

Ordinance No. \_\_\_\_\_

**AN ORDINANCE TO RENAME THE LINCOLN PARK PAVILION IN HONOR OF HAZEL MOORE AS THE HAZEL MOORE PAVILION IN THE CITY OF MEMPHIS**

**WHEREAS**, on occasion, the Memphis City Council sees fit to recognize members of the Memphis community who have had a lasting impact and Hazel Moore is certainly worthy of recognition for her contributions, service, and dedication to improving the lives of individuals in the community of Memphis, Tennessee, throughout her illustrious career; and

**WHEREAS**, Hazel Moore has dedicated more than fifty (50) years to the field of cosmetology as a distinguished professional and licensed instructor, tirelessly sharing her expertise and passion with countless individuals; and

**WHEREAS**, Hazel Moore is a successful businesswoman and the esteemed sole proprietor of Hazel's Hair Fashion, a testament to her entrepreneurial spirit and commitment to excellence in the beauty industry; and

**WHEREAS**, Hazel Moore has been a trailblazer and influential figure in the beauty industry, setting high standards and paving the way for future generations of cosmetologists; and

**WHEREAS**, Hazel Moore has been appointed by three Governors of the State of Tennessee to serve on the State Board of Cosmetology, where she has played a crucial role in regulating state laws and ensuring the integrity of the profession; and

**WHEREAS**, Hazel Moore, driven by her commitment to community improvement and youth empowerment, founded a mentoring group for young ladies, providing scholarships and guidance to help them overcome challenges and achieve personal success; and

**WHEREAS**, under Section 12-84-22 of the City of Memphis Code of Ordinances states that when the city acquires any public parks or recreational areas, the Memphis City Council is responsible for naming them; the Council also has the authority to change the official names of existing parks and recreational areas through an ordinance; and

**WHEREAS**, the Memphis City Council now seeks to exercise its naming authority under Section 12-84-22 of the City of Memphis Code of Ordinances to rename the City of Memphis Lincoln Park Pavilion at 1594 S. Orleans Street in the city of Memphis, Tennessee in honor of Hazel Moore in recognition of her legacy and enduring impact on the Memphis community.

**NOW, THEREFORE BE IT ORDAINED** by the Council of the City of Memphis that:

*Section 1.* The City of Memphis Lincoln Park Pavilion at 1594 S. Orleans Street in the city of Memphis, Tennessee, and any replacement or successor facility, shall be renamed the "The Hazel Moore Pavilion."

*Section 2.* Upon passage of this ordinance, the newly named "The Hazel Moore Pavilion" shall be memorialized with a new facility sign and a suitable memorial plaque outside the clubhouse, acknowledging the honor. Any costs associated with the construction or installation of the sign shall be incurred by the City of Memphis Parks Division, and if necessary, the Memphis Parks Division shall bring a funding resolution before the City Council for consideration.

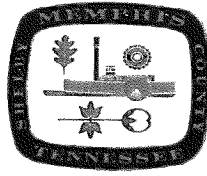
*Section 3.* The City of Memphis Parks Division shall make the appropriate arrangements to alter any media collateral and associated documentation to denote the name change to “The Hazel Moore Pavilion.”

*Section 4. Severability.* All provisions of this Ordinance are hereby severable and if any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

*Section 5. Effective Date.* This Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

Sponsors:  
Jana Swearengen-Washington  
Dr. Jeff Warren

JB Smiley, Jr.  
Chairman



## Memphis City Council Summary Sheet

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

Resolution to approve transfer and appropriation of \$1,316,000 in compounded interest from Accelerate Memphis bonds to fund Accelerate Memphis projects.

**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.**

N/A

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

Districts 2, 3, 4 and 6

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

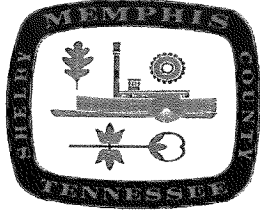
N/A

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

Requires expenditure of compounded interest from bonds issued for Accelerate Memphis.

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

Projects were originally goaled by OBDC.



## **Resolution Approving Use of Compounded Interest from Accelerate Memphis Bonds to cover shortfalls from Accelerate Memphis projects.**

**WHEREAS**, on February 2, 2021, City Council approved an outline of projects for Accelerate Memphis, a \$200M bond issuance to make improvements to three categories: Activating Memphis 3.0, Revitalizing City Assets, and Improving Parks; and

**WHEREAS**, \$75,000,000.00 of said funding for Memphis Parks included an outline of projects for Memphis Parks; and

**WHEREAS**, the length of time needed to finish all projects allowed compounded interest, \$1,316,000, to accumulate in the accounts; and

**WHEREAS**, the time needed to complete projects also led to cost overruns and inflation; and

**WHEREAS**, City Council approved a list of projects to be completed; and

**WHEREAS**, in the spirit of that process, approval to allocate and appropriate those funds to Memphis Parks to complete projects led by Memphis Parks staff for improvements to parks, community and senior centers and pools; and

**WHEREAS**, once approved, the funds would be used to pay the costs associated with these projects.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Memphis that Memphis Parks is authorized to transfer \$1,316,000 of compounded interest from Accelerate Memphis projects to Fiscal Year 2024 CIP Project Number PK24103, to cover the costs associated with the following:

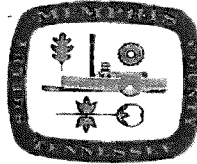
Hickory Hill Community Center repaving	\$471,000
Marion Hale Community Center/Willow repaving	\$522,000
Playground Equipment	\$79,000
Bethel Labelle and McFarland Fitness Rooms	\$80,000
Frayser-Raleigh Senior Center HVAC relocation	\$164,000

**Project Title:** Memphis Parks Coverline

**Project Number:** PK24103

**Amount:** \$1,316,000

T-294



## Memphis City Council Summary Sheet

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

Resolution approving a Use Agreement between the City of Memphis through its Division of Parks and Miracle League of Memphis to fund raise and project manage construction of accessible ballfield at Tobey Park

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

Parks Division

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

N/A

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

District 5, Super District 9

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

Requires new contract

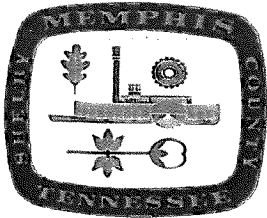
**6. State whether this requires an expenditure of funds/requires a budget amendment**

Will not require increase from existing budget; partner agency to fund raise for project

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

N/A

T-294



***Resolution approving a Use Agreement between the City of Memphis through its Division of Parks and Miracle League of Memphis to allow for fundraising and project management of construction of accessible ballfield at Tobey Park.***

**WHEREAS**, the City, through its Division of Parks, owns and operates Tobey Park, including greenspace, dog park, skate park, and ballfields; and,

**WHEREAS**, Everybody Plays is a 501(c)(3) non-profit doing business as Miracle League of Memphis (the "Miracle League") whose mission is One Field. One Playground. Everybody Plays and,

**WHEREAS**, certain funders and supporters of Miracle League, and the City desire to transform and make improvements to Tobey Park Field #1; and

**WHEREAS**, Miracle League has agreed to fund raise and provide the cost of said renovation; and,

**WHEREAS**, Miracle League has agreed to management of the renovation project and to serve as a coordinator between the funders, architects, and Memphis Parks staff; and

**WHEREAS**, the City and Miracle League desire to memorialize their agreements herein.

**NOW THEREFORE**, for and in consideration of the premises herein, the receipt and sufficiency of which are hereby acknowledged, the undersigned agree as follows:

**WHEREAS**, the City of Memphis desires to enter a Use Agreement with Miracle League for the project management and subsequent non-exclusive use of built amenities with a term of 5 years with an option to extend for two (2) additional five (5) -year periods, subject to mutual agreement of the parties, evidenced in writing.

**WHEREAS**, City of Memphis Ordinance No. 4763, Article 1, Section 23-1(d) requires the Council of the City of Memphis to approve all management and use agreements for Parks facilities; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that this Use Agreement between the City of Memphis and Miracle League, as agreed to by the parties, is hereby approved in accordance with the terms set forth therein outlining committed operational and other stipulated criteria as to both parties in the approved agreement.

T-294



PAULA A. YOUNG  
MAYOR

MEMPHIS PARKS  
NICK WALKER

FROM: Nick Walker, Director, Memphis Parks  
DATE: 6/20/24  
SUBJECT: Miracle League Use Agreement

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## 1. Statement of Opportunity

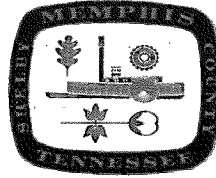
Since 2020, Memphis Parks has been engaged with a local nonprofit Everybody Plays- Miracle League of Memphis. This group has a mission of bringing a fully accessible ballfield to Memphis. Memphis Parks worked with Miracle League to identify Tobey Park as the best fit location for this amenity. Miracle League has spent three years actively fundraising for this project and is now ready to begin construction. At this time, zero funds are required by the City.

Due to Miracle League's position as the lead funder and overall project manager, it is necessary that Memphis Parks enter an agreement with Miracle League to manage this construction project under the supervision of Memphis Parks.

## 2. Executive Summary of Agreement Terms

- Use Agreement- covering both construction management period and non-exclusive use following completion of construction
- Term Length - 5 year agreement with 2 options to extend 5 years
- Miracle League funds and manages construction with approval of every step by Memphis Parks
- City maintains ownership and all operations
- Upon completion of construction, Miracle League will not be charged permit fees for programs which are hosted by Miracle League; Memphis Parks will permit field to all other users and retain all revenue
- Current construction timeline completes in Spring 2025

P115



## Memphis City Council Summary Sheet

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

Resolution to allocate, appropriate and transfer \$1,500,000 of FY24 CIP funds to PK03007 for contract construction and A/E for repairs to the Bellevue Tennis Center.

**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.**

N/A

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

Districts 4, Super District 8

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

N/A

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

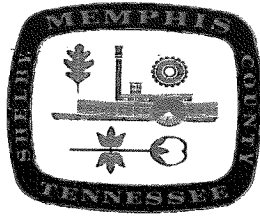
Requires expenditure of FY24 CIP funds.

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

Projects will be goaled by OBDC.



P115



**Resolution to Allocate and Appropriate funds for the Bellevue Tennis Center PK03007.**

**WHEREAS**, the Council of the City of Memphis did include the Bellevue Tennis Center, CIP Project Number PK03007, as a part of the Fiscal Year 2024 Capital Improvement Budget; and

**WHEREAS**, Memphis Parks does operate Bellevue Tennis Center located in Bellevue Park through the non-profit organization Tennis Memphis; and

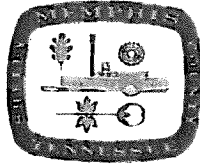
**WHEREAS**, there is a desire to refurbish the facility and address long-standing issues of deferred maintenance; and

**WHEREAS**, the Council did provide an Allocation of \$1,500,000 in the Fiscal Year 2024 CIP Project Number PKTBD, Bellevue Tennis Center, Contract Construction, and Architecture and Engineering, as a part of the FY24 Capital Improvement Budget; and

**WHEREAS**, the Administration requests that the Council approve the Allocation and Appropriation of \$1,500,000 in the Fiscal Year 2024, CIP Project Number PK03007, Bellevue Tennis Center, Contract Construction, and Architecture and Engineering, as a part of the FY24 Capital Improvement Budget.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$1,275,000, Contract Construction, and \$225,000 for architecture and engineering, funded by G.O. Bonds General, chargeable to the Fiscal Year 2024 Capital Improvement Budget; with said funds being credited as follows:

<b>Project Title:</b>	<b>Bellevue Tennis Center</b>
<b>Project Number:</b>	<b>PK03007</b>
<b>Amount:</b>	<b>\$1,500,000</b>



## Memphis City Council Summary Sheet

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

Resolution to approve intergovernmental agreement between the City of Memphis and Shelby County Government for Animal Housing and Rabies Tag/Fee Collections.

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

Memphis Animal Services

**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.**

All Council & Super Districts

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

This requires a new contract.

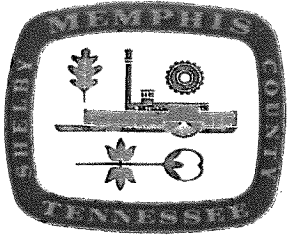
**6. State whether this requires an expenditure of funds/requires a budget amendment**

No city funds are required. Funds will be collected from the County on a per animal basis.

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

Not applicable

T-260



## **A Resolution to Approve Intergovernmental Agreement Between the City of Memphis and Shelby County Government for Animal Housing and Rabies Tag/Fee Collection**

**WHEREAS**, the city, through the Memphis Animal Services department, operates the City Animals Shelter facility, which houses and cares for animals that must be impounded or otherwise maintained under state law, local animals control ordinances, and humane considerations; and

**WHEREAS**, the City has heretofore provided use of its City Animal Shelter facilities and professional staff to assist the County with the housing and care of animals both impounded by the County and surrendered by County residents from areas outside the City of Memphis, excluding the municipalities of Bartlett, Germantown, and Collierville, as these municipalities have their facilities;

**WHEREAS**, the County needs the continued provision of such services and the use of necessary facilities for the housing and care of animals that must be impounded and otherwise maintained per state law, local animal control ordinances, and humane considerations, as well as processing of rabies tags for residents of the County; and

**WHEREAS**, Tennessee law, codified at T.C.A. §12-9-101 et seq., and more specifically T.C.A. §12-9-108, provides that a public agency of the State may contract with another public agency to perform a governmental service which each public agency authorized by law to perform, provided said contract is approved by the governing body of each party; and

**WHEREAS**, the parties hereto are public agencies within the meaning of these laws; and

**WHEREAS**, Tennessee law, codified at T.C.A §68-8-105, and Shelby County Code of Ordinances, codified at §4-65, et seq., require all pet owners to vaccinate against rabies; and

**WHEREAS**, the County, according to Section 4.3 of the Shelby County Code of Ordinances, may enter into contracts for the care, housing, and disposal of animals; and

**WHEREAS**, the County, according to Section 4.3 of the Shelby County Code of Ordinances, may enter into contracts to provide animal sheltering services and rabies tag collections for the County, and the City agrees to do so on the terms and conditions set forth under the Agreement.

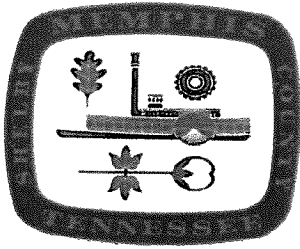
**WHEREAS**, this is an intergovernmental agreement that requires approval by the Memphis City Council according to T.C.A §12-9-108.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS**, the form, terms, and provisions of the Agreement between the City of Memphis and Shelby County Government for Animals Services presented to this Council is hereby approved, and all terms and provisions thereof.

**BE IT FURTHER RESOLVED**, that the City Council, acting on behalf of the City, hereby authorizes and approves the execution and delivery of the Agreement, and the Mayor of the City of Memphis, hereby is, authorized and directed to execute and deliver the Agreement in substantially the same form as presented to Council, with such changes, insertions, or omissions as may be deemed reasonably necessary by persons executing the same, upon advice of counsel, to accomplish the purpose of the transaction contemplated therein and in this Resolution and shall be inconsistent with or contrary to such purposes; and

**BE IT FURTHER RESOLVED**, that this Resolution shall become effective immediately upon adoption by the City Council.

T-310



## Memphis City Council Summary Sheet

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

Reallocate FY2024 Solid Waste Budget funds to pay remaining forecasted fiscal year invoices, remaining balances, and the Impasse Economic Packages.

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

This is initiated by Division of Solid Waste.

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

Solid Waste current funds will be transferred and reallocated. The funding is available in the FY2024 Solid Waste Budget, with "zero funding" coming from the General Fund.

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

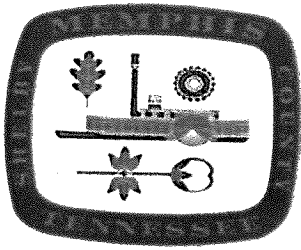
This does not require a new contract or amend an existing contract.

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

Approval will require reallocation of funds from the Solid Waste FY2024 Budget.

**Same Night Meeting Minutes Requested**

T-310



Resolution to reallocate current FY2024 Solid Waste Budget funds to pay remaining forecasted fiscal year invoices, remaining balances, and the Impasse Economic Packages.

**WHEREAS**, the City of Memphis Division of Solid Waste is committed to the improvement of quality of life for all citizens and employees of the City of Memphis. Timely payments to vendors and compensation for employees are an obligation and necessity.

**WHEREAS**, the reallocation of current fiscal funds is a result of contractual agreements with identified vendors, with forecasted increase of CPI, Consumer Price Index, during the 3<sup>rd</sup> quarter of FY2024, and Impasse Economic Packages.

**WHEREAS**, the forecasted increase does not exceed the current FY2024 Solid Waste funded budget.

**WHEREAS**, it is necessary to re-allocate remaining FY2024 fiscal funds to cover remaining fiscal year end balances.

Impasse Economic Package:	\$2,410,000
Contract Disposal:	\$1,000,092
Collections:	<u>\$675,000</u>
Total Amount:	\$4,085,092

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Memphis that the Solid Waste current FY2024 funding budget be and is hereby reallocated and transferred for the expenses in the funding amount of \$4,085,092 to pay remaining year-end balances and Impasse Economic Packages.

**BE IF FURTHER RESOLVED**, that the FY2024 Solid Waste Operating Budget be and is hereby amended by reallocating and transferring funds in the amount of \$4,085,092

T-310

CITY OF MEMPHIS  
COUNCIL BUDGET APPROPRIATION  
REQUEST FOR COUNCIL APPROPRIATION

DIVISION: Solid Waste Division DATE: 6/26/2024  
SERVICE CENTER NAME: Administration SERVICE CENTER: 160101  
INITIATED BY: Datreille LaSane TITLE: Support Service Manager

Fund: 0204 Fiscal Month: 12 Budget Transaction No.:                     

ITEM DESCRIPTION/RESOURCE	SERVICE CENTER	ACCOUNT	DECREASE (DEBIT)	INCREASE (CREDIT)
			\$0.00	\$0.00

ITEM DESCRIPTION	SERVICE CENTER	ACCOUNT	INCREASE (Debit)	DECREASE (Credit)
City Computer Service Equipment	160101	052204		\$ 45,500.00
Data Word Process Software	160101	052208		\$ 40,000.00
Document Reproduction	160101	052108		\$ 10,000.00
Misc. Professional Services	160101	052528		\$ 122,500.00
Outside Equipment Repair/Maintenance	160101	052410		\$ 127,500.00
Outside Postage	160101	052324		\$ 5,000.00
Professional Fees	160101	061149		\$ 135,000.00
Seminars / Training / Education	160101	052526		\$ 5,000.00
City Hall Printing	160201	052102		\$ 6,000.00
City Shop Charges	160201	052116		\$ 106,000.00
City Shop Fuel	160201	052124		\$ 139,000.00
Clothing	160201	052310		\$ 111,092.00
Facility Repair and Carpentry	160201	052114		\$ 40,000.00
Hand Tools	160201	052308		\$ 21,000.00
Janitorial Services	160201	052518		\$ 50,000.00
Maintenance of Grounds	160201	052414		\$ 19,000.00
Misc. Professional Services	160201	052528		\$ 75,000.00
Outside Equipment Repair/Maintenance	160201	052410		\$ 50,000.00
Outside Phone Communications	160201	052514		\$ 30,000.00
Professional Fees	160201	061149		\$ 55,000.00
Seminars / Training / Education	160201	052526		\$ 25,000.00
Facility Repair and Carpentry	160301	052114		\$ 40,000.00
Maintenance of Grounds	160301	052414		\$ 13,500.00
Professional Fees	160301	061149		\$ 45,000.00
Seminars / Training / Education	160301	052526		\$ 4,000.00
City Computer Service Equipment	160401	052204		\$ 15,000.00
City Hall Printing	160401	052102		\$ 11,000.00
Contribution to Education	160401	052910		\$ 32,000.00
Internal Repairs and Maintenance	160401	052498		\$ 25,000.00
Janitorial Services	160401	052518		\$ 24,000.00
Maintenance of Grounds	160401	052414		\$ 24,000.00
Misc. Professional Services	160401	052528		\$ 100,000.00
Printing Outside	160401	052302		\$ 5,000.00
Professional Fees	160401	061149		\$ 99,000.00
Seminars / Training / Education	160401	052526		\$ 5,000.00
Misc. Professional Services	160501	052528		\$ 15,000.00
Full-Time Salaries	160101	051101		\$ 165,000.00
Full-Time Salaries	160201	051101		\$ 2,000,000.00
Full-Time Salaries	160301	051101		\$ 110,000.00
Full-Time Salaries	160401	051101		\$ 40,000.00
Full-Time Salaries	160501	051101		\$ 95,000.00
Bonus Pay	160101	051902	\$ 165,000.00	
Bonus Pay	160201	051902	\$ 2,000,000.00	
Bonus Pay	160301	051902	\$ 110,000.00	
Bonus Pay	160401	051902	\$ 40,000.00	
Bonus Pay	160501	051902	\$ 95,000.00	
Collections	160201	061140	\$ 675,000.00	
Contract Disposal	160301	061138	\$ 978,068.00	
Contract Disposal	160401	061138	\$ 22,024.00	
			\$ 4,085,092.00	\$ 4,085,092.00

JUSTIFICATION:  
Re-allocate and transfer remaining FY2024 fiscal funds to pay remaining fiscal year invoices and balances due to increase of CPI, Consumer Price Index, during the 3rd quarter of FY2024 and Impasse Economic Packages

APPROVED BY: [Signature] DATE: 6/26/2024  
DIVISION DIRECTOR

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
BUDGET MANAGER  
(LEAVE BLANK IF NOT INTER-DEPARTMENTAL)

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
FINANCE DIRECTOR

P107



### City Council Item Routing Sheet

Division Engineering Committee Public Works Hearing Date June 18, 2024  
 District 7 Super District 8

- Ordinance                       Resolution                       Grant Acceptance  
 Budget Amendment               Commendation                       Other:

Item Description :  
 This is a resolution to transfer and appropriate construction funds to Martindale Pump Relief DW, Project Number SW02108 to relieve the sewer pump station at 3997 Martindale Avenue with a gravity sewer system. Request same night minutes.

Recommended Council Action:  
 Approve.

Status of MWBE planned expenditures funding, if applicable:  
 MWBE goal is 8%.  
 WBE goal is 2%

Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:  
 None

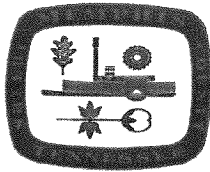
Does this item require city expenditure? <del>No</del> Yes \$ Amount <u>425,068</u> \$ Revenue to be received _____	Source and Amount of Funds \$ Operating Budget \$ CIP Project # SW02108 \$ Federal/State/Other
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#### Approvals

Director  Date 6/18/24  
 Budget Manager \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Deputy Financial Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Chief Legal Officer \_\_\_\_\_ Date \_\_\_\_\_

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





## Memphis City Council Summary Sheet

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

This is a resolution to transfer and appropriate construction funds to Martindale Pump Relief DW, Project Number SW02108 to relieve the sewer pump station at 3997 Martindale Avenue. Request same night minutes.

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

Public Works at the recommendation of Engineering Division.

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

NA

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

This project is in Council District 7 and Super District 8.

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

This request will require a new contract,

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

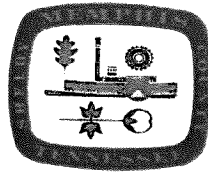
This requires an expenditure of funds and budget amendment.

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

MWBE= 8%

WBE = 2%

Pool



## Memphis City Council Summary Sheet

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

This Resolution is an additional funds request for an existing three year contract to transfer and appropriate additional construction funds for project number SW22201-Install CIPP Annual 2022. This is for the third year.

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

Public Works

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

This resolution does not change any existing ordinance or resolution.

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

The project is a work order based contract for installation of CIPP at various locations throughout the City.

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

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

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

Yes, this requires an expenditure of funds.

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

The MBE goal is 4% and the WBE goal is 1%. The MBE goal will be met by Southland Enterprises. The WBE goal will be met by H&K Plumbing & Heating.

POOL



This Resolution is an additional funds request for the third year of an existing three-year contract to transfer and appropriate additional construction funds for project number SW22201-Install CIPP Annual 2022 to repair/rehab existing damaged sanitary sewer pipes using CIPP process at various locations. All Council and Super Districts 8 and 9.

**WHEREAS**, the Council of the City of Memphis approved Rehab Exist System Coverline, project number SW24200 and Install CIPP Annual 2022, project number SW22201, as part of the Public Works Fiscal Year 2025 Capital Improvement Budget; and

**WHEREAS**, there currently exists a three-year contract (estimated contract amount \$3,000,000.00/year). Council approved an appropriation via a Resolution (CIP #SW22201) awarding a construction contract to Moore Construction Services (Contract #39296) on March 1, 2022, for the installation of Cured In Place Pipe at various locations; and

**WHEREAS**, this is the third year of a three-year contract (# 39296) awarded to Moore Construction Services and it is necessary for additional construction funds in the amount of \$2,750,000.00 for Install CIPP Annual 2022, project number SW22201 to repair/rehab sanitary sewer pipes as stated above; and

**WHEREAS**, it is necessary to transfer a construction allocation of \$2,750,000.00 funded by Capital Pay Go-Sewer in Rehab Exist System Coverline, project number SW24200 to Install CIPP Annual 2022, project number SW22201 to repair/rehab sanitary sewer pipes as stated above; and

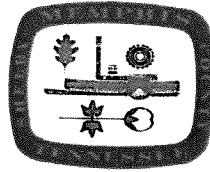
**WHEREAS**, it is necessary to appropriate \$2,750,000.00 funded by Capital Pay Go-Sewer in Install CIPP Annual 2022, project number SW22201 to repair/rehab sanitary sewer pipes as stated above; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2025 Capital Improvement Budget be and is hereby amended by transferring a construction allocation of \$2,750,000.00 funded by Capital Pay Go-Sewer in Rehab Exist System Coverline, project number SW24200 to Install CIPP Annual 2022, project number SW22201 to repair/rehab sanitary sewer pipes as stated above.

**BE IT FURTHER RESOLVED**, that there be and is hereby appropriated the sum of \$2,750,000.00 funded by Capital Pay Go-Sewer chargeable to the FY 2025 Capital Improvement Budget and credited as follows:

<b>Project Title</b>	<b>Install CIPP Annual 2022</b>
<b>Project Number</b>	<b>SW22201</b>
<b>Total Amount</b>	<b>\$2,750,000.00</b>

POD2



## Memphis City Council Summary Sheet

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

Resolution is an additional funds request for an existing three year contract to transfer and appropriate additional construction funds for Storm Water CIPP 2022, project number ST03222. This is for the third year.

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

Public Works

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

This resolution does not change any existing ordinance or resolution.

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

The project is a work order based contract for installation of CIPP at various locations throughout the City.

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

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

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

Yes, this requires an expenditure of funds.

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

The MBE goal is 4% and the WBE goal is 1%. The MBE goal will be met by Southland Enterprises. The WBE goal will be met by H&K Plumbing & Heating.

POD



This Resolution is an additional funds request for the third year of an existing three-year contract to transfer and appropriate additional construction funds for Storm Water CIPP 2022, project number ST03222, to repair/rehab existing damaged storm drainpipes using CIPP process at various locations. All Council and Super Districts 8 and 9.

**WHEREAS**, the Council of the City of Memphis approved Drainage – ST Coverline, project number ST03205 and Storm Water CIPP 2022, project number ST03222, as part of the Public Works Fiscal Year 2025 Capital Improvement Budget; and

**WHEREAS**, there currently exists a three-year contract (estimated contract amount \$3,000,000.00/year). Council approved an appropriation via a Resolution (CIP #ST03222) awarding a construction contract to Moore Construction Services (Contract #39296) on March 1, 2022, for the installation of Cured In Place Pipe at various locations; and

**WHEREAS**, this is the third year of a three-year contract (# 39296) awarded to Moore Construction Services and it is necessary for additional construction funds in the amount of \$500,000 for Storm Water CIPP 2022, project number ST03222 to repair/rehab Storm drainpipes as stated above; and

**WHEREAS**, it is necessary to transfer a construction allocation of \$500,000.00 funded by Storm Water Revenue Bonds in Drainage – ST Coverline, project number ST03205 to Storm Water CIPP 2022, project number ST03222 to repair/rehab Storm drainpipes as stated above; and

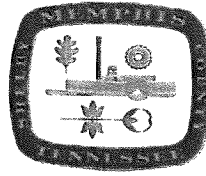
**WHEREAS**, it is necessary to appropriate \$500,000.00 funded by Storm Water Revenue Bonds in Storm Water CIPP 2022, project number ST03222 to repair/rehab Storm drainpipes as stated above; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2025 Capital Improvement Budget be and is hereby amended by transferring a construction allocation of \$500,000.00 funded by Storm Water Revenue Bonds in Drainage – ST Coverline, project number ST03205 to Storm Water CIPP 2022, project number ST03222 to repair/rehab Storm drainpipes as stated above.

**BE IT FURTHER RESOLVED**, that there be and is hereby appropriated the sum of \$500,000.00 funded by Storm Water Revenue Bonds chargeable to the FY 2025 Capital Improvement Budget and credited as follows:

<b>Project Title</b>	<b>Storm Water CIPP 2022</b>
<b>Project Number</b>	<b>ST03222</b>
<b>Total Amount</b>	<b>\$500,000.00</b>

GO!



## Memphis City Council Summary Sheet

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

A resolution to accept 2024 Reducing Diesel Emissions for a Healthier TN funds from the TN Department of Environment and Conservation in the amount of \$140,000 to be used for partial funding for two ambulances.

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

Memphis Fire Services is the initiating party.

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

There is no change to an existing ordinance or resolution.

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

All council districts and super district.

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

This request will not require a new contract.

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

This project requires an expenditure of funds and a budget adjustment.

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

There is no MWBE goal.



6001

**A resolution to accept 2024 Reducing Diesel Emissions for a Healthier TN funds from the TN Department of Environment and Conservation in the amount of One Hundred Forty Thousand Dollars (\$140,000.00) to be used for partial funding for the purchase of two (2) ambulances with idle mitigation systems.**

**WHEREAS**, The City of Memphis Division of Fire Services has been awarded grant funds in the amount of One Hundred Forty Thousand Dollars (\$140,000.00) from the TN Department of Environment and Conservation for partial funding for the purchase of two (2) ambulances with idle mitigation systems with City funding estimated to be Six Hundred Seventy-One Thousand One Hundred Seventy Dollars (\$671,170.00); and

**WHEREAS**, These funds will be used for partial funding on the purchase of two (2) ambulances with idle mitigation systems; and

**WHEREAS**, It is necessary to allocate and appropriate One Hundred Forty Thousand Dollars (\$140,000.00) from the 2024 Reducing Diesel Emissions for a Healthier TN funds from the TN Department of Environment and Conservation for partial funding for the purchase of two (2) ambulances with idle mitigation systems.

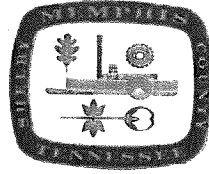
**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the 2024 TN Department of Environment and Conservation Grant Project funds in the amount of One Hundred Forty Thousand Dollars (\$140,000.00) be allocated and appropriated by the City of Memphis as an offset to FY25 CIP Capital Acquisition budget.

**Revenue**

**State Grants** **\$140,000**

**Expenses**

**Vehicles-Cap** **\$140,000**



## Memphis City Council Summary Sheet

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

A resolution to accept, allocate and appropriate 2021 Hazardous Mitigation Plan Update (HMP) Program funds from the Department of Homeland Security in the amount \$1,500,000 to be used for scoping activities.

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

Memphis Fire Services is the initiating party.

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

There is no change to an existing ordinance or resolution.

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

Council district 6 and Super District 8

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

This request will require a new contract.

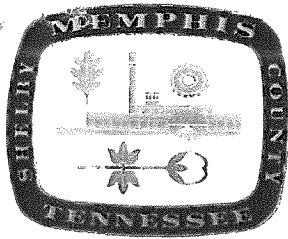
**6. State whether this requires an expenditure of funds/requires a budget amendment**

This project requires an expenditure of funds and a budget adjustment.

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

There is no MWBE goal.





**A resolution to accept, allocate and appropriate 2021 Hazardous Mitigation Plan Update (HMP) Program funds from the Department of Homeland Security in the amount of One Million Five Hundred Thousand Dollars and Zero Cents (\$1,500,000.00) to be used for scoping activities and eventually, the design and construction of Project 52.**

**WHEREAS**, The City of Memphis Division of Fire Services has been awarded grant fund in the amount of One Million Five Hundred Thousand Dollars and Zero Cents (\$1,500,000.00) from the Department of Homeland Security for implementation strategy outlined in HMP encompassing a Fire Station and multi-purpose Maritime facility; and

**WHEREAS**, These funds will be used for scoping activities and eventually, the design and construction of Project 52; and

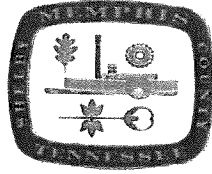
**WHEREAS**, It is necessary to accept the grant funding and amend the FY24 Misc. Grant Budget to establish funds for the 2021 Hazardous Mitigation Plan Update (HMP) Program; and

**WHEREAS**, It is necessary to appropriate the fund in the amount of One Million Five Hundred Thousand Dollars and Zero Cents (\$1,500,000.00) for Fire Services; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the 2021 Hazardous Mitigation Update (HMP) Program funds in the amount of One Million Five Hundred Dollars and Zero Cents (\$1,500,000) be accepted by the City of Memphis.

**BE IT FURTHER RESOLVED**, that the FY24 Misc. Grant Budget be and is hereby amended by allocation and appropriating the Expenditures and Revenues for the 2021 Hazardous Mitigation Update (HMP) Program as follows:

<b>Revenue</b>	
<b>Federal Grants</b>	<b>\$1,500,000</b>
<b>Expense</b>	
<b>Architecture &amp; Engineering</b>	<b>\$1,250,000</b>
<b>Other Costs</b>	<b>\$ 250,000</b>



## Memphis City Council Summary Sheet

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

A resolution to accept additional grant funding in the amount of Seventy -Four Thousand Eight Hundred Thirty-Five Dollars and Zero Cents (\$74,835.00) from the Hazardous Materials Emergency Preparedness (HMEP).

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

Memphis Fire Services is the initiating party.

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

There is no change to an existing ordinance or resolution.

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

All council districts and super district.

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

This request will not require a new contract.

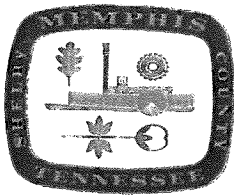
**6. State whether this requires an expenditure of funds/requires a budget amendment**

This project requires an expenditure of funds and a budget adjustment.

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

There is no MWBE goal.

9/06



**A resolution to accept additional grant funding in the amount of Seventy -Four Thousand Eight Hundred Thirty-Five Dollars and Zero Cents (\$74,835.00) from the Tennessee Emergency Management Agency's Hazardous Materials Emergency Preparedness (HMEP) to be used for equipment, training and supplies.**

**WHEREAS**, the City of Memphis Division of Fire Services has received additional grant funds in the amount of Seventy-~~Five~~<sup>Four</sup> Thousand Eight Hundred Thirty-Five Dollars and Zero Cents (\$74,835.00) from the Department of Transportation Pipeline and Hazardous Materials Safety Administration for equipment, training and supplies with a City match in the amount of Eighteen Thousand Seven Hundred Eight Dollars and Seventy-Five Cents (\$18,708.75); and

**WHEREAS**, These additional funds will be used for training and planning to strengthen the Special Operations Divisions ability to provide training to sort personnel in responding to flammable liquid incidents involving surface transportation; and

**WHEREAS**, It is necessary to accept the additional grant funding and amend the FY24 Misc. Grant Budget to increase funds for the Hazardous Materials Emergency Preparedness (HMEP) Grant; and

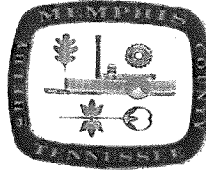
**WHEREAS**, It is necessary to appropriate the additional funds in the amount of Seventy -Four Thousand Eight Hundred Thirty-Five Dollars and Zero Cents (\$74,835.00) for Fire Services; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Hazardous Materials Emergency Preparedness (HMEP) additional funds in the amount of Seventy-Four Thousand Eight Hundred Thirty-Five Dollars and Zero Cents (\$74,835.00) be accepted by the City of Memphis.

**BE IT FURTHER RESOLVED**, that the FY24 Misc. Grant Budget be and is hereby amended by allocation and appropriating the additional Expenditures and Revenues for the Hazardous Materials Emergency Preparedness (HEMP) Grant Program as follows:

<b>Revenue</b>	
<b>Federal Grants</b>	<b>\$74,835.00</b>
<b>Expense</b>	
<b>Equipment</b>	<b>\$32,000.00</b>
<b>Supplies</b>	<b>\$24,835.00</b>
<b>Professional Services</b>	<b>\$18,000.00</b>

P112



## Memphis City Council Summary Sheet

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

A resolution to transfer contract construction allocation from Drill Tower Improvement FS02033 and transfer architecture and engineering allocation from FS02008 appropriate \$577,563 for Fire Prevention Renovation FS23105.

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

Fire Services is the initiating party.

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

This is not a change to an existing ordinance or resolution.

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

This will impact council districts 5 & 7 and super districts 8 & 9.

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

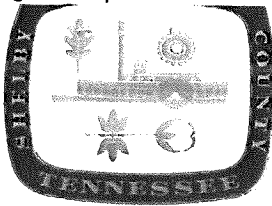
This will require a new contract.

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

This requires a budget amendment to transfer an allocation and appropriation to Contract Construction and Architecture and Engineering.

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

N/A



P112

## Resolution – Fire Services

**A resolution to transfer contract construction allocation from Drill Tower Improvement FS02033 and transfer architecture and engineering allocation from Fire Station #11 Renovations FS02008 appropriate funds in the amount of \$577,563 for Fire Prevention Renovation Contract Construction, FS23105.**

**WHEREAS**, the Council of the City of Memphis approved Fire Prevention Renovation Project FS23105; and

**WHEREAS**, a contract exists between the City of Memphis Fire Services and Renaissance Group in the amount of \$75,000 and there are bids submitted for the contract construction for Fire Prevention Renovation; and

**WHEREAS**, it is necessary to allocate and appropriate \$502,563 for Contract Construction FS23101, Fire Prevention Renovation funded by G.O. Bonds.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Memphis that the Fiscal Year 2024 Capital Improvement Budget be and is hereby amended as follows:

- 1.) From: FS02033 Drill Tower Improvement an allocation of \$502,563 Contract Construction.
- 1.) To: FS23105 Fire Prevention Renovation an allocation and appropriation of \$502,563 Contract Construction.
- 2.) From: FS02008 Fire Station# 11 Renovations a transfer and allocation of \$75,000 Architecture and Engineering.
- 2.) To: FS23105 Fire Prevention Renovation an appropriation of \$75,000 Architecture and Engineering.

**BE IT FUTHER RESOLVED**, by the Council of the City of Memphis there be and is hereby appropriated the amount of \$502,563 for Contract Construction FS023105, Fire Prevention Renovation

<b>Project Title:</b>	<b>Fire Prevention Renovation</b>
<b>CIP Project Number:</b>	<b>FS23105</b>
<b>Construction Cost:</b>	<b>\$502,563</b>
<b>Architecture and Engineering:</b>	<b>\$75,000</b>

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

**A REFERENDUM ORDINANCE TO AMEND AND RESTATE ARTICLE 65, SECTIONS 667 AND 668 OF THE HOME RULE CHARTER OF THE CITY OF MEMPHIS, AS AMENDED, RELATIVE TO THE COMPOSITION OF THE BOARD OF COMMISSIONERS OF MEMPHIS LIGHT, GAS AND WATER DIVISION PURSUANT TO ARTICLE XI, § 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT)**

**WHEREAS**, under Article 65, Section 667 of the City of Memphis Charter, the Memphis Light, Gas and Water Division Board of Commissioners (“Board of Commissioners”) is comprised of 5 voting members; and

**WHEREAS**, under Article 65, Section 668 the City of Memphis Home Rule Charter, the members of the Board of Commissioners are appointed by the Mayor of Memphis, subject to approval by the Memphis City Council; and

**WHEREAS**, in 1983, members of the Board of Commissioners became required to live and reside in the City of Memphis pursuant to Home Rule Ordinance 3286, effective 1983, which stated in pertinent part “all member members of the various City of Memphis boards and commissions, excluding joint city-county boards and commissions, shall be required to live and maintain a residence within the limits of the City of Memphis”: and

**WHEREAS**, Memphis Light, Gas and Water Division (“MLGW”) provides electric, natural gas and water utility services to ratepayers within the boundaries of Shelby County, Tennessee with approximately one-third (1/3) of its ratepayers being located outside the boundaries of the City of Memphis; and

**WHEREAS**, it is in the best interest of the ratepayers for the Board of Commissioners to include representation of all the MLGW ratepayers; and

**WHEREAS**, a seven member Board of Commissioners, made up of five persons who live in the City of Memphis, and two members who reside outside of the boundaries of the City of Memphis, will provide for representation of all the ratepayers; and

**WHEREAS**, the MLGW Board of Commissioners recommends that the Board be comprised of seven (7) voting members, with at least 2 of the 7 members of the Board of Commissioners being residents outside of the boundaries of the City of Memphis, to be appointed by the Mayor of Memphis Appointment in consultation with the Mayor of Shelby County and the mayors of the suburban cities of Arlington, Bartlett, Collierville, Germantown, Lakeland, and Millington, and subject to approval by the Memphis City Council; and

**WHEREAS**, this amendment would not alter any authority held by the MLGW board of commissioners or the Memphis City Council; and

**WHEREAS**, it is deemed advisable to allow the citizens of Memphis to decide whether to amend the Charter and allow two additional voting members on the MLGW board of commissioners who reside outside of the city;

Section 1. Proposed Amendment and Authorization.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, That pursuant to Article XI, Section 9 of the Constitution of the State of Tennessee, as amended, a proposal for amending the Charter of the City, as set forth in this ordinance, shall be published and submitted by the City of Memphis to its qualified voters at the first state general election, which shall be held in the City of Memphis on November 5, 2024, and which shall be held at least sixty (60) days after such publication.

BE IT FURTHER ORDAINED, That the proposed Charter Amendment of Article 65, Sections 667 and 668 shall read as follows:

The Memphis light, gas and water division shall consist of a board of Light, Gas and Water Commissioners composed of seven members. Five of the members shall be required to live and maintain a residence within the City of Memphis and two of the members shall be required to live and maintain a residence outside of the boundaries of the City of Memphis but within Shelby County. The Mayor shall consult with the mayors of the other incorporated municipalities in Shelby County prior to naming the appointees residing outside of the city limits. All Commissioners shall be appointed by the Mayor of the City of Memphis and shall be subject to approval by the Memphis City Council.”

Section 2. Publication of Home Rule Amendment as required by Tennessee Constitution.

BE IT FURTHER ORDAINED, That the Comptroller is hereby directed to cause this Ordinance, as finally adopted, to be published pursuant to provisions of Article XI, Section 9 of the Constitution of the State of Tennessee immediately after adoption by the City Council.

Section 3. Certification and Delivery to Election Commission.

BE IT FURTHER ORDAINED, That upon the adoption of this Ordinance becoming effective as required by law, the Comptroller of the City of Memphis shall immediately certify adoption of this Ordinance and deliver a certified copy thereof to the Shelby County Election Commission in charge of holding the general state election on November 5, 2024, and shall request that the proposed amendment to the Home Rule Charter of the City of Memphis, in the preferred form set forth in this Ordinance, be placed on the ballot.

Section 4. Proposal and preference.

BE IT FURTHER ORDAINED, That the City Council does hereby adopt the suggested proposal and form of question to be placed on the ballot for a referendum vote on a Home Rule Amendment to the Charter of the City of Memphis in a State General election to be held on the 5<sup>th</sup> day of November, 2024, which question shall read as follows:

“Shall Article 65, Sec. 667 and 668 of the Home Rule Charter of the City of Memphis be amended to read as follows:

‘The Memphis light, gas and water division shall consist of a board of Light, Gas and Water Commissioners composed of seven members. Five of the members shall be required to live and maintain a residence within the City of Memphis and two of the members shall be required to live

and maintain a residence outside of the boundaries of the City of Memphis but within Shelby County. The Mayor shall consult with the mayors of the other incorporated municipalities in Shelby County prior to naming the appointees residing outside of the city limits. All Commissioners shall be appointed by the Mayor of the City of Memphis and shall be subject to approval by the Memphis City Council.’ ?”

***I, Walter Person, Interim Director of Finance for the City of Memphis, do hereby certify that the foregoing amendment shall have no impact on the annual revenues and expenditures of the City.***

FOR THE AMENDMENT	(YES)
AGAINST THE AMENDMENT	(NO)

Section 5. Operative Date of Charter Amendment.

BE IT FURTHER ORDAINED, That the Charter Amendment proposed by this Ordinance shall take effect and become operative for the purposes set forth hereinafter sixty (60) days after approval by a majority of the qualified voters voting thereon in an election to be held the 5<sup>th</sup> day of November, 2024, the public welfare requiring it.

Section 6. Certification of Results.

BE IT FURTHER ORDAINED, That the Shelby County Election Commission certify the result of said election on the referendum question to the Comptroller of the City of Memphis, who shall see that said result is made a part of the Minutes of the Council of the City of Memphis.

Section 7.

BE IT FURTHER ORDAINED, That the Mayor be and hereby is authorized to appropriate and expend a sum sufficient to pay a pro-rata cost attributable to the inclusion of the proposed amendment on the ballot for the election to be held on the 5<sup>th</sup> day of November, 2024, if any;

Section 8. Nonconflicting – Conflicting law.

BE IT FURTHER ORDAINED, That from and after the effective date of this Home Rule Charter Amendment all laws constituting the present Charter of the City of Memphis in conflict with the subject matter of this mandatory Home Rule Charter Amendment shall be immediately annulled, vacated, and repealed and all laws constituting the present Charter of the City of Memphis not in conflict with the amendatory Home Rule Ordinance, be and the same here continued in full force and effect.

Section 9. Severability.

BE IT FURTHER ORDAINED, that is any clause, section, paragraph, sentence or part of this Ordinance shall be held or declared to be unconstitutional and void, it shall not effect the remaining parts of this Ordinance, it being hereby declared to be the legislative intent to have passed the remainder of this Ordinance notwithstanding the parts so held to be invalid, if any.



Section 10. Publication as required by the Charter.

BE IT FURTHER ORDAINED, that this Ordinance shall also be published by the Comptroller at the same time and manner as required by the City Charter for all ordinances adopted by the City Council.

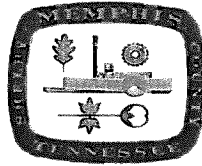
Section 11. Enactment of Referendum Ordinance.

BE IT FURTHER ORDAINED, that the adoption of this Referendum Ordinance shall take effect from and after the date it shall have passed by the Council, signed by the Chair of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

SPONSOR: Dr. Jeff Warren

JB SMILEY JR.  
CHAIRMAN

T-292



## Memphis City Council Summary Sheet

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

Resolution to approve ground lease for 150-room hotel in The District @ Liberty Park with 30-year base term and four (4) automatic 10-year renewal options

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

Housing & 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.**

requires a new ground lease and development agreement with private developers

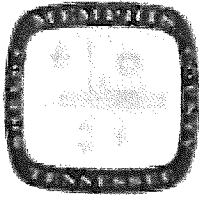
**6. State whether this requires an expenditure of funds/requires a budget amendment**

No. About 85-90% of sitework to accommodate hotel has already been completed; remaining improvements have already been budgeted and will be performed as developer completes primary construction of hotel

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

Not applicable

T-292



**A Resolution approving a 30-year Ground Lease, with Four (4) Ten-Year renewal options, for the construction and operation of a hotel on a designated site within The District @ Liberty Park with Capstone Development, LLC**

**Whereas**, the City of Memphis must show the likelihood of Fifty Million Dollars of private development within the Liberty Park Tourism Development Zone to comply with the statutory requirements for tourism development zones as listed in Tennessee Code Annotated 7-88-101 et seq., as amended; and

**Whereas**, the presence of new private, commercial development within the Liberty Park Tourism Development Zone, and specifically the sales tax revenues generated by such private businesses, is essential to the City's ability to pay the annual debt service of approximately Three Million Seven Hundred Thousand Dollars (\$3,700,000) on the Tourism Development Zone Bonds issued to pay for the redevelopment of Liberty Park, and without such revenues, the City would be responsible for paying the annual debt service from its general fund; and

**Whereas**, the continued success of the Memphis Sports & Events Center ("MSEC") is enhanced significantly with the presence of nearby hotels and restaurants that cater to the youth and family demographics that attend multi-day competitions at MSEC, particularly since such amenities are increasingly available at other sports facilities with which MSEC must compete for business; and

**Whereas**, the City owns approximately 18 acres of real property within Liberty Park which is ideally situated for a mixed-use development (the "Master Development") that will include hotels, restaurants, food and beverage establishments, family entertainment venues, and niche retail to serve the visitors of MSEC and the Simmons Bank Liberty Stadium; and

**Whereas**, said property is depicted on Attachment A and is bordered by Central Avenue on the north, Fred Jones Way on the east, Raymond Skinner Avenue on the south, and Early Maxwell Boulevard on the west, which is a portion of Parcel # 02907000008 that comprises the

majority of the Liberty Park campus, and has a general address of 2477 Central Avenue as assigned by MLGW for planning purposes; and

**Whereas**, the City has completed the sitework and utility infrastructure in accordance with the planned development application approved by the Land Use Control Board and the Memphis City Council (Case # PD 19-18) and now has "build-ready" site pads available; and

**Whereas**, the administration and its team of advisors have selected Capstone Development, LLC for this hotel project ("Tenant"), based on the experience of the Group and its principals with hospitality development and their capacity to undertake this project and recommend that the City as "Landlord" execute an extended ground lease to Tenant while City maintains ownership of the land; and

**Whereas**, Tenant, using their private capital, would design, construct, own and operate a hotel of approximately 150 hotel rooms, including a restaurant and retail spaces on the ground floor and a rooftop bar, under a hotel flag and brand to be approved by the City, with said hotel to be located in the 1.25 acre lot labeled as "Parcel 1 - Hotel" on Attachment B (the "Property"); and

**Whereas**, Tenant would furthermore have a right of first refusal to submit a development proposal for a second hotel within the Master Development in the event that the City determines that additional hotel rooms are desirable; and

**Whereas**, if approved, the City would execute a ground lease for the Property with Tenant for an initial term of **thirty (30) years with four (4) ten-year renewal options** using a triple-net lease, meaning Tenant would be directly responsible for property taxes (as assessed after any PILOTs, reductions, or incentives which might be awarded by appropriate agencies), building insurance, and maintenance for the Property, in addition to rent and utilities; and

**Whereas**, the obligation to pay rent would commence on the date when the hotel first opens to the general public and the minimum rent shall be **\$34,958.31 per year for the first five years**, increasing by 4.0% every five years thereafter during both the base term and the exercised extension options, unless Tenant elects to prepay the rent for the initial term in advance; and

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**Whereas**, Tenant would also be responsible for paying to the City the Property's pro-rata share of common area maintenance expenses or "CAM" for those common areas benefitting the Tenant or the general public and for which the City shall be responsible for the maintenance and repair, including but not limited to, parking lots, access and perimeter roads, truck passageways, loading platforms, landscaped areas, exterior walks, ramps, stairs, underground storm and sanitary sewers, utility lines, drinking fountains, and other public facilities, under a mutually acceptable agreement to be executed; and

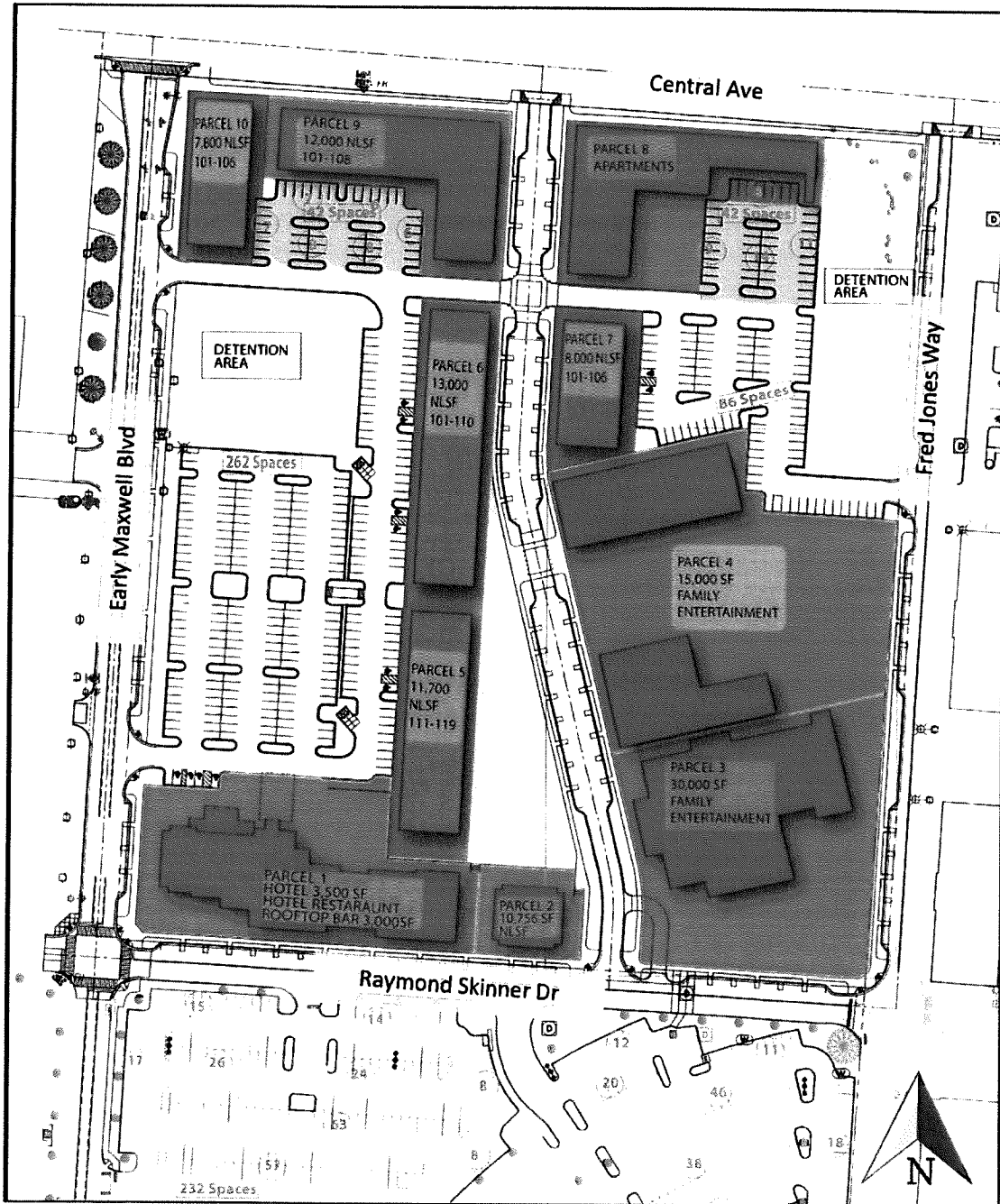
**Whereas**, the Master Development will include additional retail, restaurant, entertainment and hospitality tenants, and the City as master developer and landlord shall be responsible for creating cross-easements, air rights leases, and/or vertical subdivisions as necessary to maximize enjoyment of use and value for all parties; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the long-term lease for the above-described Property with Capstone Development, LLC is hereby approved; and

**BE IT FURTHER RESOLVED**, that the City of Memphis Real Estate Department shall arrange for the execution of the ground lease, and that the Mayor of the City of Memphis is hereby authorized to execute said lease and any other documents necessary to complete the lease.

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**Attachment A**  
**The Master Development, also known as The District @ Liberty Park**



*Parcels in green are not planned for development during this first phase.*

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**Attachment B**  
**The Property (Hotel)**

