



# CITY OF MEMPHIS

## COUNCIL AGENDA

June 3, 2014

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

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### 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 (May 20, 2014)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION honoring Lee Burns for his exceptional contributions to education in Memphis.

Conrad

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT (None)

ZONING ORDINANCE – THIRD AND FINAL READING (None)



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## CONSENT AGENDA

### GENERAL ORDINANCES - FIRST READING (None)

### GENERAL ORDINANCES - SECOND READING

2. **ORDINANCE** to amend Article 5, Section 4-28-22, Deferred Retirement Option Plan (DROP), up for S E C O N D reading.

Flinn

Ordinance No. 5549

ACTION REQUESTED: Adopt the ordinance on Second reading

3. **ORDINANCE** establishing a Residential Parking Permit Pilot Program near Overton Square for a one year period, up for S E C O N D reading.

Flinn

Ordinance No. 5550

ACTION REQUESTED: Adopt the ordinance on Second reading

4. **ORDINANCE** authorizing the issuance of contractual licenses, permits and/or authorizations for use and occupation of the streets, alleys, thoroughfares and rights-of-way of the City of Memphis for installation and use of facilities for the operation of fiber optic and other communications systems and public utilities and establishing requirements, terms, conditions, limitations and provisions for recovery of the City's costs incurred for the construction, maintenance, policing, management or repair of the streets, alleys, thoroughfares and rights-of way of the City, up for S E C O N D reading.

Strickland

Ordinance No. 5551

ACTION REQUESTED: Adopt the ordinance on Second reading

### ZONING ORDINANCE - FIRST READING (None)

### ZONING ORDINANCE - SECOND READING (None)

### ENGINEERING

5. **RESOLUTION** accepting LOWE'S HOME CENTER P.D., and authorizing release of bond.

Case No. PD 95-312  
(Contract No. CR-4586)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat, located on the west side of Perkins Road, between Sam Cooper Blvd. and Summer Ave. The standard improvement contract was approved on May 17, 2005. Resolution also authorizes the release of the performance bond in the amount \$56,550.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

**NOTATIONS FROM OPD** (None)



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## MLGW FISCAL CONSENT

6. RESOLUTION awarding a contract to Henry and Wright Corporation for the purchase of a diesel powered wire puller tensioner, in the amount of \$259,500.00.
7. RESOLUTION awarding Contract No. 11723, EMS/SCADA, to Open Systems International (OSI), in the funded amount of \$5,489,773.00.
8. RESOLUTION awarding a forty-eight month blanket contract to Tyndale Company, Inc. for flame-resistant clothing, in the amount of \$1,451,120.99.



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## REGULAR AGENDA

9.

Flinn

### APPOINTMENTS

#### CITIZENS' LAW ENFORCEMENT REVIEW BOARD

##### Appointments

Bruce Kramer

John Marek

Carissa Shaw

##### Reappointments

David Acey

Charles Morris

#### MEMPHIS AREA TRANSIT AUTHORITY

##### Appointments

Kristen Bland

Martin E. Lipinski

Shelia Williams

##### Reappointments

Martin E. Lipinski

Charles "Chooch" Pickard

#### MEMPHIS TRANSPORTATION COMMISSION

##### Reappointment

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

**ENGINEERING DIVISION** (None)

**EXECUTIVE DIVISION** (None)

**FINANCE & ADMINISTRATION**

10. RESOLUTION accepting the MLGW Incremental Pilot adjustment for free water.  
Harris

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION authorizing the issuance of not to exceed \$36,000,000.00 principal amount of sanitary sewerage system revenue refunding bonds of the City of Memphis, Tennessee, for the purpose of refunding certain outstanding sanitary sewerage system refunding bonds and revenue bonds of the City.  
Harris

ACTION REQUESTED: Adopt the resolution

**DIVISION OF FIRE SERVICES** (None)

**DIVISION OF GENERAL SERVICES** (None)

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT** (None)

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION SERVICES** (None)

**LAW DIVISION** (None)

**MLGW DIVISION** (None)

**DIVISION OF PARK SERVICES**

12. RESOLUTION donating (7) pieces of artillery artifacts removed from Memphis Park to the West TN Military Vehicles Collectors Club and the Shelby County Historical Commission.  
Boyd

ACTION REQUESTED: Adopt the resolution

13. RESOLUTION approving Tennis Improvements, CIP Project Number PK03001, as part of the FY 2014 Capital Improvement Program. The City of Memphis has entered into an agreement with Tennis Memphis, Inc. which provides for the use and payment of the current and future Capital Appropriation. The resolution seeks to appropriate \$39,000.00 in Contract Construction, funded by G.O. Bonds General.

Boyd

ACTION REQUESTED: Adopt the resolution

14. RESOLUTION appropriating \$223,600.00 in Contract Construction in CIP Project Number PK08027 – Mallory Neely House for the construction of “Mallory-Neely House Window Repairs” and the security and furniture moving costs related to the project.

Boyd

ACTION REQUESTED: Adopt the resolution

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC SERVICES** (None)

**DIVISION OF PUBLIC WORKS**

15. RESOLUTION transferring funds from Project PW04096 Public Works Anti-Blight to a new project City Owned Property – Walter Simmons Housing Complex for demolition as part of the City Anti-Blight Program.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

16. RESOLUTION appropriating \$2,750,000.00 funded by G.O. Bonds General (Storm Water) for city wide drainage repairs at City Wide Drain Rehab.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

17. RESOLUTION appropriating \$179,426.00 funded by Federal Grant CIP funds, from the State of Tennessee Department of Transportation, for construction of sidewalks around Rozelle Elementary School, Roland Street, Willett Street, Walker Avenue and Felix Avenue.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

18. RESOLUTION accepting additional Grant Funds in the amount of \$469,675.00 for

ACTION REQUESTED: Adopt the resolution

**GENERAL ITEM**

19. RESOLUTION supporting the construction of a direct current transmission line by Plains and Eastern Clean Line LLC.

Collins

ACTION REQUESTED: Adopt the resolution

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**

ADD-ONS

20. RESOLUTION appropriating \$42,811.00 funded by G.O. Bonds – General (Storm Water) for city wide drainage repairs at City Wide Drain Rehab.

Hedgpeeth

ACTION REQUESTED: Adopt the resolution

21. RESOLUTION accepting grant funds in the amount of \$2,783,767.00 from the State of Tennessee Department of Labor and Workforce Development Division for WIA Title One Youth Program.

Halbert

ACTION REQUESTED: Adopt the resolution

22. RESOLUTION approving and appropriating funds in the amount of \$1,389,832.00 in Contract Construction for CIP Project Number PK07092-City Park Rehab and Maintenance funded by G.O. Bonds General.

Boyd

ACTION REQUESTED: Adopt the resolution

23. RESOLUTION transferring and appropriating funds in the amount of \$442,168.00 in Contract Construction from PK07114-Parks Cover Line to PK07092-City Park Rehab and Maintenance for repairs to various City recreational facilities and parks.

Boyd

ACTION REQUESTED: Adopt the resolution

24. **ORDINANCE** to amend Chapter 25, Code of Ordinance, City of Memphis, so as to limit participation in the Pension System to participants with 10 or more years of service and create a separate account (Equal to their Employee Contributions plus the Multiple earned as of June 30, 2015) for participants with less than 10 years of service, up for F I R S T reading.

Consent

Ordinance No. 5552

ACTION REQUESTED: Adopt the ordinance on First reading

25. **ORDINANCE** to amend Chapter 25, Code of Ordinances, City of Memphis, so as to increase the City Contribution allowable under Sections 25-71 and Section 25-171, so as to transfer transferred participants in the Pension System to the Defined Contribution Plan, up for F I R S T reading.

Consent

Ordinance No. 5553

ACTION REQUESTED: Adopt the ordinance on First reading

26. **ORDINANCE** to amend Chapter 25, Code of Ordinances, City of Memphis, so as to adopt a Defined Contribution Plan, up for F I R S T reading.

Consent

Ordinance No. 5554

ACTION REQUESTED: Adopt the ordinance on First reading

**ACTION TAKEN BY COUNCIL ON THIS DATE**

1. and 2 – Approved
3. Held to June 17, 2014
4. Through 19 – Approved
20. Dropped
21. Through 26 – Approved

**ACTION TAKEN ON THE MINUTES OF MAY 20, 2014**

Approved

**ACTION TAKEN ON THE MINUTES OF JUNE 3, 2014 FOR ITEMS 21, 22 & 23 ONLY**

Approved