CITY OF MEMPHIS  
COUNCIL AGENDA  
May 9, 2017

Public Session Tuesday, 3:30 p.m.  
Council Chambers, First Floor, City Hall  
125 North Main Street  
Memphis, Tennessee 38103-2017  
CALL TO ORDER by the Sergeant-at-Arms  

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

PLEDGE OF ALLEGIANCE  

CALL OF ROLL by the Comptroller  

APPROVAL OF PREVIOUS MEETING MINUTES (April 25, 2017)  

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING  

ITEMS HELD OR DROPPED FROM THE AGENDA  

PRESENTATIONS AND RECOGNITION OF VISITORS  
( None)  

PUBLIC HEARINGS  

Colvett  
Chairman, Planning & Zoning Committee  

1. RESOLUTION approving a Street and Alley Closure located on the east side of Lapaloma Street, containing +/-1.138 acres in the Residential Urban (RU-3) District.  

This resolution is sponsored by the Office of Planning and Development.  

Case No. SAC 17-01  
Applicants:  Thompson Court, LLC  
Cindy Reaves, SR Consulting LLC – Representative  
Request:  To close a portion of Carver Avenue right-of-way  
LUCB and OPD recommendation: APPROVAL  
ACTION REQUESTED: Take whatever action Council deems advisable  

7 NOTICES WERE MAILED ON APRIL 28, 2017  

Colvett
Chairman, Planning & Zoning Committee  2. RESOLUTION approving a Street and Alley Closure located on the east side of Lapaloma Street, containing, +/-0.746 acre in the Residential Urban (RU-3) District.
This resolution is sponsored by the Office of Planning and Development.

Applicants:  Thompson Court, LLC  
  Cindy Reaves, SR Consulting LLC – Representative
Request:  To close a portion of Frisco Avenue right-of-way
LUCB and OPD recommendation:  APPROVAL
ACTION REQUESTED:  Take whatever action Council deems advisable

7 NOTICES WERE MAILED ON APRIL 28, 2017

Colvett
Chairman, Planning & Zoning Committee  3. RESOLUTION approving a Street and Alley Closure located on the west side of Castalia Street, containing +/-1.345 acres in the Residential Urban (RU-3) District.
This resolution is sponsored by the Office of Planning and Development.

Applicants:  Thompson Court, LLC  
  Cindy Reaves, SR Consulting LLC – Representative
Request:  To close a portion of Keltner Circle right-of-way
LUCB and OPD recommendation:  APPROVAL
ACTION REQUESTED:  Take whatever action Council deems advisable

7 NOTICES WERE MAILED ON APRIL 28, 2017

Colvett
Chairman, Planning & Zoning Committee  4. RESOLUTION approving a Street and Alley Closure located on the west of Danny Thomas, containing +/-0.29 acre in the Sports and Entertainment (SE) and South Downtown Residential (R-SD) District.
This resolution is sponsored by the Office of Planning and Development.

Applicants:  Linden Hotels, Progressive Baptist Church & MDM Investments  
  John Perry, Kimley-Horn and Associates, Inc. – Representatives
Request:  To close a portion of Pontotoc Avenue right-of-way between Turley Street and Danny Thomas Blvd.
LUCB recommendation:  APPROVAL
OPD recommendation:  REJECTION
ACTION REQUESTED:  Take whatever action Council deems advisable

41 NOTICES WERE MAILED ON APRIL 28, 2017

Colvett
Chairman, Planning & Zoning Committee  5. RESOLUTION approving a Street and Alley Closure located on the west of Danny Thomas, containing +/-0.29 acre in the Sports and Entertainment (SE) and South Downtown Residential (R-SD) District.
This resolution is sponsored by the Office of Planning and Development.

Applicants:  Linden Hotels, Progressive Baptist Church & MDM Investments  
  John Perry, Kimley-Horn and Associates, Inc. – Representatives
Request:  To close a portion of an unnamed alley between 440 and 448 Vance Avenue.
LUCB recommendation:  APPROVAL
OPD recommendation:  REJECTION
ACTION REQUESTED:  Take whatever action Council deems advisable
6. ORDINANCE rezoning 3941 Prescott Road, containing 4.958 acres in the Residential Single Family (R-8) District, up for THIRD and FINAL reading. This ordinance is sponsored by the Office of Planning and Development. 
Case No. Z 17-02
Ordinance No. 5642
Applicant: Bruce Young
Lance Lanier, Ledford Engineering and Planning – Representative
Request: Employment (EMP) District
LUCB and OPD recommendation: APPROVAL
ACTION REQUESTED: Take whatever action Council deems advisable

7. ORDINANCE to appropriate the proceeds of the tax levy on the assessed values on all properties of every species within the city limits for general purposes for the Fiscal Year July 1, 2017 through June 30, 2018, up for FIRST reading. Ordinance No. 5647 is sponsored by the Finance Division.
ACTION REQUESTED: Adopt the ordinance on First reading

8. ORDINANCE to fix the Tax Rate of the City of Memphis for Fiscal Year 2018, up for FIRST reading. Ordinance No. 5648 is sponsored by the Finance Division.
ACTION REQUESTED: Adopt the ordinance on First reading

9. ORDINANCE to amend City of Memphis, Code of Ordinances, Title 9, Section 9-56-11 to revise Solid Waste Fees for Collection and Disposal, up for FIRST reading. Ordinance No. 5649 is sponsored by the Finance Division.
ACTION REQUESTED: Adopt the ordinance on First reading

10. ORDINANCE to amend Chapter 33, Article IV, Division III, Section 33-264 (D) of the City of Memphis Code of Ordinances to amend the Stormwater Fee, up for FIRST reading. Ordinance No. 5650 is sponsored by Public Works.
ACTION REQUESTED: Adopt the ordinance on First reading

11. ORDINANCE to amend Chapter 33, Article III, Section 33-131 (b) (e) and 33-156 (g) of the City of Memphis Code of Ordinances to amend the Sanitary Sewer Volumetric Fee, up for FIRST reading. Ordinance No. 5651 is sponsored by Public Works.
ACTION REQUESTED: Adopt the ordinance on First reading

Hedgepeth
12. ORDINANCE to amend Chapter 48, Code of Ordinances, City of Memphis, so as to clarify certain sections of Anti-Neglect and/or Dangerous, Derelict, Abandoned Structures in Multi-Housing, Commercial, and Industrial Districts, Relating Specifically to the transfer of inspection responsibilities from the Division of Fire to the Division of Public Works so as to align with the current City of Memphis Anti-Neglect and Blight Abatement efforts and creating a procedure by which buyers and potential buyers of Derelict and/or Abandoned Single Family, Multi-Family, Commercial, and Industrial Properties can apply for a Waiver of Liens in favor of the City of Memphis associated with Fees and Penalties on the property, up for SECOND reading.

Ordinance No. 5643 is sponsored by Councilman Morgan.

ACTION REQUESTED: Adopt the ordinance on Second reading

Hedgepeth

13. JOINT ORDINANCE creating an Anti-Blight Grant Program in the City of Memphis and Shelby County for a three year trial period, up for SECOND reading.

Ordinance No. 5644 is sponsored by Councilman Morgan.

ACTION REQUESTED: Adopt the ordinance on Second reading

Colvett

14. JOINT ORDINANCE by the City of Memphis and the Board of County Commissioners of Shelby County, Tennessee creating a new Chapter 6-106 of the Memphis Code of Ordinances entitled Independent Residential Living Facilities and requiring that such facilities provide Life Safety Equipment in all Buildings, up for SECOND reading.

Ordinance No. 5645 is sponsored by Councilman Brown and Councilwoman Robinson.

ACTION REQUESTED: Adopt the ordinance on Second reading

Colvett

15. ORDINANCE adopting the Pinch District Concept Study to serve as a framework to guide growth within the Pinch District Neighborhood of the City of Memphis, up for SECOND reading.

Ordinance No. 5646 is sponsored by the Office of Planning and Development.

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE - FIRST READING (None)
ZONING ORDINANCE - SECOND READING (None)
ENGINEERING (None)
NOTATIONS FROM OPD

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

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE:

MLGW FISCAL CONSENT

16. RESOLUTION awarding a purchase order to Protect Plus, LLC, for the purchase of water filter pitchers and replacement cartridges, in the amount of $225,120.00.

17. RESOLUTION awarding a purchase order to Summit Truck Group in the amount of $1,847,478.00 and Tag Truck Center in the amount of $65,780.00, for the purchase of 2-ton crew cab and chassis and 2-5 ton dump trucks.

18. RESOLUTION awarding a purchase order to Summit Truck Group, for 2 ton bucket trucks, in the amount of $1,519,586.00.

19. RESOLUTION awarding Contract No.11944, Netter's Building ADA Renovations, to Albro Construction Services, LLC, in the funded amount of $295,690.00.
20. **RESOLUTION** approving Change No. 3 to Contract No. 11676, Professional Engineering Services, with Allen & Hoshall, based on agreed upon rates, in the funded amount of $225,000.00. (This change is to renew the current contract for the third of four annual renewal terms covering the period June 4, 2017 through June 3, 2018, with no increase in rates from the previous year. The requested amount is based on anticipated projects during the current term.)

21. **RESOLUTION** approving Change No. 3 to Contract No. 11634, Substation Engineering Grounding, with MESA Associates, Incorporated, based on agreed upon rates in the funded amount of $75,000.00. (This change is to renew the current contract for the third of four annual renewal terms covering the period June 2, 2017 through June 1, 2018. In addition, this renewal reflects an overall average rate increase of 1.55% in accordance with the Employment Cost Index (ECI). This requested amount is based on anticipated projects to be performed during this term.)

22. **RESOLUTION** awarding purchase orders, for the purchase of precast concrete products for a sixty month period, to Forterra in the amount of $748,985.55 and Universal Scaffold and Equipment, LLC in the amount of $3,042,205.49.

23. **RESOLUTION** awarding a twenty-four month purchase order to CGS, Inc., for gas service risers, in the amount of $456,660.00.

24. **RESOLUTION** approving Change No. 1 to Contract No. 11873, Professional Locksmith Services, with Quality Safe & Lock Company, Incorporated, based on agreed upon rates, in the funded amount of $50,000.00. (This change is to renew the current contract for the first of four annual renewal terms for the period covering May 14, 2017 through May 13, 2018, with no increase from the previous year.)

25. **RESOLUTION** approving Change No. 5 to Contract No. 10171, Operating System Recovery Project, with NewEra Software, Incorporate, in the funded amount of $2,250.00. (This change is to renew the hardware and software maintenance, licenses, and support services for one (1) year in the funded amount of $2,250.00 covering the period September 1, 2017 through August 31, 2018 with no increase from the previous year. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by NewEra Software, Incorporated.

26. **RESOLUTION** awarding Contract No. 11922, Corporate Backup Hardware, to Thomas Consultants, Incorporated, in the funded amount of $548,074.24.

27. **RESOLUTION** awarding Contract No. 11933, MLGW IVR Replacement, to DiRAD Technologies, in the funded amount of $1,906,603.01.

**REGULAR AGENDA**

Spinosa
Chairman, Personnel Committee  28.

**APPOINTMENTS**

**MEMPHIS HOUSING AUTHORITY BOARD**

Appointment
Justin Bailey

Reappointment
Laura E. Harris

**MEMPHIS TREE BOARD**

Reappointments
Jan M. Castillo
Eldra White

**GENERAL ORDINANCES – THIRD AND FINAL READING**  (None)

**ENGINEERING DIVISION**  (None)

**EXECUTIVE DIVISION**  (None)

**FINANCE & ADMINISTRATION**  (None)

**DIVISION OF FIRE SERVICES**

Morgan
Chairman, Public Safety & Homeland Security 29. RESOLUTION to allocate $511,390.00 from Cover Line FS17100 for Fire Station Repair, FY17 Generators at Fire Station #8 at 625 Mississippi Blvd.; Fire Station #16 at 2203 Lamar Ave. and Fire Station #41 at 2161 Ridgeway Rd. Funding for this project will be from CIP Project Number FS17103, which is part of the FY17 Capital Improvement Budget funded by G.O. Bonds General. This resolution is sponsored by Fire Services. ACTION REQUESTED: Adopt the resolution

Morgan Chairman, Public Safety & Homeland Security 30. RESOLUTION to allocate $547,482.00 from Cover Line FS17100 for Fire Station Repair, FY17 Pavement Improvements at Fire Station #8 at 625 Mississippi Blvd.; Fire Station #21 at 550 S. Mendenhall Rd. and Apparatus Maintenance at 354 Adams. Funding for this project will be from CIP Project Number FS17104, which is part of the FY17 Capital Improvement Budget funded by G.O. Bonds General. This resolution is sponsored by Fire Services. ACTION REQUESTED: Adopt the resolution

Morgan Chairman, Public Safety & Homeland Security 31. RESOLUTION to appropriate $9,800,000.00 for Radio System Upgrade, CIP Project #PD04025, as part of the Police Division Fiscal Year 2017 CIP budget, funded by G.O. Bonds. This resolution is sponsored by Police Services. ACTION REQUESTED: Adopt the resolution

Chairman, Housing & Community Development Committee 32. RESOLUTION accepting the grant renewal and the amendment of the FY2017 Operating Budget revenue and expenditures for this Continuum of Care program in the amount of $124,709.00. This resolution is sponsored by Housing and Community Development. ACTION REQUESTED: Adopt the resolution

Brown Chairman, Housing & Community Development Committee 33. RESOLUTION authorizing the Division of Housing and Community Development to award $120,000.00 in FY2017 City Operating funding to designated 501(c)3 organizations for the purpose of community development, community initiatives, and business/economic development activities. This resolution is sponsored by Housing and Community Development. ACTION REQUESTED: Adopt the resolution

Brown Chairman, Housing & Community Development Committee 34. RESOLUTION accepting the grant renewal and the amendment of the FY2017 Operating Budget revenues and expenditures for this Continuum of Care program in the amount of $211,630.00. This resolution is sponsored by Housing and Community Development. ACTION REQUESTED: Adopt the resolution

Brown Chairman, Housing & Community Development Committee 35. RESOLUTION appropriating the sum of $200,000.00 funded by G.O. Bonds General chargeable to the FY2017 Capital Improvement Budget for the Memphis Heritage Trial Project. This resolution is sponsored by Housing and Community Development. ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

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DIVISION OF HUMAN RESOURCES
Spinosa
Chairman, Personnel Committee  36. RESOLUTION to Designate the Talent Management Officer as an Appointed Position Exempt from Civil Service and remove the Benefits Officer as an Appointed Position.
This resolution is sponsored by Human Resources.
ACTION REQUESTED: Adopt the resolution

INFORMATION SERVICES  (None)
LAW DIVISION  (None)
MLGW DIVISION  (None)
DIVISION OF PARKS AND NEIGHBORHOODS  (None)
DIVISION OF POLICE SERVICES  (None)
DIVISION OF PUBLIC SERVICES  (None)
DIVISION OF PUBLIC WORKS

Hedgepeth
Chairman, Public Works, Transportation & General Services Committee  37. RESOLUTION supporting Memphis Veterinary Specialists, LLC’s the opportunity to purchase 0 Autumn Avenue further described as Parcel #037039 00017, for $500.00. Memphis Veterinary Specialists, LLC is an adjoining property owner.
This resolution is sponsored by Real Estate. (Held from 4/25).
ACTION REQUESTED: Adopt the resolution

Ford
Chairman, Budget Committee  38. RESOLUTION to increase the Additional Treatment Charge (ATC) for wastewater generated by industry and treated at the City of Memphis facilities.
This resolution is sponsored by Public Works.
ACTION REQUESTED: Adopt the resolution

Ford
Chairman, Budget Committee  39. RESOLUTION transferring and appropriating construction funds in the amount of $500,500.00 to rehabilitate a sanitary sewer lift station with the restoration of existing pumps, valves, wet welling cleaning, and certain other appurtenances at the Wilson Street Lift Station located at 1043 Wilson Street.
This resolution is sponsored by Public Works.
ACTION REQUESTED: Adopt the resolution

Hedgepeth
Chairman, Public Works, Transportation & General Services Committee  40. RESOLUTION to transfer $59,800.00 from A/E to Construction for PW01240 STP Group 4 for Resurfacing Construction Contract #33101 with Lehman Roberts Company.
This resolution is sponsored by Public Works.
ACTION REQUESTED: Adopt the resolution

GENERAL ITEM  (None)
APPEARANCE CARDS FOR PUBLIC SPEAKING
ADJOURNMENT