

CITY COUNCIL RESOLUTION

WHEREAS, Public Safety is the highest priority of the Mayor and City Council and it is incumbent upon the Executive branch to select and the Legislative branch to approve the most uniquely qualified individual to guide the officers who protect and serve the citizens of this community; and

WHEREAS, while the Memphis City Council appreciates the time devoted and monies donated to conduct a national search for a Director of Police, volatile activities across the nation and protests in our great city have confirmed that action should be undertaken to appoint a permanent police director as soon as possible; and

WHEREAS, Interim Director Rallings has proven that he has the requisite skills, leadership capabilities and community confidence, all of which were fully demonstrated on Sunday, July 10th during the Black Lives Matter rally, which ended peacefully without injury or arrests due largely to his control of the situation and in conjunction with those officers in his command.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council strongly recommends the appointment of Interim Director Mike Rallings for the Director of Police.

Sponsors:

Dr. Edmund Ford, Jr.
Reid Hedgepeth

Referendum Ordinance No. 5623

A REFERENDUM ORDINANCE AMENDING ARTICLE 27, SECTION 190 OF THE CHARTER OF THE CITY OF MEMPHIS, SAME BEING CHAPTER 11 OF THE ACTS OF 1879, PURSUANT TO THE PROVISIONS OF ARTICLE 11 SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE HOME RULE AMENDMENT SO AS TO REQUIRE THAT ALL EMPLOYEES MUST LIVE AND MAINTAIN A RESIDENCE WITHIN THE BOUNDARIES OF THE CITY OF MEMPHIS, TENNESSEE

Whereas, Section 190 of the Memphis City Charter was amended by Home Rule Ordinance No. 5345 and a referendum ordinance of November 2, 2010, was approved by the voters requiring that all employees must live and maintain a residence within the boundaries of Shelby County.

Section 1. Proposed Amendment

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS and submitted by the City of Memphis to its qualified voters at the first general state election, which shall be held in the City of Memphis on November 8, 2016, and which shall be held at least sixty (60) days after such publication:

QUESTION:

Shall the Charter of the City of Memphis, Tennessee be amended to require all persons employed solely by the City of Memphis to live and reside within the City of Memphis, Tennessee?

Section 2. Publication of Home Rule Amendment

BE IT FURTHER ORDAINED, That the Comptroller is hereby directed to cause the Ordinance to be published pursuant to provisions of Article 11, Section 9 of the Constitution of the State of Tennessee.

Section 3. Delivery to Election Commission

BE IT FURTHER ORDAINED, That the Comptroller of the City of Memphis shall certify adoption of this Ordinance to the Shelby County Election Commission in charge of holding the general State election on November 8, 2016, and request that this proposed amendment to the Home Rule Charter of the City of Memphis be placed on the ballot.

Section 4. Proposal and preference

BE IT FURTHER ORDAINED, That the Comptroller of the City of Memphis is hereby directed to deliver a copy of this Ordinance to the Shelby County Election Commission, together with a suggested proposal and the following form of preference to be placed on the ballot in an election to be held on the 8th day of November 2016:

Said ordinance of the City of Memphis was adopted on the _____ day of _____, 2016, to provide for referendum vote on a Home Rule amendment to the Charter of the City of Memphis, to read as follows:

Shall the Charter of the City of Memphis, Tennessee be amended to require all persons employed solely by the City of Memphis to live and reside within the City of Memphis, Tennessee?

FOR (YES) _____
AGAINST (NO) _____

Section 5. Effective Date of Charter Amendment

BE IT FURTHER ORDAINED, That this Ordinance shall take effect for the purposes set forth herein sixty (60) days after approval by a majority of the qualified voters voting thereon in an election to be held on the 8th day of November, 2016, 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 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. Nonconflicting – Conflicting Laws

BE IT FURTHER ORDAINED, That upon adoption of this Home Rule Amendment, all laws constituting the present Charter of the City of Memphis, not in conflict with this amendatory Home Rule Ordinance, be and the same are here continued in full force and effect, and all laws in conflict therewith are hereby repealed.

Section 8. Severability

BE IT FURTHER ORDAINED, that if 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 9. Publication

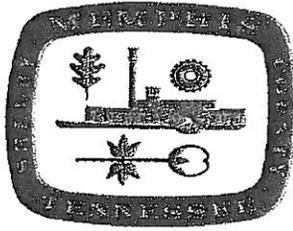
BE IT FURTHER ORDAINED, that this ordinance shall be published immediately after the adoption hereof.

Section 10. Enactment of City Ordinance

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

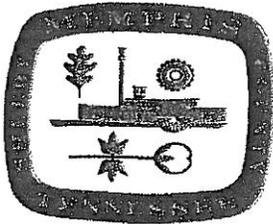
Sponsor:
Martavius Jones

KEMP CONRAD
Chairman of Council



Memphis City Council Summary Sheet

1. This Resolution seeks approval to appropriate and transfer funds in Contract Construction from PK07114 – Parks Cover Line to PK07092 – City Park Rehab and Maintenance to make paving improvements to the golf cart paths at Fox Meadows Golf Course.
2. The initiating party is the Division of Parks and Neighborhoods.
3. This Resolution does not change any existing Ordinance or Resolution.
4. This Resolution does require a new contract with Cantrell Construction Co.
5. This Resolution does require an expenditure of funds in the amount of \$312,700.



A Resolution to transfer allocations from PK07114 to PK07092, and to appropriate funds in PK07092 for golf cart path paving improvements at Fox Meadows Golf Course

WHEREAS, the Council of the City of Memphis did allocate \$320,000 in PK07114-Parks Cover Line Project as part of the Fiscal Year 2016 Capital Improvement Budget for golf cart path paving improvements at Fox Meadows Golf Course; and

WHEREAS, the City received one (1) bid on April 22, 2016 for the construction of golf cart path paving improvements at Fox Meadows Golf Course with the lowest and best complying bidder being Cantrell Construction Co. in the amount of \$297,800; and

WHEREAS, the Administration desires to transfer an allocation in the amount of \$312,700 in Contract Construction in PK07114 to Contract Construction in PK07092-City Park Rehab & Maintenance; and

WHEREAS, the Administration desires to appropriate \$312,700 in Contract Construction in PK07092-City Park Rehab and Maintenance as follows:

Bid Amount:	\$297,800
Contingency Amount:	<u>\$14,900</u>
Total Contract Amount:	\$312,700

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby transferred allocations and appropriations as follows: Transfer allocation of \$312,700 for Contract Construction from PK07114 to Contract Construction for PK07092, and appropriation of \$312,700 for Contract Construction in PK07092 for the construction of golf cart path paving improvements at Fox Meadows Golf Course, with the said allocation and appropriation being funded by G.O. Bonds General and being credited as follows:

Project Title:	City Park Rehab and Maintenance
Project Number:	PK07092
Amount:	\$312,700

MEMORANDUM

From: Larry Smith, Dept. Director of Parks and Neighborhoods
To: Jim Strickland, Mayor
Via: Doug McGowen, Chief Operation Officer
DATE: July 5, 2016
SUBJECT: Cart Path Paving for Fox Meadows Golf Course

Parts of the Decision Brief/Memo

1. **Problem Statement or Opportunity:** The existing asphalt cart paths are deteriorating due to age and normal wear and tear, and require resurfacing.
2. **Recommendation:** Resurface the cart paths with an asphalt wearing course so that the entire course path system has a functional and similarly aged surface.
3. **Prior Coordination:** Included in 2016 CIP Allocation, Park Cover Line funding.
4. **Additional Information**
 - a. **Background:** Limited portions, of the cart path, the worst areas were addressed and corrected last year. The remainder of the path is to be addressed.
 - b. **Facts:** Other than what was done last year the cart path pavement is approximately thirty years old.
 - c. **Assumptions:** None
 - d. **Courses of action (COA):** Resurface the cart path with CIP funds.
 - e. **Criteria:** TDOT standard asphalt mix.
 - f. **Analysis/Comparison of COA's :** N/A
 - g. **Conclusion:** Routine CIP Award spending.



Memphis City Council Summary Sheet Instructions

Resolution for FY17 CIP Street Resurfacing recoveries for Public Works, Street Maintenance

- This resolution is for the fiscal year 2017 CIP and funds the paving operations performed by Public Works or directly by the Street Maintenance department.
- This is part on yearly CIP budget process whereby Public Works, Street Maintenance receives funding from CIP in order to pave City streets.
- This has no impact to any current ordinance or resolution.
- This resolution indirectly funds several contracts as the funds recovered by the CIP allow Street Maintenance to purchase the various materials used to produce asphalt for paving. These materials are generally bid and purchased under contracts.
- This resolution recovers \$6,500,000 from the FY17 CIP budget, providing funding for Street Maintenance personnel as well as materials and supplies.

RESOLUTION

This resolution is for the Fiscal Year 2017 CIP and funds the paving operations performed by Public Works or directly by the Street Maintenance Department.

WHEREAS, the Council of the City of Memphis approved FY17 Asphalt Paving Coverline, project number PW17103 as part of the Fiscal Year 2017 Capital Improvement Budget; and

WHEREAS, \$6,500,000 is needed for the paving operations performed by Public Works or directly by the Street Maintenance department; and

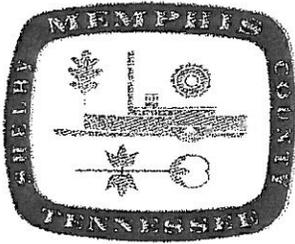
WHEREAS, it is necessary to transfer an allocation of \$6,500,000 funded by G.O. Bonds from FY17 Asphalt Paving Coverline PW17100 to FY17 Asphalt Paving Inhouse OP, project number PW17103 needed for the paving operations performed by Public Works or directly by the Street Maintenance department; and

WHEREAS, it is necessary to appropriate \$6,500,000 funded by GO Bonds for FY17 Asphalt Paving Inhouse OP, project number PW17103

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2017 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$6,500,000 funded by G O Bonds from FY17 Asphalt Paving Coverline, project number PW17100 to FY17 Asphalt Paving Inhouse OP, project number PW17103 needed for the paving operations performed by Public Works or directly by the Street Maintenance department.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$6,500,000 in G.O. Bonds chargeable to the Fiscal Year 2017 Capital Improvement Budget and credited as follows:

Project Title:	FY17 Asphalt Paving Inhouse OP
Project Number:	PW17103
Amount:	\$6,500,000



Memphis City Council Summary Sheet

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

This resolution is to provide \$75,000 in grant funds to Clean Memphis for share of the cost to implement clean water initiatives in various City of Memphis drainage basins by removing waste and debris that would otherwise enter the storm water system thus negatively impacting a valuable natural resource. Funding also is used to educate students in public schools in the City of Memphis limits of the impacts of litter and pollutants to our natural resources.

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

Public Works Division

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

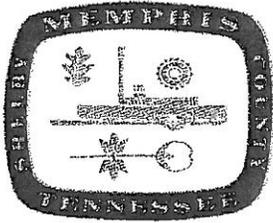
This is not a change to an existing ordinance, however this is a on-going initiative by Public Works as it works to address storm water pollution issues across the City.

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

A grant agreement between the City and Clean Memphis will be a new contract with a \$25K increase from \$50K to \$75K. This agreement will be renewable for a period of three years subject to funding availability.

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

This requires an expenditure of funds from the FY2017 Stormwater Program Operating Budget in the amount of \$75,000.



Resolution providing grant funds from the City of Memphis Stormwater Program to Clean Memphis

WHEREAS, it is vital to the growth and development of the City of Memphis ("City") that debris, waste, and other contaminants that affect storm water quality be removed in compliance with the City's Storm Water National Pollutant Discharge Elimination System ("NPDES") Permit;

WHEREAS, the City of Memphis is committed to storm water quality and in accordance with its Storm Water NPDES Permit, has an obligation to reduce pollutants and waste from negatively impacting streams and other such natural resources within the City of Memphis limits;

WHEREAS, Clean Memphis, a grassroots 501 (c) (3) organization founded in 2008 by a group of concerned citizens with the belief that a cleaner City reduces crime, promotes a sense of pride in community, and cultivates economic prosperity, receives funding from private donations and Shelby County to address litter in high profile areas of the city of Memphis and educate the public on the benefits of a cleaner community;

WHEREAS, Clean Memphis has proposed to share the cost to maintain a clean water initiative for various drainage basins with the City of Memphis to remove waste and debris that would otherwise enter the storm water system thus, negatively impacting a valuable natural resource;

WHEREAS, the City of Memphis Storm Water Program will make available Seventy-Five Thousand Dollars (\$75,000) to Clean Memphis on an annual basis for a period of three (3) years to assist in funding such initiative;

WHEREAS, Clean Memphis will further utilize these funds to perform public outreach and educate children on the impact pollution has to watersheds and the environment;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Memphis hereby authorizes the City of Memphis Storm Water Program to provide Clean Memphis funding in the amount of \$75,000 for a period of three (3) years, subject to the availability of funding;

BE IT FURTHER RESOLVED that, such funding shall be provided from the Stormwater Program Operating Budget in effect at the time funding is to be made available and that such funding shall be used solely for the purpose of funding storm water quality initiatives; specifically, remediation work to be performed in various City of Memphis drainage basins.

BE IT FURTHER RESOLVED that, in the event Clean Memphis fails to use the funding for storm water quality initiatives as authorized by City, such funding shall be returned to the City of Memphis.