



**CITY COUNCIL
MEETING AGENDA
December 19, 2023
3:30 p.m.**

**Council Chambers, Lobby Floor
City Hall - 125 North Main Street
Memphis, Tennessee 38103-2017**

*If You Are In Need Of A Special Accommodation While
Attending The Meeting, Please Alert The Council Staff.*

Super District 8-3. Chairman Martavius Jones
Super District 8-1. Vice Chairman JB Smiley, Jr.
District 1. Rhonda Logan
District 2. Frank Colvett, Jr.
District 3. Patrice J. Robinson
District 4. Jana Swearengen-Washington
District 5. Worth Morgan
District 6. Edmund Ford, Sr.
District 7. Michalyn Easter-Thomas
Super District 8-2. Cheyenne Johnson
Super District 9-1. Chase Carlisle
Super District 9-2. J. Ford Canale
Super District 9-3. Dr. Jeff Warren

ORDER OF BUSINESS

I. CALL TO ORDER by the Sergeant-at-Arms

II. 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 Chief of Staff of the Memphis City Council.

III. PLEDGE OF ALLEGIANCE

IV. CALL OF ROLL by the Comptroller

V. APPROVAL OF PREVIOUS MEETING MINUTES (December 5, 2023)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION approving an Honorary Street Name Change on Yale Road between Austin Peay Highway and Ramill Road for Dr. Sammie Holloway. District 1, Super District 9. This Resolution is sponsored by Councilwoman Logan.
2. RESOLUTION honoring Wanda Taylor, founder of Ladies in Need Can Survive, Inc. This Resolution is sponsored by Councilwoman Logan.
3. RESOLUTION recognizing the career and contributions of Bobby Alston, a football coach at the Memphis University School since 1977. All Council Districts. This Resolution is sponsored by Councilman Colvett.
4. RESOLUTION thanking Councilwoman Cheyenne Johnson for her service to the City of Memphis. This Resolution is sponsored by the Memphis City Council.

- 5. RESOLUTION thanking Councilwoman Patrice J. Robinson for her service to the City of Memphis. This Resolution is sponsored by the Memphis City Council.
- 6. RESOLUTION thanking Councilman Frank H. Colvett, Jr. for his service to the City of Memphis. This Resolution is sponsored by the Memphis City Council.
- 7. RESOLUTION thanking Councilman Worth Morgan for his service to the City of Memphis. This Resolution is sponsored by the Memphis City Council.
- 8. RESOLUTION thanking Chairman Martavius D. Jones for his service to the City of Memphis. This Resolution is sponsored by the Memphis City Council.

PUBLIC HEARINGS

- 9. RESOLUTION approving the right-of-way vacation of Lafayette Place located between E. Goodwyn Street and Lafayette Street. This Resolution is sponsored by the Division of Planning and Development.
- Johnson
Chairman,
Planning
& Zoning
Committee
- Case No. SAC 23-04

Applicant: CHICKASAW HOA
Cindy Reaves, SR Consulting, LLC (Representative)

Request: Right-of-way vacation of Lafayette Place located between E. Goodwyn Street and Lafayette Street

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

Opposition at LUCB; Public Hearing Required

103 NOTICES WERE MAILED ON DECEMBER 12, 2023

10. RESOLUTION approving the right-of-way vacation of Lombardy Road between S. Fenwick Road and Cherokee Drive. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. SAC 23-05

Applicant: CHICKASAW HOA
Cindy Reaves, SR Consulting, LLC (Representative)

Request: Right-of-way vacation of Lombardy Road located between
S. Fenwick Road and Cherokee Drive

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

Opposition at LUCB; Public Hearing Required

67 NOTICES WERE MAILED ON DECEMBER 12, 2023

DIVISION OF PLANNING AND DEVELOPMENT

11. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 1674 Delano Avenue. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. PD 23-16

Applicant: Crook-Boga Community Development Corporation
Evelyn Royston, Construction Codes Consultants, LLC (Representative)

Request: Planned Development to allow a self-service mini-storage facility

LUCB recommendation: APPROVAL, with conditions

DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

No opposition at LUCB; No Public Hearing Required

ZONING ORDINANCES- THIRD AND FINAL READING

12. **ZONING ORDINANCE** amending Ordinance No. 5367 of Code of Ordinances, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to authorize a Zoning Use District reclassification of land municipally addressed as 3549, 3555, and 3561 Fuller Road from the Residential Single Family – 6 (R-6) Use District and including it in the Employment (EMP) Use District, up for T H I R D and F I N A L reading. This Ordinance is sponsored by the Division of Planning and Development.

Case No. Z 23-13
Ordinance No. 5890

Applicant: Fleet Equipment, LLC
Cindy Reaves of SR Consulting, LLC (Representative)

Request: Rezoning of +/-0.538 acres from Residential Single-Family – 6 (R-6) to Employment (EMP)

LUCB recommendation: APPROVAL

DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

44 NOTICES WERE MAILED ON DECEMBER 12, 2023

13. **ZONING ORDINANCE** amending Ordinance No. 5367 of Code of Ordinances, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to authorize a Zoning Use District reclassification for land located on the south side of Cornell St. between Felts Station Rd. and Thomas St. by taking the land out of the Residential Urban – 3 (RU-3) Use District and including it in the Heavy Industrial (IH) Use District, up for T H I R D and F I N A L reading. This Ordinance is sponsored by the Division of Planning and Development. (Held from 11/7)

Case No. Z 23-11
Ordinance No. 5886

Applicant: Marcino Pigram
David Bray of the Bray Firm (Representative)

Request: Rezoning of +/- 0.5 acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH)

LUCB recommendation: APPROVAL

DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

44 NOTICES WERE MAILED ON OCTOBER 25, 2023

CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING

14. **ORDINANCE** to amend Chapter 2, Article II, Section 2-19 of the Code of Ordinances of the City of Memphis, to create health benefits for Elected Officials, up for S E C O N D reading. Ordinance No. 5895 is sponsored by Chairman Jones.

Jones
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the Ordinance on Second Reading

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING

15. **ZONING ORDINANCE** amending Ordinance No. 5367 of Code of Ordinances, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to authorize a Zoning Use District reclassification for land located on 5516 Raines Road by taking the land out of the Residential Single-Family – 6 (R-6) Use District and including it in the Employment (EMP) Use District, up for S E C O N D reading. This Ordinance is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. Z 23-12
Ordinance No. 5894

Applicant: James E. Brooks and Odell Brooks III (RS)
The Bray Firm (Representative)

Request: Rezoning of +/-70,070 SQF from Residential Single-Family – 6 (R-6) to Employment (EMP)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on Second Reading

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

- 16. RESOLUTION approving the engineering plans for UNIVERSITY LOFTS and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5451

Resolution approves the engineering plans in the present limits of the City of Memphis, and located at 440 Monroe Avenue in Memphis Tennessee. Cost of required improvements to be borne by the Developer. Resolution also accepts the Performance Bond No. S041447 in the new amount of \$78,100.00 as security.

ACTION REQUESTED: Adopt the Resolution

- 17. RESOLUTION approving the engineering plans for FRANK CAZASSA SUBDIVISION, PART OF LOT 4 [2023] and accepts revised Letter of Credit in-lieu-of bond [replaces CR-5389] (Request for Same Night Minutes)

Contract No. CR-5452

Resolution approves the engineering plans in the present limits of the City of Memphis, and located at 1849 East Brooks Road in Memphis, Tennessee. This contract replaces expired Resolution CR-5389. Cost of required improvements to be borne by the Developer. Resolution also accepts the Renasant Bank Letter of Credit No. 4204, with revised amount of \$90,000.00 in-lieu-of bond as project security.

ACTION REQUESTED: Adopt the Resolution

- 18. RESOLUTION accepting public improvements for BROAD AVENUE APARTMENTS [CR-5364] and releasing bond. (Request for Same Night Minutes)

(Contract No. CR-5364)

Resolution accepts public improvements within the present limits of the City of Memphis, and located at 2542 Broad Avenue, in Memphis, Tennessee. Resolution also authorizes the release of the Cincinnati Insurance Company Performance Bond No. 3234390 in the amount of \$67,500.00.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

(NONE)

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Worth Morgan

19. RESOLUTION ratifying the emergency award of Contract No. 12474, UPA Emergency Meter Repair to Utility Partners of America, LLC (“UPA”) in the funded not-to-exceed amount of \$7,098,724.30.
20. RESOLUTION ratifying the emergency award of Contract No. 12463, UMRF Ventures, Inc., to UMRF Ventures, Inc., in the funded not-to-exceed amount of \$959,000.00.
21. RESOLUTION approving Change No. 1 to Contract No. 12236, Meter Support Maintenance with Honeywell to ratify and change the current contract in the funded not-to-exceed amount of \$145,259.00.
22. RESOLUTION approving Change No. 3 to Contract No. 12265 (formerly Purchase Order Requisition No. 50107968), Autodesk with DLT Solutions, LLC to renew, change and increase the contract value in the funded amount of \$464,719.23.
23. RESOLUTION approving Change No. 3 to Contract No. 12464 (formerly C2561), Samsara Fleet Safety and Track Solution with Samsara, Incorporated to expand the scope and increase the current contract value in the funded amount of \$648,028.50.
24. RESOLUTION approving Change No. 2 to Contract No. 12288, Gas Matrix Utility Landscaping with Enlightenment, Inc. dba APS Facility Maintenance, (This change is to renew the current contract for the second of four annual renewal terms for the period covering February 14, 2024 through February 13, 2025) in the funded amount of \$398,448.00.
25. RESOLUTION approving Change No. 1 to Contract No. 12366, Large Directional Drilling with Memphis Road Boring Co., Incorporated to renew the current contract for the first of four annual renewal terms for the period covering January 1, 2024 through December 31, 2024 in the funded amount of \$2,509,000.00.
26. RESOLUTION approving Change No. 1 to Contract No. 12378, Fleet Maintenance with Goodyear Commercial Tire and Service Center (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering January 1, 2024 through December 31, 2024) in the funded amount of \$1,144,008.00.

REGULAR AGENDA

APPOINTMENTS (None)

GENERAL ORDINANCES THIRD AND FINAL READING

27. **ORDINANCE** to establish City Council Meeting Dates for 2024, up for up for T H I R D and F I N A L reading. Ordinance No. 5891 is sponsored by Chairman Jones.

Jones
Chairman,
Executive
Session

ACTION REQUESTED: Take whatever action Council deems advisable

28. **ORDINANCE** to fix and determine the salary and compensation of the Mayor pursuant to Home Rule Amendments, up for T H I R D and F I N A L reading. Ordinance No. 5892 is sponsored by Chairman Jones.

Jones
Chairman,
Executive
Session

ACTION REQUESTED: Take whatever action Council deems advisable

29. **REFERENDUM ORDINANCE** pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), to amend provisions of the Charter of the City of Memphis, the same being Chapter 11 of the Acts of 1870, as amended, relative to Mayor, Council, and Appointed Salaries, up for T H I R D and F I N A L reading. Ordinance No. 5893 is sponsored by Chairman Jones.

Jones
Chairman,
Executive
Session

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION

30. **RESOLUTION** for approval of parade or race routes per Ordinance #5675. All Council Districts. This Resolution is sponsored by the Engineering Division.

Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Adopt the Resolution

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

31. RESOLUTION approving the sale of a city owned property, in the amount of \$3,500.00, known as 927 Little Weaver Lane, Memphis, TN 38109, Parcel ID Number 075087 00556. District 6, Super District 8. This Resolution is sponsored by General Services.
Smiley
Chairman,
Public Works,
Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
General Services
Committee

32. RESOLUTION requesting the approval to transfer a 6.95-acre parcel, Parcel Number 069004 00174 to the Memphis-Shelby County Board of Education in Memphis, Shelby County, Tennessee. District 7, Super District 8. This Resolution is sponsored by General Services.
Smiley
Chairman,
Public Works,
Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
General Services
Committee

33. RESOLUTION transferring \$450,000.00 from Fleet’s Unreserved Fund Balance to cover the unexpected need for a lease for General Service Fleet Maintenance (Body & Paint Shops) until their permanent location is completed at the former Coke property. District 6, Super District 8. This Resolution is sponsored by General Services.
Smiley
Chairman,
Public Works,
Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
General Services
Committee

34. RESOLUTION transferring allocations and appropriations for CIP projects, #CD01101 Raleigh Vehicle Repair Shop and #GS01032 CoMEM Phase II, totaling \$1,000,000.00 to CIP project number GS01049 – Coke Facility-Adaptive Reuse to help fund the completion of the Fleet Fueling Station and Administration Building. District 6, Super District 8. This Resolution is sponsored by General Services.
Smiley
Chairman,
Public Works,
Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
General Services
Committee

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

MEMPHIS PARKS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS

35. RESOLUTION to reallocate and reappropriate \$3,000,000.00 in Capital Improvement Plan funds previously earmarked for Mud Island Contract Construction. All Council Districts. This Resolution is sponsored by Chairman Jones.
 Carlisle
 Chairman,
 Budget
 Committee
ACTION REQUESTED: Adopt the Resolution

36. RESOLUTION to amend the Memphis City Council Rules of Procedure. All Council Districts. This Resolution is sponsored by Councilmembers Carlisle and Smiley.
 Jones
 Chairman,
 Executive
 Session
ACTION REQUESTED: Adopt the Resolution

37. RESOLUTION to require City Administration to seek Council approval prior to non-emergency street closures that last more than 24 hours in the City of Memphis and are not covered by existing ordinances. This Resolution is sponsored by Councilman Smiley.
 Jones
 Chairman,
 Executive
 Session
ACTION REQUESTED: Adopt the Resolution

38. RESOLUTION to transfer Simmons Bank Liberty Stadium and allocate \$120,000,000.00 of State Grant funds for Sports Facilities Improvements to University of Memphis Auxiliary Services Foundation. All Council Districts. This Resolution is sponsored by the Administration. **(Held from 12/5)**
 Carlisle
 Chairman,
 Budget
 Committee
ACTION REQUESTED: Adopt the Resolution

39. RESOLUTION regarding addition of board seats on University of Memphis Auxiliary Services Foundation contingent on transfer of Simmons Bank Liberty Stadium to the University of Memphis. District 6, Super District 8. This Resolution is sponsored by Councilman Smiley. **(Held from 12/5)**
 Carlisle
 Chairman,
 Budget
 Committee
ACTION REQUESTED: No Recommendation

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT