cognizant of financial requests that exceed more than thirty percent of their total operating budget; and

**WHEREAS**, the Memphis City Council seeks to create a transparent process for the publication, application, and selection process for deserving nonprofit organizations within our City; and

**WHEREAS**, government grants are funded by tax dollars, so stringent compliance and reporting measures will be in place to ensure the money is well-spent.

**NOW, THEREFORE BE IT RESOLVED**, that the Memphis City Council does hereby create the Memphis City Council Community Grant Program for Fiscal Year 2025 (“FY25”) (July 1, 2024 – June 30, 2025), establishing a policy for meeting the needs of citizens and nonprofit requests for financial assistance as set forth below:

Nonprofit Organizations and Agencies working to improve the general welfare of citizens will have the opportunity to apply to the Memphis City Council Community Grant Program. The funding decisions of the Memphis City Council are final and subject to the availability of funds.

**Eligibility**

All applicants shall be a tax-exempt 501(c)(3) organization, with an official address listed within the City of Memphis, that has been in operation under its tax-exempt status for two years prior to the application. The organization must provide proof of current programming and successful track record in providing the services for which they are requesting funding within the City of Memphis. The nonprofit organization’s program should address one of the following City of Memphis priorities: Crime and Drug Prevention, Youth Empowerment, Economic Development, and Poverty. The organizations must be in compliance with State requirements and show proof of current certification status. The funds shall only be used for public use and cannot be used for political activities, to support any election or campaign or political party; or to support any group or activity that discriminates based on race, color, religion, sex, national origin, disability, or age. The Memphis City Council will not award funding in an amount that exceeds more than thirty (30%) percent of an organization’s expenses or revenues, whichever amount is higher, as reported on the most recently filed and accepted IRS form 990EZ, 990-N, and 990.



## Application

All agencies requesting funding shall submit a complete application and presentation. Proof of nonprofit status and financial information must be submitted with an application along with a presentation that further clarifies the goals the organization intends to accomplish with their requested funds.

Only applications submitted during the application period will be considered for a Memphis City Council Community Grant for FY25.

Applications and presentations shall be submitted online using a link on the Memphis City Council website.

**Applications will be available July 15-August 19, 2024. All completed applications must be submitted and received by Monday, August 19, 2024, at 11:59 p.m.**

**Late or incomplete applications will not be submitted to Council Members for consideration for an FY25 grant. Organizations that submit a late or incomplete application must wait until the start of the FY26 Memphis City Council Community Grant Program to submit a new application to receive funding.**

## Application Review

All applications will be reviewed by the Memphis City Council staff following the application deadline. The staff will review applications to ensure all eligibility criteria are met. The staff shall then submit the list of qualified agencies for City Council Review for grants during FY25. All applicants must submit **either** an IRS 501(c)(3) Determination Letter **or** a Certificate of Existence from the Tennessee Secretary of State, the organization's most recently filed and accepted IRS Form 990EZ, 990-N, or 990, the IRS Form W-9, and a complete presentation, using the template provided by the City Council at the time of application submission. The IRS filing submitted must be from tax year(s) 2021 to the most recent tax year in order to be accepted.

The name of the organization listed on all documents and IRS filings must match the applicant's name. **If the applicant's name does not match the organization identified on the Charitable Organizations filing, including all IRS documentation and/or any documentation from the Secretary of State, the application will not be considered.** The staff will evaluate applications and presentations to ensure all applications are complete, address a public need, show proof of current nonprofit status, and a demonstrated history of community involvement. Priority will be given to first-time applicants.

**All documentation will be reviewed and verified through the IRS website <https://www.irs.gov/charities-non-profits/annual-filing-and-forms>**

**If any information contained in the application does not match the information provided to the IRS, the application will be null and void, and the applicant may not re-apply until the next fiscal year (FY2026). If any application information is found to be fraudulent or inaccurate, the organization will be ineligible to receive funding.**

## **Budget Presentation**

Upon request, applicants may be asked to present before Council Members. First-time applicants are required to conduct a presentation before the Memphis City Council upon request by a Council Member in order to be eligible for a grant award.

All agencies presenting before the Budget & Audit Committee during FY25 will have an allotted time to make a budget presentation. The completed presentation template, submitted with the application, shall be used during the presentation. The template will include space to provide current contact information, how the requested funds will be used to enhance the quality of life for citizens, and financial reporting documents.

## **Grant Disbursement**

All grant award recipients must submit a final grant report to the Memphis City Council and City of Memphis Finance Division by **May 1, 2025**. This report shall include an accounting of funds spent, proof of public use, and current nonprofit status.

**Failure to submit a final grant report that is approved by the City of Memphis Finance Division will disqualify an organization from submitting an application for a City Council grant for the next 3 fiscal years (FY26, FY27, and FY28). The City of Memphis Finance Division may also request that the funds awarded to the recipient be returned to the City of Memphis.**

Any approved applications for grant funds will be included in the FY25 Budget. All grant recipients are required to comply with the guidelines set forth by the City of Memphis Finance Office. **Failure to comply with the guidelines required by the Finance Division may result in forfeiture of the grant award.** Every grant recipient must accept the funds and complete an agreement with the City of Memphis Finance Division.

**THEREFORE, BE IT FURTHER RESOLVED** that the Memphis City Council, as a whole, will distribute the \$3,250,000 in grant funding during FY25 from the Community Initiatives Grants line item included in the Administration FY25 Budget Proposal, and each Council Member shall allocate at least seventy-five (75%) percent of his or her allotted funds by September 10<sup>th</sup>, 2024; the remaining twenty-five (25%) percent must be allocated by November 12, 2024, to ensure adequate time for disbursement before the end of the calendar year and submission of the final grant report before the end of the fiscal year.

**BE IT FURTHER RESOLVED** that all allocations must take place by resolution on the following meeting dates: September 10<sup>th</sup>, October 15<sup>th</sup>, and November 12<sup>th</sup> of 2024, to reduce the quantity of resolutions over the course of the year.

**BE IT FURTHER RESOLVED** that, in the event there is a City Council vacancy, the interim Council Member may only allocate one-twelfth (1/12) per month of the funding balance that is available for that specific district, to be allocated based upon the time the individual will be filling the vacancy.

Sponsors:  
JB Smiley, Jr.  
Ford Canale

City Of Memphis

FY24 – Q2  
Capital  
Improvement  
Program  
Council Report

February 20, 2024



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## City of Memphis Capital Improvement Plan Overview

The Capital Improvement Budget is the annual allocation to the CIP that is set aside to fund major construction projects, acquire property, purchase equipment and fund ongoing capital programs for the City. The CIP Budget is a one-year allocation. Adoption of the CIP Budget by the City Council allows for the allocation of funds for the first year of the program, or in the case of carried-forward projects, a reallocation of unappropriated funding. The City attempts to budget annual General Obligation (G.O.) Bonds specifically at an average rate of retirement of older bonds. This is currently approximately \$95.9 million.

Ordinance No. 5872 adopts the annual operating and capital budgets and tax rate for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

## Fiscal Year 2024 Capital Improvement Plan Adopted Budget

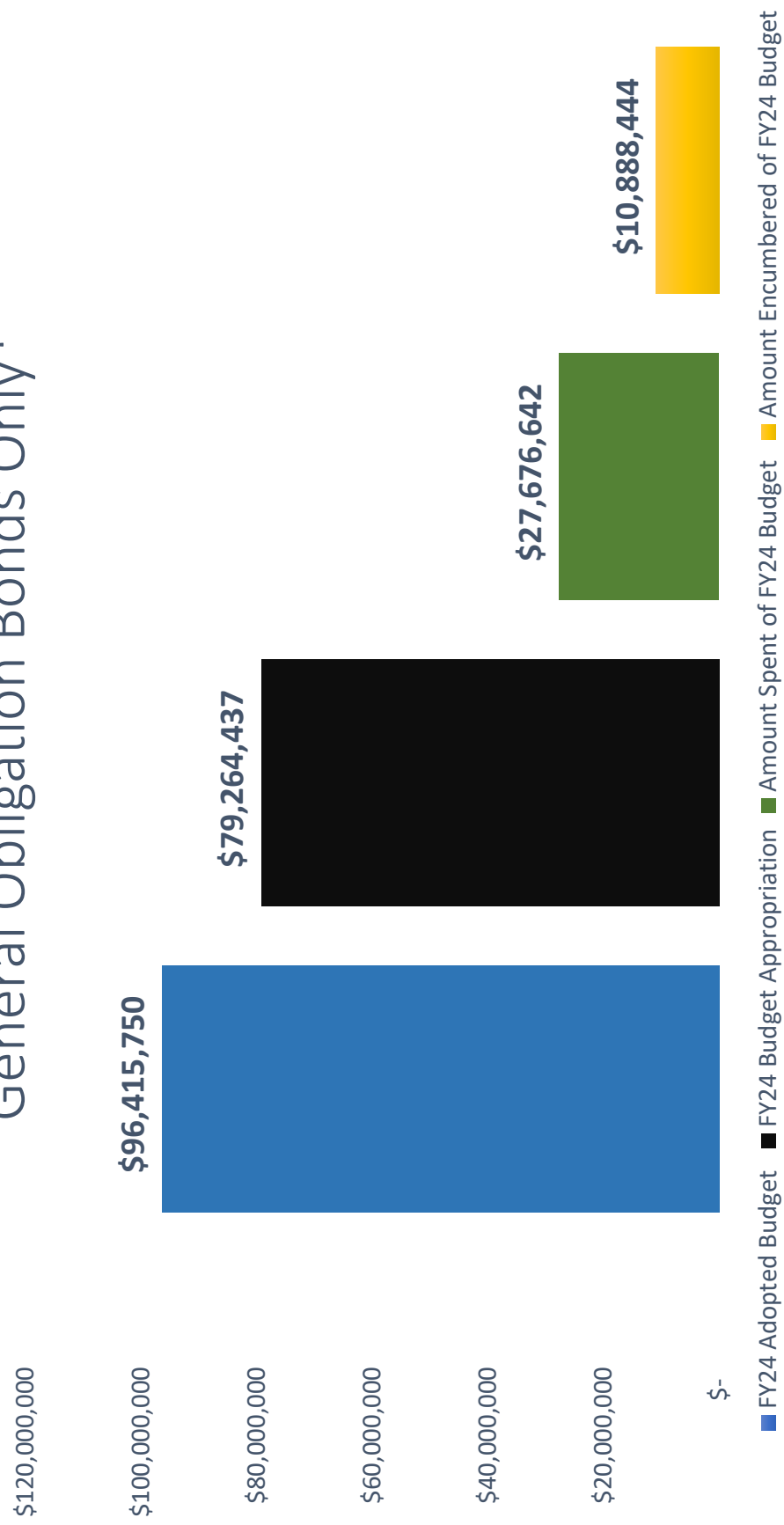
### **The FY24 CIP Adopted Budget by funding source is outlined below:**

- \$95,915,750 for General Obligation (G.O.) Bond
- \$500,000 for Operating Transfer In
- \$40,612,000 for Public Works Storm Water Fund
- \$108,500,000 for Public Works Environmental Maintenance Sewer Fund

### **The FY24 CIP Approved Carry Forward by funding source is outlined below:**

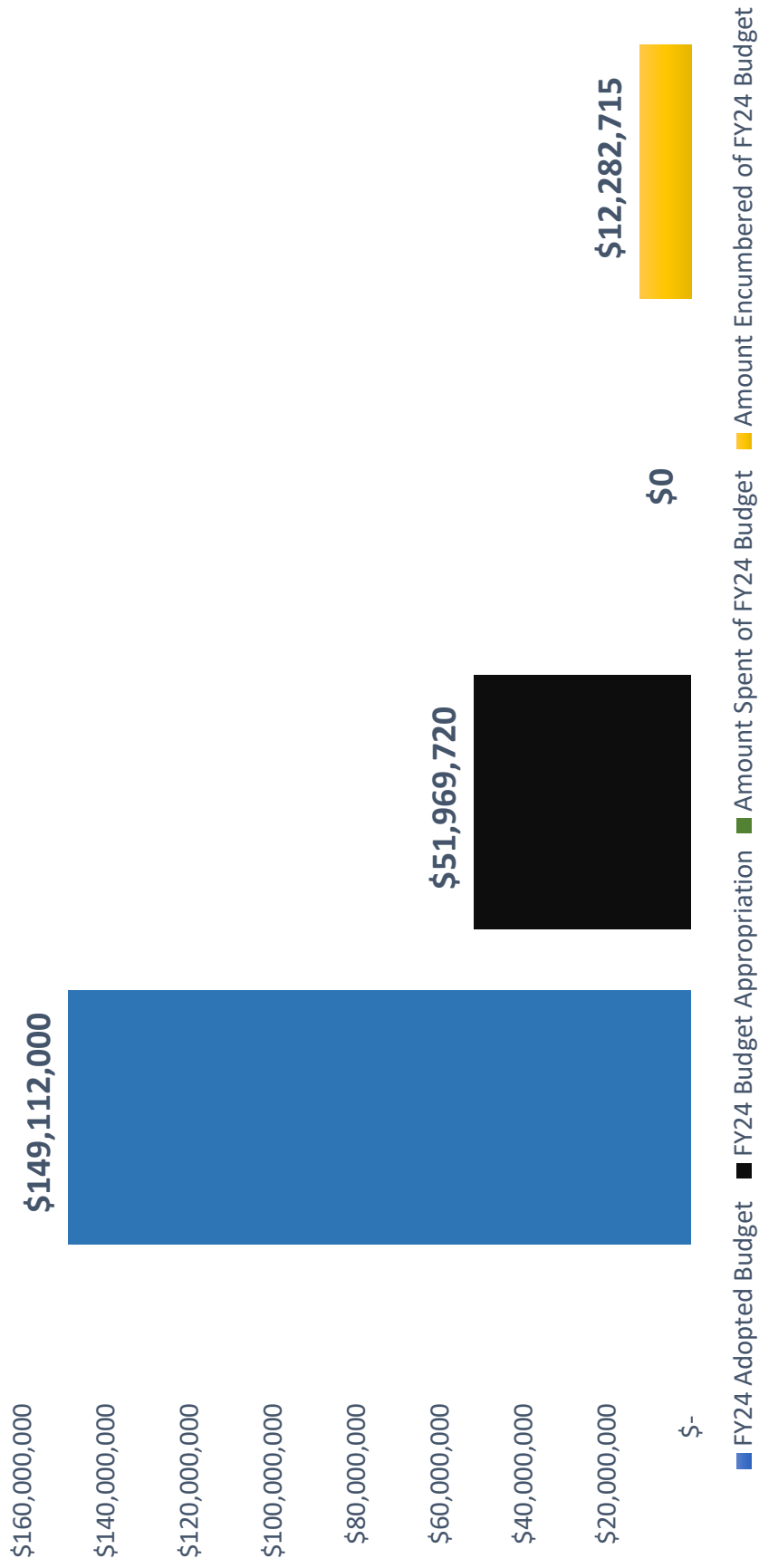
- \$8,461,014 for General Obligation (G.O.) Bond
- \$3,650,000 for Operating Transfer In
- \$172,000 for Federal Grants CIP
- \$16,316,521 for Public Works Storm Water Fund
- \$183,094,716 for Public Works Environmental Maintenance Sewer Fund

# FY24 Q2 Capital Improvement Budget General Obligation Bonds Only\*



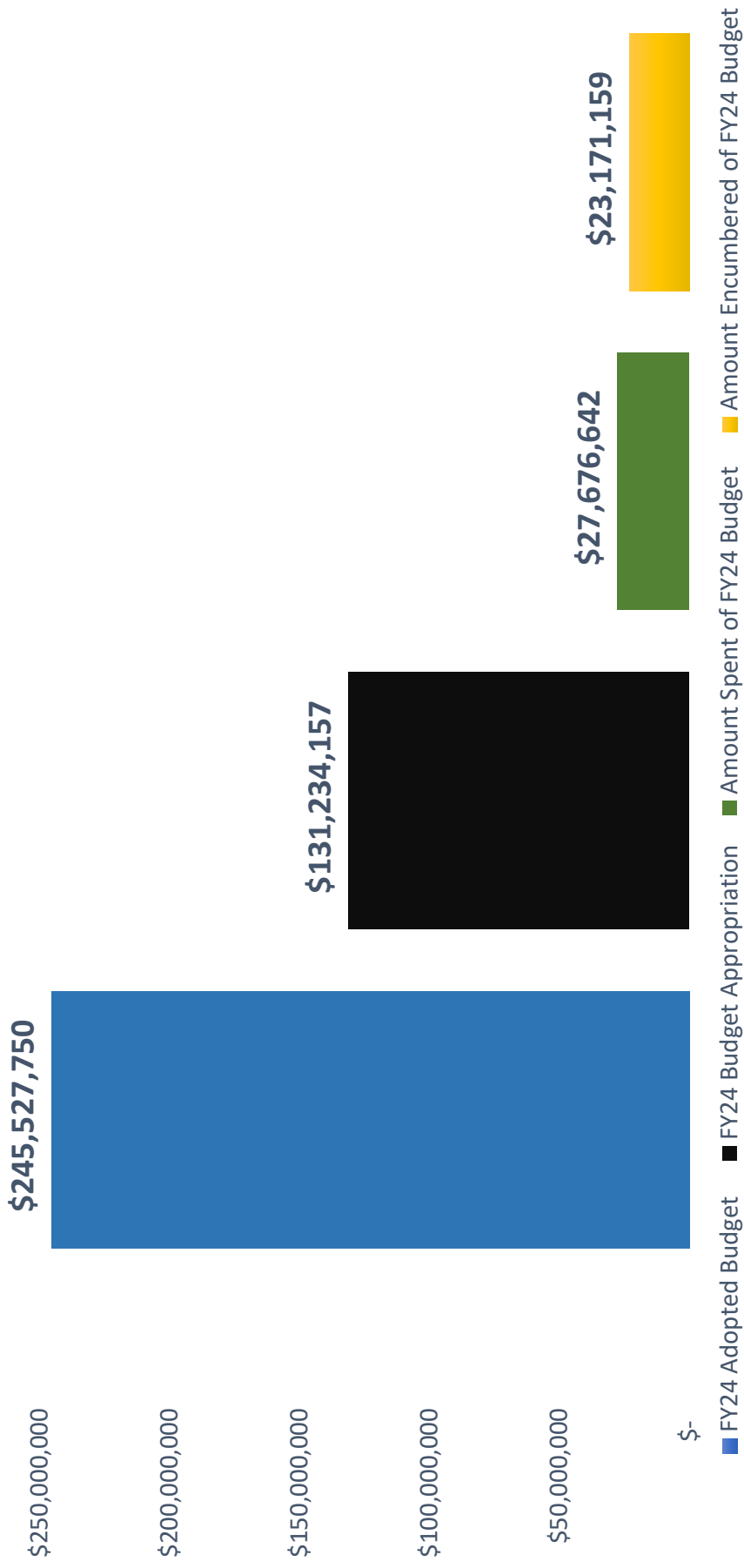
\*(\$500,000 Operating Transfer In)

# FY24 Q2 Capital Improvement Budget Enterprise Fund CIP Only: Sewer (0601) & Storm Water (0671)





# FY24 Q2 Capital Improvement Budget All Funds Chart



# FY24 CIP Status Report: City Engineering as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
<b>EN01067</b>	HSIP Coverline	General Obligation Bonds	150,000	150,000			0%		260,322		131,014
<b>EN24200</b>	FY24 Traf Calm Dev Coverline	General Obligation Bonds	1,700,000				0%				150,000
EN01113	Speed Hump Install Group 13	General Obligation Bonds		1,700,000	1,700,000	501,463	29%	813,162	3,900,000	3,900,000	
<b>EN24400</b>	FY24 Traf Sfty DVLPT Coverline	General Obligation Bonds	250,000				0%				
EN24401	Traffic Safety Dev Grp 2	General Obligation Bonds		250,000	250,000	-	0%	250,000	250,000	250,000	
<b>EN24100</b>	Traffic Signals Coverline	General Obligation Bonds	1,250,000	660,000			0%		660,000		
EN24101	Traffic Signals FF&E (FY24)	General Obligation Bonds		590,000	590,000	111,087	19%	395,327	590,000	590,000	
<b>EN24300</b>	Urban Arts Installation Coverline	General Obligation Bonds	400,000				0%				
EN24301	Urban Art FY24	General Obligation Bonds		400,000	400,000	-	0%	400,000	400,000	400,000	
<b>TOTALS</b>			<b>\$3,750,000</b>	<b>\$3,750,000</b>	<b>\$2,940,000</b>	<b>\$612,550</b>	<b>16%</b>	<b>\$1,858,489</b>	<b>\$6,060,322</b>	<b>\$5,140,000</b>	<b>\$281,014</b>

# FY24 CIP Status Report: Convention Center as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
GS24300	Convention Center Coverline	General Obligation Bonds	250,000								
GS24301	FY24 Convention Center Repairs	General Obligation Bonds		250,000	250,000	-	0%	-	250,000	250,000	
<b>TOTALS</b>			<b>\$250,000</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$0</b>	<b>0%</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$0</b>

# FY24 CIP Status Report: Fire Services as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
<b>FS02033</b>	Drill Tower Improvements	General Obligation Bonds	2,000,000	502,563	-	-	0%	-	1,259,137	756,574	
FS23101	Fire Station Renovs #34 & #46	General Obligation Bonds		1,175,000	1,175,000	-	0%	1,175,000	2,307,000	2,307,000	
FS23102	FS Porch and Canopy Project	General Obligation Bonds		322,437	322,437	-	0%	322,437	2,233,863	2,233,863	
<b>FS02032</b>	EMA Sirens	General Obligation Bonds	153,000	153,000	153,000	42,432	28%	110,568	499,663	499,663	
<b>FS24100</b>	Fire Station Improvement Coverline	General Obligation Bonds	1,000,000								40,000
FS23101	Fire Station Renovs #34 & #46	General Obligation Bonds		1,000,000	1,000,000	-	0%	1,000,000			
<b>FS04012</b>	Personal Protective Equipment	General Obligation Bonds	1,274,000	1,274,000	1,274,000	177,521	14%	1,096,479	11,596,649	11,596,649	
<b>TOTALS</b>			<b>\$4,427,000</b>	<b>\$4,427,000</b>	<b>\$3,924,437</b>	<b>\$219,954</b>	<b>5%</b>	<b>\$3,704,483</b>	<b>\$17,896,312</b>	<b>\$17,393,749</b>	<b>\$40,000</b>

# FY24 CIP Status Report: General Services as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
<b>GS22202</b>	City Hall Improvements 2	General Obligation Bonds	2,000,000	2,000,000	2,000,000	-	0%	-	2,000,000	2,000,000	
<b>GS01049</b>	Coke Facility- Adaptive Reuse	General Obligation Bonds	2,000,000	2,000,000	2,000,000	-	0%	169,382	21,764,152	21,764,152	
<b>GS0224B</b>	FY24 CAQ-Fire	General Obligation Bonds	5,000,000	5,000,000	5,000,000	4,425,000	89%	-	5,000,000	5,000,000	
<b>GS0224A</b>	FY24 CAQ-Police	General Obligation Bonds	5,000,000	5,000,000	5,000,000	-	0%	-	5,000,000	5,000,000	
<b>GS24100</b>	FY24 Major Mod Coverline	General Obligation Bonds	10,000,000				0%				
GS24107	FY24 Major Mod Contingency	General Obligation Bonds		1,187,700	1,187,700	85,946	7%	-	1,187,000	1,187,000	
GS24105	FY24 Major Mod Carpentry	General Obligation Bonds		236,250	236,250	-	0%	-	236,250	236,250	
GS24104	FY24 Major Mod HVAC	General Obligation Bonds		4,667,500	4,667,500	63,075	1%	93,345	4,667,500	4,667,500	
GS24102	FY24 Major Mod Electric	General Obligation Bonds		2,896,550	2,896,550	60,504	2%	19,496	2,896,550	2,896,550	
GS24101	FY24 Major Mod Roofing	General Obligation Bonds		1,012,000	1,012,000	-	0%	-	1,012,000	1,012,000	
<b>GS24001</b>	Whitehaven STEM Infrastructure	General Obligation Bonds	500,000	500,000	500,000	-	0%	-	500,000	500,000	
	Operating Transfer In		500,000	500,000	-	-	0%	-	500,000	-	11
<b>TOTALS</b>			<b>\$25,000,000</b>	<b>\$25,000,000</b>	<b>\$24,500,000</b>	<b>\$4,634,525</b>	<b>19%</b>	<b>\$282,223</b>	<b>\$44,763,452</b>	<b>\$44,263,452</b>	<b>\$0</b>

# FY24 CIP Status Report: HCD as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
CD01102	Historic Melrose Rehabilitation	General Obligation Bonds	1,800,000	1,800,000	-	433,087	24%	324,259	2,300,000	2,300,000	
CD18102	Pinch Infrastructure	General Obligation Bonds	250,000	250,000	250,000	130,795	52%	-	1,426,378	1,426,378	
CD-TBD	The Hospitality Hub North	General Obligation Bonds	1,500,000	-	-	-	0%	-	-	-	
<b>TOTALS</b>			<b>\$3,550,000</b>	<b>\$2,050,000</b>	<b>\$250,000</b>	<b>\$563,882</b>	<b>28%</b>	<b>\$324,259</b>	<b>\$3,726,378</b>	<b>\$3,726,378</b>	<b>\$0</b>

# FY24 CIP Status Report: Information Technology as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
IT01002	Cyber Security Infrastructure Upg	General Obligation Bonds	250,000	250,000	250,000	59,819	24%	-	2,250,000	2,250,000	
IT01004	Implementation Modernization	General Obligation Bonds	200,000	200,000	200,000	-	0%	-	2,499,467	2,499,467	
IT01003	Operational Infra Enhancements	General Obligation Bonds	750,000	750,000	750,000	-	0%	104,713	3,236,314	3,236,314	
<b>TOTALS</b>			<b>\$1,200,000</b>	<b>\$1,200,000</b>	<b>\$1,200,000</b>	<b>\$59,819</b>	<b>5%</b>	<b>\$104,713</b>	<b>\$7,985,781</b>	<b>\$7,985,781</b>	<b>\$0</b>

# FY24 CIP Status Report: Library Services as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
LI01033	New Levi Library	General Obligation Bonds	750,000	750,000	750,000	-	0%	-	750,000	750,000	
<b>TOTALS</b>			<b>\$750,000</b>	<b>\$750,000</b>	<b>\$750,000</b>	<b>\$0</b>	<b>0%</b>	<b>\$0</b>	<b>\$750,000</b>	<b>\$750,000</b>	



# FY24 CIP Status Report: MATA as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
GA03028	Innovation Corridor BRT	General Obligation Bonds	5,005,750	5,005,750	-	-	0%	-	17,090,590	17,090,590	
GA03029	Transit Amenities	General Obligation Bonds	750,000	750,000	-	-	0%	-	2,750,000	2,750,000	
<b>TOTALS</b>			<b>\$5,755,750</b>	<b>\$5,755,750</b>	<b>\$0</b>	<b>\$0</b>	<b>0%</b>	<b>\$0</b>	<b>\$19,840,590</b>	<b>\$19,840,590</b>	

# FY24 CIP Status Report: Memphis Parks as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
PK06018	Audubon Golf Course Redesign	General Obligation Bonds	5,000,000	5,000,000	5,000,000	4,374,896	87%	111,612	9,000,000	9,000,000	
PK03007	Bellevue Tennis Center	General Obligation Bonds	1,500,000	1,500,000	-	-	0%	-	1,500,000	-	
PK08039	Botanic Garden Infrastructure	General Obligation Bonds	500,000	500,000	500,000	500,000	100%	-	500,000	500,000	
PK08037	Lichterman Major Maintenance	General Obligation Bonds	250,000	250,000	250,000	-	0%	-	999,757	999,757	
PK01036	New Lester Community Center	General Obligation Bonds	5,000,000	5,000,000	5,000,000	-	0%	-	12,000,000	12,000,000	
PK24100	Park Improvements Coverline	General Obligation Bonds	2,500,000								
PK24101	FY 24 A&E	General Obligation Bonds		300,000	300,000	23,486	8%	12,227	300,000	300,000	
PK24102	Park Coverline FF&E	General Obligation Bonds		300,000	300,000	-	0%	-	300,000	300,000	
PK24103	Park Misc. Improvements	General Obligation Bonds		1,900,000	1,900,000	9,646	1%	-	1,900,000	1,900,000	
PK08038	RedZone Opportunity Zone	General Obligation Bonds	1,100,000	1,100,000	1,100,000	1,100,000	100%	-	1,100,000	1,100,000	
PK03004	Tennis Major Maintenance	General Obligation Bonds	600,000	600,000	600,000	-	0%	-	4,839,547	4,839,547	
PK07127	Wolf River Greenway - Phase 6	General Obligation Bonds	1,500,000	1,500,000	1,500,000	-	0%	-	2,500,000	2,500,000	
PK09002	Zoo Major Maintenance	General Obligation Bonds	250,000	250,000	250,000	250,000	100%	-	7,626,000	7,326,000	16
<b>TOTALS</b>			<b>\$18,200,000</b>	<b>\$18,200,000</b>	<b>\$16,700,000</b>	<b>\$6,258,028</b>	<b>34%</b>	<b>\$123,839</b>	<b>\$42,565,304</b>	<b>\$40,765,304</b>	<b>\$300,000</b>

# FY24 CIP Status Report: MRPP as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
GA07002	MRPP Coverline	General Obligation Bonds	250,000	250,000					250,000		
GA07007	Mud Island Coverline	Operating Transfer In									3,000,000
<b>TOTALS</b>			<b>\$250,000</b>	<b>\$250,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0%</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$0</b>	<b>\$3,000,000</b>

# FY24 CIP Status Report: Police Services as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
<b>PD04031</b>	Axon Enterprise Solution	General Obligation Bonds ARPA Technology Grant	8,000,000	8,000,000	8,000,000	6,652,640	83%	1,347,360	8,000,000	8,000,000	
<b>PD04022</b>	In-Car Video/GPS/BWC	General Obligation Bonds							3,000,000	3,000,000	
<b>PD02016</b>	New Mount Moriah Station	General Obligation Bonds	4,000,000	4,000,000	4,000,000	-	0%	-	13,047,100	13,047,100	1,000,000
<b>PD02010</b>	Raines Station	General Obligation Bonds	1,000,000	1,000,000	1,000,000	-	0%	-	1,000,000	1,000,000	
<b>PD02013</b>	FY18 Police Academy Renov	General Obligation Bonds	750,000	750,000	750,000	-	0%	-	5,527,916	5,527,916	750,000
<b>PD04029</b>	Radio Maintenance Bldg Rehab	General Obligation Bonds	733,000	733,000	-	-	0%	-	3,008,613	2,105,613	300,000
<b>PD03010</b>	Take-Home Car Program	General Obligation Bonds	1,500,000	1,500,000	-	-	0%	-	2,500,000	1,000,000	
<b>TOTALS</b>			<b>\$15,983,000</b>	<b>\$15,983,000</b>	<b>\$13,750,000</b>	<b>\$6,652,640</b>	<b>42%</b>	<b>\$1,347,360</b>	<b>\$45,345,629</b>	<b>\$42,942,629</b>	<b>\$6,050,000</b>

# FY24 CIP Status Report: Public Works as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
PW24300	ADA Curb Ramp Cover	General Obligation Bonds	1,000,000	1,000,000					1,000,000		
PW24100	Asphalt Paving Cover	General Obligation Bonds	15,000,000								
PW24101	CIP Resurfacing FY24 Group 1	General Obligation Bonds		4,250,000	4,250,000	3,084,684	73%	864,864	4,250,000	4,250,000	
PW24102	CIP Resurfacing FY24 Group 2	General Obligation Bonds		4,250,000	4,250,000	900,698	21%	2,278,213	4,250,000	4,250,000	
PW24103	CIP Asphalt Paving Inhouse FY24	General Obligation Bonds		6,500,000	6,500,000	4,689,864	72%	-	6,500,000	6,500,000	
PW24400	Bridge Repair Coverline FY24	General Obligation Bonds	800,000	800,000					800,000		
PW24200	Sidewalks Coverline	General Obligation Bonds Operating Transfer In	500,000	500,000					500,000		500,000
PW01290	Channel Avenue Repaving	GO Bonds/Federal Grant									500,000
	<b>TOTALS</b>		<b>\$17,300,000</b>	<b>\$17,300,000</b>	<b>\$15,000,000</b>	<b>\$8,675,246</b>	<b>50%</b>	<b>\$3,143,077</b>	<b>\$17,300,000</b>	<b>\$15,000,000</b>	<b>\$2,612,000</b>

# FY24 CIP Status Report: Sewer CIP as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
<b>SW24100</b>	Misc Subdivisions Outfalls Coverline	Various	2,500,000	2,500,000					2,500,000		
<b>SW24200</b>	Rehab Existing System Coverline	Various	17,000,000	8,217,285					8,217,285		12,750,000
<b>SW24201</b>	CIPP 18,36,60-2 areas	Various		8,782,715	8,782,715	-	0%	8,782,715	8,782,715	8,782,715	
<b>SW24300</b>	Service Unsewered Coverline	Various	2,000,000	2,000,000					2,000,000		
<b>SW02011</b>	Covered Anaerobic Lagoon	Various	1,000,000	1,000,000	-	-	0%	-	63,515,670	17,715,670	44,800,000
<b>SW02033</b>	South Plant Expansion	Various	25,000,000	25,000,000	25,000,000	-	0%	-	368,080,038	295,176,400	72,903,638
<b>SW04009</b>	Stiles Plant Modification	Various	10,000,000	10,000,000	-	-	0%	-	48,832,917	24,832,917	4,000,000
<b>SW04011</b>	Stiles WWTF Biosolids Upgrades	Various	31,000,000	31,000,000	10,000,000	-	0%	-	32,000,000	11,000,000	
<b>SW05001</b>	Sewer Assessment and Rehab	Various	20,000,000	16,628,234	-	-	0%	-	402,628,234	366,666,849	46,333,151
SW05005	TDEC ARP Sewer	Sewer Revenue Bonds		3,371,766	3,371,766	-	0%	-	10,371,766	10,371,766	
<b>SW02006</b>	Sludge Disp/Earth Complex	Various							22,930,978	20,873,051	2,057,927
<b>SW04007</b>	Environmental Maint Relocation	Various							16,809,489	16,559,489	250,000
<b>TOTALS</b>			<b>\$108,500,000</b>	<b>\$108,500,000</b>	<b>\$47,154,481</b>	<b>\$0</b>	<b>0%</b>	<b>\$8,782,715</b>	<b>\$986,669,092</b>	<b>\$771,978,857</b>	<b>\$183,094,716</b>

# FY24 CIP Status Report: Storm Water CIP as of 12/31/23

Project Number	Project Name	Funding Source	FY24 Adopted Budget	FY24 Budget Allocation	FY24 Budget Appropriation	Amount Spent of FY24 Budget	Percentage Spent of FY24 Allocation	Amount Encumbered of FY24 Budget	Cumulative Project Allocation	Cumulative Project Appropriation	FY23 Carryforward
<b>ST02001</b>	Design Coverline	Various	7,225,000	7,225,000					7,225,000		96,080
<b>ST03205</b>	Drainage Coverline	Various	32,037,000	27,221,761					27,221,761		15,370,441
ST02025	ST AM: Klondike	Storm Water Revenue Bonds		143,432	143,432	-	0%	-	143,432	143,432	
ST02024	ST AM: Oakhaven	Storm Water Revenue Bonds		92,692	92,692	-	0%	-	92,692	92,692	
ST02023	ST AM: Orange Mound	Storm Water Revenue Bonds		771,005	771,005	-	0%	-	771,005	771,005	
ST03225	Mill Ave Drainage Replacement	Storm Water Revenue Bonds		308,110	308,110	-	0%	-	308,110	994,846	
ST03235	South Cypress Creek NDR-2	Storm Water Revenue Bonds		3,500,000	3,500,000	-	0%	3,500,000	3,500,000	3,500,000	
<b>ST03211</b>	Curb & Gutter Misc Locations	Various	500,000	500,000					1,500,000	500,000	500,000
<b>ST03214</b>	Flood Mitigation Coverline	Various	350,000	350,000					700,000		350,000
<b>ST03216</b>	Bridge Repair Coverline	Various	500,000	500,000					500,000		21
<b>TOTALS</b>			<b>\$40,612,000</b>	<b>\$40,612,000</b>	<b>\$4,815,239</b>	<b>\$0</b>	<b>0%</b>	<b>\$3,500,000</b>	<b>\$42,648,736</b>	<b>\$6,001,975</b>	<b>\$16,316,521</b>

# FY24 CIP Carryforward Summary Fund 0400 Capital Improvement Fund

Division	Project Number	Project Name	Amount Carried Forward into FY24
City Engineering	EN24200	Traffic Calming Devices Coverline	\$150,000
City Engineering	EN01067	HSIP Coverline	\$131,014
Fire Services	FS24100	Fire Station Improvement Coverline	\$40,000
Memphis Parks	PK09002	Zoo Major Maint	\$300,000
Memphis River Parks Partnership	GA07007	Mud Island Renovations Coverline	\$3,000,000
Police Services	PD02013	Police Academy Reno	\$750,000
Police Services	PD02016	Mount Moriah Station	\$4,000,000
Police Services	PD04029	Radio Maint	\$300,000
Police Services	PD04022	In-Car Video	\$1,000,000
Public Works	PW24200	Sidewalks Coverline	\$1,000,000
Public Works	PW01290	Channel Ave Repaving	\$1,612,000
<b>TOTALS</b>			<b>\$12,283,014</b>



# FY24 CIP Carryforward Summary Funds 0601 & 0671 Sewer and Storm Water

Division	Project Number	Project Name	Amount Carried Forward into FY24
Storm Water	ST02001	Design Coverline	\$96,080
Storm Water	ST03205	Drainage Coverline	\$15,370,441
Storm Water	ST03211	Curb & Gutter Misc Locations	\$500,000
Storm Water	ST03214	Flood Mitigation Coverline	\$350,000
Sewer	SW24200	Rehab Existing System Coverline	\$12,750,000
Sewer	SW02011	Covered Anaerobic Lagoon	\$44,800,000
Sewer	SW02033	South Plant Expansion	\$72,903,638
Sewer	SW04009	Stiles Plant Modification	\$4,000,000
Sewer	SW05001	Sewer Assessment and Rehab	\$46,333,151
Sewer	SW02006	Sludge Disp/Earth Complex	\$2,057,927
Sewer	SW04007	Environmental Maint Relocation	\$250,000
<b>TOTALS</b>			<b>\$199,411,237</b>

City Of Memphis

FY24 – Q2  
Capital  
Improvement  
Program  
Council Report

February 20, 2024

Paul Young	Mayor
Antonio Adams	COO
Walter Person	CFO
Crystal Givens	Deputy CFO
Tristan Gately-Sweatt	Planning & Capital Programs Manager
Abdunnoor Karim II	Senior Financial Analyst – CIP

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, CHAPTER 6, TO DEFINE ENTERTAINMENT TRANSPORTATION VEHICLES, AND TO PROVIDE FOR THE LICENSING AND REGULATION OF THE SAME**

**WHEREAS**, in recent years a new type of transportation business has emerged in various cities within the United States in which the passengers hire a motor vehicle not only as a means of transportation but also for some entertainment or social purpose; and

**WHEREAS**, the General Assembly of the State of Tennessee did in its recent session amend Tennessee Code Annotated, Section 7-51-1007, to recognize Entertainment Transportation Vehicles as a category separate from other types of vehicles already included in said law, and to allow municipalities within Tennessee to regulate the operation of Entertainment Transportation Vehicles; and

**WHEREAS**, in other cities in which such vehicles operate, governments have encountered various problems caused by the vehicles in the area of public safety and welfare, including accidents resulting in damage and injury, the commission of crimes related to operation of the vehicles, and complaints from businesses and citizens about noise and offensive behavior by patrons; and

**WHEREAS**, the Memphis City Council deems it necessary for the health, safety, and welfare of citizens to amend the code of ordinances to regulate the operation of entertainment vehicles in the City of Memphis.

NOW, THEREFORE BE IT ORDAINED, BY THE COUNCIL OF CITY OF MEMPHIS:

Article 1. Definitions.

For purposes of this chapter:

"Certificate" means a certificate of public convenience and necessity, a license granted, upon application and approval, by the Memphis Transportation Commission (MTC) for the sole purpose of authorizing the certificate holder to provide entertainment transportation through an entertainment transportation vehicle.

"Certificate holder" means a person, company, corporation or association which has applied for, and been granted, a certificate of public necessity and convenience.

"Customer" means any person on an entertainment transportation vehicle other than the driver or other employee of the entertainment transportation business, who has paid money for the services of the business or is attached to a party that has done so.

"Driver" means any individual who physically operates an entertainment transportation vehicle as a for-hire vehicle under this chapter. This person may share additional, company-related titles, such as owner, employee of the owner, holder or independent contractor.

"Driver permit" means a permit issued by the MTC to drive and operate an entertainment transportation vehicle.

"Enclosed vehicle" means any motor vehicle that is fully enclosed by metal, plexiglass or glass on all sides and on the top/roof. Any vehicle not meeting this definition would constitute an "unenclosed vehicle." A vehicle is unenclosed if any portion of it lacks solid sides and a roof, including all appurtenances attached thereto, including, but not limited to, a pickup truck or a

wagon or trailer pulled by a tractor, within which passengers are capable of standing and circulating while the vehicle is in motion. For purposes of this section, a vehicle "side" must be a full side enclosure of the vehicle and cannot consist of solely a guard rail or railing. It may contain windows capable of being opened, but all windows shall be fully raised while the vehicle is in operation and any passenger is in possession of an open container. Enclosed vehicles shall maintain any required emergency access or exits but the emergency access or exits may not be used to avoid the safety goals intended by the enclosure.

"Entertainment transportation vehicle" means any motor vehicle that is designed or constructed to accommodate and transport more than one passenger for hire, the principal operation of which is confined to the area within the Memphis City Limits, whether it is operated on a fixed route or schedule, and where the passengers hire the motor vehicle not only as a means of transportation but also for some entertainment or social purpose. "Entertainment transportation" includes, but is not limited to, trucks, buses, and wagons/trailers pulled by a motor vehicle. "Entertainment transportation" does not include a limousine, sedan, shuttle, taxicab, horse-drawn carriages, or electric-assist pedal carriage.

"Entertainment transportation vehicle permit" means a permit issued by the MTC for an entertainment transportation vehicle to carry passengers.

"Entertainment transportation vehicle driver's permit" means a permit issued by the MTC for a person to operate an entertainment transportation vehicle to carry passengers.

"For hire" means a transaction whereby any money, thing of value, charge tickets, surcharge, payment, pecuniary consideration or compensation, reward, donation, tip, or any other remuneration or profit is paid to, accepted by, or received by a driver, employee, agent, owner, or any other representative of an entertainment transportation vehicle in exchange for the temporary

use by or for the transportation of a passenger, whether such is paid voluntarily or upon solicitation, demand, request, contract, agreement, or as a surcharge; or otherwise in conjunction with the purchase of any other services wherein the entertainment transportation is part of the services provided.

"Holder" means a person to whom a certificate of public convenience and necessity has been issued by the commission.

"Inspector(s)" means the inspector(s) for the commission.

"Memphis Transportation Commission," also referred to as "MTC" or "the commission," means the Memphis Transportation Commission as established by the City of Memphis Code of Ordinances, Chapter 39.

"MTC Director" means the Executive Secretary of the MTC, as employed by the City of Memphis on behalf of the MTC.

"Owner" means the person who holds the legal title of the entertainment transportation vehicle.

"Passenger" means any person on an entertainment transportation vehicle other than the driver.

"Person" means any individual, partnership, corporation, association or public or private organization of any character. "Permittee" means a holder of any permit issued under this chapter.

"Solicit" means the distribution of flyers or other material, or an appeal by bell, horn, whistle, words, or gestures by a driver or his or her agent directed at individuals or groups for the purpose of attracting passengers for immediate hire.

"Taxicab" means a motor vehicle regularly engaged in the business of carrying passengers for hire, donation, gratuity or any other form of remuneration, having a seating capacity of less than nine persons and not operated on a fixed route.

Article 2. Certificate of Public Convenience and Necessity

**Section 1. Required and term.**

A. No entertainment transportation vehicle shall be used or operated on a for hire basis by any person in the territorial jurisdiction of the Memphis City government without an owner or operator having first obtained a certificate of public convenience and necessity. Each certificate shall be valid for one year and shall be subject to renewal pursuant to the provisions set forth in this article. Applications will be reviewed and considered as they come in to the MTC.

B. It shall be unlawful for any person to transport or offer to transport passengers in any entertainment transportation vehicle which does not have affixed to the entertainment transportation vehicle a valid permit issued through the MTC.

C. Certificates shall not be transferred, sold or given from one owner to another, including the sale of one entertainment transportation vehicle company in its entirety to another, without approval of the MTC upon the filing of an application for such transfer.

D. The MTC shall track all certificates, and after the renewal period, if the certificate has not been renewed it shall be determined to be void.

**Section 2. Findings - Issuance of certificate or additional permits.**

A. If the MTC finds that further or additional entertainment transportation vehicle service within the Memphis City Limits is required by the public convenience and necessity and that the applicant is fit, willing, and able to provide such service and to conform to the provisions of this chapter and the rules promulgated by the MTC, the MTC may issue a certificate of public convenience and necessity, stating the name and address of the applicant, the number of vehicles authorized upon such certificate and the date of issuance.

B. In making the above findings, the MTC shall, at a minimum, take into consideration the number of entertainment transportation vehicles already in operation, whether existing service is adequate to meet the public need; the character, experience, financial condition and responsibility of the applicant, and such criteria as may be adopted by the MTC in its rules.

**Section 3. Application - Information and fees required.**

A. An application for a certificate of public convenience and necessity shall be filed with the MTC for each classification of service to be provided. Forms will be provided by the MTC and payment of a nonrefundable fee will be charged. The amount of the application fee shall be established by the MTC based the cost of processing the application.

B. The application shall require the following information:

1. Name and address of applicant;

a. Sole-proprietor: Name and address of the owner.

b. Partnership: Names and addresses of all partners.

c. Corporation or association: Names and addresses of all the officers, directors, and members.



2. Business name (d/b/a), business address and telephone number if different from above;

3. A background check of each person;

4. Proof of U.S. citizenship or legal residency;

5. Names and addresses of two references as to the applicant's financial responsibility;

6. Prior experience of applicant in transport of passengers;

7. Number of vehicle permits requested, and copy of proof of ownership or other evidence of lawful control for each vehicle to be operated under the certificate;

8. Procedures for training drivers;

9. Rules and regulations governing driver appearance and conduct;

10. Disclosure of prior state law or City of Memphis Code of Ordinances violations pertaining to noise from motor vehicles, lewd conduct as part of a commercial business, or alcoholic beverage open container laws;

11. Any additional information the applicant desires to include to aid in the determination of whether the requested certificate should be issued;

12. Such further information as the MTC may require.

C. An applicant will be ineligible for consideration if:

1. Any of the owners, partners, officers, directors, or members are under twenty-one years of age and/or the entertainment transportation vehicle business has no separate legal existence beyond a shareholder, owner, or partner who is under the age of twenty-one years of age;

3. Any of the owners, partners, officers, directors, or members has violated any portion of this chapter of the City of Memphis Code of Ordinances within five years immediately preceding the date of application.

4. Any portion of the application is incomplete or contains incorrect or untruthful information.

D. An applicant will be ineligible for consideration for a one-year period if any owner, partner, officer, director, or member has been found guilty by a court of competent jurisdiction of violating state law or City of Memphis Code provisions three or more times within the past three hundred sixty-five days pertaining to noise from motor vehicles and/ or lewd conduct as part of a commercial business.

**Section 4. Issuance and Denial – Fees.**

A. If the MTC or the MTC director determines that further entertainment transportation vehicle services are required and the applicant is qualified, the MTC or MTC director may issue a certificate.

B. The MTC shall adopt the criteria for determining the necessity for additional entertainment transportation vehicle certificates.

C. Any person whose application for a certificate is denied by the MTC director may file a written appeal with the MTC within thirty days of denial and request an appearance before the MTC and appear in-person for consideration of the certificate application.

D. The certificate shall state the name, business address and telephone number of the applicant and the date of expiration.

E. The MTC will set a fee to be charged for the issuance of each approved entertainment transportation vehicle permit associated with the certificate.

**Section 5. Annual renewal.**

A. All certificates issued under the provisions of this chapter shall expire on April 30 of the year following the date on which the certificate was issued. All certificates may be renewed by the MTC director for each successive year between April 1 and 30 of each year. A renewal fee for each approved certificate and other licensing fees shall be charged at the annual renewal of the certificate.

B. All applicants for renewal must be current with all assessments and taxes due to the City of Memphis.

C. If a licensed entertainment transportation vehicle company or individual fails to renew prior to the end of the renewal period, the renewal applicant shall be treated as a new applicant.

**Section 6. Insurance required.**

A. Before any certificate shall be issued by the commission director, or before the renewal of such certificate shall be granted, the applicant or association shall be required to file an insurance policy and/or certificate of insurance with the MTC director evidencing insurance coverage as required in this section.

B. Insurance coverage as provided in subsection (A) of this section means a policy of public liability insurance issued by an insurance company qualified to do business in the state and naming the City of Memphis as an additional insured. Any policy of public liability insurance issued in compliance with this article shall be for a term of not less than one year, and for any entertainment transportation vehicle insured thereunder shall afford protection to any third party sustaining injury or damage as a result of the negligent operation of any entertainment

transportation vehicle, with the minimum amount of insurance to be one million dollars, known as combined single limit insurance coverage. Such policy shall expressly provide that it may not be canceled, except after thirty days written notice to the commission director.

C. Such certificate will certify that the policy provides for a minimum of one million dollars per entertainment transportation vehicle for liability imposed by law for damages on account of bodily injuries, death or personal damages, other than injuries, death or property damages of the company or driver, in any one accident resulting from the ownership, maintenance or use of such entertainment transportation vehicle. The certificate of insurance shall also list the serial number or identification number of each entertainment transportation vehicle that is insured.

D. The operation of any entertainment transportation vehicle within the Memphis City Limits without having in force the public liability insurance policy as outlined in this section is hereby declared to be a violation of this article, subjecting the owner and/or certificate holder to all applicable penalties provided in this article and this chapter.

E. Any changes in insurance must be reported to the commission immediately.

**Section 7. Request for additional vehicle permits.**

An application for additional entertainment transportation vehicle permits under the certificate issued pursuant to this article must be filed with the MTC director. If approved, the established permit fee will be applied.

**Section 8. Suspension and revocation.**

A. A certificate issued under the provisions of this chapter may be revoked, suspended, placed on probation, otherwise restricted, or not renewed by the MTC if the holder thereof has:

1. Violated any of the provisions of this chapter or failed to comply with any rule or regulation established by the MTC;

2. Violated any provision of this code or other ordinances of the City of Memphis or laws of the United States or the State of Tennessee, the violation of which reflects unfavorably on the fitness of the holder to offer transportation services, including but not limited to, violations for excessive noise;

3. Failed to pay assessments or taxes due to the City of Memphis; or

4. Made a misrepresentation or false statement when obtaining a certificate or additional permits, or transferring a certificate.

B. Prior to any action to revoke, suspend, place on probation, otherwise restrict, or not renew a certificate, the holder shall be given notice to the address listed on their certificate of the proposed action to be taken and shall have an opportunity to be heard by the MTC.

C. If the holder commits an act in violation of the criminal laws of the United States of America or state of Tennessee Code and the MTC director determines that holder poses a threat to the public safety, the MTC director may enact an emergency suspension of the holder's certificate to remain in effect until the holder has the opportunity to be heard by the MTC at the next available meeting, but in no circumstance later than sixty days from the date of the emergency suspension.

Article 3. Vehicle and Driver Permits

**Section 1. Permit required- Violations and term.**

A. No person shall drive or otherwise operate an entertainment transportation vehicle engaged in the transportation of passengers unless he or she has a driver's permit and a currently effective Tennessee commercial driver's license. To qualify for a permit, an applicant must comply with all of the requirements and stipulations of this chapter and any rules and regulations adopted by the MTC.

B. A person commits an offense if he or she operates an entertainment transportation vehicle in the Memphis City Limits without a driver's permit issued by the MTC.

C. A business commits an offense if it employs or otherwise allows a person to operate an entertainment transportation vehicle owned, controlled, or operated by the permittee unless the person has a driver's permit issued by the MTC.

D. Each permit shall be valid for one year and shall be subject to renewal pursuant to the provisions set forth in this article.

**Section 2. Application-Information and fees required.**

A. An application for an entertainment transportation vehicle driver's permit shall be filed with the MTC on forms provided by the MTC.

B. Such application shall be certified under oath and shall at a minimum contain the following information:

1. The name, residential address, telephone number and date of birth of the applicant.

No applicant under eighteen years of age will be accepted.

2. The type(s) of vehicle(s) which the applicant will drive under the certificate.
3. The years of experience of the applicant in the transportation industry.
4. A concise history of the applicant's employment.

C. The applicant shall provide copies of the following documents in order to submit his application:

1. A valid driver's license issued by one of the fifty states within the United States of America for the issuance or renewal of an entertainment transportation vehicle driver's permit corresponding with the type/classification of entertainment transportation vehicle to be operated (i.e., commercial driver license, for-hire endorsement, etc.).

2. A Social Security card or birth certificate.

3. If a resident alien, a current work permit or other valid United States Immigration and Customs Enforcement document.

4. A copy of a currently effective Tennessee commercial driver's license.

D. Each application shall be accompanied by an official driver record obtained no longer than thirty days previous to the date of application. All applicants are required to meet the following standards:

1. No convictions in the last five years for any of the following offenses involving bodily injury or death and no convictions in the last three years for any of the following offenses not involving injury or death:

- a. Hit and run;
- b. Driving under the influence of an alcoholic beverage or drug;
- c. Reckless or careless driving.

2. For an initial permit, no more than three moving violations within the last three years and no more than two moving violations in the last year.

3. For a renewal permit, no more than four moving violations within the last three years and no more than two moving violations in the last year.

**Section 3. Fingerprint-based criminal background investigation.**

A. All applicants for an entertainment transportation vehicle driver's permit must undergo a fingerprint-based identification and background check. The MTC staff shall collect background check fees from applicants and schedule them for fingerprinting. A background check report and a copy of the driving record (MVR) of the applicant, if any, shall be attached to the application and forwarded for consideration by the MTC.

B. Any applicant shall, in addition to any disqualifications listed elsewhere in this chapter, be disqualified if the applicant:

1. Has been convicted, pleaded guilty, placed on probation or parole, pleaded nolo contendere, or been released from incarceration within a period of five years prior to the date of application for violation of any of the following criminal offenses under the laws of Tennessee, any other state or of the United States:

- Homicide,
- Rape,
- Aggravated assault,
- Kidnapping,
- Robbery,
- Felony theft,



- Burglary,
- Child sexual abuse,
- Domestic violence,
- Any sex-related offense,
- Leaving the scene of an accident,
- Criminal solicitation, or criminal attempt to commit any of above,
- Perjury or false swearing in making any statement under oath in connection with the application for a driver's permit, or
- The felony possession, sale or distribution of narcotic drugs or controlled substances.

2. If, at the time of application, the applicant is charged with any offenses in subsection (1) of this section, consideration of the application shall be deferred until the applicant's entry of a plea, conviction, acquittal, dismissal, or other final disposition of the charges.

3. Has been convicted of or released from incarceration due to two or more felony offenses within the past seven years.

4. Has been convicted for a period of two years prior to the date of application of the violation of two or more sections of this Code or other ordinances governing the operation of entertainment transportation vehicles.

If the applicant fails to disclose any criminal conviction, except traffic citations, on the application for a permit, the application may be referred to the MTC for consideration.

**Section 4. Application - Approval or disapproval.**

The MTC or its staff shall, upon the consideration of the application and any reports and certificates required to be attached thereto, approve or reject the application. Any applicant rejected

by the MTC staff may file an appeal within thirty days of denial and request an appearance before the MTC. The appeal shall be heard by the MTC at the next available MTC meeting with the appellant appearing in-person for consideration of the application.

**Section 5. Issuance - Permit contents and display.**

A. Upon approval of an application for an entertainment transportation vehicle driver's permit, the MTC director shall issue a permit to the applicant, which shall bear the name, driver's permit number, height, date of birth, photograph of the applicant, and other information deemed appropriate.

B. Every driver shall at all times conspicuously display a permit either on the clothing of the driver's upper body or within the entertainment transportation vehicle. A driver shall allow the MTC director, MTC inspector, or a police officer to examine the permit upon request.

**Section 6. Unpermitted drivers.**

A. If any person is found operating any entertainment transportation vehicle within the Memphis City Limits without a valid entertainment transportation vehicle driver's permit on behalf of any holder of a certificate of necessity and public convenience, the MTC director may immediately take action to suspend or revoke the certificate.

B. A person whose entertainment transportation vehicle driver's permit is suspended shall not drive an entertainment transportation vehicle within the Memphis City Limits during the period of suspension.

**Section 7. New application after denial.**

Upon denial of an application for a driver's permit, no new application shall be considered for a period of three months.

**Section 8. Expiration - Issuance and replacement fee.**

A. Each entertainment transportation vehicle driver's permit shall be issued for a period of one year.

B. A permit may be issued to qualified applicants upon the payment of a fee established by the MTC plus the costs of investigation. If the permit for the preceding year has been revoked, no new permit shall be issued without prior MTC approval. A fee established by the MTC shall be charged for all replacement driver permits. Such fees shall be in addition to the cost of any investigation.

**Section 9. Suspension, revocation, and appeal.**

A. The MTC director may suspend or revoke any applicant's certificate if the director determines that the applicant fails to comply with any requirement of this chapter. The director shall notify the applicant of any specific failure to comply with this chapter resulting in the suspension or revocation of their certificate and the applicant's right to an appeal by first class mail, express mail, overnight carrier, or personal service. If the MTC director suspends or revokes a certificate, the applicant may appeal within ten days of such suspension or revocation to the MTC for a hearing to determine if such suspension or revocation is justified. The decision of the MTC shall be final, subject to any appropriate judicial review.

B. The MTC director is hereby given authority to suspend any entertainment transportation vehicle driver's permit issued under this article for a driver's failure or refusal to comply with the provisions of this article. Such suspensions may not last for a period of more than thirty days. The MTC director is also given authority to revoke any permit for failure to comply with the provisions of this article.

C. If a driver is charged in any court with a misdemeanor involving moral turpitude, or with any felony, or with driving while intoxicated or under the influence of drugs, or with violations of this article, the MTC director is hereby given authority to suspend the driver's permit pending final disposition of the charges against them, and to revoke such permit upon conviction thereof.

D. The MTC director may revoke an entertainment transportation vehicle driver's permit if the director determines that the permittee has engaged in conduct detrimental to the public safety.

E. The MTC director may not suspend or revoke any permit unless the driver has received notice of the charges against them and has had the opportunity to present evidence on their behalf.

F. Any permittee whose license has been suspended or revoked by the MTC director may file a written appeal with the MTC within ten days. If an appeal is not made to the MTC within ten days of the MTC director's decision, the MTC director's decision shall be final. A letter addressed to the MTC and delivered to the MTC office stating that an appeal from the decision of the MTC director is desired shall perfect such appeal. The MTC, as soon as practicable after receiving such notice of appeal, shall notify the applicant or permittee of the date and time of the hearing which shall be not less than five days after the mailing of such notice. After the hearing of the appeal, the MTC shall sustain, modify or reverse the findings of the MTC director, and shall

notify the MTC director and the applicant or permittee of its findings. The findings of the MTC shall be final, subject to any applicable legal processes.

G. A driver whose permit is revoked may not reapply for ninety days from the date of revocation and will be treated as a new applicant.

**Section 10. Revocation of a valid driver's license.**

An entertainment transportation vehicle driver's permit issued under this chapter shall be coterminous with the permittee's valid driver's license issued by one of the fifty states in the United States of America for the type/classification of entertainment transportation vehicle to be operated. Any time that a permittee's driver's license is suspended, revoked, or cancelled, their entertainment transportation vehicle driver's permit shall likewise be immediately suspended, revoked, or cancelled. The entertainment transportation vehicle driver's permit shall immediately be surrendered to the MTC until such time as their driver's license is reinstated.

**Section 11. Conduct of drivers.**

A driver shall at all times:

1. Act in a reasonable, prudent, safe, and courteous manner;
2. Not permit a person not possessing an entertainment transportation vehicle driver's permit to operate the entertainment transportation vehicle;
3. Not permit more passengers to be carried in an entertainment transportation vehicle than for which there is proper seating, and at no time shall the driver allow any passenger to ride in any area of the entertainment transportation vehicle not specifically designed or designated as a seat;

4. Not permit any passenger sixteen years of age or younger to ride in an entertainment transportation vehicle unaccompanied by an adult;
5. Not operate an entertainment transportation vehicle while under the influence of intoxicating beverages or drugs;
6. Not operate an entertainment transportation vehicle while possessing a lighted cigarette, cigar, or pipe at any time;
7. Observe and obey all state and local noise and traffic laws and regulations;
8. Not permit a customer to stand or ride on any part of the entertainment transportation vehicle other than the designated seating area while the entertainment transportation vehicle is in motion and to advise the passengers that they must be seated except when loading or unloading.

**Section 12. Return of passengers' property.**

A driver of an entertainment transportation vehicle shall immediately attempt to return to a passenger any property left by the passenger in the entertainment transportation vehicle. If unable to locate the passenger, the driver shall turn the property into the certificate holder's company office at the end of the driver's shift or at the first available opportunity. In such cases, the certificate holder shall make a good faith effort to locate the passenger, and, if not successful, hold the property in storage at its location for at least thirty days, unless otherwise directed by the director.

**Section 13. Compliance with provisions.**

Every driver granted a permit under this article shall comply with all City of Memphis, state, and federal laws. Failure to do so may result in disciplinary actions including suspension and up to revocation of the entertainment transportation vehicle driver's permit.

Article 4. Equipment and Operation

**Section 1. Vehicle permit required.**

Each entertainment transportation vehicle must have a permit issued by the MTC. The permit will identify each entertainment transportation vehicle by a unique number in accordance with rules and procedures established by the MTC and will be associated with the specific classification and by certificate holder. Permits are not transferable to other entertainment transportation vehicles or other certificate holders.

**Section 2. Ownership and control of vehicles.**

All entertainment transportation vehicles permitted under this chapter must be under the lawful control of a certificate holder demonstrated either by proof of ownership or a copy of a valid lease agreement and must be under the direct control of a permitted driver while in operation or use.

**Section 3. Vehicle to display identification.**

All entertainment transportation vehicles operated under the authority of this chapter shall be equipped with identification as prescribed by the MTC in rules and regulations.

**Section 4. Vehicle requirements; safety standards.**

A. To the fullest extent permitted by Tennessee and federal law, prior to the use and operation of any vehicle under the provisions of this chapter, the vehicle shall be thoroughly examined and inspected by the certificate holder or a third party in accordance with rules and regulations prescribed by the MTC. These rules and regulations shall be promulgated to provide safe transportation and specify such safety equipment and regulatory devices as the MTC shall

deem necessary. When a certificate holder finds that a vehicle has met all the terms established by the MTC, the holder shall certify this to the MTC director, who shall authorize a permit to be issued.

B. To the fullest extent permitted by Tennessee and federal law, every vehicle operating under this chapter is subject to random and periodic inspections to ensure the continued maintenance of safe operating conditions. A certificate holder shall make an entertainment vehicle available for inspection upon or prior to the expiration of the notice period provided for in the rules and regulations adopted by the MTC, when ordered to do so by MTC staff. If, upon inspection it is determined that an entertainment vehicle for hire is not in compliance with this chapter or MTC rules, the MTC staff shall order the vehicle to be removed from service or brought into compliance within a reasonable period of time and require it to be re-inspected.

C. Every vehicle operating under this chapter shall be kept in a clean and satisfactory condition, according to rules and regulations promulgated by the MTC.

D. Every vehicle operating under this chapter must be equipped with seats for each passenger.

E. To the fullest extent permitted by Tennessee and federal law, every vehicle operating under this chapter shall undergo an annual detailed mechanical inspection conducted by an approved mechanic pursuant to the requirements of rules and regulations adopted by the MTC. The records of these inspections must be maintained and made available to MTC staff as provided by the rules and regulations adopted by the MTC. The certificate holder shall certify to the MTC director compliance with this subsection.



F. The MTC may, by rule, establish additional inspection requirements for entertainment transportation vehicles and other equipment used in the entertainment transportation vehicle service.

G. The MTC shall have the authority to promulgate rules and regulations related to vehicle safety that are consistent with applicable law to ensure the safe operation of entertainment transportation vehicles.

**Section 5. Operating area.**

Entertainment transportation vehicles shall operate upon the streets in the Memphis City Limits on routes or zones delineated by the Memphis Transportation Commission, within the selected portion of the Central Business Improvement District (Core District, Edge/Medical District, and South District - see Exhibit A). Any deviation or amendments to routes or zones must be reviewed by the MTC or its staff and receive approval from the Memphis City Council by Resolution. Any approved deviation must be reported to the MTC or the MTC director staff prior to beginning of operations.

**Section 6. Operating hours.**

Entertainment transportation vehicles shall operate between the hours of 11 AM to 11 PM. Any deviation from these hours must be reviewed by the MTC or its staff and receive approval from the Memphis City Council by Resolution. Any approved deviation must be reported to the MTC or the MTC director staff prior to beginning of operations.

**Section 7. Records and reports.**

A. Each holder shall maintain at a single location business records of its entertainment transportation vehicle business. The records must be maintained in a manner approved by the MTC director and contain the following information:

1. An identification of the entertainment transportation vehicles operating each day;
2. An identification of the drivers operating the entertainment transportation vehicles each day and a statement of the hours each driver operated the vehicle each day; and
3. Any other information the MTC director determines necessary for monitoring the activities, operations, service, and safety record of the licensee.

B. A certificate holder shall make its records available for inspection by the MTC director, inspector, law enforcement officer or designated officials.

**Section 8. Accidents**

A. All accidents arising from or in connection with the operation of an entertainment transportation vehicle shall be reported within seventy-two hours from the time of occurrence to the MTC director if the accident results in:

1. Death or bodily injury to any person, or
2. Damage to any vehicle, or to any property in an amount exceeding the sum of four hundred dollars.

B. An entertainment transportation vehicle damaged in an accident, but still operable without placing the driver or passengers at risk, must be repaired within two weeks of the accident or removed from operation until repaired and inspected.

**Section 9. Passengers-Receiving and discharging by drivers.**

A. Drivers shall only receive and discharge passengers at designated staging areas/locations approved by the MTC.

B. Drivers shall not allow additional passengers to board the entertainment transportation vehicle after the vehicle has left its fixed starting point.

**Section 10. Disposition of disorderly passengers.**

Drivers shall act in a reasonable and professional manner in dealing with disorderly passengers.

**Section 11. Soliciting business.**

No certificate holder or driver of an entertainment transportation vehicle shall offer any compensation of whatever form to any person or entity in exchange for the direction or recommendation of passengers to that entertainment transportation vehicle, provided that this section shall not prohibit certificate holders from advertising their entertainment transportation business.

**Section 12. Compliance with other laws.**

It shall be a violation of this chapter for a certificate holder or driver to violate any other applicable federal, state or local law or regulation in offering or providing entertainment transportation vehicle services.

**Section 13. Enforcement.**

A. The inspectors of the Memphis Transportation Commission are authorized and are instructed to observe the conduct of holders of certificates and permits operating under this chapter. Upon discovering a violation of the provisions of this chapter, the inspector may either report the violation to the MTC, which will order or take appropriate action, or issue a citation as authorized under Article IV, Section 1 A.

B. In addition to the enforcement authority provided to MTC inspectors in subsection A. of this section, officers of the Memphis Police Department shall have the authority to enforce this chapter. A police officer, upon observing a violation of this chapter or of any regulation or rule established by the MTC or the MTC director pursuant to this chapter, may take necessary enforcement action to insure effective regulation of entertainment transportation vehicles.

**Section 14. Limitation of service due to weather conditions.**

Entertainment transportation vehicles shall not receive passengers when weather conditions are sufficiently adverse or inclement so as to endanger passengers or the public. The MTC, by rule, may adopt specific guidelines for the operation of entertainment transportation vehicles in inclement weather conditions.

Article 5. Violations – Civil Penalty Schedules

**Section 1. Violations-Penalties-Additional regulations.**

A. All provisions of this chapter shall be governed by the penalties and procedures for general ordinance violations set forth in the Code of Ordinances of Memphis, Tennessee, 1-24-1.

B. Notwithstanding any provision contained herein, the MTC shall have the authority to enforce the provisions of this chapter.

C. The MTC shall have the authority to promulgate, implement, and enforce additional rules and regulations pertaining to entertainment transportation vehicles, provided such rules and regulations are consistent with the provisions of this chapter, and prior approval is obtained from the Memphis City Council.

**Section 2. Severability.**

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 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.

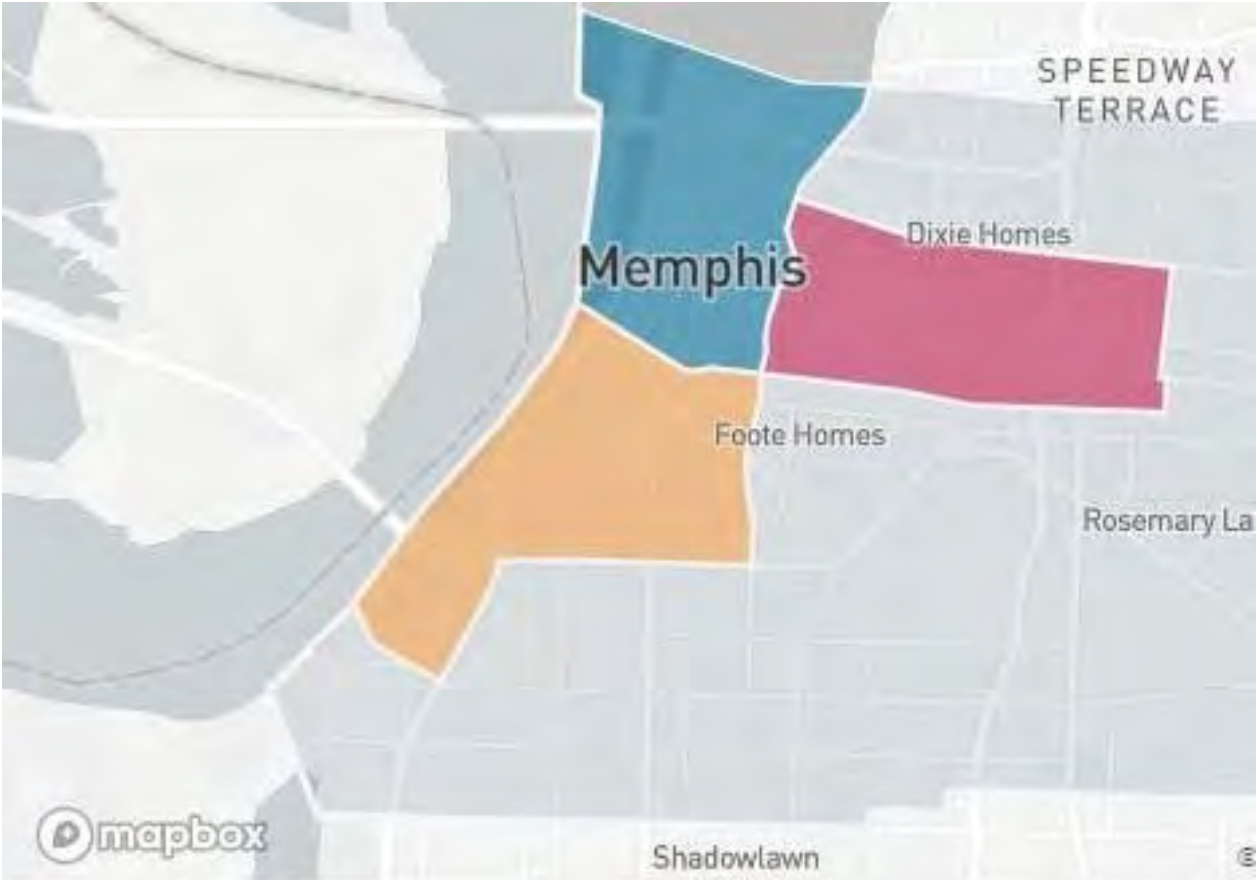
SPONSOR

Ford Canale

CHAIRMAN

Martavius Jones

Exhibit A



- South District**
- North District**
- Core District**
- Edge/Medical District**
- Core City District**

**CITY COUNCIL RESOLUTION**

**WHEREAS**, the Board of Memphis Light, Gas and Water Commissioners at their meeting of February 7, 2024, approved an annual salary in the amount of \$200,000.00 for the employment of Ursula Madden as the Vice President of Corporate Communications; and

**WHEREAS**, Section 2-20-5(B) of the Memphis Code of Ordinances provides that the salary of executive management employees over \$180,000.00 be approved by the City Council in advance of employment.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Memphis, that the above identified salary is hereby approved.



# VICE PRESIDENT OF CORPORATE COMMUNICATIONS - BB010 COPY

Function Leader | Corporate Affairs | Public Relations and Communications

## JOB PURPOSE

VP of Corporate Communications reports to President and CEO. The VP of Corporate Communications is responsible for developing and overseeing the implementation of enterprise-level communications strategies. They direct and monitor the performance of the external communications team, perform proactive business media outreach, create annual media relations plans, and act as a spokesperson for the company. Apart from developing strategies for public relations, they also manage advertising campaigns and marketing deliverables to ensure consistent messaging across all platforms. They lead crisis communication, assist in writing speeches for senior management, and devise strategies around corporate and customer interests. The VP of Corporate Communications is also responsible for developing and implementing a cohesive marketing plan to increase brand awareness, set current and long-term goals for internal teams, build relationships with media and stakeholders through creative PR strategies, monitor all marketing campaigns and improve them when necessary. The VP of Corporate Communications is responsible for delivering strategies that build trust between MLGW and the community, our board, city council and other business partners. Prepare regular reports and presentations on metrics for the CEO. ESSENTIAL FUNCTIONS: Plan, organize and administer an effective public relations program through functions to include Corporate Communications, Community Relations, local government affairs and advertising; maintain good media relations by handling media inquiries, press releases, public service announcements, and scheduling media interviews with the appropriate Division employees; serve as Division spokesperson. Responsible for communicating and advising Division employees concerning policies and procedures through employee/management communication programs; providing photographic/audio visual/writing/printing and artistic production and mail distribution services support to meet Division needs; performing special projects; and publishing all Division publications. Conduct briefing/planning sections and meetings with departmental personnel; attend

Executive Staff meetings and planning sessions/conferences. Provide assistance to/consultation with the Board of commissioners, management personnel, social agencies and customers; resolve problems and make recommendations as required. Stay abreast of up-to-date developments in advertising. Perform other duties as directed.

**EDUCATION**

Bachelor's degree in Journalism or Communication or related field.

**EXPERIENCE**

Must have 8 years of professional level experience in communications/public relations.

**ADDITIONAL INFORMATION**

Must have knowledge of publication practices involving artwork/photography and printing, media relations and communication strategies/tactics. Must successfully complete NIMS Training within 1 year of entering job. Must have a significant combination of: excellent organizational ability to plan, formulate/execute policies and programs; excellent oral/written communication skills to deal effectively with a diverse population. Must have a valid driver's license from state of residence. Physical Demands: Requires sedentary work involving standing or walking for brief periods, exerting up to 20 pounds of force on a regular basis; and some dexterity in operating office equipment. The position requires normal visual acuity and field of vision, hearing and speaking abilities.

THIS LIST OF ESSENTIAL FUNCTIONS IS NOT EXHAUSTIVE AND MAY BE SUPPLEMENTED AS NECESSARY.

**JOB DESCRIPTION**

**TITLE:** Vice President of Community & External Affairs

**FLSA:** Exempt

**JOB CODE:** BB010

**JD EFFECTIVE DATE:** 12/12/18

**RESPONSIBLE TO:** President and CEO

**PURPOSE:** Plan, organize, direct and control the overall operation of Corporate Communications, Community Relations, Economic & Community Development/Education, Regional External Affairs, local government affairs and advertising; maintain good media relations by handling media inquiries, press releases, public service announcements, and scheduling media interviews with the appropriate Division employees; serve as Division spokesperson.

**DUTIES AND RESPONSIBILITIES:**

1. Plan, organize and administer an effective public relations program through functions to include Corporate Communications, Community Relations, Economic & Community Development/Education, Regional External Affairs, local government affairs, and advertising; maintain good media relations by handling media inquiries, press releases, public service announcements, and scheduling media interviews with the appropriate Division employees; serve as Division spokesperson.
2. Responsible for communicating and advising Division employees concerning policies and procedures through employee/management communication programs; providing photographic/audio visual/writing/printing and artistic production and mail distribution services support to meet Division needs; performing special projects; and publishing all Division publications.
3. Direct, coordinate and control activities of employees within the department; provide guidance and resolve problems.
4. Coordinate the work of the department with other departments in the Division, advertising agencies, news media, and other external entities.
5. Plan, schedule, coordinate, direct and control activities of supervisory employees; ensure adherence to work standards/time schedules; review/approve reports, recommendations, expenditures and other pertinent documents; prepare/monitor responsibility budgets.
6. Provide for and be administratively responsible for a capable professional staff to meet current commitments and future performance standards through proper selection/development and motivation of qualified personnel.
7. Conduct briefing/planning sections and meetings with departmental personnel; attend Executive Staff meetings and planning sessions/conferences.
8. Provide assistance to/consultation with the Board of Commissioners, management personnel, social agencies and customers; resolve problems and make recommendations as required; provide information as requested.
9. Write/deliver and assist with speeches/programs for the President/CEO, management personnel, local community leaders and other interested parties.
10. Stay abreast of up-to-date developments in advertising, public relations, production and distribution techniques that relate to Corporate Communications.
11. Perform other duties as directed.

**SUPERVISORY RESPONSIBILITIES:** Assigned departments

**JOB SPECIFICATIONS:**

**EDUCATION:** Bachelor's degree, with major in Journalism or Communication.

**OTHER:** Must have 8 years of professional level experience in communications/public relations. Must have knowledge of publication practices involving artwork/photography and printing, media relations and communication strategies/tactics. Must successfully complete NIMS Training within 1 year of entering job. Must have an occupationally significant combination of: excellent organizational ability to plan, formulate and execute policies and programs; excellent oral/written communication skills to deal effectively with a diverse population; mathematical ability to prepare/review various financial/statistical reports; ability to relate to people in a manner to win their confidence and establish rapport; flexibility to adjust to changing conditions; and proven analytical ability to solve complex problems. Must have a valid driver's license from state of residence.

**WORKING ENVIRONMENT:** Works in office majority of time.

# URSULA MADDEN

## COMMUNICATIONS/GOVERNMENT

901-218-2203  
URSULAMADDEN@YAHOO.COM  
663 S. BARKSDALE MEMPHIS, TN 38104

### OBJECTIVE

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To use my expertise to effectively communicate with people by meeting them where they are to increase their knowledge and improve company brand.

### SKILLS & ABILITIES

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Strong written and verbal communications skills. Thoughtful leadership, collaborative problem solving, and decision making. Experienced broadcaster and public speaker.

### EXPERIENCE

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2022 – Present

#### **BlueOval SK**

External Affairs Director

Lead government relations to advocate on behalf BlueOval SK at the local, state, and federal levels, and with international liaisons. Accountable for community engagement efforts to build relationships with various stakeholders including residents, business leaders, and nonprofit organizations. Charged with increasing brand awareness through all strategic mediums and marketing for employee recruitment and communications specific to the CEO. Responsible for media relations and engagement. Oversight of internal communications for a rapidly growing workforce.

2016 – 2022

#### **City of Memphis**

Chief Communications Officer/Government Affairs Lead

Advisor to the mayor on policy, programming, and communications as part of a senior level cabinet. Led government relations team at the local, state, federal levels as an advocate for the city. Increased public engagement of residents through communications by diversifying the use of platforms, deploying strategic marketing, and increasing public relations for all divisions. Oversight of media engagement and open records. Accountable for internal communications for 8,000 employees.

#### **Notable Actions**

- Communications Lead, Memphis and Shelby County Covid-19 Joint Task Force, Mar. 2020 - Dec. 2021
- Communications Lead, 2020 Census, Jun. 2019 - Oct. 2020
- Communications Lead, City of Memphis Bicentennial May 2018 - May 2019
- Communications Lead, MLK50 Commemoration Feb. 2016 – April 2018

**\*Appointed as the first CCO for the City of Memphis. The department is now part of the executive division and grew from a compliment of four to thirty.**

1998 – 2016

**WMC Action News 5 - Memphis, TN**

Main Anchor/Reporter

Cohost live broadcast of the 5, 6, and 10 p.m. newscasts. Responsible for editing content to ensure accuracy, clarity, and consistency. Part of the editorial board to determine which long-form stories made it into newscasts. Used journalist ethics, gathered information, and generated sources to develop general assignment reports, long-form specials, and live coverage meeting extremely tight deadlines. Community engagement through public appearances, acted as an emcee for several charitable events, and moderated political debates.

1996 – 1998

**KMTR - Eugene, OR**

Weekend Anchor/Reporter

1996 – 1998

**KKNU – Eugene, OR**

Radio News Reporter/Co-Host

1994 – 1996

**KMTR, Eugene, OR**

Reporter

Other positions held include master-control operator, chyron operator, technical director, floor director and video tape editor.

## EDUCATION/DEVELOPMENT

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Spring 1994

**Bachelor of Arts, Journalism**

University of Oregon

Emphasis on broadcast journalism with a minor in English literature.

Summer 2022

**City Leadership Initiative**

Bloomberg - Harvard

Part of a large cohort of government leaders who went through four days of intensive study to learn the skill of negotiation.

2022 – 2023

**Leadership Tennessee**

Class IX

A year-long course to create a better understanding of the various regions of Tennessee including government, socioeconomic differences, needs and attributes to better inform policy, programs, and solutions.

## SERVICE

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2016 – 2022	<b>United Way Mid-South</b> Served on the marketing committee and twice as campaign chair for the City of Memphis.
2016 – 2022	<b>Memphis Brand</b> Represented the City of Memphis giving guidance to the initiative to market and generate positive news content and publicity for the city.
2000 – 2023	<b>Women’s Foundation for a Greater Memphis</b> Volunteer and contributor.
2017 – 2019	<b>Streets Ministries</b> Mentored two young ladies through their sophomore and junior years meetings with them weekly.
2008 – 2016	<b>Church Health</b> Served as a board member on various committees and supported the development of Crosstown and the relocations of Church Health facilities.
1999 – 2004	<b>Metropolitan Inter-Faith Association (MIFA)</b> Delivered meals weekly to food insecure seniors in Memphis by covering routes that were missing a regular delivery team.

## AWARDS

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2020	<b>Telly Award</b> City of Memphis PSA for the US Census
2020	<b>Luminary Award</b> Award given by Mayor Jim Strickland for service to the City of Memphis
2020	<b>Telly Award</b> City of Memphis PSA anti-littering “Keep it Clean” campaign.
2018	<b>Telly Award</b> City of Memphis PSA anti-crime “Fed Up” campaign. This PSA was also nominated for regional Emmy in the same year.
2011	<b>Emmy Award</b> Regional Emmy awarded for “Undercover Bootcamp” in the category of specialty assignment report.

## REFERENCES

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**Mayor Jim Strickland, City of Memphis**

901-461-5467

**Bruce McMullen, Managing Shareholder, Baker Donelson**

901-512-3266

**Joe Birch, Anchor, WMC**

901-679-3211

**Mike Keeney, Attorney**

901-409-5611

**Mitch Graves, CEO, West Cancer Clinic**

901-237-8351

**Dr. Scott Morris, CEO, Church Health**

901-826-5711

**Ruby Bright, Former Executive Director, Women's Foundation for a Greater Memphis**

901-237-3832

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MEMPHIS PERTAINING TO CONTRACTS AND SALARIES OF THE MEMPHIS LIGHT, GAS AND WATER DIVISION TO AMEND THE LIMITS OF CONTRACTS AND SALARIES OR COMPENSATION FOR EMPLOYEES OR OTHERS REQUIRING CITY COUNCIL APPROVAL TO \$100,000.00 AND \$90,000.00, RESPECTIVELY.

WHEREAS, Section 681 of the City's Charter, adopted by Private Act of the Tennessee Legislature in 1939 (the "Memphis City Charter"), reserved to the City Council authority to approve, in advance of execution, contracts entailing an obligation or expenditure in excess of Five Thousand Dollars to be executed by the Board of Light, Gas & Water Commissioners of the City of Memphis ("MLGW Board"); and

WHEREAS, Section 675 of the Memphis City Charter, as amended by Ordinance 3509, adopted on November 5, 1985, also reserved to the City Council authority to approve the setting of salaries or other compensation of any officers, executive management employees or other employees for MLGW in excess of Ninety Thousand Dollars (\$90,000.00) in advance of employment.

WHEREAS, by adoption of Ordinance 5819 on March 22, 2022, the Council amended their authority to approve the setting of salaries or other compensation of any officers, executive management employees or other employees for MLGW in excess of \$180,000.00 in advance of employment and to approve all contracts (other than emergency purchases and spot market purchases of natural gas) entailing an obligation or expenditure, including fees or other compensation of any engineers, auditors, attorneys, consultants and others employed to render extraordinary services to MLGW in excess of Five Hundred Thousand Dollars (\$500,000.00) prior to execution; and

WHEREAS, under the provisions of Ordinance No. 3054, dated September 2, 1980, to the City's Charter (the "Home Rule Amendment"), the City Council is authorized to increase by ordinance the amount of contracts and salaries or compensation for employees or others requiring City Council approval; and

WHEREAS, from time to time, the City Council has amended its Code of Ordinances to adjust the limits of authority granted to the MLGW Board for the execution of contracts and the setting of salaries for employees hired as it deemed appropriate; and

WHEREAS, in recognition of the requests for increased transparency requests from citizens regarding MLGW contracts and salaries, the City Council desires to amend the limits requiring approval by the Council prior to execution.



NOW THEREFORE BE IT ORDAINED THAT,

SECTION 1. Section 1 of Ordinance No. 5819 is amended and restated as follows:

Notwithstanding Ordinance No. 5819 to the contrary, all contracts (other than emergency purchases, purchases of natural gas and other derivative products, and settlements between MLGW and its employees pursuant to the workers' compensation laws of the State of Tennessee, which shall not require City Council approval in advance of execution) entailing an obligation or expenditure, including fees or other compensation of any engineers, auditors, attorneys, consultants and others employed to render extraordinary services to MLGW, in excess of \$100,000.00 shall require City Council approval in advance of execution. Furthermore, all interlocal agreements or contracts between MLGW and any municipality or division of government (other than the City of Memphis and its divisions) that involve the collection of any municipal, county or other government fee, tax or other charge not directly related to utility service (such as electricity, gas, or water utility service) shall require Council approval in advance of execution. In emergencies MLGW may enter into emergency purchases as defined herein, which emergency purchases shall be later ratified by the Council. MLGW may also purchase natural gas and other derivative instruments daily as long as the aggregate annual amount of these purchases are approved by the Council in the annual budget of MLGW.

For the purposes of this Ordinance the term "emergency purchases" shall include, but shall not necessarily be limited to, any purchase orders and contracts in excess of \$100,000.00 needed to: (i) remedy any hazardous, unsafe or environmentally harmful event or condition that has created or may create a harmful situation for the public or MLGW employees, whether or not ordered, directed or requested by a federal or state agency; (ii) ensure continuous and reliable utility service to MLGW customers, or (iii) take whatever steps are reasonably necessary to address problems caused by a catastrophic event.

SECTION 2. Section 2 of Ordinance No. 5819 is amended and restated as follows:

Notwithstanding Ordinance No. 5819 to the contrary, any salaries or other compensation of any officers, executive management employees or other employees for MLGW in excess of One Hundred Eighty Thousand (\$90,000.00) shall require approval in advance of employment.

SECTION 3. Except to the extent inconsistent with the provisions hereof, the provisions of Ordinances Nos. 3509 5046, 5256, 5291, 5383, 5574, and 5819 are hereby ratified and shall remain in full force and effect.

SECTION 4. 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 5. This Ordinance shall take effect from and after the date it shall have been passed by the City Council, signed by the Chairman 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 and shall continue in full force and effect until repealed or amended.

Sponsors:  
JB Smiley, Jr.  
Jeri Green  
Jana Swearingen-Washington  
Pearl Walker

JB Smiley, Jr.,  
Chairman