

**RESOLUTION OPPOSING SB1325/HB1202 OF THE 113TH SESSION OF THE
TENNESSEE GENERAL ASSEMBLY**

WHEREAS, the Memphis City Council recognizes the paramount importance of maintaining safe and secure educational environments for all students, faculty, and staff within our community; and

WHEREAS, Senate Bill 1325, sponsored by Senator Paul Bailey of Sparta, TN, and Representative Ryan Williams of Cookeville, Tennessee, seeks to amend existing laws pertaining to the possession of firearms on school property; and

WHEREAS, under current law, it is generally a Class E felony offense to possess or carry a firearm with the intent to go armed on any school campus or property, with exceptions for certain authorized personnel and purposes; and

WHEREAS, Senate Bill 1325 proposes to authorize faculty or staff members of schools to carry concealed handguns on school grounds, subject to obtaining an enhanced handgun carry permit and completing annual training; and

WHEREAS, while the goal of enhancing school safety is commendable, the introduction of firearms into educational environments poses significant risks to the overall safety and security of students, faculty, and staff; and

WHEREAS, allowing individuals, even with enhanced handgun carry permits, to carry concealed firearms on school premises increases the potential for accidents, escalations of conflicts, and unintended harm to students and staff; and

WHEREAS, the presence of firearms in schools may create an atmosphere of fear and intimidation, especially considering that parents and students will not be notified of which specific individuals will have firearms, thus detracting from the positive learning environment that schools should strive to maintain; and

WHEREAS, the Memphis City Council believes that ensuring school safety requires comprehensive measures that focus on prevention, intervention, and support services, rather than introducing more firearms into educational settings; and

WHEREAS, the decision to arm faculty or staff members should be made with careful consideration of the potential consequences and in consultation with relevant stakeholders, including educators, parents, and law enforcement agencies; and

WHEREAS, the Memphis City Council is committed to advocating for policies that prioritize the safety and well-being of students, faculty, and staff within our schools and calls upon state lawmakers to prioritize evidence-based strategies for enhancing school safety, including investments in mental health resources, conflict resolution programs, and school-based interventions.

NOW, THEREFORE, BE IT RESOLVED, the Memphis City Council hereby opposes Tennessee Senate Bill 1325 and House Bill 1202 and urges the Tennessee General Assembly to reject this legislation.

Sponsored by:

Jerri Green

Michalyn Easter-Thomas

Rhonda Logan

**THE HEALTH, EDUCATIONAL AND HOUSING
FACILITY BOARD OF THE
CITY OF MEMPHIS, TENNESSEE**



WHAT IS THE HEHFB?

The Health, Educational and Housing Facility Board of the City of Memphis, Tennessee is a public not-for-profit corporation duly organized and validly existing under the laws of the State of Tennessee (the “**HEHFB**”, “**Lessor**” or “**Board**”) and is a quasi-governmental entity of the City. The public purpose and function of the HEHFB is to foster and perpetuate the development of quality and sustainable affordable multifamily housing in addition to, enriching the quality of life and daily environment for low to moderate-income families and individuals through prioritizing their safety, health and wellness, and overall enjoyment for low to moderate-income families and individuals residing in the City.

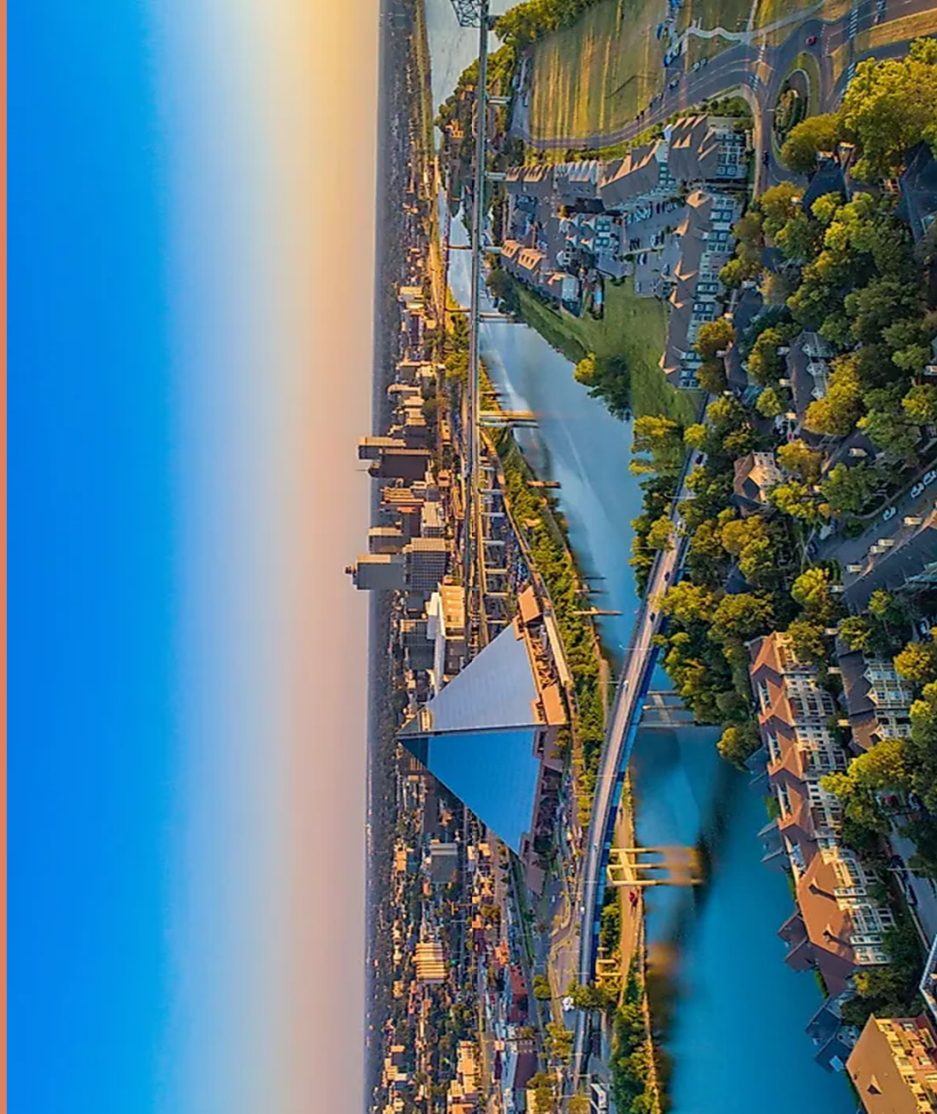
The HEHFB is a self-funding entity and does not receive any funding or related financial assistance from the City, the County, the State or any other governmental entity or agency. The HEHFB is solely funded through fees assessed in connection with its PILOT Program and Bond Program.

The HEHFB is governed by a Board of Directors, all of whom are duly qualified electors of and taxpayers in the City. The Board of Directors is currently comprised of eight directors (8) directors, with backgrounds in various professions, including banking, real estate, law, housing development, and healthcare, all of whom were appointed by the Mayor of the City and confirmed by the City Council.

<http://www.memphishehf.com>



LEGAL AUTHORITY OF THE HEHFB



The HEHFB was created pursuant to Tennessee Code Annotated Section 48-101-301 *et seq.*, as amended (the “**Act**”) for the purposes, among other things, to provide quality, safe, affordable, and sanitary housing through issuing revenue bonds and exploring other methodologies for financing the acquisition, development, and maintenance of residential rental facilities for the benefit of low and/or moderate-income families and individuals as set forth in the Act.

The HEHFB, pursuant to its authority under the Act and Resolutions duly adopted by the City Council on May 7, 2002, and August 28, 2018 (the “**Resolutions**”), has established and administers its payments-in-lieu of ad valorem taxes (“**PILOT**”) program as a further aid to facilitate the preservation, growth, and development of low and moderate-income multifamily housing. The Resolutions allow the Board to enter into payments-in-lieu of ad valorem taxes agreements (“**PILOT agreements**”) with lessees which set forth the relationship between the parties during the term of the PILOT, with the intent to encourage and facilitate new construction and substantial rehabilitation of affordable multifamily housing through providing an abatement on property taxes, for a designated period, for properties situated within the City.

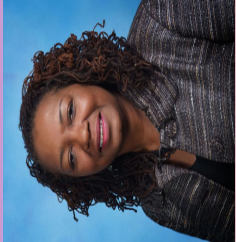
An Interlocal Agreement executed and delivered by among the City, the County and the HEHFB allows properties active under to the PILOT program to receive an annual abatement on all City and County ad valorem property taxation for the full PILOT term, thereby allowing the lessee to make annual PILOT payments on the property in lieu of paying regular ad valorem taxes that would otherwise be due and payable with regard to the property if it were owned by a tax paying entity and subject to such taxation.

BOARD OF DIRECTOR BIOGRAPHIES



Daniel T. Reid, Board Chairman

Mr. Reid is President of West Tennessee banking groups with Renasant Bank and has been a banker in the Memphis market for the last 35 years. He earned a Bachelor's of Science degree in Business Administration with a concentration in Administrative Management and Finance from the University of Tennessee (Martin). He has been very active in training opportunities in leadership, lending and productivity. Some of Mr. Reid's community involvement includes: current admissions committee member of the University Club of Memphis, past president of the Rotary Club, Paul Harris Fellow, Leadership Bartlett Chairman, Bartlett area Chamber of Commerce Board member and Secretary/Treasurer, Central Gardens association Board member, member of the Central Gardens Landmarks Committee, member of the Brooks Decorative Arts Trust, member of the Collierville Tomorrow Board, graduate of the New Memphis Institute (Leadership Academy) Master's Program and a communicant at Grace St. Luke's Episcopal Church. Mr. Reid currently serves as Chair of The Health, Educational and Housing Facility Board of the City of Memphis.



Monice Moore-Hagler, Vice Chair and Secretary

Ms. Hagler is a partner with the law firm of Hagler Law Group, PLLC. Her law practice is concentrated in the areas of finance, property law, business and commercial transactions. She serves as closing attorney for commercial and residential transactions to buyers, sellers and lenders, as counsel to a number of for-profit and non-profit development entities, as well as to municipal and county governments. Ms. Hagler serves as counsel to affordable housing developers, providing legal assistance in the redevelopment of several major mixed-finance, mixed-use developments, including overseeing acquisition, condemnation, redevelopment, multifamily financing and homeownership sales. Ms. Hagler earned her Juris Doctorate degree from the University of Memphis School of Law, a Master of Science in Social Work from the University of Tennessee Health Science Center in Memphis and her Bachelor of Science from the University of Tennessee (Martin). Ms. Hagler's community service includes: serving on the Advisory Board of the University of Tennessee at Martin, the Board of the YMCA, the Memphis Bar Foundation and is a member of the Downtown Rotary Club. She is former Chair and currently serves as Secretary of The Health, Education and Housing Facility Board of the City of Memphis.



Katie Shotts, Assistant Secretary

Ms. Shotts attended New Mexico State University, where she earned a Bachelor of Arts degree in Communication Studies. She began her career in real estate and Association Management at the Memphis Area Association of REALTORS® (MAAR) in 2008. She served the MAAR membership for seven plus years managing events, communications, supporting various committees and as the Staff Director for the MAAR Commercial Council. Ms. Shotts then served for four years as the COO of the Pinellas REALTOR® Organization in Clearwater, Florida, and then as the CEO at the Hernando County Association of REALTORS® in Hernando County, Florida before being brought back home to Memphis. She was chosen as the CEO of the Memphis Area Association of REALTORS® in March 2019. Ms. Shotts holds her REALTOR® Certified Association Executive (RCE) designation, At Home With Diversity (AHWD) and e-PRO certifications, served as 2020 Advisory Board Chair of the National Association of REALTORS® Association Executives Institute, has served on numerous committees for Florida REALTORS® and Tennessee REALTORS®, and is an RPAC Sterling R Major Investor. Through her work at MAAR, she provides education, training and support to more than 4,100 REALTOR® members in advocacy, fair housing and building strong, diverse communities.



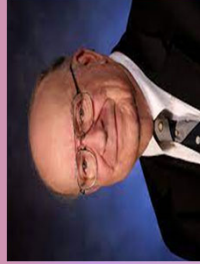
Cliff Henderson, Treasurer

Cliff Henderson is the Chief Financial Officer at Experitec, Inc. and oversees finance, information technology, supply chain, risk management, benefits, and legal functions. He brings over twenty-five years of financial experience and has also worked in similar finance, accounting, and project management roles with Pfizer Inc., Medtronic PLC, and Monogram Food Solutions. Henderson graduated from the Freeman School of Business at Tulane University with a major in finance and obtained his MBA from the Owen Graduate School of Management at Vanderbilt University. His community service has included prior mentor or corporate leadership roles with Junior Achievement, United Way, and the National Black MBA. He serves as the Treasurer of The Health, Education and Housing Facility Board of the City of Memphis.



Howard Eddings, Board Member

A life-long Memphian, Howard Eddings, Jr. is married to Delisa Rose Flowers. Together they have 3 children, two sons and one daughter. Growing up in Memphis, TN, a distinguished graduate of the School of Social Work from the University of Memphis, Howard went on to become President /CEO of Memphis Leadership Foundation, Inc. in 1993. As President/CEO, he gave leadership to numerous not-for-profit organizations that have had a tremendous impact on our city, particularly in under-served communities. Currently, Howard is the Chief Executive Officer of RedZone Memphis, Inc, a youth-focused, community-based outreach organization that focuses on the comprehensive needs of men, women, and children who live in the Orange Mound community. While serving as president, in 1991 with a B.A. degree in Social Work, Howard received the Distinguished Graduate Award. In January 1998, he successfully completed the Executive Management Institute at Christian Brothers University. Howard has a strong commitment to the welfare and peace of the city of Memphis.



James Jalenek, Esq., Board Member

Mr. Jalenek became a member of the board in 2017. He is a graduate of East High School, Yale College, and Yale Law School, and has practiced law in Memphis for over 50 years. Mr. Jalenek's law practice primarily specialized in commercial real estate, with corporate and estate planning also included. His civic activities have included serving as President of Memphis Zoological Society, Temple Israel, Memphis Rotary Club, and Memphis Public Education Fund, and serving as an officer and board member of LeMoyné Owen College, Memphis Urban League, Memphis Depot Redevelopment Corporation, and the Southern College of Optometry. He is married to the former Nataliaje Block of Buffalo, and they have two daughters, Molly (Mrs. Jason) Wexler and Katy (Mrs. Clay) Levit, and four college age grandchildren.



Vincent Sawyer, Board Member

Vincent Sawyer, Esquire, Vincent Sawyer is a Memphis-native public interest attorney licensed in the State of Tennessee and employed by The Works, Inc. For years, Mr. Sawyer has played an integral part in the improvement of our city's most underserved communities and has tirelessly worked to shed light on the inequities found in these struggling neighborhoods. His practice area focuses on anti-blight interventions, neighborhood maintenance and community development efforts. For example, Mr. Sawyer has played a major role in the revitalization of the Klondike community and the living conditions of its residents. Moreover, Mr. Sawyer has been intricately involved in the policies and practices that led to the cleanup of hundreds of vacant and abandoned properties in many struggling communities throughout Memphis. Mr. Sawyer also heads dozens of receiverships in the Shelby County Environmental Court for public nuisance properties previously determined to pose severe health and safety risks to the surrounding community. Said receiverships have led to the improvement of the quality of life of countless residents in dozens of communities throughout Shelby County and has generated hundreds of thousands of dollars in property tax revenue for Shelby County and the City of Memphis. Through participation in the Vacant Property Receivership Consortium, Mr. Sawyer aims to educate and deliver the receivership tool to many underserved communities nationwide that struggle with dangerous vacant and abandoned properties. Mr. Sawyer is also a Co-Chair of the Blight Elimination Steering Team, which is a collaboration focused on blight fighting tools, strategies and initiatives across different departments and agencies and in concert with nonprofit, civic, and business partners.



Butcher Wellford, Esq., Board Member

Mr. Wellford is an attorney and the former Chair of Baker, Donelson, Bearman, Caldwell and Berkowitz's Advocacy Department. Mr. Wellford earned his Bachelor's degree from Vanderbilt University in 1978 and a law degree from the Washington and Lee School of Law in 1981. He represents hospitals, physicians, and medical groups in health care litigation, regulatory, peer review, contract and employment matters. He is a former Shelby County Commissioner, elected to two terms on the Commission from 1994 through 2002. Mr. Wellford's community involvement includes: Board member for Meritan, Inc., where he served two terms as Chairman of the Board, Board member of the Memphis Bar Association, Board member of the Goodwill Boys Club, and former Memphis Literacy Council "Each One Teach One" tutor. He presently serves on the Advisory Board to the Health and Public Policy Institute for the University of Memphis School of Law, as a member of the Tennessee Bar Association's Legislative Review Committee and is a member of the Tennessee Bar Foundation.

SNAPSHOT OF THE PILOT PROGRAM

- There are currently 114 total active PILOT properties
- There are currently 22,223 total residential rental units
- There are currently 94 Active PILOTS with 299 or less residential rental units
- There are currently 14 Active PILOTS with 499 or less residential rental units
- There are currently 6 Active PILOTS with 500 or more residential rental units
- 34 % of the PILOT Properties are owned and operated by local or in-state developers
- 66 % of the PILOT Properties are owned and operated by out-of-state developers
- The HEHFB currently has 8 active members serving on the Board of Directors with backgrounds in various professions, including banking, real estate, law, housing development, and healthcare.

PURPOSE AND MISSION OF THE PILOT PROGRAM

The primary purpose and function of the PILOT program is to foster and perpetuate the development of quality and sustainable affordable multifamily housing in addition to, enriching the quality of life and daily environment for low to moderate-income families and individuals through prioritizing their safety, health and wellness, and overall enjoyment for low to moderate-income families and individuals residing in the City of Memphis.

BENEFITS TO THE TENANTS

Tenant Benefits are a central component of the PILOT program and shall be maintained at a quality level by the Lessee for the full term of the PILOT, all of which are intended to achieve the specific purposes of the PILOT program and are in furtherance of the Lessor's intended statutory and public purpose. The Tenant Benefits should be tailored to the property's applicable demographics and resident base and may include but not be limited to: **(i) providing quality amenities through offering new energy efficient tenant amenities coupled with additional property enhancements and renovations; and (ii) providing various social services and special services through offering diverse activities related to fostering experiential learning, job and employment training and related enrichment opportunities** provided directly through the Lessee and the on-sight property management company, as well as, through working cooperatively in conjunction with established nonprofit/community agencies and/or neighborhood network centers for the benefit of the tenants.

BENEFITS TO THE DEVELOPERS

Payments-in-lieu of ad valorem taxes for the property shall be based on the assessed value for the current tax year as determined by the Shelby County Assessor at the time that the PILOT is applied. For each year during the term of the PILOT, the Lessee shall timely make annual PILOT Payments, in lieu of paying the City of Memphis and the Shelby County ad valorem property taxes that otherwise would be due and payable with regard to the PILOT property if it were owned by a tax paying entity and subject to such taxation.

Any monetary savings that the PILOT lessee retains while participating in the HEHFB's PILOT program shall not be retained as a windfall to the Lessee, but such savings shall be utilized to implement certain qualified Tenant Benefits for the tenants of the property through providing availability of access to a variety of approved tangible benefits that the tenants would not otherwise have availability or access to thereby creating a higher-quality daily living environment.

FOCUS AND RESPONSIBILITIES OF THE HEHFB

Tenants Benefits

- Affordability
- Access to Programs and Services
- Connectivity and Inclusion
- Safety and Security

Compliance and Monitoring

- External Monitor – shall conduct an annual onsite lease file review, semi-annual walk-through property inspections, and additional drive-through inspections, as requested on an as-needed basis, for each PILOT property and will schedule this inspection with on-sight property management and has the right to request entry to an unoccupied, rent-ready unit or model unit as part of the walk-through property inspection.
- Internal Monitors – shall perform unannounced drive-through inspections and scheduled walk-through site visits for the purpose of assessing the exterior conditions of the PILOT property, and to confirm the satisfactory level of the applicable Tenant Benefits.

RESPONSIBILITIES OF THE COMPLIANCE MONITORS

The Property Inspection that the External and Internal Compliance Monitors perform typically includes any observable violations of the exterior conditions of the residential rental facilities and other buildings situated on the PILOT property, including but not limited to the following:

- (1) **Development Characteristics** (Exterior building conditions, including siding, paint, roofs, windows, fascia, soffit)
- (2) **Property Conditions** (Exterior Property Conditions, including trash, landscaping, parking surfaces)
- (3) **Safety and Security**
 - (a) Accessibility (Perimeter Fencing, entry/exit gates, property access);
 - (b) Building Security (Security and Access to Structures); and
 - (c) Security System/Monitoring (Cameras, on-site security officers)
- (4) **Tenant Benefits** (confirm PILOT Lessee committed/stated tenant benefits are present)
- (5) **Administrative Compliance**
 - (a) Occupancy level and quarterly reporting (minimum 75% occupancy requirement)
 - (b) Incident reporting
 - (c) Timely PILOT payments to taxing authorities
 - (d) Timely payment of annual compliance billing

EVENTS OF DEFAULT

If the lessee commits an act that, if not timely redressed, will subsequently constitute as an Event of Default then the lessee will receive a written deficiency notice from the HEHFB, including a list of deficiencies in connection therewith (the “**Notice of Noncompliance**”). Under a Notice of Noncompliance, the Lessee will be allowed thirty (30) days from the date of the Notice of Noncompliance, to cure the listed all deficiencies. If the thirty (30) day allotted period ends without cure, then the matter will be deemed in material default and create an Event of Default and a Legal Notice of Default will be issued to the lessee. The following are examples of breaches or acts that will trigger an Event of Default if not timely cured:

- Failure to Maintain Tenant Benefits
- Uninhabitable Property Conditions
- Unauthorized Sale or Transfer of Property
- Occupancy Level and Vacancy
- Bankruptcy and Related Litigious Proceedings
- Non-payment of PILOT Payments and other Required Payments

TERMINATION OF PILOT

- PILOT termination is the absolute final remedy that the Board can explore when a property fails to cure an Event of Default after a reasonable period of time. The Board rarely chooses the route of termination because of the negative impact this action will have on the tenants residing at the PILOT property. Essentially doubling, at a minimum, a property's annual tax liability would have a detrimental impact to the overall liabilities and financial priorities of the property.
- In connection with a PILOT termination process there are various acts, omissions or occurrences that, if not timely redressed, will constitute an Event of Default of the Lessee. If an act, omission, or occurrence is deemed Event of Default And if all deficiencies are not cured within the allotted cure period, an acceptable cure plan has not been accepted and approved by the Board of Directors, and reasonable efforts are no longer being made to redress the deficiencies, then the Lessee will forfeit the ad valorem tax abatement benefit generated by the PILOT and the PILOT will be subject to immediate termination by the Board of Directors after following the appropriate due process procedures pursuant to the applicable PILOT documentation.
- If termination is elected by the Board, then the Board's General Counsel will draft the applicable legal documentation that will be executed and delivered to the Lessee, the City of Memphis and Shelby County taxing authorities to immediately terminate the applicable PILOT and promptly transfer title to the project back to the Lessee through quit claim deed, whereby the project shall immediately be subject to regular ad valorem City of Memphis and Shelby County taxation, will be immediately restored to the City of Memphis and Shelby County tax rolls at its full current assessed value, and any past due tax payments, interest and penalties associated therewith shall become immediately due and payable to the City of Memphis and Shelby County taxing authorities. This decision by the Board of Directors will be final and non-appealable.

MEMPHIS TOWERS UPDATE

- TRG Memphis Replacement GP LLC (the “**Limited Partner**”) has exercised its power pursuant to the Partnership Agreement and has removed and replaced Millenia Housing as the property owner and operator as of March 4, 2023.
- The construction and remediation of certain health and safety issues are currently underway.
- On February 29, 2024, the Limited Partner engaged a uniformed security company to provide 24-hour security pertaining to coverage of the building entrance and to monitor the building security cameras.
- ADT Security has been engaged to increase the number of security cameras on the property so that the parking lots and all entrances will be covered and monitored.
- Cooks Pest Control has been engaged and scheduled to remedy the bed bug issues and this remedial treatment will be regular service the Limited Partner will provide going forward.
- Most, if not all of the residential rental units have been completed. The Limited Partner will soon turn its attention to completing the construction of all common areas in all three towers.
- The third tower is substantially complete. The Limited Partner needs to acquire the Certificate of Occupancy in order to open it.
- The property remains in legal default and the Limited Partner will appear at the April 3rd Board meeting and give a presentation regarding the timeline to completion of construction and next steps regarding the legal process.

HEHFB PRIORITIES FOR 2024

Enhancement of Tenants Benefits

- Affordability
- Access to Programs and Services
- Connectivity and Inclusion

Enhancement of Safety and Security Measures and Protocols

- Continuing discussions with Safeways
- Commencing discussions with Memphis Police Department

Enhancement of Compliance and Monitoring

- Increased interfacing and communication with the on-sight management and PILOT lessees
- Training for all PILOT lessees and management groups (Annual PILOT Lessee Meeting)

Comprehensive Oversight with other Local Partners

- Increase communications with the Memphis City Council; identify City Council Liaison
- Increase communications with the Shelby County Environmental Court and Code Enforcement

February 5, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

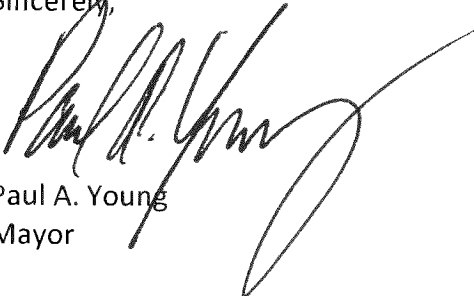
Subject to Council approval, I hereby recommend that:

Daniel T. Reid

be reappointed to the Memphis Health Education Housing Facility Board as a member with a term expiration date of December 31, 2029.

I have attached biographical information.

Sincerely,



Paul A. Young
Mayor

PAY/sss

Enclosure

cc: Council Members

HEALTH, EDUCATION & HOUSING FACILITY BOARD
9 Member Board
6 Year Term

Purpose:

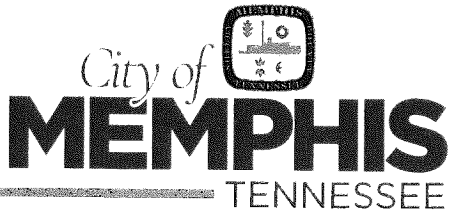
The Health, Education and Housing Facility Board is a public nonprofit corporation issues tax exempt revenue bonds for the development or rehabilitation of multi-family housing facilities to be occupied, according to the state statute, by persons of low and/or moderated income, and/or elderly and/or handicapped persons.

		Term ends:
Monice Hagler	F/B	12-31-25
Howard Eddings	M/B	12-31-25
Cliff Henderson	M/B	12-31-28
Vincent S. Sawyer	M/B	12-31-28
James Jalenak	M/W	12-31-22
Daniel T. Reid	M/W	12-31-23
Katie Shotts	F/W	12-31-28
Buckner Wellford	M/W	12-31-23
Vacancy	F/W	12-31-23

Health, Education and Housing Facility Board Attendance
From January 2022 to January 2024 Total No. of Meetings - 25

Member	Present	Absent
Daniel T. Reid	23	2
Buck Wellford	16	9

Updated 020424



PAUL A. YOUNG
MAYOR

February 5, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

Buckner Wellford

be reappointed to the Memphis Health Education Housing Facility Board as a member with a term expiration date of December 31, 2029.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink that reads "Paul A. Young". The signature is written in a cursive style with a large, sweeping flourish at the end.

Paul A. Young
Mayor

PAY/sss

Enclosure

cc: Council Members

HEALTH, EDUCATION & HOUSING FACILITY BOARD
9 Member Board
6 Year Term

Purpose:

The Health, Education and Housing Facility Board is a public nonprofit corporation issues tax exempt revenue bonds for the development or rehabilitation of multi-family housing facilities to be occupied, according to the state statute, by persons of low and/or moderated income, and/or elderly and/or handicapped persons.

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James Jalenak	M/W	12-31-22
Daniel T. Reid	M/W	12-31-23
Katie Shotts	F/W	12-31-28
Buckner Wellford	M/W	12-31-23
Vacancy	F/W	12-31-23

Health, Education and Housing Facility Board Attendance
From January 2022 to January 2024 Total No. of Meetings - 25

Member	Present	Absent
Daniel T. Reid	23	2
Buck Wellford	16	9

Updated 020424

March 12, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

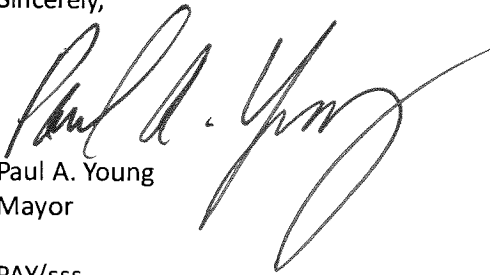
Subject to Council approval, I hereby recommend that:

Robert H. Rogers

be jointly appointed to the Memphis & Shelby County Air Pollution Control Board with a term expiration date of August 29, 2024.

I have attached biographical information.

Sincerely,


Paul A. Young
Mayor

PAY/sss

Enclosure
cc: Council Members

MEMPHIS & SHELBY COUNTY AIR POLLUTION CONTROL BOARD
9 Member Board
(8) Jointly Appointed by City of Memphis & Shelby County Mayors
(1) Appointed by the Executive Committee of the Memphis Area
Association of Governments
4 Year Term

Purpose:
 To grant, deny, or revoke variance applications.

Term ends:

Boyd, Doris F.	F/B	08-14-21
Vacancy	M/W	10-24-21
Lin, Louie	M/A	08-29-21
Gideon Sarpong	M/A	08-29-24
Vacancy	M/W	10-24-22
Womack, Randall	M/W	10-24-22
Douglas Dugard	M/W	08-29-17
David LaVelle, MD	M/W	08-29-24
Vacancy	M/W	MAAG appointee No Expiration

April 2, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

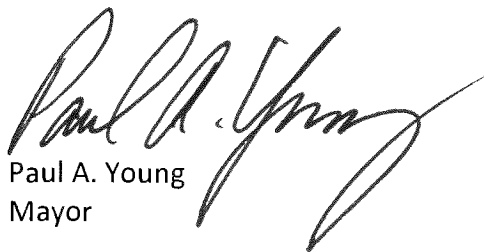
Subject to Council approval, I hereby recommend that:

Shepard M. Fargotstein

be appointed to the Police Advisory & Review Committee with a term expiration date of March 31, 2027.

I have attached biographical information.

Sincerely,


Paul A. Young
Mayor

PAY/sss

Enclosure

cc: Council Members

Police Advisory & Review Committee
Oath of Office Required
7 Member Board Minimum
3 Year Staggered Terms

The Police Advisory & Review Committee primary goal is to review grievances of citizens who have complaints against any member of the Memphis Police Department.

Members:

Vacancy	M/B	03-31-25
Vacancy	M/W	03-31-25
Vacancy	F/W	03-31-26
Vacancy	M/B	03-31-26
Vacancy	F/B	03-31-27
Vacancy	M/B	03-31-27
Vacancy	M/W	03-31-27

2024 Council Liaison:

Updated 040224

April 2, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

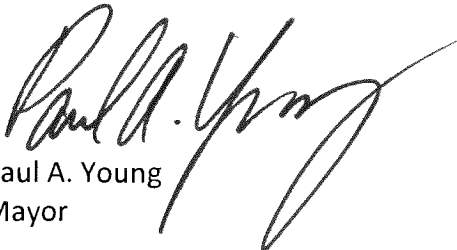
Subject to Council approval, I hereby recommend that:

Dwan Gilliom

be appointed to the Police Advisory & Review Committee with a term expiration date of March 31, 2025.

I have attached biographical information.

Sincerely,


Paul A. Young
Mayor

PAY/sss

Enclosure

cc: Council Members

Police Advisory & Review Committee
Oath of Office Required
7 Member Board Minimum
3 Year Staggered Terms

The Police Advisory & Review Committee primary goal is to review grievances of citizens who have complaints against any member of the Memphis Police Department.

Members:

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Vacancy	M/B	03-31-26
Vacancy	F/B	03-31-27
Vacancy	M/B	03-31-27
Vacancy	M/W	03-31-27

2024 Council Liaison:

Updated 040224

April 2, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

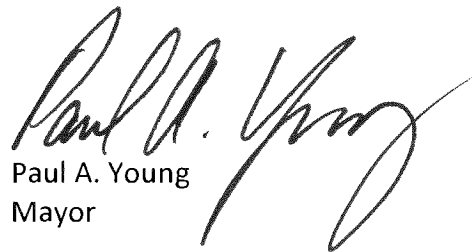
Subject to Council approval, I hereby recommend that:

Wendy Oliver

be appointed to the Police Advisory & Review Committee with a term expiration date of March 31, 2027.

I have attached biographical information.

Sincerely,



Paul A. Young
Mayor

PAY/sss

Enclosure

cc: Council Members

Police Advisory & Review Committee
Oath of Office Required
7 Member Board Minimum
3 Year Staggered Terms

The Police Advisory & Review Committee primary goal is to review grievances of citizens who have complaints against any member of the Memphis Police Department.

Members:

Vacancy	M/B	03-31-25
Vacancy	M/W	03-31-25
Vacancy	F/W	03-31-26
Vacancy	M/B	03-31-26
Vacancy	F/B	03-31-27
Vacancy	M/B	03-31-27
Vacancy	M/W	03-31-27

2024 Council Liaison:

Updated 040224

April 2, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

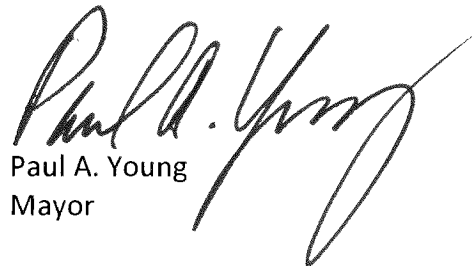
Subject to Council approval, I hereby recommend that:

Tyrone Davis, D.P.M.

be appointed to the Police Advisory & Review Committee with a term expiration date of March 31, 2027.

I have attached biographical information.

Sincerely,



Paul A. Young
Mayor

PAY/sss

Enclosure

cc: Council Members

Police Advisory & Review Committee
Oath of Office Required
7 Member Board Minimum
3 Year Staggered Terms

The Police Advisory & Review Committee primary goal is to review grievances of citizens who have complaints against any member of the Memphis Police Department.

Members:

Vacancy	M/B	03-31-25
Vacancy	M/W	03-31-25
Vacancy	F/W	03-31-26
Vacancy	M/B	03-31-26
Vacancy	F/B	03-31-27
Vacancy	M/B	03-31-27
Vacancy	M/W	03-31-27

2024 Council Liaison:

Updated 040224

April 2, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

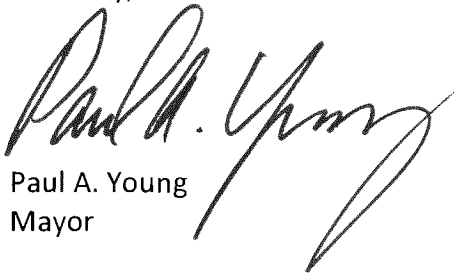
Subject to Council approval, I hereby recommend that:

Andrea Margarita Jacobo, Dr.P.H.

be appointed to the Police Advisory & Review Committee with a term expiration date of March 31, 2026.

I have attached biographical information.

Sincerely,



Paul A. Young
Mayor

PAY/sss

Enclosure
cc: Council Member

Police Advisory & Review Committee
Oath of Office Required
7 Member Board
3 Year Staggered Terms

The Police Advisory & Review Committee primary goal is to review grievances of citizens who have complaints against any member of the Memphis Police Department.

Members:

Vacancy	M/B	03-31-25
Vacancy	M/W	03-31-25
Vacancy	F/W	03-31-26
Vacancy	M/B	03-31-26
Vacancy	F/B	03-31-27
Vacancy	M/B	03-31-27
Vacancy	M/W	03-31-27

2024 Council Liaison:

Updated 040224

April 17, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

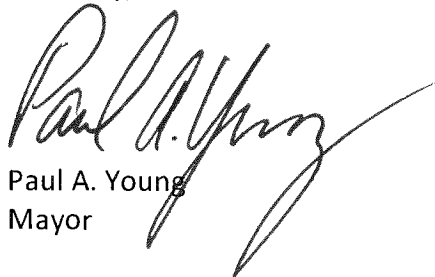
Subject to Council approval, I hereby recommend that:

C. Rose Smith

be appointed to the Urban Art Commission's Public Art Oversight Committee with a term expiration date of August 31, 2026.

I have attached biographical information.

Sincerely,



Paul A. Young
Mayor

PAY/sss

Enclosure

cc: Council Members

PUBLIC ART OVERSIGHT COMMITTEE

7 Member Board

2 Year Term

(3) City Appointments

(3) City Council Appointments

(2) Urban Art Committee Appointments

(1) Urban Art Executive Director or designee and

(1) City Councilperson

The purpose of the Public Art Program is to provide a dedicated funding source for art enhancements to be implemented in selected city capital improvement projects constructed by the City or with City funds, and to provide, through the Urban Art Commission Public Art Oversight Committee.

Kate Roberts (City)	F/W	Term ends: 08-31-24
Lisa Law (City)	F/W	08-31-20
Vacancy (Jones)	F/B	08-31-24

Urban Art Commission Appointees

Fogelman, Robert, Chairperson

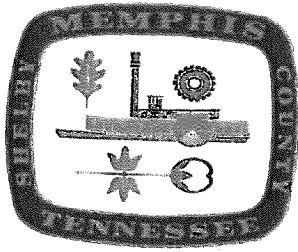
Edwards, Elizabeth I.

Perkins, Beverly

2023 Council Liaison: JB Smiley, Jr.

05/20/23

Memphis City Council Summary Sheet Template 8-28-12



Memphis City Council Summary Sheet

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

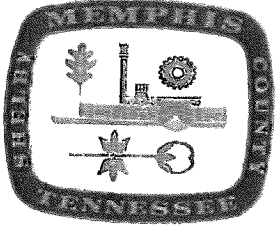
Resolution to approve the negotiated sales price of \$33,000.00 for 0.8 acres of property and the settlement of \$65,000.00 to add a buffer and fencing to the owner's property; and the Allocation, Appropriation and transfer of \$1,855,000.00 from Fund 0121 Park Land Acquisition to FY24 CIP Project Number PK12014, Park Land Acquisition, Land Acquisition.

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

3. State whether this is a change to an existing ordinance or resolution, if applicable.
No it is not.

4. State whether this requires a new contract, or amends an existing contract, if applicable.
No it does not.

5. State whether this requires an expenditure of funds/requires a budget amendment.
This Resolution will result in the expenditure of \$98,000.00



Resolution to Transfer, Allocate and Appropriate funds of \$1,855,000 from Fund 0121 to PK12014 Park Land Acquisition

WHEREAS, Memphis Parks manages the Blue Cross Blue Shield Healthy Places at David Carnes Park; and

WHEREAS, Memphis Parks desires to increase the amount of available parking for the park after the \$5.4 million dollar investment in park improvements to better manage increased traffic and parking needs; and

WHEREAS, the property owners at 0 Whitehaven Lane have entered into an agreement to sell 0.8 acres of their property to the City of Memphis directly across from the park for the use of off-street parking; and

WHEREAS, the Administration has negotiated a sales price at a negotiated value of \$33,000.00 and a settlement to the homeowners to add a buffer and fencing to the adjacent property not to exceed \$65,000.00; and

WHEREAS, the Administration seeks Council approval for the negotiated sales price of \$33,000.00 and a settlement to the homeowners to add a buffer and fencing to the owner's property not to exceed \$65,000.00; and

WHEREAS, the Administration seeks Council approval to transfer, Allocation and Appropriation of funds of \$1,855,000.00 from Fund 0121, Park Special Service Fund, 320 Reserved Fund Balance, Number 038484 Reserved Park Land Acquisition to Fiscal Year 2024, CIP Project Number PK12014 Park Land Acquisition, Land Acquisition.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the negotiated sales price of \$33,000.00 for 0.8 acres of property and a settlement to add a buffer and fencing to the owner's property not to exceed \$65,000.00; and the approval to transfer, Allocate and Appropriate the sum of \$1,855,000.00, Land Acquisition, from Fund 0121, Park Special Service Fund, 320 Reserved Fund Balance, Number 038484 Reserved Park Land Acquisition to Fiscal Year 2024, CIP Project Number PK12014, Park Land Acquisition, Land Acquisition, funded by special fund sales tax, chargeable to the Fiscal Year 2024 Capital Improvement Budget; with said appropriations being credited as follows:

Project Title: Park Land Acquisition

Project Number: PK12014

Amount: \$1,855,000.00

CITY OF MEMPHIS, TENNESSEE

FY 2024 CIP Budget Allocation

Division Memphis Parks

CIP PROJECT NO. PK12014

Public Use Projects

PROJECT NAME **Park Land Acquisition**

TOTAL ESTIMATED PROJECT COST: **\$ 1,855,000.00**

DATE OF THIS DECLARATION **March 7, 2024**

The purpose of this questionnaire is to determine the tax status of projects to be financed with the proceeds of City of Memphis General Obligation Bonds and Bond Anticipation Notes based on the public or private use associated with those projects. The questions below relate to the project referenced above.

1. Narrative Project Description:

Description of project.

This project transfers funds to create a CIP Park Land Acquisition project.

2(a). Project Status

Check appropriate box

Planning
Stage

Construction
Stage

Completed
Project

(b). Project estimated completion date: **July 2024**

3. Intended Use of the Project:

For use of the general public.

4. Intended Users of the Project:

Check appropriate box

City
Public Use

Other Gov't
Public Use

Private Entity*

Completed this 8th day of March, 2024.

M. L. Johnson
NAME

Director, Division of Memphis Parks
TITLE

*If Private Use, please complete separate form

MLGW Consent Agenda Committee Discussion



MLGW Committee

April 23, 2024

Items >\$1M for April 23 Agenda

Items approved by BOC on Apr 17th

- Resolution awarding thirty-six-month purchase order to Crayon Software Experts LLC. for Microsoft end user licenses in the amount of \$4,554,119.35.
- Resolution awarding twelve-month purchase order with an option to extend for two, twelve-month periods for cable 600V to Engineered Sealing Components LLC in the amount of \$2,945,286.00.
- Resolution to ratify the extension of purchase order number 7041731 with Universal Scaffold and Equipment for medium voltage EPR cable requesting additional funds in the amount of \$6,000,000.00.
- Resolution approving Change No. 5 to Contract No. 12043, Property & Boiler Insurance with FM Global to extend the current contract in the funded amount, based on approved rates, not-to-exceed \$3,019,044.00

Microsoft end user licenses

- Funded amount: \$4,554,119.35
- Award Duration: Thirty-Six Months
- Type of Bid: Sealed Bid
- Awarded to: Crayon Software
- LOSB/MWBE Goal Assigned/Committed: No supplier diversity spend obtained on this award.
- Plain Language Description: Microsoft licenses will be purchased to install software applications on Division devices. Software applications include WORD, EXCEL, PowerPoint, and identity management, among others. The license agreement provides a simple and cost-effective way to purchase multiple licenses under a single agreement.
- Impact: To secure the best pricing for Microsoft software which allows the Division to procure software licenses for users.

600V cable

- Funded amount: \$2,945,286.00
- Award Duration: Twelve Months
- Type of Bid: Sealed Bid
- Awarded to: Engineered Sealing Components, LLC.
- LOSB/MWBE Goal Assigned/Committed: Engineered Sealing Components is a certified local small business.
- Plain Language Description: This award is for approximately 860,000 ft of cable. The 600 volt ruggedized cable is used for secondary distribution and underground service at 600 volts or less.
- Impact: The cable is needed to provide underground electric service to new and existing customers, to meet the work order demand for upcoming projects, and to replenish store room inventory.

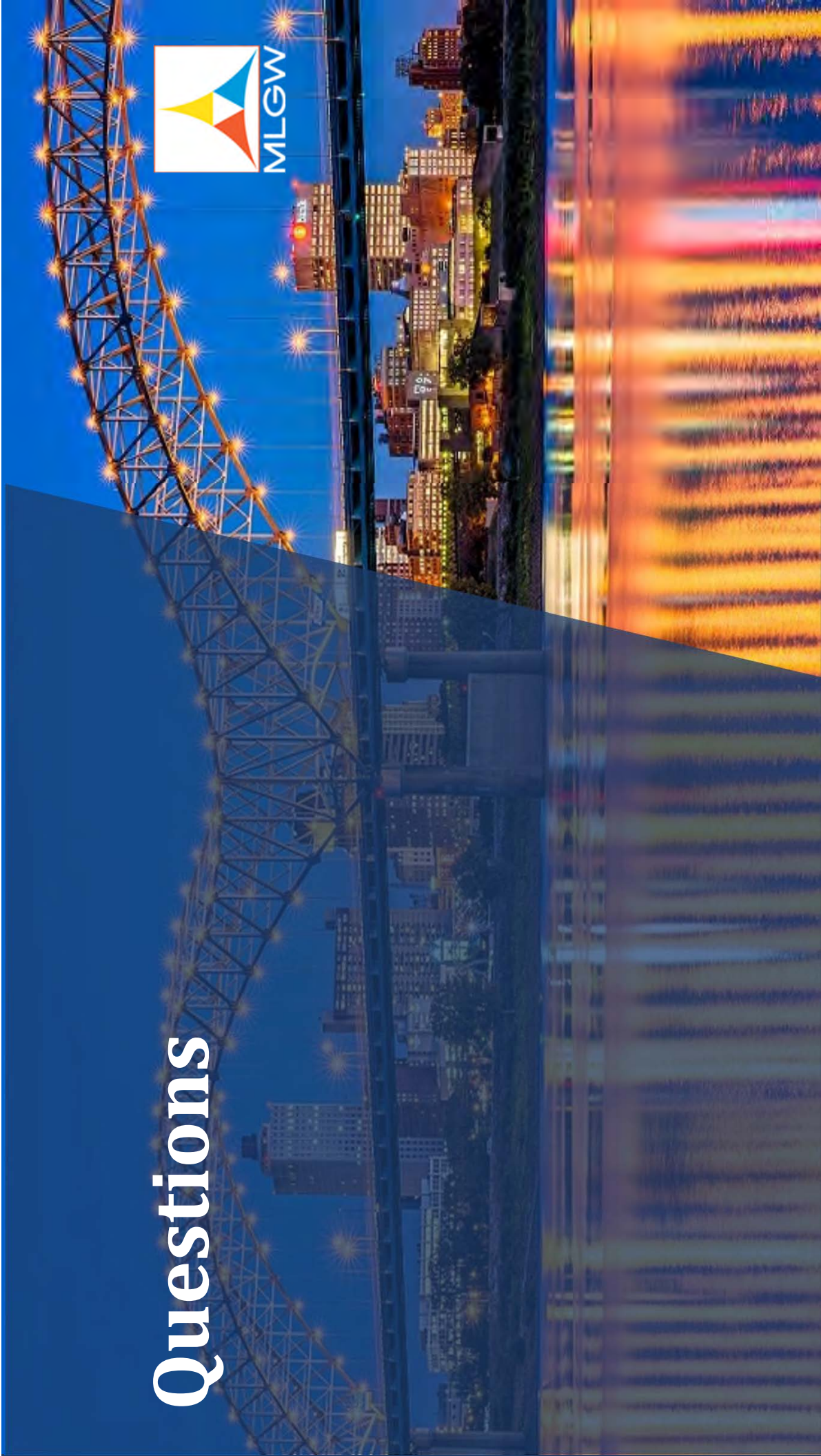
Medium voltage EPR cable

- Funded amount: \$6,000,000.00
- Award Duration: Twelve Months
- Type of Bid: This is the first of two, options to renew for twelve months.
- Awarded to: Universal Scaffold and Equipment
- LOSB/MWBE Goal Assigned/Committed: Universal Scaffold is a certified LSB/MBE.
- Plain Language Description: This award is for approximately 586,000 ft of cable. Medium voltage cable is used to distribute electricity from power substations to transformers in the distribution system. The medium voltage cable is rated at 25kv and operated at 12.47kv and 23kv.
- Impact: The cable industry continues to face challenges with raw material and labor, which has resulted in lead times of fifty-six weeks. Lead times are even longer for new purchase orders. The twelve month extension is the best option for this critical cable.

Property & Boiler Insurance

- Funded amount: \$3,019,044.00
- Award Duration: One (1) year renewal
- Type of Bid: Change order # 5 to an RFP process
- Awarded to: FM Global
- LOSB/MWBE Goal Assigned/Committed: No Goal assigned/No Supplier Diversity participation
- Plain Language Description: Property and casualty insurance for MLGW to mitigate risks pertinent to MLGW's Electric Substations, Water Pumping Stations, Buildings and Structures, boiler, and Liquefied Natural Gas facilities
- Impact: Policy will pay to repair or replace the covered equipment or machinery, and it also generally covers ensuing property damage and business interruption costs, including lost income and extra operation expenses.

Questions



**THE HEALTH, EDUCATIONAL AND HOUSING
FACILITY BOARD OF THE
CITY OF MEMPHIS, TENNESSEE**



WHAT IS THE HEHFB?

The Health, Educational and Housing Facility Board of the City of Memphis, Tennessee is a public not-for-profit corporation duly organized and validly existing under the laws of the State of Tennessee (the “**HEHFB**”, “**Lessor**” or “**Board**”) and is a quasi-governmental entity of the City. The public purpose and function of the HEHFB is to foster and perpetuate the development of quality and sustainable affordable multifamily housing in addition to, enriching the quality of life and daily environment for low to moderate-income families and individuals through prioritizing their safety, health and wellness, and overall enjoyment for low to moderate-income families and individuals residing in the City.

The HEHFB is a self-funding entity and does not receive any funding or related financial assistance from the City, the County, the State or any other governmental entity or agency. The HEHFB is solely funded through fees assessed in connection with its PILOT Program and Bond Program.

The HEHFB is governed by a Board of Directors, all of whom are duly qualified electors of and taxpayers in the City. The Board of Directors is currently comprised of eight directors (8) directors, with backgrounds in various professions, including banking, real estate, law, housing development, and healthcare, all of whom were appointed by the Mayor of the City and confirmed by the City Council.

<http://www.memphishehf.com>



LEGAL AUTHORITY OF THE HEHFB



The HEHFB was created pursuant to Tennessee Code Annotated Section 48-101-301 *et seq.*, as amended (the “**Act**”) for the purposes, among other things, to provide quality, safe, affordable, and sanitary housing through issuing revenue bonds and exploring other methodologies for financing the acquisition, development, and maintenance of residential rental facilities for the benefit of low and/or moderate-income families and individuals as set forth in the Act.

The HEHFB, pursuant to its authority under the Act and Resolutions duly adopted by the City Council on May 7, 2002, and August 28, 2018 (the “**Resolutions**”), has established and administers its payments-in-lieu of ad valorem taxes (“**PILOT**”) program as a further aid to facilitate the preservation, growth, and development of low and moderate-income multifamily housing. The Resolutions allow the Board to enter into payments-in-lieu of ad valorem taxes agreements (“**PILOT agreements**”) with lessees which set forth the relationship between the parties during the term of the PILOT, with the intent to encourage and facilitate new construction and substantial rehabilitation of affordable multifamily housing through providing an abatement on property taxes, for a designated period, for properties situated within the City.

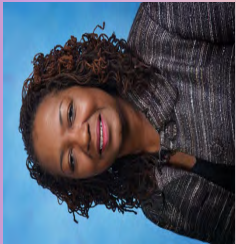
An Interlocal Agreement executed and delivered by among the City, the County and the HEHFB allows properties active under to the PILOT program to receive an annual abatement on all City and County ad valorem property taxation for the full PILOT term, thereby allowing the lessee to make annual PILOT payments on the property in lieu of paying regular ad valorem taxes that would otherwise be due and payable with regard to the property if it were owned by a tax paying entity and subject to such taxation.

BOARD OF DIRECTOR BIOGRAPHIES



Daniel T. Reid, Board Chairman

Mr. Reid is President of West Tennessee banking groups with Renasant Bank and has been a banker in the Memphis market for the last 35 years. He earned a Bachelor's of Science degree in Business Administration with a concentration in Administrative Management and Finance from the University of Tennessee (Martin). He has been very active in training opportunities in leadership, lending and productivity. Some of Mr. Reid's community involvement includes: current admissions committee member of the University Club of Memphis, past president of the Rotary Club, Paul Harris Fellow, Leadership Bartlett Chairman, Bartlett area Chamber of Commerce Board member and Secretary/Treasurer, Central Gardens association Board member, member of the Central Gardens Landmarks Committee, member of the Brooks Decorative Arts Trust, member of the Collierville Tomorrow Board, graduate of the New Memphis Institute (Leadership Academy) Master's Program and a communicant at Grace St. Luke's Episcopal Church. Mr. Reid currently serves as Chair of The Health, Educational and Housing Facility Board of the City of Memphis.



Monice Moore-Hagler, Vice Chair and Secretary

Ms. Hagler is a partner with the law firm of Hagler Law Group, PLLC. Her law practice is concentrated in the areas of finance, property law, business and commercial transactions. She serves as closing attorney for commercial and residential transactions to buyers, sellers and lenders, as counsel to a number of for-profit and non-profit development entities, as well as to municipal and county governments. Ms. Hagler serves as counsel to affordable housing developers, providing legal assistance in the redevelopment of several major mixed-finance, mixed-use developments, including overseeing acquisition, condemnation, redevelopment, multifamily financing and homeownership sales. Ms. Hagler earned her Juris Doctorate degree from the University of Memphis School of Law, a Master of Science in Social Work from the University of Tennessee Health Science Center in Memphis and her Bachelor of Science from the University of Tennessee (Martin). Ms. Hagler's community service includes: serving on the Advisory Board of the University of Tennessee at Martin, the Board of the YMCA, the Memphis Bar Foundation and is a member of the Downtown Rotary Club. She is former Chair and currently serves as Secretary of The Health, Education and Housing Facility Board of the City of Memphis.



Katie Shotts, Assistant Secretary

Ms. Shotts attended New Mexico State University, where she earned a Bachelor of Arts degree in Communication Studies. She began her career in real estate and Association Management at the Memphis Area Association of REALTORS® (MAAR) in 2008. She served the MAAR membership for seven plus years managing events, communications, supporting various committees and as the Staff Director for the MAAR Commercial Council. Ms. Shotts then served for four years as the COO of the Phellas REALTOR® Organization in Clearwater, Florida, and then as the CEO at the Hernando County Association of REALTORS® in Hernando County, Florida before being brought back home to Memphis. She was chosen as the CEO of the Memphis Area Association of REALTORS® in March 2019. Ms. Shotts holds her REALTOR® Certified Association Executive (RCE) designation, At Home With Diversity (AHWD) and e-PRO certifications, served as 2020 Advisory Board Chair of the National Association of REALTORS® Association Executives Institute, has served on numerous committees for Florida REALTORS® and Tennessee REALTORS®, and is an RPAC Sterling R Major Investor. Through her work at MAAR, she provides education, training and support to more than 4,100 REALTOR® members in advocacy, fair housing and building strong, diverse communities.



Cliff Henderson, Treasurer

Cliff Henderson is the Chief Financial Officer at Experitec, Inc. and oversees finance, information technology, supply chain, risk management, benefits, and legal functions. He brings over twenty-five years of financial experience and has also worked in similar finance, accounting, and project management roles with Pfizer Inc., Medtronic PLC, and Monogram Food Solutions. Henderson graduated from the Freeman School of Business at Tulane University with a major in finance and obtained his MBA from the Owen Graduate School of Management at Vanderbilt University. His community service has included prior mentor or corporate leadership roles with Junior Achievement, United Way, and the National Black MBA. He serves as the Treasurer of The Health, Education and Housing Facility Board of the City of Memphis.



Howard Eddings, Board Member

A life-long Memphian, Howard Eddings, Jr. is married to Delisa Rose Flowers. Together they have 3 children, two sons and one daughter. Growing up in Memphis, TN, a distinguished graduate of the School of Social Work from the University of Memphis, Howard went on to become President /CEO of Memphis Leadership Foundation, Inc. in 1993. As President/CEO, he gave leadership to numerous not-for-profit organizations that have had a tremendous impact on our city, particularly in under-served communities. Currently, Howard is the Chief Executive Officer of RedZone Memphis, Inc, a youth-focused, community-based outreach organization that focuses on the comprehensive needs of men, women, and children who live in the Orange Mound community. While serving as president, in 1991 with a B.A. degree in Social Work, Howard received the Distinguished Graduate Award. In January 1998, he successfully completed the Executive Management Institute at Christian Brothers University. Howard has a strong commitment to the welfare and peace of the city of Memphis.



James Jalenak, Esq., Board Member

Mr. Jalenak became a member of the board in 2017. He is a graduate of East High School, Yale College, and Yale Law School, and has practiced law in Memphis for over 50 years. Mr. Jalenak's law practice primarily specialized in commercial real estate, with corporate and estate planning also included. His civic activities have included serving as President of Memphis Zoological Society, Temple Israel, Memphis Rotary Club, and Memphis Public Education Fund, and serving as an officer and board member of LeMoyné Owen College, Memphis Urban League, Memphis Depot Redevelopment Corporation, and the Southern College of Optometry. He is married to the former Natalie Block of Buffalo, and they have two daughters, Molly (Mrs. Jason) Wexler and Katy (Mrs. Clay) Levit, and four college age grandchildren.



Vincent Sawyer, Board Member

Vincent Sawyer, Esquire, Vincent Sawyer is a Memphis-native public interest attorney licensed in the State of Tennessee and employed by The Works, Inc. For years, Mr. Sawyer has played an integral part in the improvement of our city's most underserved communities and has tirelessly worked to shed light on the inequities found in these struggling neighborhoods. His practice area focuses on anti-blight interventions, neighborhood maintenance and community development efforts. For example, Mr. Sawyer has played a major role in the revitalization of the Klondike community and the living conditions of its residents. Moreover, Mr. Sawyer has been intricately involved in the policies and practices that led to the cleanup of hundreds of vacant and abandoned properties in many struggling communities throughout Memphis. Mr. Sawyer also heads dozens of receiverships in the Shelby County Environmental Court for public nuisance properties previously determined to pose severe health and safety risks to the surrounding community. Said receiverships have led to the improvement of the quality of life of countless residents in dozens of communities throughout Shelby County and has generated hundreds of thousands of dollars in property tax revenue for Shelby County and the City of Memphis. Through participation in the Vacant Property Receivership Consortium, Mr. Sawyer aims to educate and deliver the receivership tool to many underserved communities nationwide that struggle with dangerous vacant and abandoned properties. Mr. Sawyer is also a Co-Chair of the Blight Elimination Steering Team, which is a collaboration focused on blight fighting tools, strategies and initiatives across different departments and agencies and in concert with nonprofit, civic, and business partners.



Butcher Wellford, Esq., Board Member

Mr. Wellford is an attorney and the former Chair of Baker, Donelson, Bearman, Caldwell and Berkowitz's Advocacy Department. Mr. Wellford earned his Bachelor's degree from Vanderbilt University in 1978 and a law degree from the Washington and Lee School of Law in 1981. He represents hospitals, physicians, and medical groups in health care litigation, regulatory, peer review, contract and employment matters. He is a former Shelby County Commissioner, elected to two terms on the Commission from 1994 through 2002. Mr. Wellford's community involvement includes: Board member for Meritan, Inc., where he served two terms as Chairman of the Board, Board member of the Memphis Bar Association, Board member of the Goodwill Boys Club, and former Memphis Literacy Council "Each One Teach One" tutor. He presently serves on the Advisory Board to the Health and Public Policy Institute for the University of Memphis School of Law, as a member of the Tennessee Bar Association's Legislative Review Committee and is a member of the Tennessee Bar Foundation.

SNAPSHOT OF THE PILOT PROGRAM

- There are currently 114 total active PILOT properties
- There are currently 22,223 total residential rental units
- There are currently 94 Active PILOTS with 299 or less residential rental units
- There are currently 14 Active PILOTS with 499 or less residential rental units
- There are currently 6 Active PILOTS with 500 or more residential rental units
- 34 % of the PILOT Properties are owned and operated by local or in-state developers
- 66 % of the PILOT Properties are owned and operated by out-of-state developers
- The HEHFB currently has 8 active members serving on the Board of Directors with backgrounds in various professions, including banking, real estate, law, housing development, and healthcare.

PURPOSE AND MISSION OF THE PILOT PROGRAM

The primary purpose and function of the PILOT program is to foster and perpetuate the development of quality and sustainable affordable multifamily housing in addition to, enriching the quality of life and daily environment for low to moderate-income families and individuals through prioritizing their safety, health and wellness, and overall enjoyment for low to moderate-income families and individuals residing in the City of Memphis.

BENEFITS TO THE TENANTS

Tenant Benefits are a central component of the PILOT program and shall be maintained at a quality level by the Lessee for the full term of the PILOT, all of which are intended to achieve the specific purposes of the PILOT program and are in furtherance of the Lessor's intended statutory and public purpose. The Tenant Benefits should be tailored to the property's applicable demographics and resident base and may include but not be limited to: (i) **providing quality amenities through offering new energy efficient tenant amenities coupled with additional property enhancements and renovations; and (ii) providing various social services and special services through offering diverse activities related to fostering experiential learning, job and employment training and related enrichment opportunities** provided directly through the Lessee and the on-sight property management company, as well as, through working cooperatively in conjunction with established nonprofit/community agencies and/or neighborhood network centers for the benefit of the tenants.

BENEFITS TO THE DEVELOPERS

Payments-in-lieu of ad valorem taxes for the property shall be based on the assessed value for the current tax year as determined by the Shelby County Assessor at the time that the PILOT is applied. For each year during the term of the PILOT, the Lessee shall timely make annual PILOT Payments, in lieu of paying the City of Memphis and the Shelby County ad valorem property taxes that otherwise would be due and payable with regard to the PILOT property if it were owned by a tax paying entity and subject to such taxation.

Any monetary savings that the PILOT lessee retains while participating in the HEHFB's PILOT program shall not be retained as a windfall to the Lessee, but such savings shall be utilized to implement certain qualified Tenant Benefits for the tenants of the property through providing availability of access to a variety of approved tangible benefits that the tenants would not otherwise have availability or access to thereby creating a higher-quality daily living environment.

FOCUS AND RESPONSIBILITIES OF THE HEHFB

Tenants Benefits

- Affordability
- Access to Programs and Services
- Connectivity and Inclusion
- Safety and Security

Compliance and Monitoring

- External Monitor – shall conduct an annual onsite lease file review, semi-annual walk-through property inspections, and additional drive-through inspections, as requested on an as-needed basis, for each PILOT property and will schedule this inspection with on-sight property management and has the right to request entry to an unoccupied, rent-ready unit or model unit as part of the walk-through property inspection.
- Internal Monitors – shall perform unannounced drive-through inspections and scheduled walk-through site visits for the purpose of assessing the exterior conditions of the PILOT property, and to confirm the satisfactory level of the applicable Tenant Benefits.

RESPONSIBILITIES OF THE COMPLIANCE MONITORS

The Property Inspection that the External and Internal Compliance Monitors perform typically includes any observable violations of the exterior conditions of the residential rental facilities and other buildings situated on the PILOT property, including but not limited to the following:

- (1) **Development Characteristics** (Exterior building conditions, including siding, paint, roofs, windows, fascia, soffit)
- (2) **Property Conditions** (Exterior Property Conditions, including trash, landscaping, parking surfaces)
- (3) **Safety and Security**
 - (a) Accessibility (Perimeter Fencing, entry/exit gates, property access);
 - (b) Building Security (Security and Access to Structures); and
 - (c) Security System/Monitoring (Cameras, on-site security officers)
- (4) **Tenant Benefits** (confirm PILOT Lessee committed/stated tenant benefits are present)
- (5) **Administrative Compliance**
 - (a) Occupancy level and quarterly reporting (minimum 75% occupancy requirement)
 - (b) Incident reporting
 - (c) Timely PILOT payments to taxing authorities
 - (d) Timely payment of annual compliance billing

EVENTS OF DEFAULT

If the lessee commits an act that, if not timely redressed, will subsequently constitute as an Event of Default then the lessee will receive a written deficiency notice from the HEHFB, including a list of deficiencies in connection therewith (the “**Notice of Noncompliance**”). Under a Notice of Noncompliance, the Lessee will be allowed thirty (30) days from the date of the Notice of Noncompliance, to cure the listed all deficiencies. If the thirty (30) day allotted period ends without cure, then the matter will be deemed in material default and create an Event of Default and a Legal Notice of Default will be issued to the lessee. The following are examples of breaches or acts that will trigger an Event of Default if not timely cured:

- Failure to Maintain Tenant Benefits
- Uninhabitable Property Conditions
- Unauthorized Sale or Transfer of Property
- Occupancy Level and Vacancy
- Bankruptcy and Related Litigious Proceedings
- Non-payment of PILOT Payments and other Required Payments

TERMINATION OF PILOT

- PILOT termination is the absolute final remedy that the Board can explore when a property fails to cure an Event of Default after a reasonable period of time. The Board rarely chooses the route of termination because of the negative impact this action will have on the tenants residing at the PILOT property. Essentially doubling, at a minimum, a property's annual tax liability would have a detrimental impact to the overall liabilities and financial priorities of the property.
- In connection with a PILOT termination process there are various acts, omissions or occurrences that, if not timely redressed, will constitute an Event of Default of the Lessee. If an act, omission, or occurrence is deemed Event of Default And if all deficiencies are not cured within the allotted cure period, an acceptable cure plan has not been accepted and approved by the Board of Directors, and reasonable efforts are no longer being made to redress the deficiencies, then the Lessee will forfeit the ad valorem tax abatement benefit generated by the PILOT and the PILOT will be subject to immediate termination by the Board of Directors after following the appropriate due process procedures pursuant to the applicable PILOT documentation.
- If termination is elected by the Board, then the Board's General Counsel will draft the applicable legal documentation that will be executed and delivered to the Lessee, the City of Memphis and Shelby County taxing authorities to immediately terminate the applicable PILOT and promptly transfer title to the project back to the Lessee through quit claim deed, whereby the project shall immediately be subject to regular ad valorem City of Memphis and Shelby County taxation, will be immediately restored to the City of Memphis and Shelby County tax rolls at its full current assessed value, and any past due tax payments, interest and penalties associated therewith shall become immediately due and payable to the City of Memphis and Shelby County taxing authorities. This decision by the Board of Directors will be final and non-appealable.

MEMPHIS TOWERS UPDATE

- TRG Memphis Replacement GP LLC (the “**Limited Partner**”) has exercised its power pursuant to the Partnership Agreement and has removed and replaced Millenia Housing as the property owner and operator as of March 4, 2023.
- The construction and remediation of certain health and safety issues are currently underway.
- On February 29, 2024, the Limited Partner engaged a uniformed security company to provide 24-hour security pertaining to coverage of the building entrance and to monitor the building security cameras.
- ADT Security has been engaged to increase the number of security cameras on the property so that the parking lots and all entrances will be covered and monitored.
- Cooks Pest Control has been engaged and scheduled to remedy the bed bug issues and this remedial treatment will be regular service the Limited Partner will provide going forward.
- Most, if not all of the residential rental units have been completed. The Limited Partner will soon turn its attention to completing the construction of all common areas in all three towers.
- The third tower is substantially complete. The Limited Partner needs to acquire the Certificate of Occupancy in order to open it.
- The property remains in legal default and the Limited Partner will appear at the April 3rd Board meeting and give a presentation regarding the timeline to completion of construction and next steps regarding the legal process.

HEHFB PRIORITIES FOR 2024

Enhancement of Tenants Benefits

- Affordability
- Access to Programs and Services
- Connectivity and Inclusion

Enhancement of Safety and Security Measures and Protocols

- Continuing discussions with Safeways
- Commencing discussions with Memphis Police Department

Enhancement of Compliance and Monitoring

- Increased interfacing and communication with the on-sight management and PILOT lessees
- Training for all PILOT lessees and management groups (Annual PILOT Lessee Meeting)

Comprehensive Oversight with other Local Partners

- Increase communications with the Memphis City Council; identify City Council Liaison
- Increase communications with the Shelby County Environmental Court and Code Enforcement

Memphis Stormwater Quality and Quantity Program (MSQ2)

2024 City Council Update



"Making Sure It Drains Before It Rains"



Purpose & Introduction

Purpose

Provide an update on Memphis Stormwater Quality & Quantity Program (MSQ2), which is working to proactively reduce the risk of flooding for residences and businesses across the entire Memphis community

MSQ2 Team Members Present

Dwan Gilliom
Program Manager

Jacob Wiley, P.E.
Deputy Program Manager

Jason Kimmet
Senior Project Manager

Andrea Eason
Project Administrator

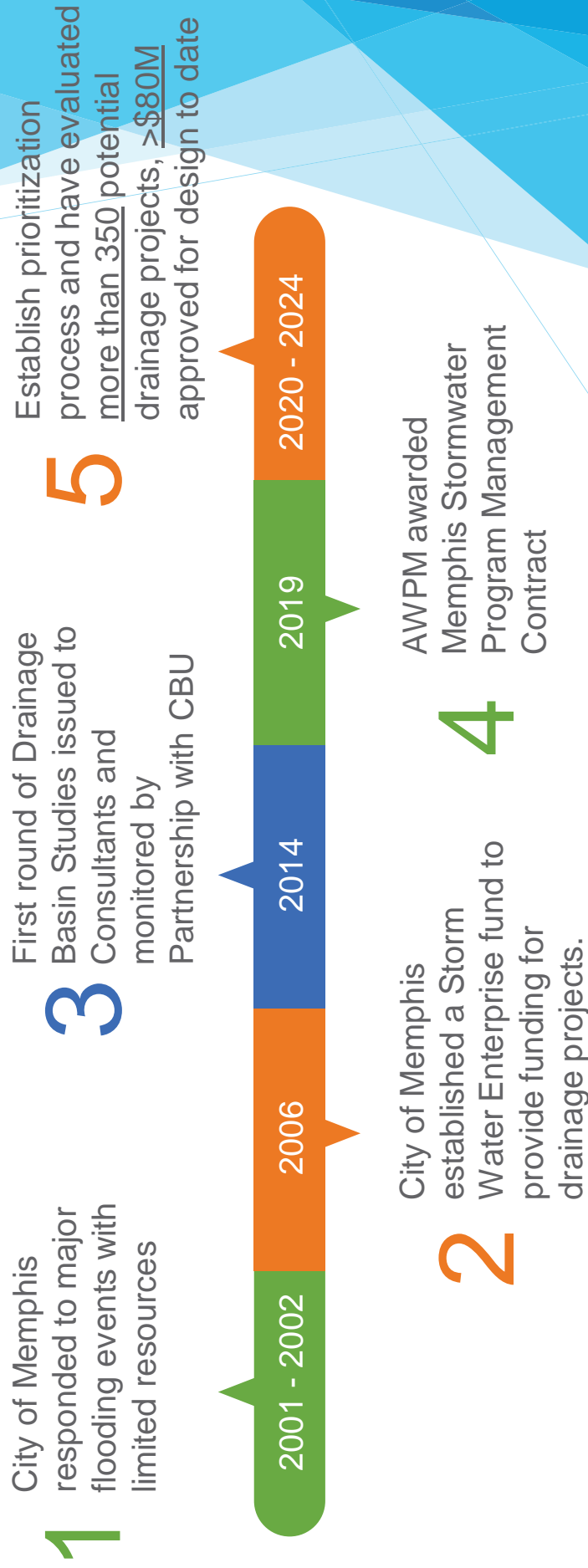
Cindy Reaves SRC
Principal

MSQ² Program Overview Video



Historical Background

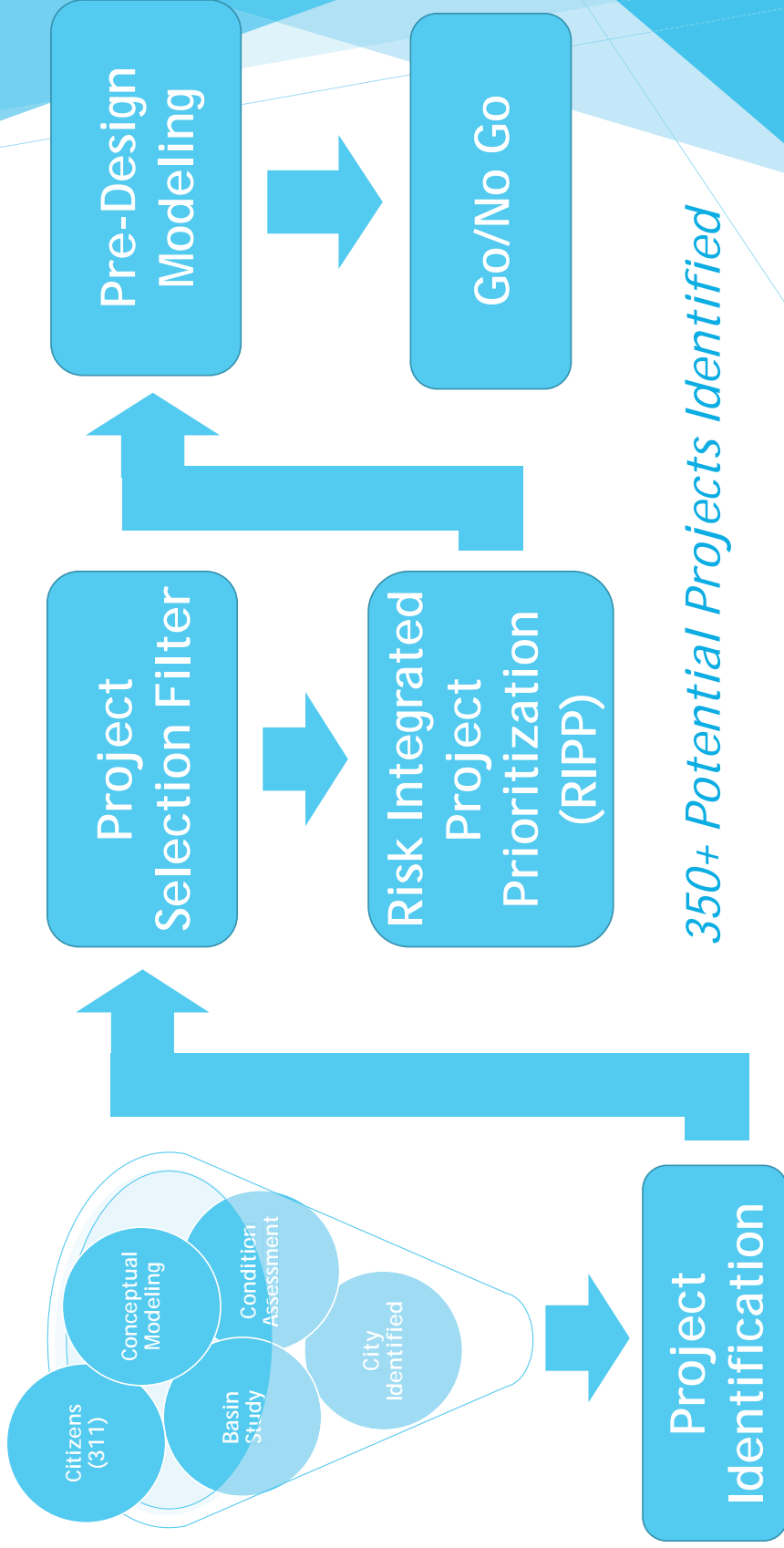
The City of Memphis developed a comprehensive Stormwater Management Program to enhance the ability to evaluate and address flooding problems while improving coordination among the City Divisions that currently address stormwater issues.



Major Accomplishments

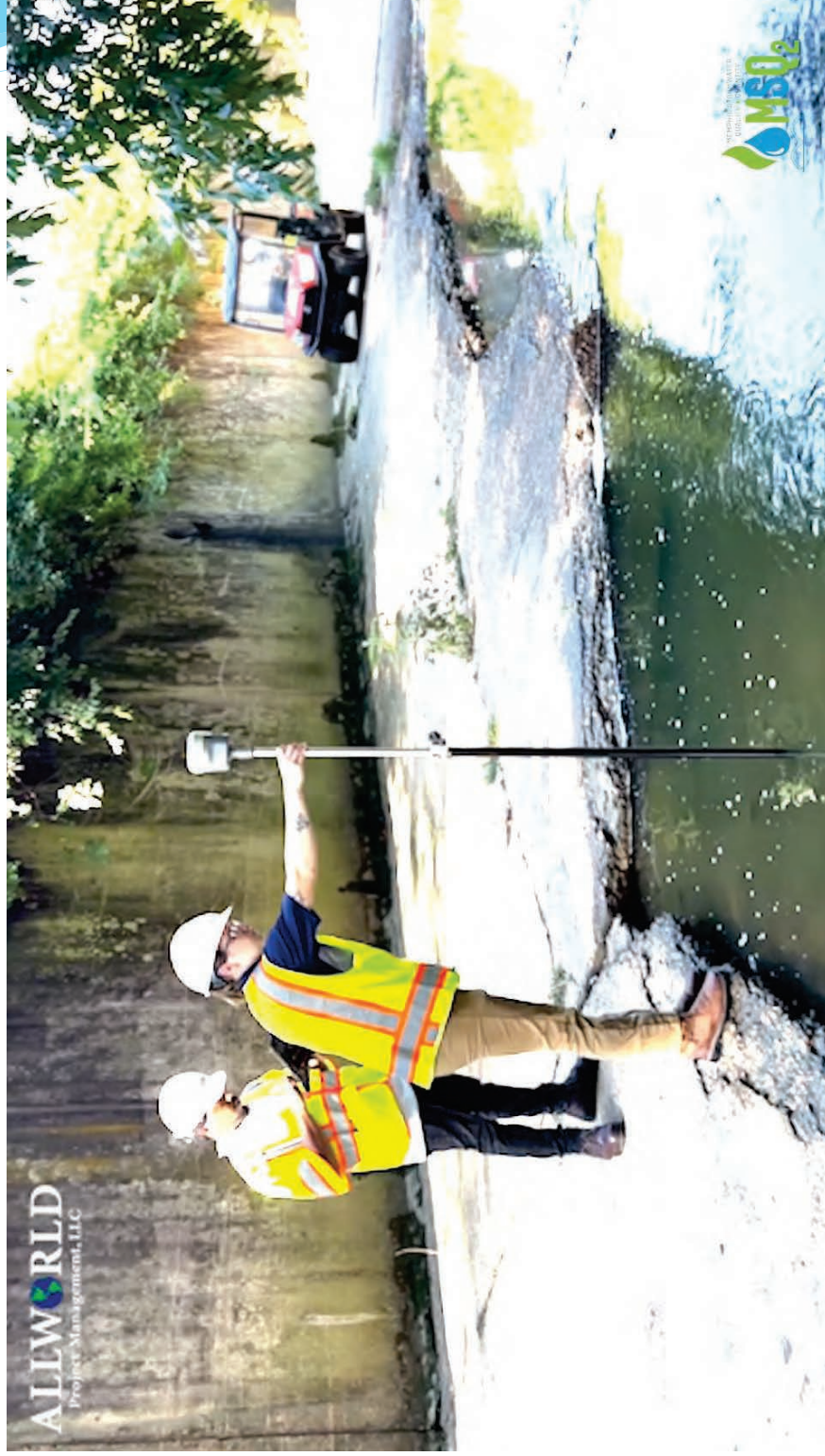
- Mission and Vision Statement established
- Prioritized more than **350** potential projects for funding
 - 49 projects approved to move forward
 - 45 projects have started or completed full design
 - 11 projects have been successfully bid or issued to on-call contractor for construction
- Construction completed on 8 drainage projects with 3 projects currently underway
- Assisted the City in hiring a Construction Manager at Risk (CMAR) to expedite future construction services
- Secured Environmental Protection Agency (EPA) WIFIA Loan
 - Low interest loan of at least \$44 million
 - Flexible terms
 - Will finance about half of the Capital Program

MSQ2 Project Identification & Selection Process



350+ Potential Projects Identified

Mapping & Condition Assessment



ALLWORLD
Project Management, LLC

MEMPHIS STORMWATER
QUALITY • QUANTITY
MSQ₂

Automated Safety Hazard Email

MSQ2: Drain Maintenance Safety Hazard Issue Notification



Allworld Technology

To: Lonnie.Griffin@MemphisTN.gov

Cc: Harper, Christopher; Corey.Lewis@MemphisTN.gov; Abdoul.Yessoufou@MemphisTN.gov

If there are problems with how this message is displayed, click here to view it in a web browser.



Zone D Has a Safety Hazard

Address: 2686 ALCY AV

Issue Type: Structural Damage - Manhole or Inlet

Field Date: 2023-05-16 02:54:34 PM

Summary: This 3x3 inlet is missing its top. @ 2602 E Alcy st ; MSQ2: 188491

Map Page/Block: 65 / B

Coordinates: 35.07786122, -89.97391874

Google Street View: [Click here!](#)

Allworld Technology

T: 9018812985

awpotechnology@allworldmail.com www.allworldpm.com
60 N. B.B. King Blvd. Memphis, TN, 38103



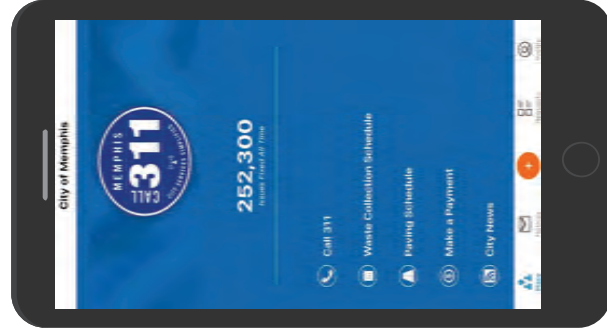
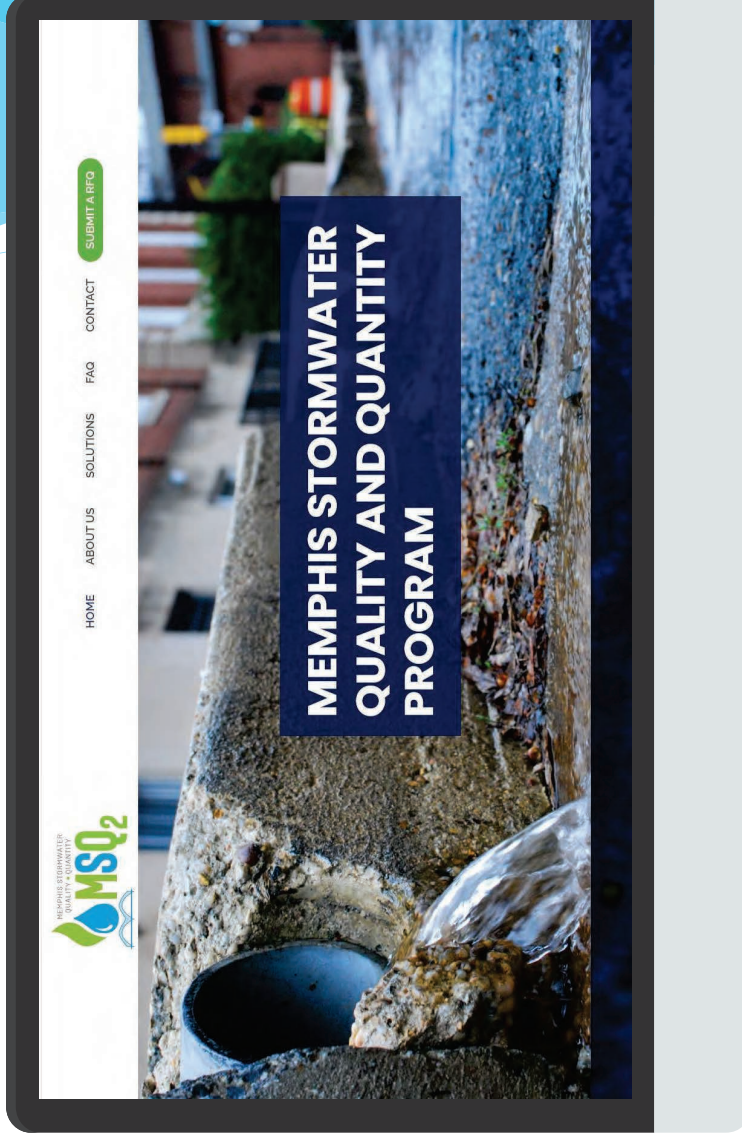


MSQ2 Teaming Partners





MEMPHIS
CALL
311

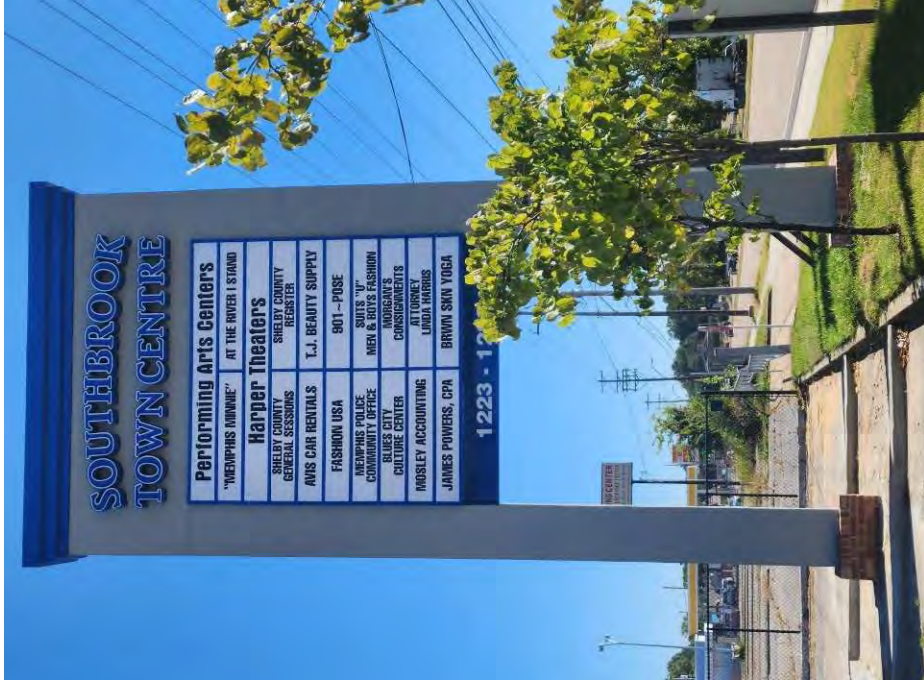
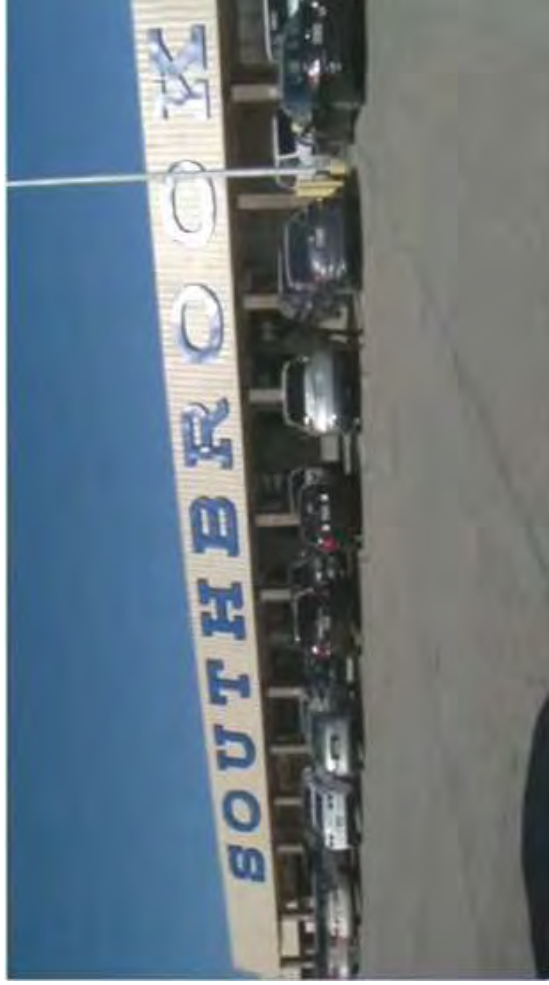


We Need Your Help!

- Direct constituents to use 311 to report flooding
- Support on projects regarding easement acquisitions
- Public education on project development

SOUTHBROOK TOWN CENTRE

Southbrook Town Centre



**A Commerce, Community, Civic
And Tourist Destination!**

SOUTHBROOK TOWN CENTRE

- ❑ **Southbrook Town Centre is located in the heart of the Whitehaven Community; built in 1972; total square footage is estimated at 254,487 square feet, of which 120,000 square feet comprise the core building.**
- ❑ **Southbrook Properties competed in a city-wide application process that provided grants/loan funds to commercial property owners for energy conservation retrofits.**
- ❑ **Administration announced a grant award of \$2,100,000 on November 20, 2014.**
- ❑ **Southbrook Properties renames and reopens Southbrook Town Centre December 2018 as a Commerce, Community, Civic, and Tourist Destination**

**SOUTHBROOK
TOWN CENTRE**

Sources & Uses of Funding

Source:

City of Memphis	\$2,100,000
GO Bonds	245,000
City of Memphis	<u>250,000</u>
	\$2,595,000

Uses:

Roofing Demolition	\$1,100,000
HVAC	497,873
Electrical	<u>502,127</u>
	2,100,000
Infrastructure/Public Safety (Sidewalk & Drive)	245,000
Pylon Signage	68,893
4 Theaters – 2 Performing Arts Generator/Generac	120,000 45,785
Public Safety – (Closed Circuit Security System)	<u>15,322</u>
TOTAL	\$ 2,595,000

SOUTHBROOK TOWN CENTRE

Economic Benefit to the Whitehaven Community

An independent economic sustainability and market feasibility study revealed the following financial impact for

Whitehaven:

- ❑ Every dollar of public investment will generate \$6.50 in industry output.
- ❑ Every one million dollars of public investment will create 79.4 jobs.
- ❑ Every \$100 of public investment will create \$228.00 labor income.
- ❑ Every one-time investment of \$100 of public funding will generate \$29.50 in taxes annually.
- ❑ Contribute \$2,006,491 annually in local and state tax revenue.

(Source: ESRI Site To Do Business, Small Planet Works, The NBM Associates)

Southbrook – A Tourist Destination Location

Movie Night with Elvis SAME MOVIE...SAME THEATER..45 YEARS LATER

It's the **BIGGEST**. It's the **BEST**. It's **BOND**.
And **B-E-Y-O-N-D**.



Special Guests
Concessions!

This was Elvis' Last Movie Night!
Enter the Theater through the back door Like Elvis!

SOUTHBROOK 4

Time & Location - Aug 11, 2022, 11:00 PM CDT – Aug 12, 2022, 2:00 AM CDT
Southbrook 4 Theater, 1254 E. Shelby Dr., Memphis, TN 38116, USA
Elvis Fans Continue to celebrate with us annually!!!

SOUTHBROOK TOWN CENTRE

Current Businesses & Commitments

- Suits “U” Men & Boys Fashion
- Families Matter/AFIRM
- Fashion USA
- Brwn Skn Yoga
- Blues City Culture Center
- Symone’s White Glove Rental
- T.J. Beauty Supply
- Morgan’s Consignments
- Linda Harris, Atty-at-Law
- Cotton Makers Jubilee Museum
- Avis Car Rental
- Shelby County Register
- Shelby County General Sessions Clerk
- Mosley Tax Service

Southbrook Properties Entities:

- Whitehaven Performing Arts Center
- Harper Theaters
- Southbrook Soup & Salad Bar
- Southbrook Banquet Hall (3)
- Pancake 31 Sound Studio
- Memphis Room

Government Commitments:

- Memphis City Night Court
- Memphis City Court Clerk
- Shelby County Environmental Court
- Mayor Young’s PJA - Partnership Joint Authority
- Community Town Hall Auditorium
- Memphis Municipal Employees Federal Credit Union

SOUTHBROOK TOWN CENTRE

New Growth Continues in Whitehaven
New businesses attracting consumers with buying power.

- ❑ **Ms. Guthrie's Chicken**
Tyrone Burroughs Restaurant Group
- ❑ **Georgette & Cato Johnson YMCA**
Patrice & Jackie Robinson Aquatic Center



- ❑ **Community Starbucks**
- ❑ **AutoZone**



- ❑ **New Home Developments**
 - ❑ **Commercial Revitalization**
 - ❑ **Residential Revitalization**



Requested Funds

Sources:

City of Memphis

\$475,000

Uses:

ADA-Compliant Lifts (5):

- ✓ Performance Arts Center
- ✓ Southbrook 4 Theaters

\$ 82,000

Public Benefit Investment

225,000

Construction Costs:

- ✓ Memphis City Night Courtroom
- ✓ Memphis City Court Clerk's Office
- ✓ County Environmental Courtroom
- ✓ Community Town Hall Auditorium

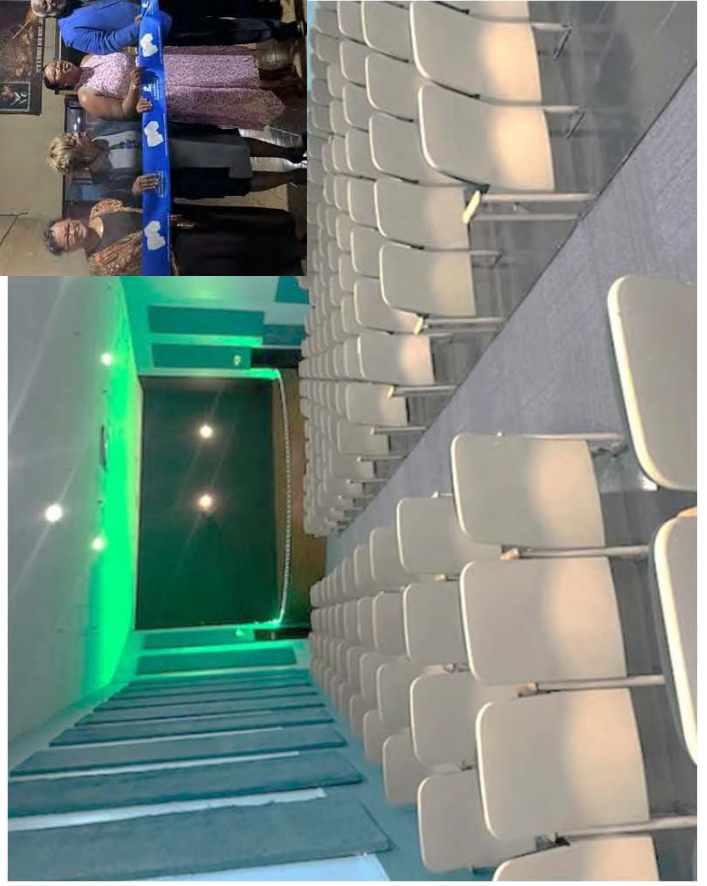
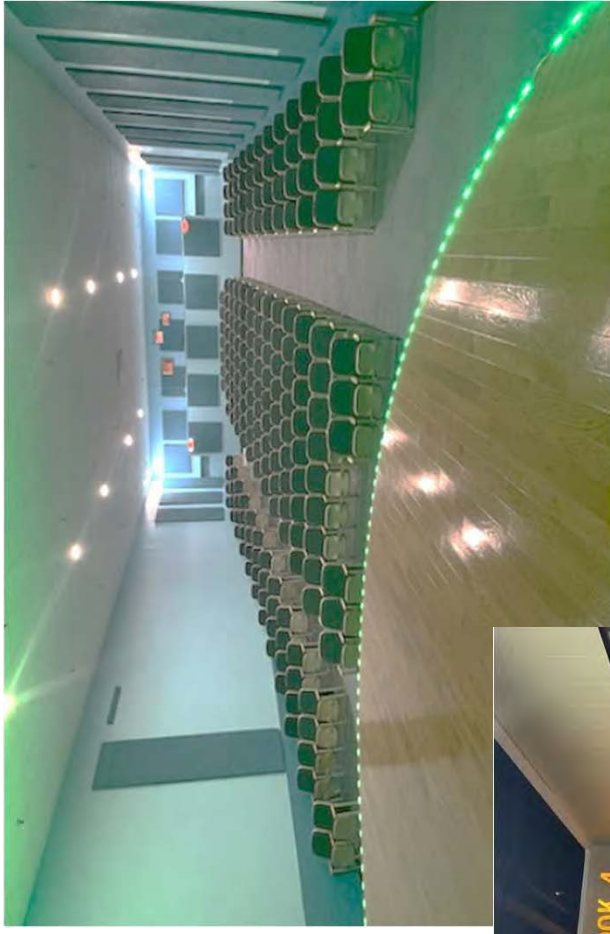
Completion of the Project:

- ✓ Units 1253,1257, and 1271 **50,000**
- ✓ Theater Upgrades & Equipment **25,000**
- ✓ Family Restrooms (2) **15,000**
- ✓ Public Safety - Security Gates (2) **78,000**

TOTAL

\$475,000

Whitehaven Performing Arts Center



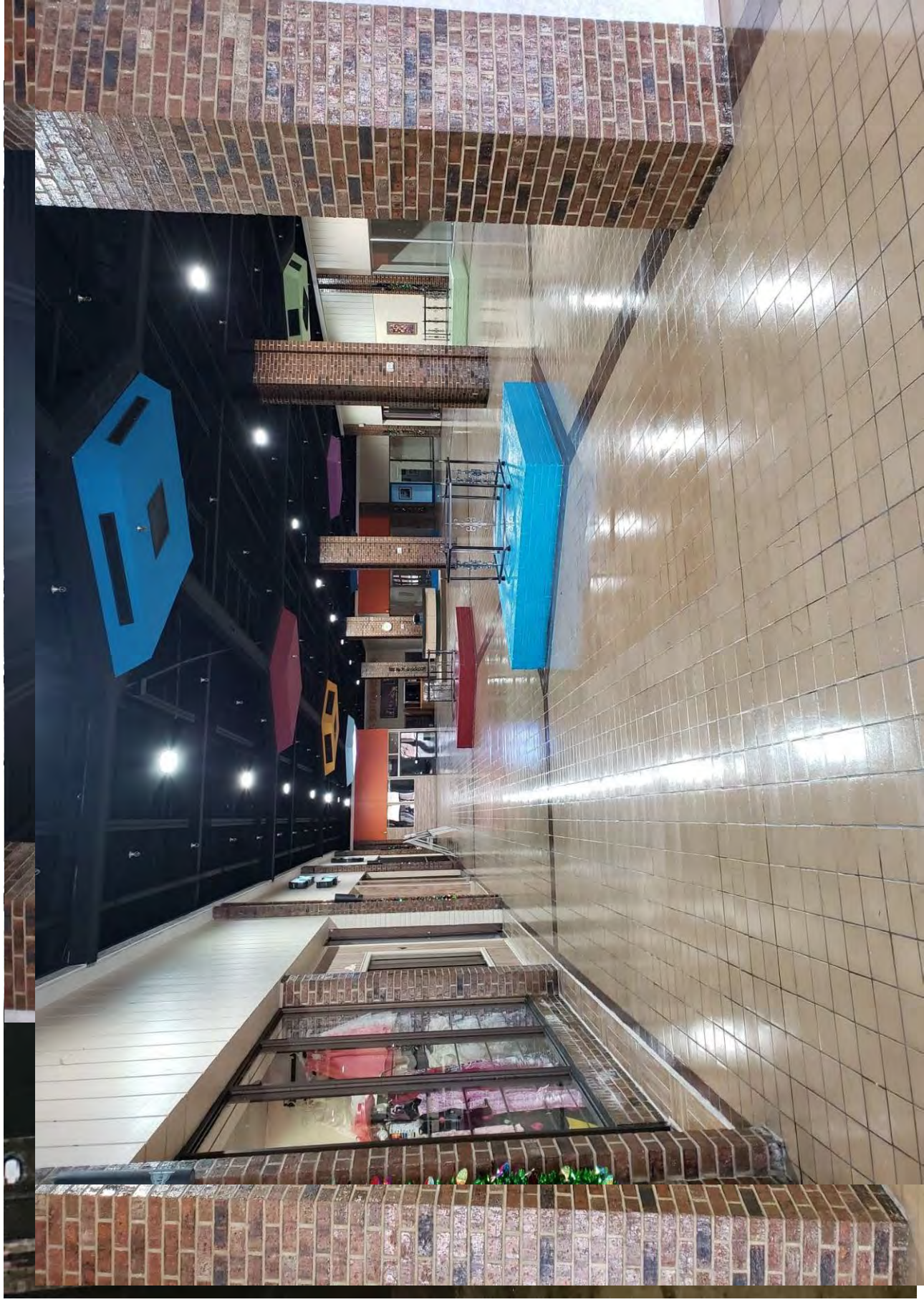
QECB Funding Categories

Roof Top & HVAC



QECB Funding Categories

Inside



QECB Funding Categories

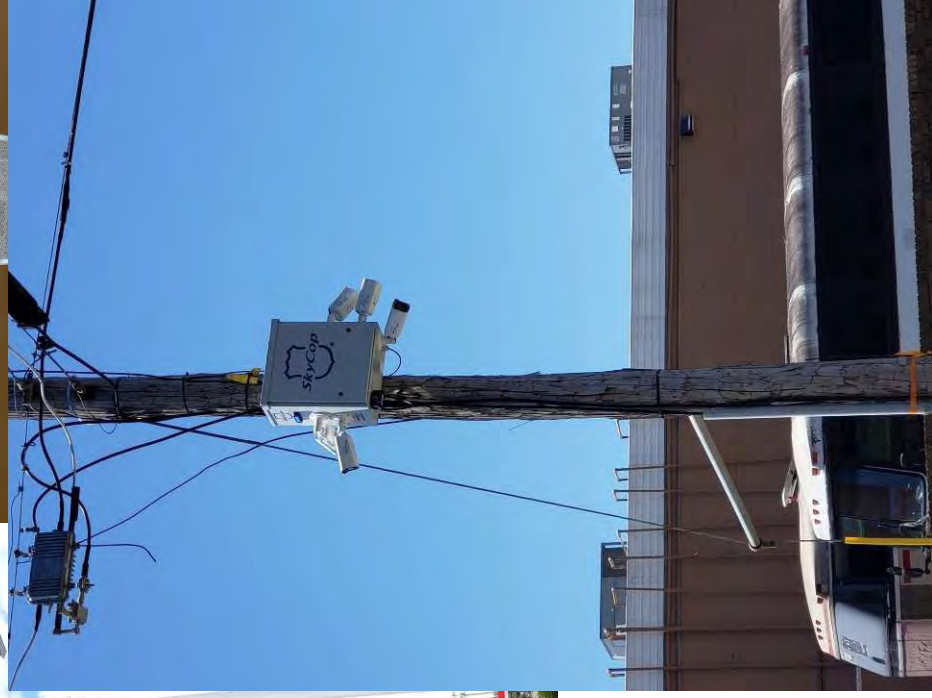
Inside – Ceiling



QECB Funding Categories

Public Safety – Outside Lighting & Electrical

Lights & Sky Cop



QECB Funding Categories

Infrastructure – Sidewalks



Shelby Drive

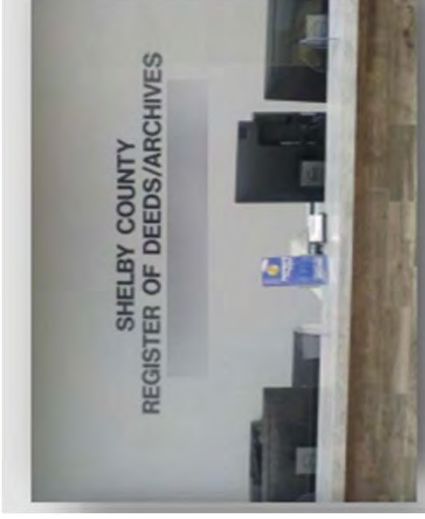
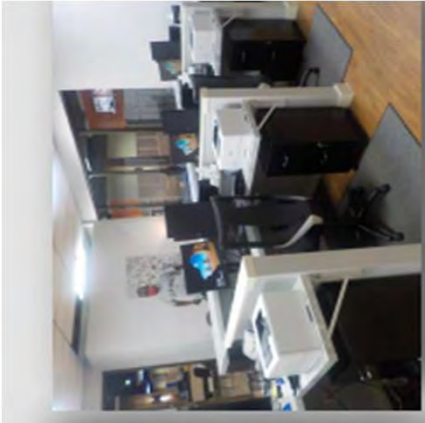


Faronia



Farrow

Southbrook – A Destination Location

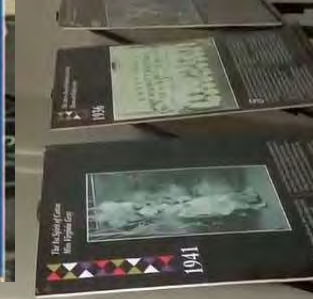


COMING SOON!! Cotton Maker's Jubilee Gallery & Museum

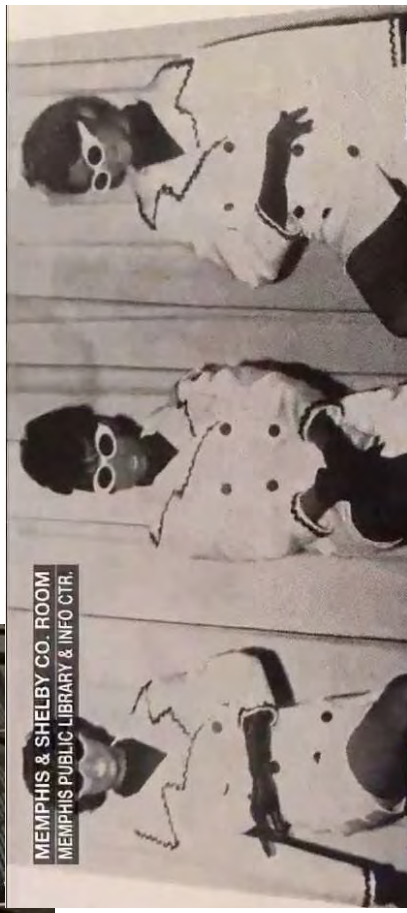


MEMPHIS & SHELBY COUNTY
MEMPHIS PUBLIC LIBRARY

THE FANFARE & FUTURE OF THE COTTON MAKERS JUBILEE



1938 CHILDREN'S
KING AND QUEEN



MEMPHIS & SHELBY CO. ROOM
MEMPHIS PUBLIC LIBRARY & INFO CTR.

Resolution Appropriating \$475,000 to Southbrook Properties for ADA-Compliant Lifts and Municipal Public Benefit Investments

WHEREAS, the City Council recognizes that partnership is necessary to ensure that all communities in the City of Memphis are developed and improved for the benefit of the people of Memphis; and

WHEREAS, in an effort to foster beneficial partnerships, the Council is committed to supporting projects and organizations that assist in the development of neighborhoods and increasing the impact on those who live in those communities; and

WHEREAS, it is the intent of the Council to assist in the completion of this project.

NOW THEREFORE BE IT RESOLVED that the Memphis City Council does hereby allocate \$475,000 to the Southbrook Town Centre in the form of a grant to Southbrook Properties; the funding source shall be determined by the City of Memphis Finance Division.

Sponsor:
Pearl Walker
Yolanda Cooper-Sutton



Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**
A resolution to amend the FY2024 Capital Improvement Program (CIP) Budget by transferring and appropriating \$154,000 from the Raleigh Civic Center Project (CC22101) expenditure type Contract Construction to Architecture & Engineering and Other Cost.

- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**
The Division of Housing and Community Development

- 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.**
Council District 1, Super District 9

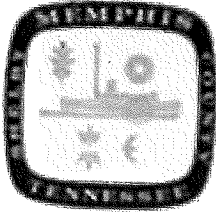
- 5. State whether this requires a new contract, or amends an existing contract, if applicable.**

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.



A resolution to amend the FY2024 Capital Improvement Program (CIP) Budget by transferring and appropriating \$154,000 from the Raleigh Civic Center Project (CC22101) expenditure type Contract Construction to Architecture & Engineering and Other Cost.

WHEREAS, on April 11, 2023, the City of Memphis Council approved the allocation and appropriation in the amount of \$154,000.00 to the Raleigh Civic Center Project (CC22101) at 3384 Austin Peay Hwy, to reimagine the historic Raleigh Springs Mall, to serve as a multifunctional civic center for residents to utilize and enjoy, once again establishing the site as a staple of the Raleigh community; and

WHEREAS, the funding allocated and appropriated was approved to complete the vision of the Civic Center with the addition of a year-round Farmer's Market pavilion and vendor stands, as well as a food truck park to compliment the already in-progress amphitheater; and

WHEREAS, the FY22 Capital Improvement Budget included Project Number CC22100 for Council District Improvements, and the funding amount of \$154,000.00 was carried forward into the FY23 and FY24 budgets; and

WHEREAS, the Council approved allocation and appropriation of funding for the Raleigh Civic Center was initially budgeted to cover contract construction cost for additional community space; and

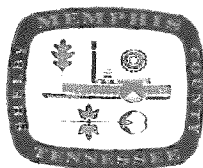
WHEREAS, the Division of Housing and Community Development has determined the allocation of funding will require repurposing from expenditure type contract construction to architecture & engineering and other cost towards the year-round Farmer's Market pavilion and vendor stands, as well as a food truck park; and

WHEREAS, the FY2024 Capital Improvement Program (CIP) Budget by transferring and appropriating \$154,000 from the Raleigh Civic Center Project (CC22101) from expenditure type Contract Construction to Architecture & Engineering and Other Costs.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the sum of ONE HUNDRED FIFTY-FOUR THOUSAND DOLLARS (\$150,000.00) funded by General Obligation Bonds and chargeable to the FY2024 Capital Improvement Program (CIP) Budget be transferred as followed:

TRANSFER TO:

Project Title:	Raleigh Civic Center
Project Number:	CC22101
Amount:	\$100,000.00
Resource:	Architecture & Engineering
Amount:	\$54,000.00
Resource:	Other Cost



Memphis City Council Summary Sheet

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

Budget resolution to amend FY24 CIP Budget by transferring \$200,000 in CIP funds from the Historic Melrose Rehabilitation project (CD01102) to the New Frayser Library project (LI01030) and appropriating same.

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

Division of Housing and Community Development

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.

District 4
Super District 8

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

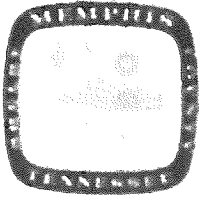
This transfer will have no impact on contracts under the Historic Melrose project. The funds will be incorporated into the construction contract for the New Frayser Library by change order.

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

This is an amendment to FY24 CIP Budget and requires an expenditure of funds.

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

No impact on EBO goals under Historic Melrose. The funds will be incorporated into the construction contract for the New Frayser Library by change order; MWBE goals are already in place for that contract.



A resolution to amend the FY2024 Capital Improvement Program (CIP) Budget by transferring and appropriating \$200,000 from the Historic Melrose Rehabilitation Project (project # CD01102) to the New Frayser Library Project (project # LI01030).

Whereas, Memphis Public Libraries has identified a need for an additional TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) for the New Frayser Library Project (project # LI01030) for the design, procurement, and installation of audio-visual equipment necessary for the provision of unique services to the citizens of Memphis; and

Whereas, the Council of the City of Memphis did include One Million Eight Hundred Thousand Dollars (\$1,800,000.00) for the Historic Melrose Rehabilitation (project # CD01102) in the Capital Improvement Program (CIP) Budget for Fiscal Year 2024 and did furthermore approve the appropriation of said funds by affirmative vote on September 24, 2023; and

Whereas, construction on the Orange Mound Library in the Historic Melrose building is almost complete with a projected grand opening date of April 22, 2024; and

Whereas, the Division of Housing and Community Development and Memphis Public Libraries earmarked Five Hundred Thousand Dollars (\$500,000.00) of the CIP funds for Other costs in CD01102 for the acquisition of books and other collection materials, but have subsequently identified TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) of said amount which will not be needed due to the availability of other grant funds to assist with the acquisition of library collection materials for the Orange Mound Library; and

Whereas, it is necessary to transfer and appropriate TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) from the Historic Melrose Rehabilitation Project (project # CD01102) to the New Frayser Library Project (project # LI01030) and to amend the FY24 Capital Improvement Program Budget accordingly; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the sum of TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) funded by General Obligation Bonds and chargeable to the FY2024 Capital Improvement Program (CIP) Budget is hereby transferred from the Historic Melrose Rehabilitation Project (project # CD01102) and is appropriated and credited as follows:

Project Title:	New Frayser Library
Project Number:	LI01030
Amount:	\$200,000.00
Resource:	Other Costs

Resolution to allocate and appropriate \$200,000 to LaClede Landing

WHEREAS, the City Council recognizes that partnership is necessary to ensure that all communities in the City of Memphis are developed and improved for the benefit of the people of Memphis; as such the Council is committed to supporting projects and organizations that assist in the development of neighborhoods and increasing the impact on those who live in those communities; and

WHEREAS, the Memphis City Council set aside funding during the budget season for this purpose and now seeks to utilize the funding to provide much needed improvement to Vance Avenue.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council does hereby allocate and appropriate \$200,000 to LaClede Landing from the Agency Grants South Memphis Neighborhood in the approved FY24 Operating budget (as shown in Attachment A).

BE IT FURTHER RESOLVED that the funding shall be subject to the following requirements:

1. No more than 10% of the allocated funding may be used for soft costs (such as professional/consultant fees) related to the LaClede Landing project; and
2. The remaining 90% of the allocated funding must be used for hard costs (such as construction costs) for the LaClede Landing project; and
3. The developer of this project or their designee shall provide receipts and/or supporting documentation to confirm the usage of funds as outlined above to the City of Memphis Division of Finance no later than 6 months from the disbursement of funding; any unauthorized use of funds not in line with these guidelines may result in the City of Memphis requesting the remittance of funds to the City.

Sponsor(s):

Edmund Ford, Sr.

Attachment A.

	Proposed Budget	Council Adjustments	Adopted Budget
General Fund Revenues	792,000,000		792,000,000
Increase in Sales Tax Revenues		600,000	600,000
Reallocation of Mud Island Capital Pay Go (Transfer In)		1,500,000	1,500,000
Amended General Fund Revenues	792,000,000	2,100,000	794,100,000
General Fund Expenditures	792,000,000		792,000,000
Agency Grants JIFF (replaced with ARPA funding)		(250,000)	(250,000)
Personnel - General Services		(850,000)	(850,000)
Personnel - Public Works		(850,000)	(850,000)
Materials and Supplies - Public Works		(250,000)	(250,000)
Exec - OYS Summer Interns		(500,000)	(500,000)
City Council - M&S Professional Services (Kudzukian)		(50,000)	(50,000)
City Council - M&S Community Impact Grant		(250,000)	(250,000)
Memphis Parks (program/service expansion) *see below		2,300,000	2,300,000
City Council - Personnel		450,000	450,000
Chelsea Floodwalls Project		250,000	250,000
Agency Grants Sound Diplomacy		150,000	150,000
Agency Grants South Memphis Neighborhood		200,000	200,000
Agency Grants MATA		1,500,000	1,500,000
Agency Grants Parkway Village Community Engagement		250,000	250,000
Amended General Fund Expenditures	792,000,000	2,100,000	794,100,000
Net	-	-	-

**RESOLUTION TO AMEND 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, as reported on the most recently filed and accepted IRS form 990EZ, 990-N, and 990.

Grant Workshop

All applicants for FY25 grant funding must attend a mandatory grant presentation workshop. The workshop will cover the necessary information and documentation required to successfully complete the grant application. At the conclusion of the workshop, applicants will receive a certificate of completion. This certificate must be uploaded with application materials for the application to be considered complete. Failure of a representative of the applicant organization to attend the workshop and submit the certificate in the application will disqualify the organization from applying for the FY25 grant program.

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 June 17-July 19, 2024. All completed applications must be submitted and received by Monday, July 19, 2024, at 11:59 a.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 Grants Administrator and Grants Office 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 to be accepted. Verification of tax filings must come from the IRS. Letters from tax preparers and other non-IRS documentation for tax verification purposes shall not 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 in the current fiscal year and for the next three fiscal years (FY26, FY27 and FY28).

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 Award Requirements

Upon final approval of a Council resolution awarding grant funding, organizations that have been allocated funding will be notified. If the organization has not responded to the award notification within **10 business days** to provide the requested paperwork to the City of Memphis Finance Division, the award may be rescinded, and funding may be reallocated by Councilmembers. All documentation turned in to the City of Memphis Finance Division must be listed under the name of the registered organization that applied for the funding. All organizations must complete a direct deposit form for disbursement of funds if they are awarded funding from the grant program. To appropriately track expenditures for reporting purposes, any award totaling less than \$10,000 must be deposited into a separate account designated for the grant funding. Any award amount of more than \$10,000 must be tracked via accounting software.

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 10th, 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 10th, October 15th, and November 12th 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:
Chase Carlisle

Resolution requesting a study on the zoning for Chelsea Avenue from Danny Thomas Boulevard to Highland Street

WHEREAS, the Memphis City Council recognizes the importance of thoughtful urban planning and zoning regulations in ensuring the sustainable development of our city; and

WHEREAS, the Chelsea Avenue Corridor, stretching from Danny Thomas Boulevard to Highland Street, plays a significant role in the development and connectivity of anchoring neighborhoods within the City of Memphis; understanding the current zoning allowances along this corridor is essential for assessing its compatibility with future growth and development initiatives; and

WHEREAS, it is imperative to explore potential adjustments in zoning regulations to align with the evolving needs and possibilities of these surrounding neighborhoods.

NOW, THEREFORE, BE IT RESOLVED, the Memphis City Council requests a comprehensive study, by the Division of Planning and Development, on the zoning regulations for Chelsea Avenue from Danny Thomas Boulevard to Highland Street; the study shall include, but not be limited to, an assessment of the existing zoning designations, land use patterns, and development trends along the Chelsea Corridor; the findings and recommendations of the study shall be presented before the Memphis City Council, July 9th, 2024 for review and consideration.

Sponsored by:

Michalyn Easter-Thomas