

Memphis City Council Summary Sheet

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

Memphis Parks resolves to enter a use agreement with Shelby County Community Services for space at Greenlaw Community Center.

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 7, super district 8

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

No budget amendment.

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

N/A

T-150



Resolution approving a Memorandum of Understanding between the City of Memphis through its Division of Parks and Shelby County Government through its Division of Community Services, to utilize a portion of Greenlaw Community Center and provide community services.

WHEREAS, the City of Memphis, through Memphis Parks, owns and operates Greenlaw Community Center located at 190 Mill Avenue; and

WHEREAS Shelby County Community Services has a history of providing community services throughout Shelby County and has recognized a need for service provision in the community surrounding Greenlaw Community Center; and

WHEREAS, the Parks Division and Shelby County Community Services have a mutual interest in supporting Memphis families via recreation and social services in their immediate neighborhood; and

WHEREAS, the close association of Shelby County Community Services with Parks at this location makes it prudent and beneficial to have this Agreement, detailing the responsibilities, authority, and the relationship of Shelby County Community Services and Parks;

WHEREAS, the City of Memphis desires to enter a Memorandum of Understanding with Shelby County to allow Shelby County employees to regularly work at Greenlaw Community Center and provide services at this location with a term of five (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 Memorandum of Understanding between the City of Memphis and Shelby County, 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.



A resolution to transfer and appropriate \$750,000 of CIP Funds from the New Levi Library (project # LI01033) and \$1,000,000 of CIP Funds from the New Raines Police Station (project # PD02010) to the Southwest Twin redevelopment project (CD01104).

Whereas, the Council of the City of Memphis did include SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000) for the New Levi Library (project # LI01033) in the Capital Improvement Program (CIP) Budget for Fiscal Year 2024; and

Whereas, the Council of the City of Memphis did include ONE MILLION DOLLARS (\$1,000,000) for the New Raines Police Station (project # PD02010) in the Capital Improvement Program (CIP) Budget for Fiscal Year 2024; and

Whereas, both projects will be part of the redevelopment of the Southwest Twin Drive-In site under the supervision of the Division of Housing and Community Development with all design and construction contracts to be administered by HCD; and

Whereas, it is necessary to transfer SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000) from the New Levi Library (project # LI01033) and ONE MILLION DOLLARS (\$1,000,000) from the New Raines Police Station (project # PD02010) to the Southwest Twin Redevelopment (project # CD01104); and

Whereas, it is necessary to appropriate the resulting sum of ONE MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$1,750,000) to the Southwest Twin Redevelopment (project # CD01104) and to amend the Capital Improvement Program (CIP) Budget for FY2024 accordingly; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the sum of SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000) funded by General Obligation Bonds and chargeable to the FY2024 Capital Improvement Program (CIP) Budget is hereby transferred from the New Levi Library (project # LI01033) and is appropriated and credited as follows:

Project Title:	Southwest Twin
Project Number:	CD01104
Amount:	\$750,000.00
Resource:	Architecture & Engineering

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the sum ONE MILLION DOLLARS (\$1,000,000) funded by General Obligation Bonds and chargeable to the FY2024 Capital Improvement Program (CIP) Budget is hereby transferred from the New Raines Police Station (project # PD02010) and is appropriated and credited as follows:

Project Title: Southwest Twin
Project Number: CD01104
Amount: \$1,000,000.00
Resource: Architecture & Engineering

Memphis City Council Summary Sheet

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

Resolution to transfer \$983,565 of allocated funding in Project LI01031 – New Raleigh Library, to the New Frayser LI01030 Library Council District 7, Super District 8.

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

Library Services

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

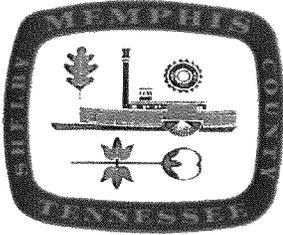
Does not change an existing ordinance or resolution

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

This resolution amends the existing contract, new Raleigh Branch for the new Frayser Branch.

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

This resolution will amend the balance of the new Raleigh Branch LI01031 transferring the amount of nine hundred, eighty-three thousand, five hundred, sixty-five dollars (\$983,565) of the remaining unencumbered appropriated funds to the new Frayser Library LI01030. This Resolution authorizes the expenditure for Contract Construction and Other Cost funds for the New Frayser Library in District 7 (Super District 8).



A Resolution to transfer \$983,565 from the New Raleigh Library to the New Frayser Library and appropriate funds for the Library Services Division.

WHEREAS, the Council of the City of Memphis approved an allocation and appropriation of \$1,850,000 for Project LI01031, the purpose of which was and did replace the Raleigh Branch Library; and

WHEREAS, the New Raleigh Branch Library has an unencumbered balance of \$983,565, and the new Frayser Branch is currently under construction and needs additional funds; and

WHEREAS, it is necessary to transfer the sum of \$983,565 from Project LI01031 – New Raleigh Library to Project LI01030 – New Frayser Library to fund the increase cost of construction and complete construction of the New Frayser Library Branch; and

BE IT RESOLVED by the Council of the City of Memphis that the sum of nine hundred, eighty-three thousand, five hundred, sixty-five dollars (\$983,565) funded by General Obligation Bonds be transferred to the above named project as follows:

Project Title:	New Frayser Library – LI01030
Contract Construction:	LI01030
Amount:	\$983,565

MLGW Consent Agenda Committee Discussion



MLGW Committee

April 9, 2024

New items for April 9 Agenda

Items approved by BOC on March 20th

16. Resolution to ratify payment for construction services on MLGW water distribution facilities to the Tennessee Department of Transportation (TDOT) in the funded amount of \$589,666.00.
17. Resolution to ratify payment for construction services on MLGW gas distribution facilities to the Tennessee Department of Transportation in the funded amount of \$306,730.00.
18. Resolution to ratify payment for construction services to electric distribution facilities to the Tennessee Department of Transportation (TDOT) in the funded amount of **\$1,902,689.05**.
19. Resolution awarding a purchase order for backup power generators to Cummins Sales and Service in the amount of **\$3,026,640.00**. (Randy Orsby)
20. Resolution awarding Contract No. 12491, North Service Center and Expansion Sites: Environmental Site Investigation to Ensafé Inc., in the funded not-to-exceed amount of \$500,000.00.
21. Resolution approving Change No. 3 to Contract No. 12238, Electric Substation Construction and Maintenance Services with RMS Energy Company, LLC to renew the current contract in the funded amount of **\$10,000,000.00**.
22. Resolution approving Contract Change No. 3. Contract No.12187, Pole inspection with Osmose Utility Services, Incorporated, to ratify and renew the current contract, in the Funded Amount of **\$3,000,000.00**.
23. Resolution approving Change No. 1 to Contract No. 12410 to On- Call Consulting Services with Smith Seckman Reid, Incorporated to ratify and renew the current contract in the funded amount of \$200,000.00.
24. Resolution awarding a purchase order for paper lead cable, 500 KCMIL to Universal Scaffold & Equipment in the amount of \$720,603.00.

New items for April 9 Agenda

Items approved by BOC April 3rd

25. Resolution awarding Contract No. 12451, Two (2) Monochrome High-Speed Production Digital Printing Presses to Konica Minolta Business Solutions, U.S.A., Inc., in the funded amount of \$588,336.00.
26. Resolution awarding Contract No. 12444, Palmer Filter Valve and Actuator Replacement to Chris Hill Construction Company, LLC in the funded amount of \$782,090.00.
27. Resolution approving payment of annual sewer discharge fee for the 2023 filter backwash discharge to City of Memphis Public Works Department in the amount of \$598,643.50.
28. Resolution approving Change No. 3 to Contract No. 12188, Gas Leak Survey with Heath Consultants, Inc. to ratify and renew the current contract in the funded amount of **\$1,466,397.70**.
29. Resolution awarding purchase order to Engineered Sealing Components LLC, for arm apitong dead-end 96" in the amount of **\$1,429,420.00**.
30. Resolution approving ratification of Purchase Order Number 7053566 to Lonnie Cobb Ford for half-ton pickup trucks in the amount of \$779,004.00
31. Resolution approving Change No. 4 to Contract No. 12193, Grounds Maintenance and Landscaping Service with Rotolo Consultants, Incorporated to ratify and renew the current contract in the funded amount of \$20,848.14.

Items Held from March 19th

Items approved by BOC on March 6th (Requesting Same Night Minutes)

32. Resolution awarding purchase order to WESCO Distribution, Inc., in the amount of \$792,000.00 for electric smart meters.
33. Resolution approving Change No. 2 to Contract No. 12333, High-Speed Color Production Digital Printing Press, to Konica Minolta Business Solutions USA, Incorporated, to ratify and extend purchase order #7003484 under Contract No. 12333, in the funded amount of \$81,132.48.
34. Resolution approving Change No. 2 to Contract No. 12334, high-speed black and white production digital printing press to Konica Minolta Business Solutions INC, Incorporated, to ratify and extend purchase order #7014995 under Contract No. 12334, in the Funded Amount of \$143,075.86.
35. Resolution approval of Change No. 1 to Contract No. 12389, LED Streetlight Conversion to Ameresco, Inc., in the Funded Amount of **\$10,000,000.00**.
36. Resolution approving Change No. 2 to Contract No. 12358, professional engineering services for water engineering, to Barge Design Solutions, Inc., in the Funded Amount of \$260,000.00.
37. Resolution awarding Contract No.12473. Wireless FirstNet Services, to AT&T Mobility, in the Funded Amount of **\$2,317,939.14**.
38. Resolution awarding Contract No. 12449, On-Call Boring to Memphis Road Boring Company, Inc., in the funded amount of **\$5,853,000.00**.
39. Resolution approving Change No. 2 to Contract No. 12286, MLGW Utility Payment Centers, to FirsTech, Incorporated, in the Funded Amount of \$211,520.RESOLUTION awarding a thirty-six month purchase order for ductile iron pipe to Enfinity Supply, LLC in the amount of \$901,598.19.
40. Resolution awarding a thirty-six month purchase order for ductile iron pipe to Enfinity Supply, LLC in the amount of \$901,598.19.
41. Resolution approving Change No. 1 to Contract No. 12411 for on-call consulting services, to Barge Design Solutions, Inc., in the Funded Amount of \$300,000.00.
42. Resolution awarding Contract No.12483, Survey Administration Solutions, to Korn Ferry, in the Funded Amount not-to-exceed \$395,189.00



2023 SUPPLIER DIVERSITY

FOURTH QUARTER PROCUREMENT

Period Covering: January 1, 2023 through December 31, 2023



CLASSIFICATION	AMOUNT	% OF TOTAL PROCUREMENT SPEND
Minority Business Enterprise	\$44,177,788.29	13%
Women's Business Enterprise	\$30,651,142.48	9%
Locally-Owned Small Businesses Non-MBE/WBE, Local Small Businesses	\$38,953,725.18	12%
Total Diversity Spend:	\$113,782,655.95	34%

Contracts >\$1M New to 9 April Agenda

- Resolution to ratify payment for construction services to electric distribution facilities to the Tennessee Department of Transportation (TDOT) in the funded amount of \$1,902,689.05.
- Resolution awarding a purchase order for backup power generators to Cummins Sales and Service in the amount of \$3,026,640.00.
- Resolution approving Change No. 3 to Contract No. 12238, Electric Substation Construction and Maintenance Services with RMS Energy Company, LLC to renew the current contract in the funded amount of \$10,000,000.00
- Resolution approving Contract No. 3. Contract No.12187, Pole inspection with Osmose Utility Services, Incorporated, to ratify and renew the current contract, in the Funded Amount of \$3,000,000.00

Electric Construction – Lamar Ave TDOT

- Funded amount: \$1,902,689.05
- Award Duration: 635 days
- Type of Bid: TDOT Utility Force Account
- Payment made to: TDOT
- LOSB/MWBE Goal Assigned/Committed: N/A, State of TN Contract
- Plain Language Description: This funding pays MLGW portion of electric utility relocation that is part of the TDOT Lamar Avenue improvements. Per standard state agreement, State will pay \$2,388,655.95 of cost to relocate the utilities, and MLGW will be paying for the “betterment” of our utility infrastructure. In sum, TDOT pays for the design and construction, MLGW pays for the new utility infrastructure. Work includes relocation of 132 poles and attendant overhead power lines.
- Impact: Facilitates completion of TDOT Lamar Ave road widening and overpass project

Back-up Generators

- Funded amount: \$3,026,640.00
- Award Duration: up to 100-week delivery time
- Type of Bid: Competitive, Nine bidders solicited, 3 bidders submitted
- Awarded to: Cummins Sales and Service
- LOSB/MWBE Goal Assigned/Committed: All bidders local, MWBE goal of 0% assigned
- Plain Language Description: This award provides back-up electric generators for the Allen and Mallory water pumping and treatment stations. This is consistent with MLGW water infrastructure resilience plan to have back-up power at all pumping stations. Provides a 2.5MW Emergency Back up generator at each station.
- Impact: Allows for continued operation of water pumping station in the event of an electrical outage

Electric SubStation Construction

- Funded amount: \$10M
- Award duration: 1 year renewal
- Type of Bid: Change order # 3 to a competitive sealed bid process two (2) bidders
- Awarded to: RMS Energy for total contract amount of \$22.5M
- LOSB/MWBE Goal Assigned/Committed: No Goal assigned/No Supplier Diversity participation
- Plain Language Description: Vendor will furnish all supervision, labor, equipment, tools, supplies, transportation of equipment, labor, and materials to construct, test, commission and maintain MLGW Electric Substation facilities. This work is part of MLGW 5-year electric infrastructure plan and complements work being done by in-house crews. This includes installation of 10 high voltage circuit breakers, 7 Remote Terminal Units, 12 Line relays and other preventative maintenance actions across 18 electric substations meant to improve reliability and replace end of life infrastructure prior to failure.
- Impact: Replaces outdated infrastructure in SubStations, improving reliability of the electric utility

Electric SubStation Construction (Cont)

- Original Scope: Vendor will furnish all supervision, labor, equipment, tools, supplies, transportation of equipment, labor, and materials to construct, test, commission and maintain MLGW Electric Substation facilities as directed by MLGW throughout Memphis and Shelby County, Tennessee. Term of One year, with option of four (4) annual renewals.
- New Scope: No Change
- Extension vs rebid rationale:
 - No change in scope; exercising option to renew for one year
 - Extends contract for one year, with associated funding amount
 - 2.5% cost increase due to increase in labor rates

Utility Pole Inspection

- Funded amount: \$3M
- Award Duration: 1 year
- Type of Bid: Change order #3 to existing contract awarded through a competitive, sealed bid process
- Awarded to: Osmose, Inc for a total contract amount of \$7.3M
- LOSB/MWBE Goal Assigned/Committed: No Goal assigned/No Supplier Diversity participation
- Plain Language Description: This contract continues inspection of the more than 200,000 wood utility poles in the MLGW distribution system. 118,000 poles have already been inspected and treated. Poles are inspected every 10 years, over a 5-year period. This extension funds the inspection and treatment as necessary of 59,464 poles. Work includes excavation around base of pole and pole boring to assess condition, and then chemical treatment of poles to extend service life.
- Impact: Treatment extends the service life of wood poles, saving money on replacement. Inspection identifies poles needing to be replaced.

Utility Pole Inspection (cont)

- Original Scope: To perform inspection and treatment of wood poles, including but not limited to primary poles, lift poles, and street light poles located in the MLGW Electric Distribution System, Term of One year, with option of four (4) annual renewals.
- New Scope: No change.
- Extension vs rebid rationale:
 - No change in scope; exercising option to renew for one year
 - Extends contract for one year, with associated funding amount
 - Cost increase based on:
 - 40% increase in number of poles to be inspected
 - 3.5% increase for due to increase cost of supplies and labor

Gas Leak Survey

- Funded amount: \$1,466,397.00
- Award Duration: 1 year extension, 3rd of 4 renewal options
- Type of Bid: Competitive, sealed bid contract
- Awarded to: Heath Consultants, Inc
- LOSB/MWBE Goal Assigned/Committed: No Goal Assigned, Company is 100% WBE
- Plain Language Description: Perform gas leak survey of MLGW Gas facilities to for compliance with federal regulations and as part of MLGW maintenance of gas system.
- Impact: Ensures continued safe operation of the gas system and identification of any leaks in need of repair.

Gas Leak Survey (cont)

- Original Scope: To provide necessary labor, transportation and equipment necessary to perform inspection and survey of MLGW Gas Distribution System, Term of One year, with option of four (4) annual renewals.
- New Scope: No change.
- Extension vs rebid rationale:
 - No change in scope; exercising option to renew for one year
 - Extends contract for one year, with associated funding amount
 - Cost increase based on:
 - Negotiated 8.4% increase based on labor wage competition and shared fuel costs

Utility Pole Cross Arms

- Funded amount: \$1,429,420.00
- Award Duration: 1 year purchase order of 2000 cross arms
- Type of Bid: Competitive, sealed bid purchase, 6 bids received
- Awarded to: Engineered Sealing Components, LLC
- LOSB/MWBE Goal Assigned/Committed: No
- Plain Language Description: Wooden cross arms mounted to utility poles to carry/separate primary electrical wires
- Impact: Supply of cross arms is required to replace broken arms in the course of routine maintenance and the have a supply included in storm kits for rapid restoration of services.

Contracts > \$1M Held from March 19th

- RESOLUTION approval of Change No. 1 to Contract No. 12389, LED Streetlight Conversion to Ameresco, Inc., in the Funded Amount of \$10,000,000.00.
- RESOLUTION awarding Contract No.12473. Wireless FirstNet Services, to AT&T Mobility, in the Funded Amount of \$2,317,939.14.
- RESOLUTION awarding Contract No. 12449, On-Call Boring to Memphis Road Boring Company, Inc., in the funded amount of \$5,853,000.00.

LED Streetlight Conversion

- Funded amount: \$10M
- Award Duration: 1 year
- Type of Bid: Change order # 1 to a competitive sealed bid process including 3 bidders
- Awarded to: Original contract awarded to Ameresco (prime), Brighter Days and Nites (MBE), Oteka Technologies (MBE), and All World Project Management (MBE) subs
- LOSB/MWBE Goal Assigned/Committed: 30% MWBE
- Plain Language Description: This contract funds Phase II of the LED streetlight conversion, including:
 - Corrective action to infrastructure \$3.6M (repair areas of faulty current/voltage causing lights to be inoperative)
 - Hi mast light conversion \$1.91M (these are the very tall highway interchange lights that were not part of the original scope)
 - Underpass light conversion \$1.9M (these are the lights underneath bridges that were not part of the original scope)
 - GIS inventory \$900k. The GIS inventory showed 77,280 cobra head and decorative pos-tops in inventory. During installation, the contractor validated the inventory and discovered the true inventory to be 78,793. This pays for the extra lights that were converted but not originally included in the inventory.
 - Arlington SL LED Conversion \$1.4M (to be reimbursed to MLGW through fees, in the same way City of Memphis lights are being paid for)
 - Millington SL Conversion \$900k (to be reimbursed through fees, in the same way City of Memphis lights are being paid for)
- **Impact: Facilitates rapid repair of underground power faults, and conversion to LED of lights other than streetlights (underpass, hi-mast interchange)**

LED Streetlight Conversion (Cont)

- **Original Scope:**
 - Conversion of streetlights within COM to LEDs with light management system
- **New Scope:**
 - Increase number of streetlights to be replaced with LED (originally underestimated the number)
 - Convert the highway underpasses and interchange lights within COM to LED
 - Provide LED conversion to Arlington and Millington (with reimbursement to MLGW)
- **Extension vs rebid rationale:**
 - Project originally bid by the CoM and given to MLGW to execute
 - Work is same as or aligned with original SOW
 - Timing of power fault correction
 - Selection by Arlington and Millington of Ameresco/MLGW for rapid conversion of their lights

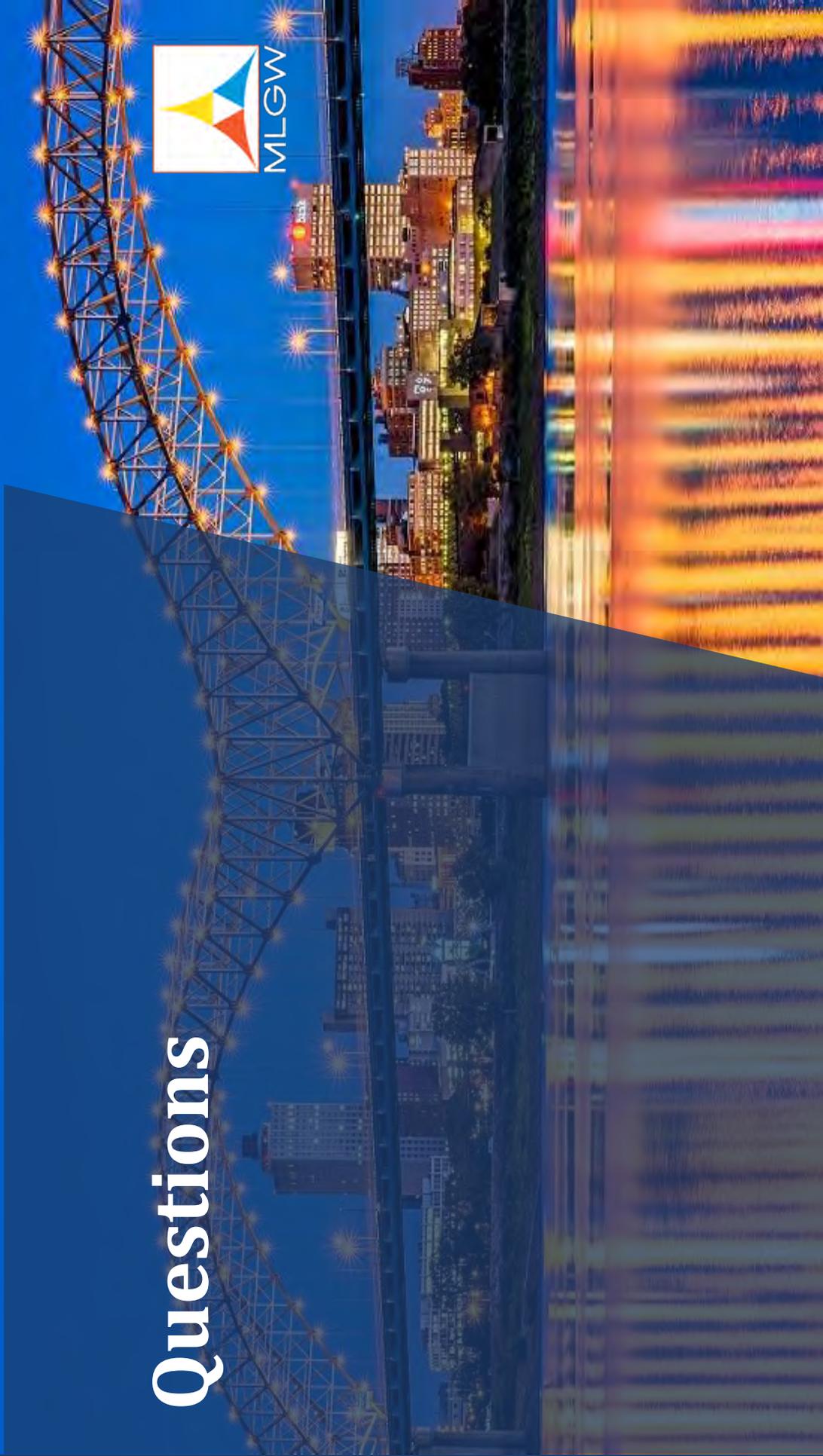
Wireless FirstNet Services

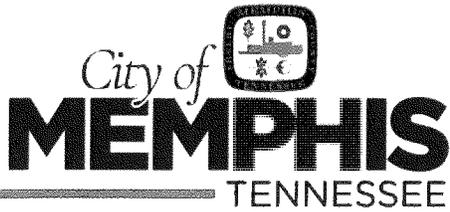
- Funded amount: \$2,317,939.14
- Award Duration: 60 months
- Type of Bid: Sole Source
- Awarded to: AT&T Mobility
- LOSB/MWBE Goal Assigned/Committed: No Goal assigned/No Supplier Diversity participation
- Plain Language Description: The project scope is to allow AT&T Mobility, as a sole source provider, to provide data services for Panasonic Toughbooks, electric/gas meters, laptops/tablets/iPad devices, and various miscellaneous equipment, including, but not limited to meter hotspots, poll recorders, gas leak handheld devices, etc.
- FirstNet is a network designed to maximize the utility and dependability of wireless communications by and between first responders and supporting entities. The network will allow MLGW field personnel to communicate with First Responders by utilizing priority bandwidths during any disaster. MLGW's existing equipment will only work on AT&T's network.
- Impact: Facilitates rapid, priority communication in an emergency and connects all MLGW portable devices to our network for communication for day to day work – work orders, meter communication etc.

On-Call Boring

- Funded amount: \$5,853,000.00
- Award Duration: One (1) year with the option of four (4) renewals
- Type of Bid: Sealed Bid
- Awarded to: Memphis Road Boring Company
- LOSB/MWBE Goal Assigned/Committed: No Goal assigned/No Supplier Diversity participation
- Plain Language Description: This contract pays for underground boring from 6” to 42” in diameter to accommodate installation of varying sizes of MLGW water collection and distribution main projects. Contract value reflects price per foot of expected number of feet of each size that is needed for ordinary water distribution main construction, replacement, maintenance and emergency repair.
- Impact: Improved reliability and quantity of water collection and distribution by installation of new water collection and distribution pipes.

Questions





PAUL A. YOUNG
MAYOR

CITY ATTORNEY

TO: Memphis City Council

FROM: Michael Fletcher, Deputy City Attorney
Yolanda Fullilove, Permits and Licenses Administrator

RE: Wrecker Rules and Regulations

Conclusion

In the opinion of the Law Division, the Rules and Regulations comply with relevant State and Federal laws. Further, they are in accord with Ordinance No. 5133, as amended by Substitute Ordinance No. 6876.

Summary

The Administrator in cooperation with the Law Division has prepared for consideration Wrecker Rules and Regulations. They are submitted as required by Sec. 6-88-18 (Ord. No 5414).

Sec. 6-88-18. - Rules and regulations of the permits office.

The permits office shall promulgate a complete set of rules and regulations describing in detail the procedures to be observed by licensed wrecker owners and operators. After a period of advice and comment, such rules and regulations shall be submitted to the city council for approval. The permits office shall have authority to change such rules and regulations when the interest of the city requires such change or revision, and after a period of advice and comment, such changes or revisions shall be submitted to and approved by the city council before becoming effective. The violation of such rules and regulations may be grounds for fines, suspension or revocation of the wrecker or towing license or permit as provided in section 6-88-50.

(Ord. No. 5133, § 1(part), 4-18-2006; Ord. No. 5414, § 1(41-18), 11-1-2011)

They are intended in part to give tow companies notice of how the Ordinances are put into action by the Permit Office. The Rules and Regulations are based upon and reflect the Ordinances. The Administrator also consulted the State of Tennessee Wrecker Regulations and some industry representatives.

In the opinion of the Law Division, the Rules and Regulations comply with relevant State and Federal laws. Further, they are in accord with Ordinance No. 5133, as amended by Substitute Ordinance No. 6876.

Wrecker Rules and Regulations

Application Process:

Any person desiring to engage in the business of providing wrecker or emergency wrecker services within the corporate limits of the City of Memphis must first be approved by the Memphis Transportation Commission. Towing without a permit is a violation of the city ordinance and is punishable by a civil penalty.

The Memphis Transportation Commission meets the first Thursday of each month.

Approval for the MPD Wrecker Rotation list comes from MPD

Towing Company Requirements:

Permitted by the Permits Office to do business in city limits.

Current business license issued by Memphis/Shelby County Business Tax Office.

All towing vehicles titled and registered.

Valid DOT number.

Employ drivers are twenty-one years of age or older.

Must comply with the fees and schedule of charges prescribed.

Provide certificate of liability of insurance with the following:

Automobile liability:

\$1,000,000.00 each occurrence -combined single limits

AND

Commercial General Liability:

\$2,000,000.00	General Aggregate
\$2,000,000.00	Products-Completed Operations
\$1,000,000.00	Personal and Advertising Injury
\$1,000,000.00	Each Occurrence (Bodily Injury & Property Damage)
\$ 50,000.00	Fire Damage any One Fire
\$ 5,000.00	Medical Expense any One Person

OR

Garage Liability

With Minimum Limits of:

\$2,000,000.00	Garage Liability General Aggregate
\$1,000,000.00	Garage Liability Each Occurrence
\$ 100,000.00	On Hook
\$ 200,000.00	Garage Keepers Legal Liability

The certificate of insurance shall state the following: "The City of Memphis, its official's agents, employees and representative shall be named as additional insured on all liability policies." The additional insured endorsement policy should be attached to the certificate.

MPD Wrecker Rotation Company Requirements:

Permitted by the Permits Office to do business in city limits.

Current business license issued by Memphis/Shelby County Business Tax Office.

Emergency Wrecker company Use and Occupancy Certificate.

All towing vehicles titled and registered.

Valid DOT number.

Employ drivers are twenty-one years of age or older.

A wrecker company shall be independent of any other wrecker company in the same zone.

Must comply with the fees and schedule of charges prescribed.

Provide certificate of liability of insurance with the following:

Automobile liability:

\$1,000,000.00 each occurrence -combined single limits

AND

Commercial General Liability:

\$2,000,000.00	General Aggregate
\$2,000,000.00	Products-Completed Operations
\$1,000,000.00	Personal and Advertising Injury
\$1,000,000.00	Each Occurrence (Bodily Injury & Property Damage)
\$ 50,000.00	Fire Damage any One Fire
\$ 5,000.00	Medical Expense any One Person

OR

Garage Liability

With Minimum Limits of:

\$2,000,000.00	Garage Liability General Aggregate
\$1,000,000.00	Garage Liability Each Occurrence
\$ 100,000.00	On Hook
\$ 200,000.00	Garage Keepers Legal Liability

The certificate of insurance shall state the following: "The City of Memphis, its official's agents, employees and representative shall be named as additional insured on all liability

policies.” The additional insured endorsement policy should be attached to the certificate.

Emergency wrecker shall provide 24 hours service including holidays.

Arrive at the scene of the accident within 30 minutes of being dispatched to the scene.

Signed and notarized hold harmless agreement stating that it will indemnify, defend and hold the city harmless from any and all claims of any type, including attorney’s fee which may arise out of the performance of the towing of any vehicle under or by the direction from the City of Memphis Police Department.

Rotation List

Recovery, Towing and Storage Standards:

Towing company are dispatched when the vehicle’s owner, operator or agent does not have a request for a specific towing company.

The owner’s request for a specific towing company shall be honored unless:

The requested towing company is not a permitted towing company by the Permits Office.

The requested towing company cannot or does not respond in a reasonable time, as determined by Memphis Police Department.

The vehicle to be towed poses an immediate traffic hazard, as determined by Memphis Police Department.

Towing company’s drivers are responsible for cleaning-up all debris from the accident scenes including but not limited to glass and auto parts from wrecker vehicles.

Call and Notification Procedures:

When MPD is dispatched to a crash, motorist assist, or any other request, the Officer, after determining the need for a towing company, shall contact the Dispatcher. The Dispatcher shall notify the next scheduled towing company on the MPD Wrecker Rotation list to respond unless the parties have already contacted a permitted towing company.

Towing companies shall be available for immediate response 24 hours a day, seven days a week.

If a towing company fails to respond within 30 minutes, at the discretion of the officer, the next scheduled towing company shall be called and the first called towing company shall be placed at the bottom of the rotation list.

If dispatch receives a busy signal, you will receive 2 more attempts before the next scheduled wrecker is called.

Towing companies shall be given all known information regarding the type of incident and equipment that may be required.

A towing company shall not refer a call to another towing company or substitute another company's towing vehicle to avoid losing its turn on the rotation list.

A towing company that refuses a call or fails to respond within 30 minutes to a call may be removed or suspended from the rotation list for a period of time determined by the Permit Administrator.

A towing company failing to answer a call shall lose the call. If five calls are missed by the towing company within a thirty-day time period, the company will be notified, and an investigation may occur.

If the first called towing company cannot remove the vehicle and does not have another towing vehicle that can perform the requested task, then the next scheduled towing company shall be called and permitted to remove the vehicle. The first called towing company shall not be paid for responding to the call. If the Officer's initial determination of the towing vehicle required to remove the disabled vehicle is incorrect and the towing company responds but cannot perform the task because it does not have the required equipment, then the towing company shall be returned to the position of next scheduled towing company on the rotation list.

If a towing company desires to be off-duty for more than twenty-four hours, the towing company shall inform the Wrecker Coordinator to avoid removal from the rotation list. Upon returning to duty, the towing company shall inform the Wrecker Coordinator and the towing company shall be returned to the rotation list.

No representative of the towing company called to the scene shall solicit business while at the scene.

Towing companies are prohibited from calling Dispatch to determine their position on the rotation list.

Service Procedures and Zone Assignments:

A towing company may be listed in each zone if the towing company has distinctly separate storage facilities within the zone, separate and distinct equipment within the zone, and different business offices located in the zone.

It is prohibited for two or more towing companies, owned in whole or in part by the same individual, partnership or parent corporation, to be qualified to participate on rotation within the same zone.

All towing companies' owner and drivers are expected to know and comply with all applicable federal/state regulations, city ordinance, rules and regulations of the Permits Office, and traffic laws of the State of Tennessee.

A towing company shall not perform repair work on towed vehicle without prior written consent of owner.

All towing companies' storage facility must be fully staffed in each operating zone during business hours.

Vehicles should be stored in same zone from which the company was dispatched from.

Personal property or cargo contained in towed vehicles shall be released to the owner/designee upon their request, unless the MPD orders otherwise. Personal property is defined as anything not physically attached or mounted to the towed vehicle.

Towing company drivers/employees shall not wear exposed firearms at any scene while in the performance of their duties.

Wreckers/ Non-Emergency/Emergency/Rotational Wreckers

Inspections

Inspections of the tow trucks and lots are required annual for trucks and storage lots on the MPD Wrecker Rotation list.

New trucks required to be inspected prior to being used on the MPD Wrecker Rotation and/or used within the city limits.

A towing vehicle arriving at the scene shall be affixed with valid towing decal.

Each truck should be equipped with:

- Broom
- Crowbar
- Flags
- Flares
- Firefighter Axes
- Shovel or scoop
- 20lbs Fire Extinguisher
- 10lbs Oil Dry

Wrecker companies that fail inspections have 5 days to reschedule inspection.

Contact Wrecker Coordinator to schedule re-inspection at 901-636-6735 or at permits@memphistn.gov.

Towing and Storage Fees

Towing fees should only be charged for a wrecker used for the purpose of towing a vehicle.

Storage rates begin twenty-four hours after vehicle is impounded.

Storage charges shall cease once the owner/designee contacts the towing company requesting to pick up a vehicle if the towing company cannot accommodate the request.

Customers should be provided with a invoice of the tow, storage, and other fees upon request.

Invoices:

All invoices should include the following:

- Location where the vehicle is towed from
- Tag and VIN of the vehicle
- Time wrecker dispatched to the scene
- Time the wrecker arrival at the scene
- Time the wrecker arrival at the final destination.
- The type of wrecker used and rates

Hourly rates can only be charged for Class B and C nonconsensual emergency wreckers in use or ordered to wait by a law enforcement officer.

Overcharging if found guilty shall result in:

1. Reimbursement of any monies paid; or
2. Vehicle being release with no charges.

Drivers Requirement:

All drivers and driver's helpers should have a driver permit issued by the City of Memphis Permits Office.

All drivers must have either "F" endorsement or Commercial Driver License.

Private Property Tows

Towing company shall have express written authorization for towing and storage of each vehicle from the owner of the vehicle, from the owner or the authorized agent of the owner of the private property from which the vehicle is to be towed from. Written authorization should include the following:

- a. Name of person giving authorization
- b. The year, make and model, and color of the vehicle to be towed;
- c. The reason for the tow;
- d. The license plate number if any and
- e. The vehicle identification number if it is ascertainable.

Towing without proper authorization will result in:

Reimbursement of monies paid; or

Vehicle being release with no charges.

Request for information:

Wrecker company should respond to request for information within 3 business days of request. Failure to respond will result in automatic suspension of wrecker license until requested information is received by the Permits Office.

Complaints, Investigations and Permits Administrator Findings:

The owner of a vehicle towed by a towing company may file a written complaint to the Permits Administrator or Wrecker Coordinator if the owner believes that:

The towing company towed a vehicle without the owner's or law enforcement authorization.

Charged an excessive towing/storage/other services rate; and/or

Violated any part of the City Ordinance or Rules and Regulations.

All complaints filed shall contain:

The name of the complaint

The complaint's address

The complaint's phone number and e-mail address

The time(s) and manner(s) in which the complainant may be contacted

The name of the towing company

The cause(s) of the complaint

Copies of the documents received from or correspondence with the towing company

The name and phone numbers of any witness and

Any other facts that may assist the Permits Administrator or Wrecker Coordinator in investigating the complaint

A towing company/driver that violates any part of the City Ordinance or Rules and Regulations may be suspended from participating on the MPD rotation list for a period of time determined by the Permit Administrator, but no more than 10 days. Should the Permit Administrator determine that the violation may justify a longer suspension or a revocation, the administrator may refer the complaint to the Transportation Commission.

Two or more sustained complaints against a towing company shall result in an Administrative Hearing conducted by the Permits Administrator.

Each towing company/driver charged with a violation shall receive disciplinary action in the form of a penalty, suspension, or revocation.

The Permits Administrator shall review complaint and supporting documents and email a copy of the complaint and supporting documents to the towing company for review and response.

If the investigation reveals that the towing company towed the vehicle without the proper authorization and/or charged excessive rates, the Permits Administrator shall resolve the matter by:

Ordering the towing company to promptly reimburse the complainant any monies paid;

or

Ordering the towing company to release the vehicle with no charge or for an amount determined by the Permits Administrator.

Hearings before the Transportation Commission can result in fines, suspension, or revocation.

Acknowledgment

I, _____ the owner of _____
located at _____, do hereby
acknowledge that I have received a copy and read the City Ordinance and Rules and Regulations
for a wrecker/towing company and agree to comply with all regulations.

Signature

Date



Memphis City Council Summary Sheet

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

A resolution to Appropriate Nine Hundred Three Thousand Dollars (\$903,000.00) of the City of Memphis Division of Police Services CIP Project PD04029 PD04029, Radio Maintenance Bldg Rehab project.

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

The Division of Police Services is the initiating party of this resolution.

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.

This will impact all districts.

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

This resolution does not require a new contract, or amendments to existing contract(s).

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

The resolution does require an expenditure of funds.

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

N/A



RESOLUTION

WHEREAS, A Resolution is needed to appropriate funds for the City of Memphis Division of Police Services CIP Project PD04029, Radio Maintenance totaling Nine Hundred Three Thousand Dollars (\$903,000.00); and

WHEREAS, The Nine Hundred Three Thousand Dollars is the Unappropriated Allocations in PD04029 for the Radio Maintenance Project, with the total amount of \$903,000.00 to contract Construction of Division of Police;

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 by Appropriating Nine Hundred Three Thousand Dollars (\$903,000.00) contract Construction by General Obligation Bonds for the Radio Maintenance Rehab, Project PD04029.

**Resolution in opposition to Tennessee House Bill 1183 and Tennessee Senate Bill 0503 of
the 113th Session of the General Assembly**

WHEREAS, Tennessee House Bill 1183 (“HB 1183”) , as amended, has been introduced, in pertinent part, to create a scholarship program administered by the Department of Education (DOE) for the purpose of providing eligible students in this state with a scholarship to be used toward the cost of attending a private school for the 2024-25 and subsequent school years; and revise the administration of statewide standardized assessments for grades three through twelve (3-12) as required by the Every Student Succeeds Act (ESSA) and authorizes administration of the ACT or career readiness assessments to high school students instead of certain end-of-course assessments; and

WHEREAS, the Memphis City Council recognizes public education as a fundamental right and cornerstone of our democratic society, and believes that all children deserve access to high-quality equitable education opportunities regardless of socioeconomic status, race, or zip code; Tennessee House Bill 1183 and Tennessee Senate Bill 0503 poses a threat to the integrity and effectiveness of public education; and

WHEREAS, the Education Freedom Scholarship (EFS) diverts tax-payer funds away from public schools, thereby diminishing resources available for public education; private schools receiving public funds through the Education Freedom Scholarship Act are not subject to the same level of accountability and transparency as public schools, which may compromise educational quality and student outcomes; and

WHEREAS, Tennessee House Bill 1183 proposes the expansion of the scholarship program in the state of Tennessee, posing a threat to the integrity and effectiveness of public education; taking money from public schools to fund private school options not only diverts vital resources away from our public education system but also undermines the foundational principle of equal opportunity for all students; this reallocation of funds disproportionately impacts low-income communities, and students with disabilities, exacerbating existing disparities in educational access and achievement; moreover, diverting taxpayer dollars to private entities without the same level of accountability and transparency compromises the public's trust in the allocation of public funds and jeopardizes the equitable distribution of resources.

NOW, THEREFORE, BE IT RESOLVED, the Memphis City Council opposes State legislation, SB 0503 and HB 1183, that seeks to expands private school voucher programs in the state of Tennessee.

Sponsored by:

Michalyn Easter-Thomas

Resolution in opposition to Tennessee House Bill 2002 and Tennessee Senate Bill 2517 eliminating two Judicial Courts in Shelby County, Tennessee, due to safety risks and concerns for the swift administration of justice.

WHEREAS, the Memphis City Council wants to notify the Tennessee General Assembly and Governor Bill Lee that this body is strongly opposed to the proposed legislation, HB2002/SB2517, which would eliminate two court divisions and, consequentially, two judgeships in Shelby County; and

WHEREAS, if adopted, HB2002/SB2517 would amend Tennessee Code Annotated, Section 16-2-506(30), to add two (2) new subsections. The first new subdivision would eliminate "part VII of the circuit court in the thirtieth judicial court, which is vacant on September 1, 2024, effective September 1, 2024; and

WHEREAS, the second proposed subdivision of Tennessee Code Annotated, Section 16-2-506(30), would eliminate "Part IX of the criminal court in the thirtieth judicial court, which is vacant on September 1, 2024, effective September 1, 2024, if HB2002/S82517 is adopted in its current form; and

WHEREAS, if the Tennessee General Assembly decides to pass HB2002/SB2517, the Memphis City Council requests that Shelby County be carved out of this legislation due to concerns of public safety and for the swift administration of justice in our community as the Tennessee District Attorney General for the 30th Judicial District has expressed concerns with the amount of time it currently takes to dispose of criminal cases, and therefore, eliminating one of the criminal courts would only amplify that problem in Shelby County; and

WHEREAS, this body also supports Shelby County Circuit Court Clerk Swaengen's call for the statistical data used by the state in evaluating the caseloads handled by the Shelby County Circuit Courts before the elimination of a circuit court in the 30th judicial court.

NOW, THEREFORE, BE IT RESOLVED by the Memphis City Council hereby notifies the Tennessee General Assembly and Governor Bill Lee that this body is strongly opposed to any provision in HB2002/SB2517 that would eliminate two judgeships, i.e., one civil court and one criminal court in Shelby County.

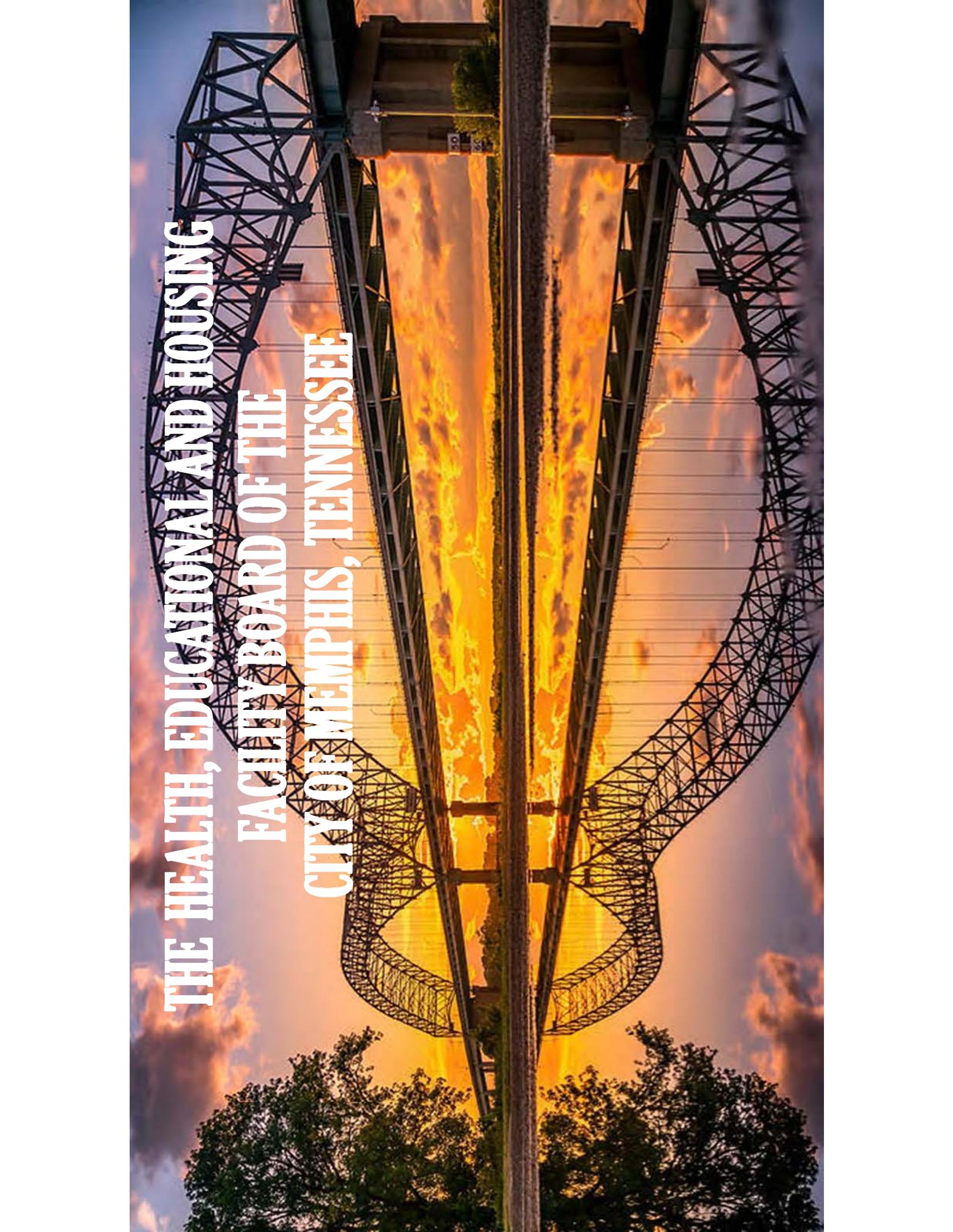
BE IT FURTHER RESOLVED, that if the Tennessee General Assembly decides to pass HB2002/S82517, the Memphis City Council implores the General Assembly and Governor Bill Lee to carve out Shelby County from this legislation due to its impact on the court system to ably and swiftly administer justice in both the criminal and civil courts due by the removal of two courts.

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted forthwith to the Shelby County Legislative Delegation to the General Assembly, which is hereby requested to introduce, lobby, and support this Resolution in the current session of the General Assembly.

Sponsors:

Chairman JB Smiley, Jr.

Councilwoman Janika White

A large steel truss bridge spans a wide river. The sky is filled with vibrant orange and yellow clouds from a sunset or sunrise. In the foreground, a road with a guardrail runs parallel to the river. The bridge's intricate steel structure is silhouetted against the bright sky. Trees are visible on the riverbanks.

**THE HEALTH, EDUCATIONAL AND HOUSING
FACILITY BOARD OF THE
CITY OF MEMPHIS, TENNESSEE**

WHAT IS THE HEHFB?

The Health, Educational and Housing Facility Board of the City of Memphis, Tennessee is a public not-for-profit corporation duly organized and validly existing under the laws of the State of Tennessee (the “**HEHFB**”, “**Lessor**” or “**Board**”) and is a quasi-governmental entity of the City. The public purpose and function of the HEHFB is to foster and perpetuate the development of quality and sustainable affordable multifamily housing in addition to, enriching the quality of life and daily environment for low to moderate-income families and individuals through prioritizing their safety, health and wellness, and overall enjoyment for low to moderate-income families and individuals residing in the City.

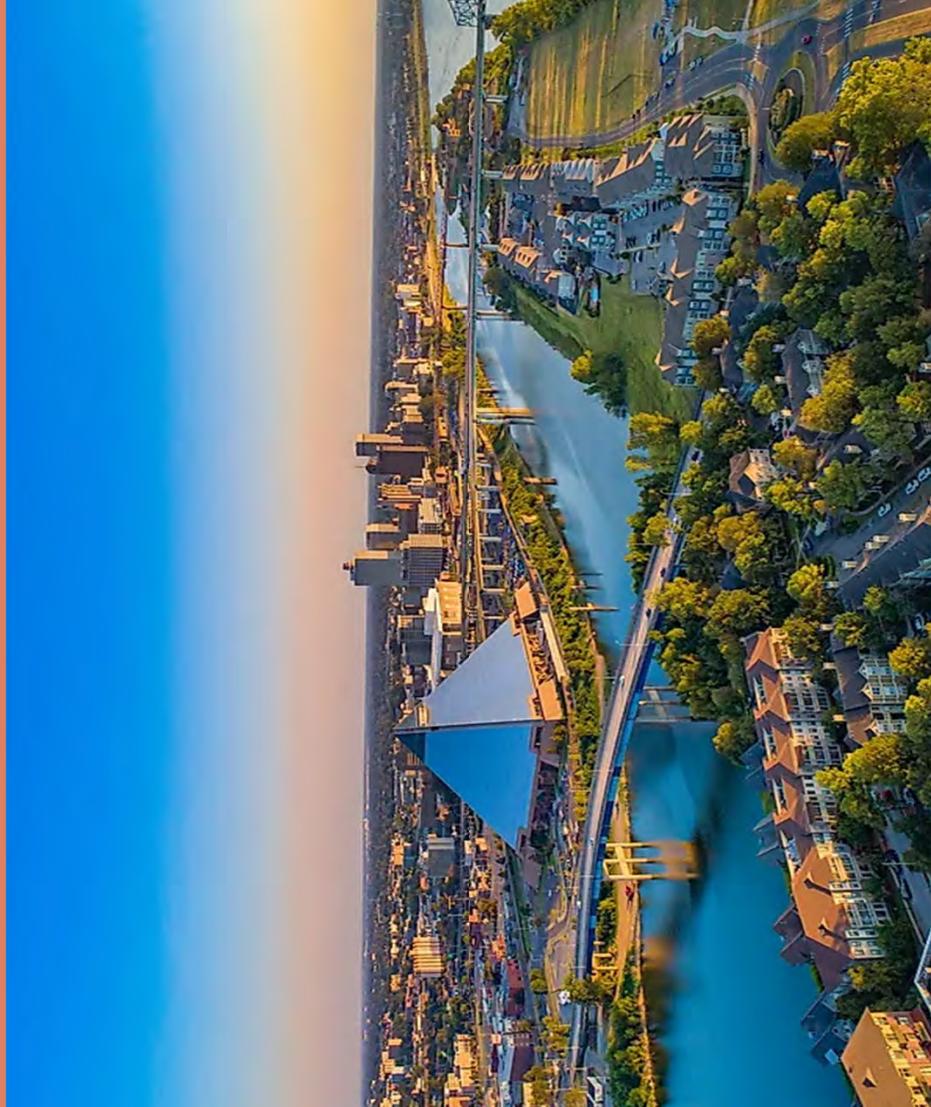
The HEHFB is a self-funding entity and does not receive any funding or related financial assistance from the City, the County, the State or any other governmental entity or agency. The HEHFB is solely funded through fees assessed in connection with its PILOT Program and Bond Program.

The HEHFB is governed by a Board of Directors, all of whom are duly qualified electors of and taxpayers in the City. The Board of Directors is currently comprised of eight directors (8) directors, with backgrounds in various professions, including banking, real estate, law, housing development, and healthcare, all of whom were appointed by the Mayor of the City and confirmed by the City Council.

<http://www.memphishehf.com>



LEGAL AUTHORITY OF THE HEHFB



The HEHFB was created pursuant to Tennessee Code Annotated Section 48-101-301 *et seq.*, as amended (the “**Act**”) for the purposes, among other things, to provide quality, safe, affordable, and sanitary housing through issuing revenue bonds and exploring other methodologies for financing the acquisition, development, and maintenance of residential rental facilities for the benefit of low and/or moderate-income families and individuals as set forth in the Act.

The HEHFB, pursuant to its authority under the Act and Resolutions duly adopted by the City Council on May 7, 2002, and August 28, 2018 (the “**Resolutions**”), has established and administers its payments-in-lieu of ad valorem taxes (“**PILOT**”) program as a further aid to facilitate the preservation, growth, and development of low and moderate-income multifamily housing. The Resolutions allow the Board to enter into payments-in-lieu of ad valorem taxes agreements (“**PILOT agreements**”) with lessees which set forth the relationship between the parties during the term of the PILOT, with the intent to encourage and facilitate new construction and substantial rehabilitation of affordable multifamily housing through providing an abatement on property taxes, for a designated period, for properties situated within the City.

An Interlocal Agreement executed and delivered by among the City, the County and the HEHFB allows properties active under to the PILOT program to receive an annual abatement on all City and County ad valorem property taxation for the full PILOT term, thereby allowing the lessee to make annual PILOT payments on the property in lieu of paying regular ad valorem taxes that would otherwise be due and payable with regard to the property if it were owned by a tax paying entity and subject to such taxation.

BOARD OF DIRECTOR BIOGRAPHIES



Daniel T. Reid, Board Chairman

Mr. Reid is President of West Tennessee banking groups with Renasant Bank and has been a banker in the Memphis market for the last 35 years. He earned a Bachelor's of Science degree in Business Administration with a concentration in Administrative Management and Finance from the University of Tennessee (Martin). He has been very active in training opportunities in leadership, lending and productivity. Some of Mr. Reid's community involvement includes: current admissions committee member of the University Club of Memphis, past president of the Rotary Club, Paul Harris Fellow, Leadership Bartlett Chairman, Bartlett area Chamber of Commerce Board member and Secretary/Treasurer, Central Gardens association Board member, member of the Central Gardens Landmarks Committee, member of the Brooks Decorative Arts Trust, member of the Collierville Tomorrow Board, graduate of the New Memphis Institute (Leadership Academy) Master's Program and a communicant at Grace St. Luke's Episcopal Church. Mr. Reid currently serves as Chair of The Health, Educational and Housing Facility Board of the City of Memphis.



Monice Moore-Hagler, Vice Chair and Secretary

Ms. Hagler is a partner with the law firm of Hagler Law Group, PLLC. Her law practice is concentrated in the areas of finance, property law, business and commercial transactions. She serves as closing attorney for commercial and residential transactions to buyers, sellers and lenders, as counsel to a number of for-profit and non-profit development entities, as well as to municipal and county governments. Ms. Hagler serves as counsel to affordable housing developers, providing legal assistance in the redevelopment of several major mixed-finance, mixed-use developments, including overseeing acquisition, condemnation, redevelopment, multifamily financing and homeownership sales. Ms. Hagler earned her Juris Doctorate degree from the University of Memphis School of Law, a Master of Science in Social Work from the University of Tennessee Health Science Center in Memphis and her Bachelor of Science from the University of Tennessee (Martin). Ms. Hagler's community service includes: serving on the Advisory Board of the University of Tennessee at Martin, the Board of the YMCA, the Memphis Bar Foundation and is a member of the Downtown Rotary Club. She is former Chair and currently serves as Secretary of The Health, Education and Housing Facility Board of the City of Memphis.



Katie Shotts, Assistant Secretary

Ms. Shotts attended New Mexico State University, where she earned a Bachelor of Arts degree in Communication Studies. She began her career in real estate and Association Management at the Memphis Area Association of REALTORS® (MAAR) in 2008. She served the MAAR membership for seven plus years managing events, communications, supporting various committees and as the Staff Director for the MAAR Commercial Council. Ms. Shotts then served for four years as the COO of the Pinellas REALTOR® Organization in Clearwater, Florida, and then as the CEO at the Hernando County Association of REALTORS® in Hernando County, Florida before being brought back home to Memphis. She was chosen as the CEO of the Memphis Area Association of REALTORS® in March 2019. Ms. Shotts holds her REALTOR® Certified Association Executive (RCE) designation, At Home With Diversity (AHWD) and e-PRO certifications, served as 2020 Advisory Board Chair of the National Association of REALTORS® Association Executives Institute, has served on numerous committees for Florida REALTORS® and Tennessee REALTORS®, and is an RPAC Sterling R Major Investor. Through her work at MAAR, she provides education, training and support to more than 4,100 REALTOR® members in advocacy, fair housing and building strong, diverse communities.



Cliff Henderson, Treasurer

Cliff Henderson is the Chief Financial Officer at Experitec, Inc. and oversees finance, information technology, supply chain, risk management, benefits, and legal functions. He brings over twenty-five years of financial experience and has also worked in similar finance, accounting, and project management roles with Pfizer Inc., Medtronic PLC, and Monogram Food Solutions. Henderson graduated from the Freeman School of Business at Tulane University with a major in finance and obtained his MBA from the Owen Graduate School of Management at Vanderbilt University. His community service has included prior mentor or corporate leadership roles with Junior Achievement, United Way, and the National Black MBA. He serves as the Treasurer of The Health, Education and Housing Facility Board of the City of Memphis.



Howard Eddings, Board Member

A life-long Memphian, Howard Eddings, Jr. is married to Delisa Rose Flowers. Together they have 3 children, two sons and one daughter. Growing up in Memphis, TN, a distinguished graduate of the School of Social Work from the University of Memphis, Howard went on to become President /CEO of Memphis Leadership Foundation, Inc. in 1993. As President/CEO, he gave leadership to numerous not-for-profit organizations that have had a tremendous impact on our city, particularly in under-served communities. Currently, Howard is the Chief Executive Officer of RedZone Memphis, Inc, a youth-focused, community-based outreach organization that focuses on the comprehensive needs of men, women, and children who live in the Orange Mound community. While serving as president, in 1991 with a B.A. degree in Social Work, Howard received the Distinguished Graduate Award. In January 1998, he successfully completed the Executive Management Institute at Christian Brothers University. Howard has a strong commitment to the welfare and peace of the city of Memphis.



James Jalenak, Esq., Board Member

Mr. Jalenak became a member of the board in 2017. He is a graduate of East High School, Yale College, and Yale Law School, and has practiced law in Memphis for over 50 years. Mr. Jalenak's law practice primarily specialized in commercial real estate, with corporate and estate planning also included. His civic activities have included serving as President of Memphis Zoological Society, Temple Israel, Memphis Rotary Club, and Memphis Public Education Fund, and serving as an officer and board member of LeMoyné Owen College, Memphis Urban League, Memphis Depot Redevelopment Corporation, and the Southern College of Optometry. He is married to the former Natalie Block of Buffalo, and they have two daughters, Molly (Mrs. Jason) Wexler and Katy (Mrs. Clay) Levit, and four college age grandchildren.



Vincent Sawyer, Board Member

Vincent Sawyer, Esquire, Vincent Sawyer is a Memphis-native public interest attorney licensed in the State of Tennessee and employed by The Works, Inc. For years, Mr. Sawyer has played an integral part in the improvement of our city's most underserved communities and has tirelessly worked to shed light on the inequities found in these struggling neighborhoods. His practice area focuses on anti-blight interventions, neighborhood maintenance and community development efforts. For example, Mr. Sawyer has played a major role in the revitalization of the Klondike community and the living conditions of its residents. Moreover, Mr. Sawyer has been intricately involved in the policies and practices that led to the cleanup of hundreds of vacant and abandoned properties in many struggling communities throughout Memphis. Mr. Sawyer also heads dozens of receiverships in the Shelby County Environmental Court for public nuisance properties previously determined to pose severe health and safety risks to the surrounding community. Said receiverships have led to the improvement of the quality of life of countless residents in dozens of communities throughout Shelby County and has generated hundreds of thousands of dollars in property tax revenue for Shelby County and the City of Memphis. Through participation in the Vacant Property Receivership Consortium, Mr. Sawyer aims to educate and deliver the receivership tool to many underserved communities nationwide that struggle with dangerous vacant and abandoned properties. Mr. Sawyer is also a Co-Chair of the Blight Elimination Steering Team, which is a collaboration focused on blight fighting tools, strategies and initiatives across different departments and agencies and in concert with nonprofit, civic, and business partners.



Butcher Wellford, Esq., Board Member

Mr. Wellford is an attorney and the former Chair of Baker, Donelson, Bearman, Caldwell and Berkowitz's Advocacy Department. Mr. Wellford earned his Bachelor's degree from Vanderbilt University in 1978 and a law degree from the Washington and Lee School of Law in 1981. He represents hospitals, physicians, and medical groups in health care litigation, regulatory, peer review, contract and employment matters. He is a former Shelby County Commissioner, elected to two terms on the Commission from 1994 through 2002. Mr. Wellford's community involvement includes: Board member for Meritan, Inc., where he served two terms as Chairman of the Board, Board member of the Memphis Bar Association, Board member of the Goodwill Boys Club, and former Memphis Literacy Council "Each One Teach One" tutor. He presently serves on the Advisory Board to the Health and Public Policy Institute for the University of Memphis School of Law, as a member of the Tennessee Bar Association's Legislative Review Committee and is a member of the Tennessee Bar Foundation.

SNAPSHOT OF THE PILOT PROGRAM

- There are currently **114** total active PILOT properties
- There are currently **22,223** total residential rental units
- There are currently **94** Active PILOTS with 299 or less residential rental units
- There are currently **14** Active PILOTS with 499 or less residential rental units
- There are currently **6** Active PILOTS with 500 or more residential rental units
- **34** % of the PILOT Properties are owned and operated by local or in-state developers
- **66** % of the PILOT Properties are owned and operated by out-of-state developers
- The HEHFB currently has **8** active members serving on the Board of Directors with backgrounds in various professions, including banking, real estate, law, housing development, and healthcare.

PURPOSE AND MISSION OF THE PILOT PROGRAM

The primary purpose and function of the PILOT program is to foster and perpetuate the development of quality and sustainable affordable multifamily housing in addition to, enriching the quality of life and daily environment for low to moderate-income families and individuals through prioritizing their safety, health and wellness, and overall enjoyment for low to moderate-income families and individuals residing in the City of Memphis.

BENEFITS TO THE TENANTS

Tenant Benefits are a central component of the PILOT program and shall be maintained at a quality level by the Lessee for the full term of the PILOT, all of which are intended to achieve the specific purposes of the PILOT program and are in furtherance of the Lessor's intended statutory and public purpose. The Tenant Benefits should be tailored to the property's applicable demographics and resident base and may include but not be limited to: **(i) providing quality amenities through offering new energy efficient tenant amenities coupled with additional property enhancements and renovations; and (ii) providing various social services and special services through offering diverse activities related to fostering experiential learning, job and employment training and related enrichment opportunities** provided directly through the Lessee and the on-sight property management company, as well as, through working cooperatively in conjunction with established nonprofit/community agencies and/or neighborhood network centers for the benefit of the tenants.

BENEFITS TO THE DEVELOPERS

Payments-in-lieu of ad valorem taxes for the property shall be based on the assessed value for the current tax year as determined by the Shelby County Assessor at the time that the PILOT is applied. For each year during the term of the PILOT, the Lessee shall timely make annual PILOT Payments, in lieu of paying the City of Memphis and the Shelby County ad valorem property taxes that otherwise would be due and payable with regard to the PILOT property if it were owned by a tax paying entity and subject to such taxation.

Any monetary savings that the PILOT lessee retains while participating in the HEHFB's PILOT program shall not be retained as a windfall to the Lessee, but such savings shall be utilized to implement certain qualified Tenant Benefits for the tenants of the property through providing availability of access to a variety of approved tangible benefits that the tenants would not otherwise have availability or access to thereby creating a higher-quality daily living environment.

FOCUS AND RESPONSIBILITIES OF THE HEHFB

Tenants Benefits

- Affordability
- Access to Programs and Services
- Connectivity and Inclusion
- Safety and Security

Compliance and Monitoring

- External Monitor – shall conduct an annual onsite lease file review, semi-annual walk-through property inspections, and additional drive-through inspections, as requested on an as-needed basis, for each PILOT property and will schedule this inspection with on-sight property management and has the right to request entry to an unoccupied, rent-ready unit or model unit as part of the walk-through property inspection.
- Internal Monitors – shall perform unannounced drive-through inspections and scheduled walk-through site visits for the purpose of assessing the exterior conditions of the PILOT property, and to confirm the satisfactory level of the applicable Tenant Benefits.

RESPONSIBILITIES OF THE COMPLIANCE MONITORS

The Property Inspection that the External and Internal Compliance Monitors perform typically includes any observable violations of the exterior conditions of the residential rental facilities and other buildings situated on the PILOT property, including but not limited to the following:

- (1) **Development Characteristics** (Exterior building conditions, including siding, paint, roofs, windows, fascia, soffit)
- (2) **Property Conditions** (Exterior Property Conditions, including trash, landscaping, parking surfaces)
- (3) **Safety and Security**
 - (a) Accessibility (Perimeter Fencing, entry/exit gates, property access);
 - (b) Building Security (Security and Access to Structures); and
 - (c) Security System/Monitoring (Cameras, on-site security officers)
- (4) **Tenant Benefits** (confirm PILOT Lessee committed/stated tenant benefits are present)
- (5) **Administrative Compliance**
 - (a) Occupancy level and quarterly reporting (minimum 75% occupancy requirement)
 - (b) Incident reporting
 - (c) Timely PILOT payments to taxing authorities
 - (d) Timely payment of annual compliance billing

EVENTS OF DEFAULT

If the lessee commits an act that, if not timely redressed, will subsequently constitute as an Event of Default then the lessee will receive a written deficiency notice from the HEHFB, including a list of deficiencies in connection therewith (the “**Notice of Noncompliance**”). Under a Notice of Noncompliance, the Lessee will be allowed thirty (30) days from the date of the Notice of Noncompliance, to cure the listed all deficiencies. If the thirty (30) day allotted period ends without cure, then the matter will be deemed in material default and create an Event of Default and a Legal Notice of Default will be issued to the lessee. The following are examples of breaches or acts that will trigger an Event of Default if not timely cured:

- Failure to Maintain Tenant Benefits
- Uninhabitable Property Conditions
- Unauthorized Sale or Transfer of Property
- Occupancy Level and Vacancy
- Bankruptcy and Related Litigious Proceedings
- Non-payment of PILOT Payments and other Required Payments

TERMINATION OF PILOT

- PILOT termination is the absolute final remedy that the Board can explore when a property fails to cure an Event of Default after a reasonable period of time. The Board rarely chooses the route of termination because of the negative impact this action will have on the tenants residing at the PILOT property. Essentially doubling, at a minimum, a property's annual tax liability would have a detrimental impact to the overall liabilities and financial priorities of the property.
- In connection with a PILOT termination process there are various acts, omissions or occurrences that, if not timely redressed, will constitute an Event of Default of the Lessee. If an act, omission, or occurrence is deemed Event of Default And if all deficiencies are not cured within the allotted cure period, an acceptable cure plan has not been accepted and approved by the Board of Directors, and reasonable efforts are no longer being made to redress the deficiencies, then the Lessee will forfeit the ad valorem tax abatement benefit generated by the PILOT and the PILOT will be subject to immediate termination by the Board of Directors after following the appropriate due process procedures pursuant to the applicable PILOT documentation.
- If termination is elected by the Board, then the Board's General Counsel will draft the applicable legal documentation that will be executed and delivered to the Lessee, the City of Memphis and Shelby County taxing authorities to immediately terminate the applicable PILOT and promptly transfer title to the project back to the Lessee through quit claim deed, whereby the project shall immediately be subject to regular ad valorem City of Memphis and Shelby County taxation, will be immediately restored to the City of Memphis and Shelby County tax rolls at its full current assessed value, and any past due tax payments, interest and penalties associated therewith shall become immediately due and payable to the City of Memphis and Shelby County taxing authorities. This decision by the Board of Directors will be final and non-appealable.

MEMPHIS TOWERS UPDATE

- TRG Memphis Replacement GP LLC (the “**Limited Partner**”) has exercised its power pursuant to the Partnership Agreement and has removed and replaced Millenia Housing as the property owner and operator as of March 4, 2023.
- The construction and remediation of certain health and safety issues are currently underway.
- On February 29, 2024, the Limited Partner engaged a uniformed security company to provide 24-hour security pertaining to coverage of the building entrance and to monitor the building security cameras.
- ADT Security has been engaged to increase the number of security cameras on the property so that the parking lots and all entrances will be covered and monitored.
- Cooks Pest Control has been engaged and scheduled to remedy the bed bug issues and this remedial treatment will be regular service the Limited Partner will provide going forward.
- Most, if not all of the residential rental units have been completed. The Limited Partner will soon turn its attention to completing the construction of all common areas in all three towers.
- The third tower is substantially complete. The Limited Partner needs to acquire the Certificate of Occupancy in order to open it.
- The property remains in legal default and the Limited Partner will appear at the April 3rd Board meeting and give a presentation regarding the timeline to completion of construction and next steps regarding the legal process.

HEHFB PRIORITIES FOR 2024

Enhancement of Tenants Benefits

- Affordability
- Access to Programs and Services
- Connectivity and Inclusion

Enhancement of Safety and Security Measures and Protocols

- Continuing discussions with Safeways
- Commencing discussions with Memphis Police Department

Enhancement of Compliance and Monitoring

- Increased interfacing and communication with the on-sight management and PILOT lessees
- Training for all PILOT lessees and management groups (Annual PILOT Lessee Meeting)

Comprehensive Oversight with other Local Partners

- Increase communications with the Memphis City Council; identify City Council Liaison
- Increase communications with the Shelby County Environmental Court and Code Enforcement

February 5, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

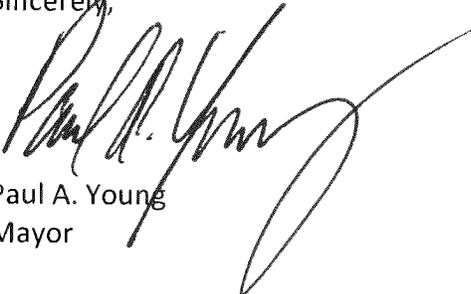
Subject to Council approval, I hereby recommend that:

Daniel T. Reid

be reappointed to the Memphis Health Education Housing Facility Board as a member with a term expiration date of December 31, 2029.

I have attached biographical information.

Sincerely,



Paul A. Young
Mayor

PAY/sss

Enclosure

cc: Council Members

HEALTH, EDUCATION & HOUSING FACILITY BOARD
9 Member Board
6 Year Term

Purpose:

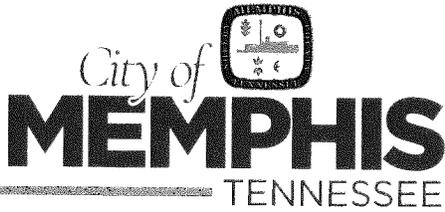
The Health, Education and Housing Facility Board is a public nonprofit corporation issues tax exempt revenue bonds for the development or rehabilitation of multi-family housing facilities to be occupied, according to the state statute, by persons of low and/or moderated income, and/or elderly and/or handicapped persons.

		Term ends:
Monice Hagler	F/B	12-31-25
Howard Eddings	M/B	12-31-25
Cliff Henderson	M/B	12-31-28
Vincent S. Sawyer	M/B	12-31-28
James Jalenak	M/W	12-31-22
Daniel T. Reid	M/W	12-31-23
Katie Shotts	F/W	12-31-28
Buckner Wellford	M/W	12-31-23
Vacancy	F/W	12-31-23

Health, Education and Housing Facility Board Attendance
From January 2022 to January 2024 Total No. of Meetings - 25

Member	Present	Absent
Daniel T. Reid	23	2
Buck Wellford	16	9

Updated 020424



PAUL A. YOUNG
MAYOR

February 5, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

Buckner Wellford

be reappointed to the Memphis Health Education Housing Facility Board as a member with a term expiration date of December 31, 2029.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink that reads "Paul A. Young". The signature is written in a cursive style with a large, sweeping flourish at the end.

Paul A. Young
Mayor

PAY/sss

Enclosure

cc: Council Members

HEALTH, EDUCATION & HOUSING FACILITY BOARD
9 Member Board
6 Year Term

Purpose:

The Health, Education and Housing Facility Board is a public nonprofit corporation issues tax exempt revenue bonds for the development or rehabilitation of multi-family housing facilities to be occupied, according to the state statute, by persons of low and/or moderated income, and/or elderly and/or handicapped persons.

		Term ends:
Monice Hagler	F/B	12-31-25
Howard Eddings	M/B	12-31-25
Cliff Henderson	M/B	12-31-28
Vincent S. Sawyer	M/B	12-31-28
James Jalenak	M/W	12-31-22
Daniel T. Reid	M/W	12-31-23
Katie Shotts	F/W	12-31-28
Buckner Wellford	M/W	12-31-23
Vacancy	F/W	12-31-23

Health, Education and Housing Facility Board Attendance
From January 2022 to January 2024 Total No. of Meetings - 25

Member	Present	Absent
Daniel T. Reid	23	2
Buck Wellford	16	9

Updated 020424

March 12, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

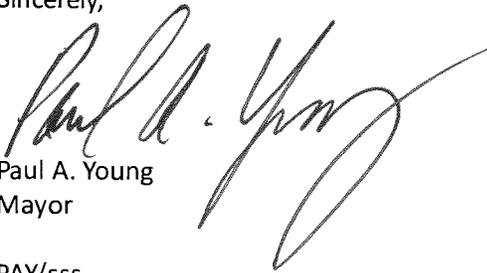
Subject to Council approval, I hereby recommend that:

Robert H. Rogers

be jointly appointed to the Memphis & Shelby County Air Pollution Control Board with a term expiration date of August 29, 2024.

I have attached biographical information.

Sincerely,


Paul A. Young
Mayor

PAY/sss

Enclosure
cc: Council Members

MEMPHIS & SHELBY COUNTY AIR POLLUTION CONTROL BOARD
9 Member Board
(8) Jointly Appointed by City of Memphis & Shelby County Mayors
(1) Appointed by the Executive Committee of the Memphis Area
Association of Governments
4 Year Term

Purpose:
 To grant, deny, or revoke variance applications.

Term ends:

Boyd, Doris F.	F/B	08-14-21
Vacancy	M/W	10-24-21
Lin, Louie	M/A	08-29-21
Gideon Sarpong	M/A	08-29-24
Vacancy	M/W	10-24-22
Womack, Randall	M/W	10-24-22
Douglas Dugard	M/W	08-29-17
David LaVelle, MD	M/W	08-29-24
Vacancy	M/W	MAAG appointee No Expiration



Paul A. Young
MEMPHIS MAYOR

March 12, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

Steve Sheridan

be jointly appointed to the Memphis & Shelby County Air Pollution Control Board with a term expiration date of February 26, 2028.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink that reads "Paul A. Young".

Paul A. Young
Mayor

PAY/sss

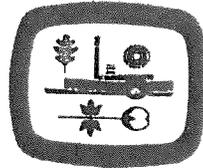
Enclosure
cc: Council Members

MEMPHIS & SHELBY COUNTY AIR POLLUTION CONTROL BOARD
9 Member Board
(8) Jointly Appointed by City of Memphis & Shelby County Mayors
(1) Appointed by the Executive Committee of the Memphis Area
Association of Governments
4 Year Term

Purpose:
To grant, deny, or revoke variance applications.

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Vacancy	M/W	10-24-22
Womack, Randall	M/W	10-24-22
Douglas Dugard	M/W	08-29-17
David LaVelle, MD	M/W	08-29-24
Vacancy .	M/W	MAAG appointee No Expiration



Memphis City Council Summary Sheet

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

An Ordinance to amend City of Memphis, Code of Ordinances, Chapter 33, Article II, Division IV, to codify the existing 2017 Sewer Policy.

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 is an amendment to an existing ordinance, Chapter 33.

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

This amendment will impact all council districts

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

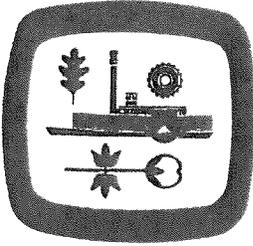
Not Applicable

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

This does not require a budget amendment.

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

Not Applicable



ORDINANCE No. _____

AN ORDINANCE TO AMEND CITY OF MEMPHIS, CODE OF ORDINANCES, CHAPTER 33, ARTICLE II, DIVISION IV, TO CODIFY THE EXISTING 2017 SEWER POLICY THAT PRECLUDES THE EXTENSION OF SANITARY SEWER INFRASTRUCTURE AND ACCEPTANCE OF ADDITIONAL FLOW TO THE MEMPHIS SEWER SYSTEM FROM RESIDENTIAL, COMMERCIAL AND INDUSTRIAL DEVELOPMENTS IN UNINCORPORATED SHELBY COUNTY.

WHEREAS, the City of Memphis currently owns, operates and maintains a wastewater collection and transmission system ("WCTS") made up of approximately 2,800 miles of sanitary sewers within the corporate limits of Memphis and an additional 400 miles located in unincorporated Shelby County in the areas designated as the "Memphis Reserve" annexation areas; and

WHEREAS, the City also owns and operates two wastewater treatment plants, T.E. Maxson Wastewater Treatment Facility and M.C. Stiles Wastewater Treatment Facility, both of which are used to treat the wastewater transported by the City's WCTS from residences, businesses and industries in an effort to protect public health and the environment; and

WHEREAS, in accordance with Tenn. Code Ann. § 7-51-401, the City may authorize the extension of its sewer services beyond its municipal boundaries, but it is not required to extend its sewer services in such manner; and

WHEREAS, consistent with state law, Chapter 33, Section 33-64 of the City's Sewer Use Ordinance, currently authorizes the City of Memphis, through its Division of Public Works, to extend its sanitary sewer system, subject to its comprehensive growth plan and applicable sewer policies; and

WHEREAS, in an effort to better manage, monitor and provide sewer services throughout its current and future growth boundaries, the City of Memphis, as of August 18, 2017, adopted a sewer policy precluding the extension of sanitary sewer infrastructure and acceptance of additional flow to its sewer system from residential, commercial and industrial developments in unincorporated Shelby County; and

WHEREAS, the 2017 sewer policy does not apply to developments located in unincorporated Shelby County to which sewer must be extended or connected pursuant to an existing legal obligation between the City and developer or land owner; and

WHEREAS, the City desires to formally incorporate the terms of the 2017 sewer policy into its Sewer Use Ordinance.

NOW THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 33, Section 33-64 (a) of the City of Memphis, Code of Ordinances is hereby amended to read as follows with corresponding changes to be made to Section 13-16-4(a) included in Municode:

- (a) The City may permit the orderly extension of its sanitary sewer system to provide gravity sewer service of adequate capacity to unsewered properties and to properties not served by sewers of adequate capacity following the comprehensive plan and policies of the City for gravity sewer system expansion, except as otherwise stated below:
 - (1) The extension of sanitary sewer services and new connections to the City's sanitary sewer system from residential, commercial and industrial developments located in unincorporated Shelby County shall not be permitted except as legally required based on an existing contractual obligation of the City or equitable considerations determined in the City's sole discretion. The burden of proof shall be upon the developer or owner of the property to support the City's approval of such extension or new connection.

SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this Ordinance Amendment 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 the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

APPROVED: _____
Martavius Jones, Chairman of Council

Date Signed: _____

ATTEST: _____

APPROVED: _____
Jim Strickland, City of Memphis Mayor

Date Signed: _____

City Council Resolution



A Resolution requesting the City of Memphis to transfer its ownership rights and interest to a parcel located at 956 Kerr Avenue Memphis, TN 38106 to the Blight Authority Memphis /Memphis Metropolitan Land Bank Authority

Whereas the City of Memphis is the owner of Parcel ID # 014037 00022;

Whereas the Blight Authority Memphis / Memphis Metropolitan Land Bank Authority has submitted an offer of One Thousand and One Hundred Dollars (\$1,100.00) along with a One Hundred and Ten Dollars (\$110.00) Earnest Money deposit to the City of Memphis Real Estate Office;

Whereas the Blight Authority Memphis / Memphis Metropolitan Land Bank Authority works with communities to address blight and provide affordable housing through the building of single-family homes;

Whereas the Blight Authority Memphis / Memphis Metropolitan Land Bank Authority endeavors to redevelop this parcel for the betterment of the communities in Council District 6 and would like to acquire all interest in the aforementioned City owned parcel;

Whereas the Blight Authority Memphis /Memphis Metropolitan Land Bank Authority has requested that the City of Memphis transfer its interest in Parcel ID # 014037 00022; and

Whereas it is deemed to be in the best interest of the Citizens of the City of Memphis and County of Shelby that said exchange be accepted subject to City Ordinance 2-16(F).

Now, therefore, be it resolved, by the Council of the City of Memphis that the request made by the Blight Authority Memphis / Memphis Metropolitan Land Bank Authority for the above described property be hereby accepted subject to the City Ordinance 2-16(F) which states in part, " Property acquired by the city for redevelopment purposes may be conveyed upon such terms and conditions as it deems proper and without regard to the conveyance procedure outlined in subsection A of this section, upon passage of a resolution authorizing such sale or conveyance by the City Council upon first reading, which reading shall be final."

Be it further resolved, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance. **Be it further resolved**, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.



Memphis City Council Summary Sheet

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

A Resolution requesting the City of Memphis to transfer its ownership rights and interest to a parcel located at 956 Kerr Avenue Memphis, TN 38106 to the Blight Authority Memphis /Memphis Metropolitan Land Bank Authority

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

General Services

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.

Council District 4 and Super district 8

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

New Contract

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

This does not require expenditure of funds nor a budget amendment.

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

N/A



Memphis City Council Summary Sheet

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

This resolution amends the Fiscal Year 2024 Capital Improvement Budget by transferring and appropriating funds for Traffic Signal Improvements to the Intersection of Union at Cooper.

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

This project is being initiated by the Division of Engineering.

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

This project does not involve a change to an existing ordinance or resolution.

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

This project will be located in Council District 5 and Super District 9

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

This Traffic Signal project will not require a new contract. An existing On-Call contract is available.

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

Expenditure of funding will be required.

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

The MWBE Goal for this project is set at 0% due to a lack of MWBE vendors certified to perform this type of work.



A Resolution appropriating Construction Funds for EN01117 – Traffic Signal Improvements to the intersection of Union at Cooper

WHEREAS, the Council of the City of Memphis did include Traffic Signals, Project Number EN24100 as part of the Engineering Fiscal Year 2024 Capital Improvement Budget; and

WHEREAS, bids were taken on April 20, 2022, for On-Call Traffic Signal Maintenance and Construction at Various Locations (3-year term), with the lowest complying bid being submitted by submitted by McCrory Electric; and

WHEREAS, it is necessary to transfer an allocation of \$660,000.00 funded by G.O. Bonds – from Traffic Signals, Project Number EN24100 to Traffic Signal Improvements to the Intersection of Union at Cooper, Project Number EN01117; and

WHEREAS, it is necessary to appropriate \$660,000.00 funded by G.O. Bonds in Traffic Signal Improvements to the Intersection of Union at Cooper, Project Number EN01117 as follows:

Contract Amount	\$630,093.87
Project Contingencies	<u>\$29,906.13</u>
Total Amount	\$660,000.00

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 by transferring an allocation of \$660,000.00 funded by G.O. Bonds from Traffic Signals, Project Number EN24100 to Traffic Signal Improvements to the Intersection of Union at Cooper, Project Number EN01117.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$660,000.00 funded by G.O. Bonds and chargeable to the Fiscal Year 2024 Capital Improvement Budget and credited as follows:

Project Title	Traffic Signal Improvements to the Intersection of Union at Cooper
Project Number	EN01117
Total Amount	\$660,000.00



Memphis City Council Summary Sheet

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

Resolution to transfer appropriate funds within the Personnel category for Mid-Year clean-up. Line item # 051402 / Salaries-Part-Time/Temporary and line item # 051902 / Bonus Pay

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.

The funding is available in the FY2024 Solid Waste Budget. The funds must be reallocated.

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

No, this does not require a new contract, nor does this require an amendment to an existing contract.

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

Approval will require amendment to reallocate personnel funds in the FY2024 Operating Budget.

Same night meeting minutes requested.



This is a Resolution to transfer appropriate funds within the Personnel category for Mid-Year clean-up. Line item # 051402 / Salaries-Part-Time/Temporary and line item # 051902 / Bonus Pay

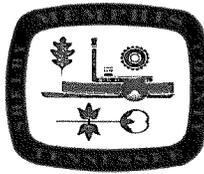
WHEREAS, the Division of Solid Waste is committed to the improving the quality of life for all citizens of the City of Memphis. Placement of Part-Time/Temporary employees allows collection of waste in Areas A, B, C, and D where there is a need for short-term assignments and necessity; and

WHEREAS, the Division of Solid Waste responded to numerous areas in the City of Memphis due to extreme winter weather. Teams completed assignments not consistent with the daily operations of Solid Waste Collections, Disposal and Recycling. Said actions were compensated with Bonus Pay.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that the Fiscal Year 2024 Budget be and is hereby amended by reallocating the Personnel Category funding in the amount of \$1,444,448.54 in lines items # 051402 and # 051902.

BE IT FURTHER RESOLVED, that the Fiscal Year 2024 Operating Budget be and is hereby amended by reallocating funding in the amount of \$1,444,448.54 as follows:

Salaries-Part-Time/ Temporary	\$ 1,374,105.54
Bonus Pay	\$ 70,343.00
Total Amount	<hr/> \$ 1,444,448.54



Memphis City Council Summary Sheet

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

This is a resolution to transfer and appropriate construction funds to Sewer Emergency Bypass Pump 24, Project Number SW24203 for emergency sewer bypass pumping.

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 emergency sewer bypass at various locations throughout the City.

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

The request will not require a new construction 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 MWBE goal is 6%. The MWBE goal will be met by W&T Contracting.

RESOLUTION

This is a resolution to transfer and appropriate funds in the amount of \$5,400,000 from various approved Sewer Capital Improvement Projects to Sewer Emergency Bypass Pump 24, Project Number SW24203 for emergency sewer bypass pumping.

WHEREAS, the Council of the City of Memphis approved FY'24 Misc Subdivision Outfalls Coverline, project number SW24100; FY'24 Rehab Existing Coverline, Project Number SW24200; and FY'24 Service Unsewered Coverline, Project Number SW24300 as part of the Public Works Fiscal Year 2024 Capital Improvement Budget; and

WHEREAS, a bid was received on September 22, 2020, for emergency bypass pumping with the complying bid submitted by Xylem Dewatering Solutions, Inc.; and

WHEREAS, it is necessary to transfer Architecture and Engineering Appropriations funded by Capital Pay Go-Sewer; amounts of \$200,000 in FY'24 Misc Subdivision Outfalls Coverline, Project Number SW24100; \$500,000 in FY'24 Rehab Existing Coverline, Project Number SW24200; and \$250,000 in FY'24 Service Unsewered Coverline, Project Number SW24300 to Sewer Emergency Bypass Pump 24, Project Number SW24203, Construction, for emergency sewer bypass pumping; and

WHEREAS, it is necessary to transfer Land Acquisition Appropriations funded by Capital Pay Go-Sewer; amounts of \$200,000 in FY'24 Misc Subdivision Outfalls Coverline, Project Number SW24100; \$500,000 in FY'24 Rehab Existing Coverline, Project Number SW24200; and \$150,000 in FY'24 Service Unsewered Coverline, Project Number SW24300 to Sewer Emergency Bypass Pump 24, Project Number SW24203, Construction, for emergency sewer bypass pumping; and

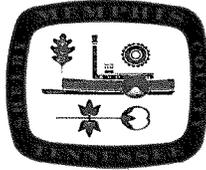
WHEREAS, it is necessary to transfer a Land Development Appropriation of \$100,000 funded by Capital Pay Go-Sewer in FY'24 Misc Subdivision Outfalls Coverline, project number SW24100, to Sewer Emergency Bypass Pump 24, project number SW24203, Construction, for emergency sewer bypass pumping; and

WHEREAS, it is necessary to transfer Contract Construction Allocations funded by Capital Pay Go-Sewer; amounts of \$2,000,000 in FY'24 Misc Subdivision Outfalls Coverline, Project Number SW24100 and \$1,500,000 in FY'24 Service Unsewered Coverline, Project Number SW24300 to Sewer Emergency Bypass Pump 24, Project Number SW24203, for emergency sewer bypass pumping; and

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 by transferring Architecture and Engineering Appropriations, *total of \$950,000*; Land Acquisition Appropriations, *total of \$850,000*; Land Development Appropriation of \$100,000 and Contract Construction Allocations, *total of \$3,500,000*, from various Sewer Capital Improvement Projects (*total transfers of \$5,400,000*) as listed above to Sewer Emergency Bypass Pump 24, Project Number SW24203, for emergency sewer bypass pumping.

BE IT FURTHER RESOLVED that there be and is hereby appropriated the sum of \$5,400,000.00 funded by Capital Pay Go-Sewer chargeable to the FY2024 Capital Improvement Budget and credited as follows:

Project Title	Sewer Emergency Bypass Pump 24
Project Number	SW24203
Total Amount	\$5,400,000.00



Memphis City Council Summary Sheet

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

This is a resolution to transfer and appropriate construction funds to Sewer Emergency Repairs, Project Number SW23202 for emergency sewer line repairs.

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 emergency repairs at various locations throughout the City.

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

The request will not require a new construction 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 22% and the WBE goal is 3%. The MBE goal will be met by DC Construction Services LLC. The WBE goal will be met by All Rite Plumbing.

RESOLUTION

This is a resolution to transfer and appropriate funds in the amount of \$6,287,285 to Sewer Emergency Repairs, Project Number SW23202 for emergency sewer line repairs.

WHEREAS, the Council of the City of Memphis approved Rehab Exist System Coverline, Project Number SW24200, as part of the Public Works Fiscal Year 2024 Capital Improvement Budget; and

WHEREAS, a bid was received on June 1, 2022, for emergency sewer repair services with the complying bid submitted by Acuff Enterprises, Inc., DBA Scott Contractors; and

WHEREAS, it is necessary to transfer an Architecture and Engineering appropriation of \$1,500,000 funded by Capital Pay Go-Sewer in Rehab Exist System Coverline, Project Number SW24200, to Sewer Emergency Repairs, Project Number SW23202, Construction, for emergency sewer repair services; and

WHEREAS, it is necessary to transfer and appropriate a construction allocation of \$4,787,285 funded by Capital Pay Go-Sewer in Rehab Exist System Coverline, Project Number SW24200, to Sewer Emergency Repairs, Project Number SW23202, Construction, for emergency sewer repair services; and

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 by transferring an Architecture and Engineering Appropriation of \$1,500,000 and a Contract Construction Allocation of \$4,787,285 (*total transfers \$6,287,285*) funded by Capital Pay Go-Sewer in Rehab Exist System Coverline, Project Number SW24200 to Sewer Emergency Repairs, Project Number SW23202 for emergency sewer line repairs.

BE IT FURTHER RESOLVED that there be and is hereby appropriated the sum of \$6,287,285.00 funded by Capital Pay Go-Sewer chargeable to the FY2024 Capital Improvement Budget and credited as follows:

Project Title	Sewer Emergency Repairs
Project Number	SW23202
Total Amount	\$6,287,285.00

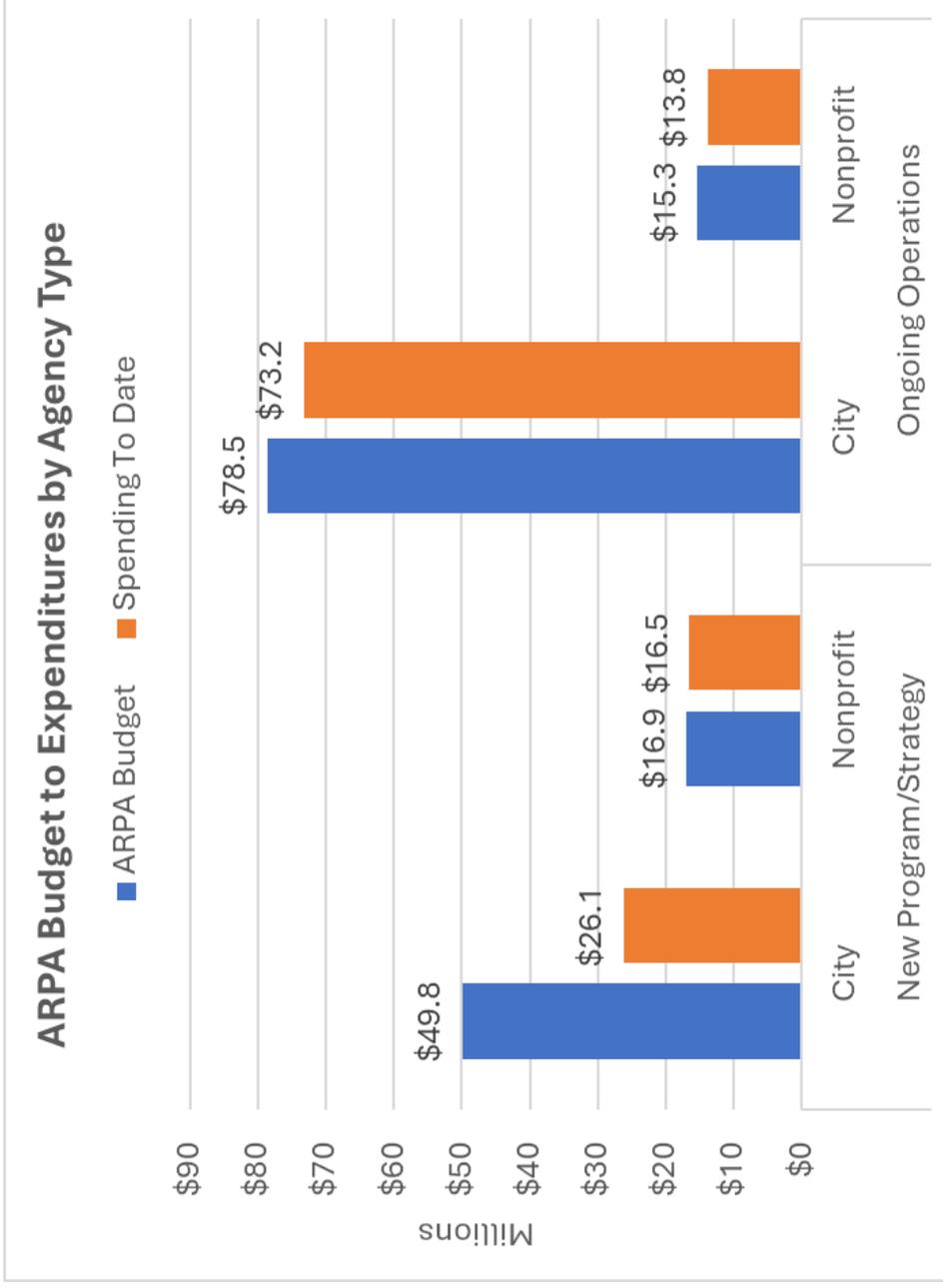


City of Memphis ARPA Outcomes Update

APRIL 2024

As of January 2024, the City of Memphis has spent \$130M of the \$161M ARPA budget

- 80% is allocated to City services and 20% to nonprofit/external agency services
- 59% is allocated to supporting ongoing operations and 41% is allocated to new or enhanced programs to respond to the pandemic



New City ARPA programs have focused on:

- Digital Access
- Housing & Community Development
- Health & Public Safety
- Workforce Development

City Services: Digital Access



Memphis Public Libraries expanded technology access and mobile Connect Crew services with:

- ✓ **750** new computers
- ✓ **18** sites with free Wi-Fi
- ✓ **3,400** online programs ranging from basic computer skills to resume building to ESL to youth STEM education
- ✓ **200** Connect Crew community partners

In FY23, people used library computers **222,500** times, and **6,136** people received Connect Crew services

City Services: Housing & Community Development

The HCD Division received and allocated **\$8.5M** in ARPA funding to partners for new housing, home repairs and other types of assistance.

✓ **49** new housing units
224 home repair projects*

Partner/Program	New Housing Output
Habitat for Humanity	8 units (3 complete, 5 in progress)
United Housing	11 units (11 in progress)
The Works, Inc.	30 units (30 in progress)

Partner/Program	Home Repair Output
CRA	40 projects (40 complete)
Habitat for Humanity	127 projects (54 complete, 73 in progress)
Affordable Housing Trust	8 projects (8 in progress)
MLGW Share the Pennies	45 projects (45 complete)
The Works, Inc.	4 projects (4 in progress)

Partner/Program	Resident Assistance
Memphis Housing Authority	202 relocations from Peppertree
United Housing	Mortgage/rental assistance

* The number of repair projects will increase with upcoming reallocations

City Services: Health & Public Safety

The EMS Healthcare Navigator program is designed to serve and redirect 911 callers with non-emergency medical needs.

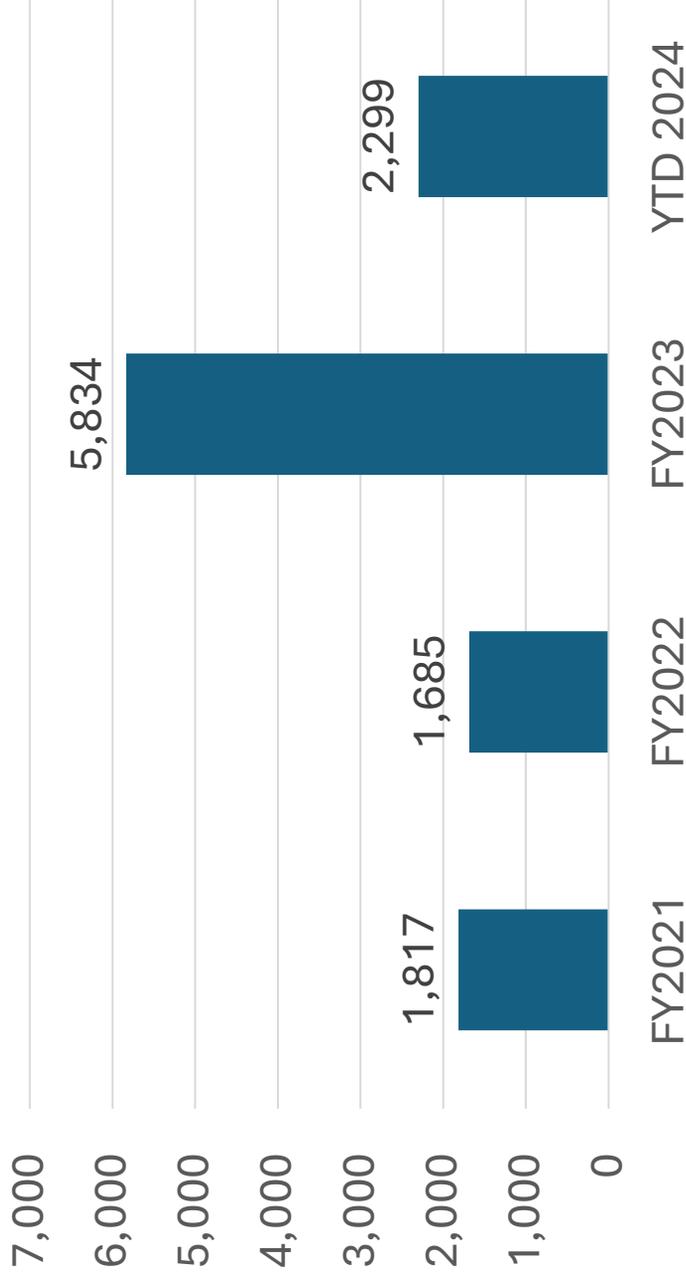
- ✓ **21% of 130,000** 911 calls were addressed through Healthcare Navigator (HCN)
- ✓ **78% of 7,000** HCN patient encounters received care without needing ambulance rides to the ER
- ✓ **85% of 1,000** behavioral health incidents were redirected away from hospitals and jails



City Services: Health & Public Safety

MPD invested in hiring expos, signing bonuses and marketing to strengthen recruitment for new officers. The **number of MPD applications tripled** in FY23 compared to FY21-FY22, and FY24 has already surpassed FY21-FY22.

Number of MPD Class Applications

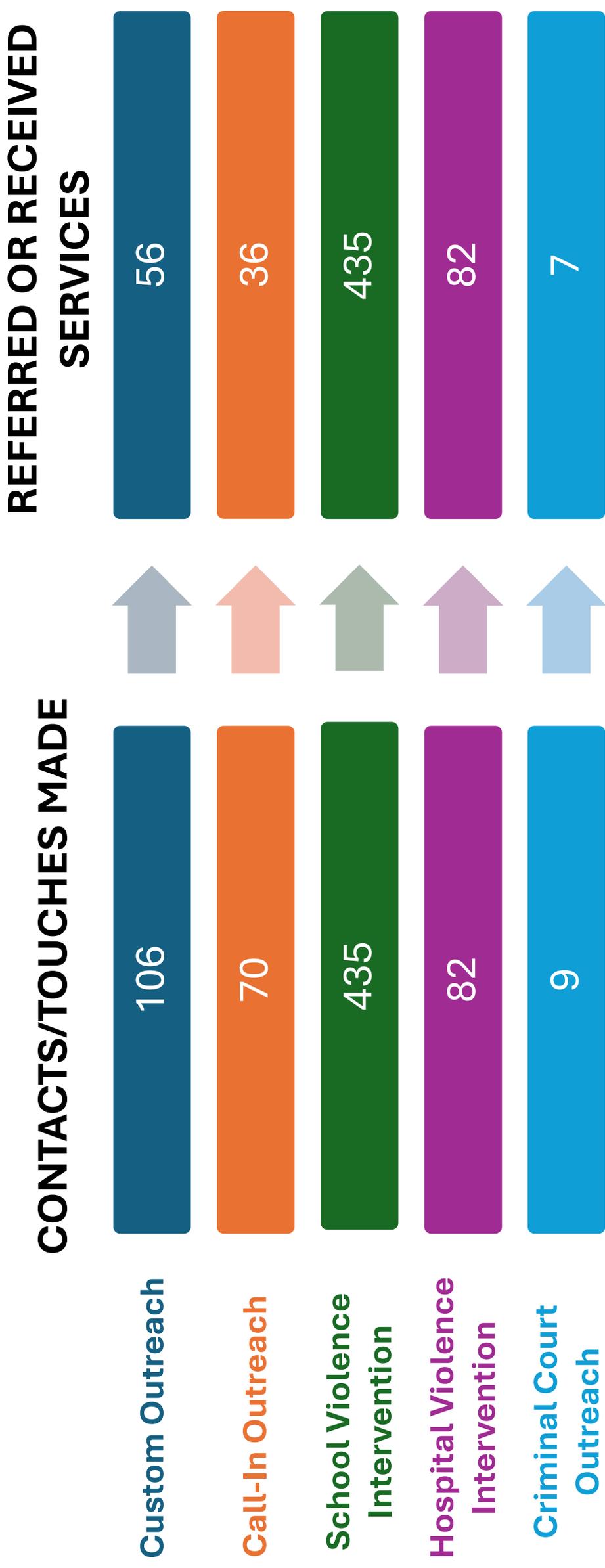


✓ **364** officers have been hired since FY23

✓ **53** Police Service Technicians have been hired since FY23

City Services: Health & Public Safety

In FY23, the Group Violence Intervention Program (GVIP) had over **700** individual contacts and **582** referrals for support, including:

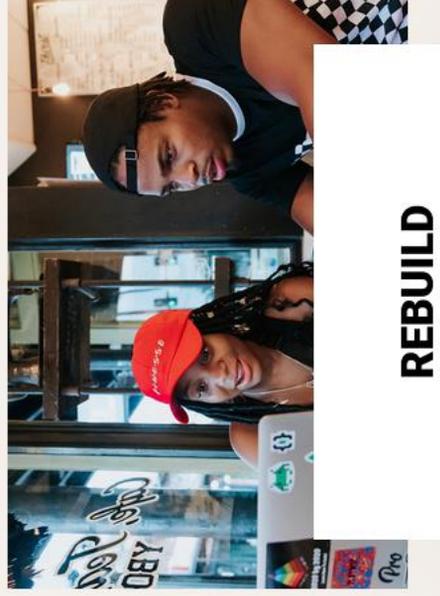


City Services: Workforce Development

- Manhood University & WOWS help formerly incarcerated men and women re-enter the workforce with career and financial literacy training and other types of support. In FY24, **141** participants have case workers, **72** driver's licenses have been reinstated, and **1,298** records have been expunged.
- Opportunity R3 provides youth ages 16-24 with training courses, job shadowing and check-ins to re-enter school or the workforce. **211** participants have had an **86% success rate** gaining employment or enrolling in an education institution or other support program.



RETHINK



REBUILD



REBRAND

City Services Receiving ARPA Operating Support:

- Accelerate Memphis Construction
- Animal Services
- Community Policing Initiatives
- Community Services
- Employee Compensation
- General Operations
- MPD Training & Technology
- MPLOY Youth Programs
- Solid Waste Training & Technology



Nonprofit ARPA programs have focused on:

- Youth Support
- Health & Wellbeing
- Workforce Development
- Maintaining and Improving Community Assets

Nonprofit Youth Support by the Numbers

- ✓ **11,370** total youth served with over **22,000** touchpoints
- ✓ **240** hours of hands-on career coaching and workforce experience per participant (City Leadership)
- ✓ **2,058** youth getting hands-on agriculture experience (Girls Inc.)



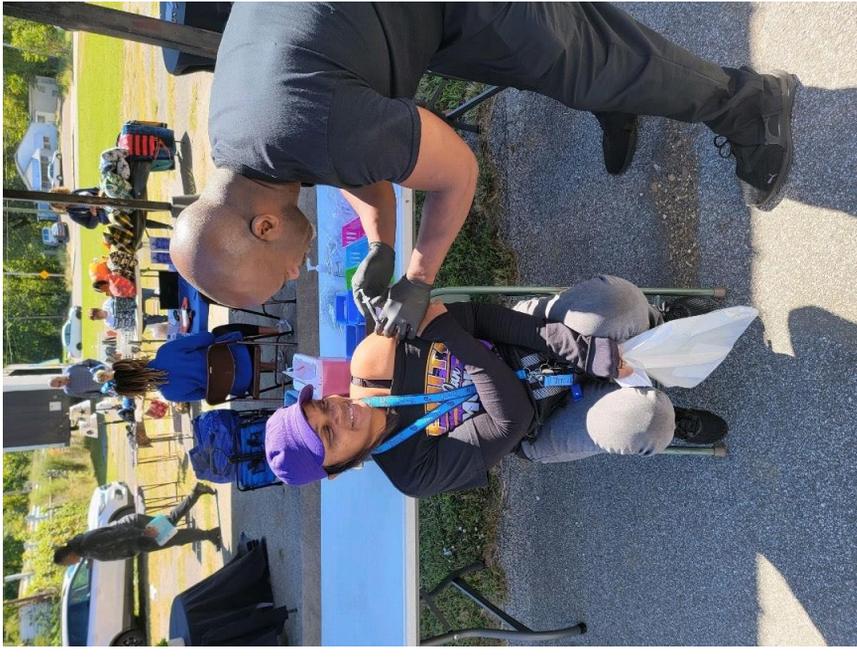
- ✓ **120** workplace tours and **125** college tours (Boys & Girls Club)
- ✓ **298** youth received intensive wraparound support (Communities in Schools)
- ✓ **78%** of Equity2Prosperity participants showed advanced development by the end of the pilot compared to 12% at the beginning (Jessran)

Nonprofit Youth Support Programs

Organization	Services Provided	Population Served
Boys & Girls Club	Improving student college readiness with career exploration activities, resume workshops and college tours	HS Students
City Leadership	NexGen: 8-week summer program with workforce learning through observation, coaching, and hands-on experience MemphisTenn: 1-week program for participants to visit businesses and learn about career tracks	NexGen: HS Graduates MemphisTenn: Rising HS Juniors & Seniors
Communities in Schools	Student Support Specialists provided academic support, college and career readiness, mentoring and counseling, attendance tracking and support, family engagement activities, and connection to supportive services	Students in Grades 7-12
Girls, Inc.	Built a Youth Farm with afterschool, weekend and summer agriculture programming and teen Youth Farm Crew internships	Girls Ages 5-18; Frayser 38127 Residents
Jessran	Pre-K education for early years, wrap-around services for families including budgeting/financial literacy and child development training, monthly Guaranteed Income (GI)	Children Ages 2-4 and their families

Nonprofit Health & Wellbeing by the Numbers

- ✓ **12,603** COVID vaccinations and **558** popup events (ShotRx)
- ✓ **70,000** health education and outreach interactions covering **35** zip codes (ShotRx)
- ✓ **75,000** pounds of surplus food rescued and redistributed (Clean Memphis)
- ✓ **25,000** people receiving rescued food (Clean Memphis)
- ✓ **12** neighborhoods getting better fresh grocery access (Promise Dev Corp and Raleigh CDC)



Nonprofit Health & Wellbeing Programs

Organization	Services Provided	Population Served
Clean Memphis	Conducted Memphis Food Waste Project with research, education and outreach to identify opportunities to improve supply & distribution of rescued food, recruit donors and improve other organizations' capacity to distribute food	Last-Mile Organizations, K-8 Students and Families
Promise Development Corporation	Purchased land to build a North Memphis Grocery Store that will provide affordable and sustainable food access, nutrition education, and local farmer partnerships	11 Surrounding Neighborhoods*
Raleigh CDC	Started development for a new Farmers Market and Food Truck Park to provide affordable food access and support small business growth	The Raleigh Community
ShotRx	Provided in-clinic, mobile pop-up, and in-home COVID vaccinations as well as education and outreach events to address vaccine hesitancy	35 Zip Codes; some events tailored to low-income communities, elderly, and people with disabilities

* Klondike, New Chicago, Douglas, Hyde Park, Hollywood, Nutbush, Binghampton, Smokey City, Scutterfield, Frayser, and Raleigh

Nonprofit Workforce Development by the Numbers



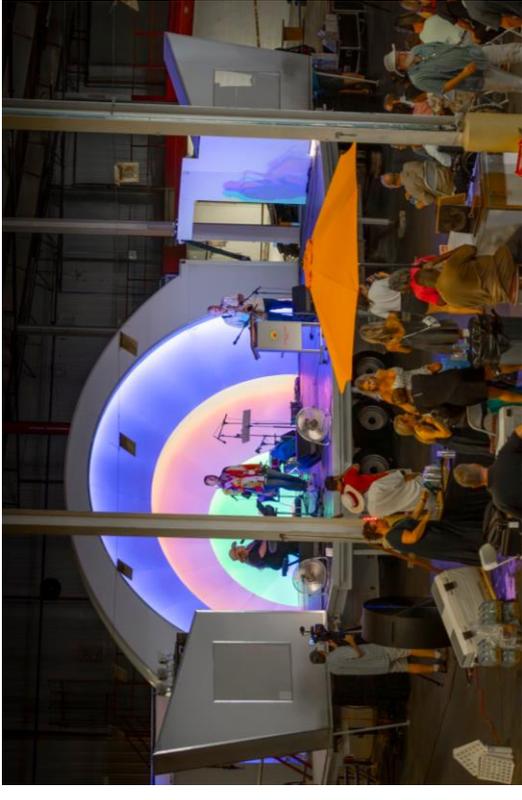
- ✓ **20** entrepreneurs in food, hospitality and tourism received business booster training (Black Business Association)
- ✓ **31** formerly incarcerated workers cleaned up **40** neighborhood sites (FFUN)
- ✓ **40.5%** of FFUN workers have obtained full-time employment

Nonprofit Workforce Development Programs

Organization	Services Provided	Population Served
<p>Black Business Association</p>	<p>Delivered Business Booster Restaurant Training curriculum, facilitated group and one-on-one coaching sessions and a 2.5 hour training on customer service, food quality, safety, waste prevention, inventory, financial management, labor and wellness.</p>	<p>Local Food, Hospitality and Tourism Entrepreneurs</p>
<p>Freedom From Unnecessary Negatives (FFUN)</p>	<p>Provided a work program for formerly incarcerated people through opportunities to support themselves that can lead to full-time employment, thereby reducing recidivism and improving public safety. The program's focus is the cleanup of blighted areas around schools.</p>	<p>Formerly Incarcerated Workers; Cleanup Sites Around Schools</p>

Nonprofit Community Assets by the Numbers

- ✓ **30,000** audience touchpoints through Shell on Wheels (Overton Shell)
- ✓ Over **96,000** bags of trash picked up (MMDC, FFUN)
- ✓ **18,000** drain clogs cleared (FFUN)
- ✓ **17,435** bus stop cleanings (MMDC)
- ✓ **1,085** hours of landscaping (MMDC)
- ✓ **\$400,000** in real estate incentives to **52** Medical District businesses, **69%** MWBE (MMDC)



Nonprofit Community Asset Programs

Organization	Services Provided	Population Served
<p>Medical District CDC/</p>	<p>Coordinated an Ambassador Program to mitigate litter, graffiti, and unclean streets and a grant program to support real estate development in the Medical District with a focus on minority and women-owned businesses and developers</p>	<p>MMDC Businesses and Residents; MWBE Entrepreneurs</p>
<p>Overton Shell</p>	<p>Built the Mobile Shell and provided Shell on Wheels outreach and performance programming outside of the permanent performance space</p>	<p>10 Memphis Neighborhoods*</p>
<p>Freedom From Unnecessary Negatives (FFUN)</p>	<p>Described in Workforce Development section</p>	

* Binghampton, Whitehaven, Northaven, Orange Mound, Uptown, Downtown, Smoky City, Frayser, Midtown, Westwood

Nonprofits & Agencies Receiving ARPA Operating Support:

- Africa in April
- Collins Chapel Connectional Hospital
- Explore Bike Share
- Flip My Life
- HBCU Scholarship Initiative
- Hospitality Hub
- Juvenile Intervention & Faith-Based Follow-Up (JIFF)
- MATA
- Memphis Aging Commission
- Memphis Brand Initiative
- Midsouth Food Bank
- National Civil Rights Museum
- Orpheum Theatre
- Regional One Trauma
- Relationship Unleashed
- Share the Pennies (MLGW)
- Stax Museum
- The Time Is Now Redevelopment



Memphis City Council Summary Sheet

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

This is a resolution requesting re-allocation to the American Rescue Plan Act (ARPA) for the City of Memphis Public Safety division.

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

Finance division

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

Not applicable.

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

Not applicable

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

This resolution requires a budget amendment.

RESOLUTION TO AMEND THE AMERICAN RESCUE PLAN ACT (ARPA) ALLOCATION

WHEREAS, on March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by the President. Section 9901 of ARPA amended Title VI of the Social Security Act to add section 602, which established the Coronavirus State Fiscal Recovery Fund, and section 603, which established the Coronavirus Local Fiscal Recovery Funds (together, the Fiscal Recovery Funds). The Coronavirus Local Fiscal Recovery Funds was established to provide support to local governments (“recipients”) to respond to the impacts of COVID-19 on communities, residents, and businesses; and

WHEREAS, section 602(c)(1) and 603(c)(2) provides that funds may be used to:

- A. To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- B. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
- C. For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency;
- D. To make necessary investment in water, sewer, or broadband infrastructure; and

WHEREAS, the City of Memphis has been notified by the Department of the Treasury of ARPA funding in the amount of \$161,061,490.00, payable in two tranches. The City of Memphis is in receipt of the first tranche and second tranche; and

WHEREAS, the City of Memphis was allocated a portion of ARPA funding to complement the President’s *Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety*; and

WHEREAS, the City of Memphis was identified as one of the 15 jurisdictions to receive Presidential administrative support of a Community Violence Intervention collaborative; and

WHEREAS, the City Administration wants to ensure that funds respond to initiatives that support both proven and new strategies that are intended to reduce gun violence and strengthen community-based infrastructures to enhance public safety for children, families, and communities; and

WHEREAS, the Manhood University and WOWS programs (*under the Community Services ARPA project*) have over 500 clients registered and need additional funding to cover the cost per client; and

WHEREAS, the City Administration would like to amend the allocation for the ARPA funding.

NOW, THEREFORE BE IT RESOLVED, that the FY24 ARPA allocations be amended to reallocate as follows, effective with the approval of this resolution:

ARPA Funding Reallocated From:	In the Amount of:	ARPA Funding Reallocated To:
Staff Support for Public Safety Development/Training Initiatives <i>ARPA Project: PublicSafetyTrain</i>	\$74,900.00	Policing Fleet Initiatives <i>ARPA Project: PoliceFleet</i>
Public Safety Professional Development/Training <i>ARPA Project: PublicSafetyProfDev</i>	\$116,100.00	Policing Fleet Initiatives <i>ARPA Project: PoliceFleet</i>
Public Safety Division Enhancements (Felony Assault Unit) <i>ARPA Project: PublicSafetyFelony</i>	\$252,205.00	Policing Fleet Initiatives <i>ARPA Project: PoliceFleet</i>
Total Allocation Reclass	\$443,205.00	

ARPA Funding Reallocated From:	In the Amount of:	ARPA Funding Reallocated To:
City Operational – Data for Good <i>ARPA Project: DataforGood</i>	\$67,500.00	Manhood/WOWS <i>ARPA Project: Community Services</i>
City Operational – Premium Pay <i>ARPA Project: PremPay</i>	\$50,000.00	Manhood/WOWS <i>ARPA Project: Community Services</i>
Total Allocation Reclass	\$117,000.00	



Memphis City Council Summary Sheet

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

This is a resolution requesting a budget adjustment for the 3rd quarter of fiscal year 2024. The request includes budget neutral allocations and budget increases.

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

Finance Division

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

Yes

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

Not applicable

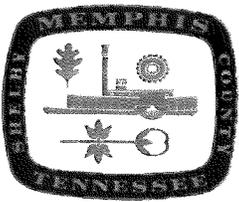
5. State whether this requires a new contract, or amends an existing contract, if applicable.

Not applicable

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

This resolution requires a budget amendment

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



Fiscal Year 2024 3rd Quarter Budget Adjustment Resolution to Adjust Expenditures for Unanticipated Circumstances REQUEST FOR SAME NIGHT MINUTES

WHEREAS, the Finance Division monitors the City's actual financial performance relative to its adopted operating budget, for all funds; and

WHEREAS, in conjunction with the Finance Division each Division of City Government periodically reviews its current revenues and expenditures and projects anticipated outcomes for their Division, and Fund(s) not included in their Division General Fund; and

WHEREAS, based on the review of the FY24 General Funding Operating Forecast, circumstances to amend the existing budget exist and the required spending and the required offset and/or funding has been identified; and

WHEREAS, it is necessary to amend the Fiscal Year 2024 (FY24) Operating Budget for the General Fund for Divisions to add appropriations to match program spending that is projected different than the FY24 adopted budget plan and/or the FY24 amended budget plan; and

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the Fiscal Year 2024 budgets be amended in accordance with Tennessee Constitution Article 2 § 24, TCA § 9-1-116, Municipal Budget Law of 1982 as follows:

- *All Divisions* – budget neutral allocations between multiple legal levels and multiple lines items or budget allocations with increases in an amount up to \$100,000
 - Increase in Personnel Category – multiple legal levels and multiple lines to include full time salaries, overtime, and part-time salaries
 - Increase in M&S Category – multiple legal levels and multiple lines to include fixed expenses
 - The increase in the requested budget is to be funded by the contribution of fund balance.

- *Public Works Division* – increase the budget by \$300,000 for the Hospitality Hub (Work Local) program. The increase in the requested budget is to be funded by the contribution of fund balance.

- *Housing and Community Development Divisions* – increase the budget by \$178,000 for full-time salaries, training, travel, and misc service charges. The increase in the requested budget is to be funded by the contribution of fund balance.

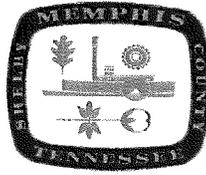
- *Fire Services Divisions* – increase in multiple line items in an amount up to \$9,598,889 for 101 unfunded positions and \$2,685,545 for M&S expenses such as misc professional services,

utilities, lawsuits, and safety equipment. The increase in the requested budget is to be funded by the contribution of fund balance.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the Finance Division is hereby authorized to execute the aforementioned budget adjustments as needed to close the Fiscal Year 2024 Operating Budget with a balanced budget as required by and in accordance with Tennessee Constitution Article 2 § 24, TCA § 9-1-116, Municipal Budget Law of 1982.

March 19, 2024

Sponsored by the Administration – Finance Division



Memphis City Council Summary Sheet

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

This is a resolution requesting an amendment to the American Rescue Plan Act (ARPA) to reallocate funding from the Youth Pilot Program to the Library Youth Program.

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

Finance Division

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

Yes

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

Not applicable

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

Not applicable

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

This resolution requires a budget amendment

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

RESOLUTION TO AMEND THE AMERICAN RESCUE PLAN ACT (ARPA) ALLOCATION

WHEREAS, on March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by the President. Section 9901 of ARPA amended Title VI of the Social Security Act to add section 602, which established the Coronavirus State Fiscal Recovery Fund, and section 603, which established the Coronavirus Local Fiscal Recovery Funds (together, the Fiscal Recovery Funds). The Coronavirus Local Fiscal Recovery Funds was established to provide support to local governments (“recipients”) to respond to the impacts of COVID-19 on communities, residents, and businesses; and

WHEREAS, section 602(c)(1) and 603(c)(2) provides that funds may be used to:

- A. To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- B. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
- C. For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency;
- D. To make necessary investment in water, sewer, or broadband infrastructure; and

WHEREAS, the City of Memphis has been notified by the Department of the Treasury of ARPA funding in the amount of \$161,061,490.00, payable in two tranches. The City of Memphis is in receipt of the first tranche and second tranche; and

WHEREAS, the City of Memphis’ Division of Library Services was identified to receive \$2,211,232.00 of ARPA funding for youth and community development initiatives; and

WHEREAS, the City Administration wants to ensure that a portion of ARPA funds support the broader nonprofit community working to increase services for at-risk youth; and

WHEREAS, the Division of Library Services and City Administration of agreed upon an equitable split of funding; and

WHEREAS, the City Administration would like to amend the allocation for the ARPA funding.

NOW, THEREFORE BE IT RESOLVED, that the FY24 ARPA allocations be amended to reallocate as follows, effective with the approval of this resolution:

ARPA Funding Reallocated From:	In the Amount of:	ARPA Funding Reallocated To:
Council – Youth Pilot Program <i>ARPA Project: Council</i>	\$1,100,000.00	Library - Youth Program <i>ARPA Project: Library</i>
Total Allocation Reclass	\$1,100,000.00	

Memphis Public Libraries ARPA Budget

Upgraded Computers System-Wide: \$875,000

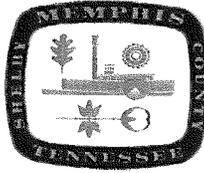
Replace outdated public/staff computers and laptops across MPL's system. This valuable resource is used by customers for a wide range of education and employment needs. COVID-19 has widened existing education disparities and greatly altered the employment landscape, and our computers are helping customers access the technology they need to succeed.

- Digital literacy and inclusion are top priorities for MPL. We offer free Wi-Fi at all 18 branch locations, and there are 1,228 computers system-wide. In addition, MPL received CARES Act funding in 2021 (from IMLS) to expand onsite Wi-Fi coverage to include the parking lots at all MPL locations. In addition to Wi-Fi access, MPL has a robust continuum of resources targeted to bridging the digital divide for all ages. Staff regularly offers public technology classes to ensure customers have the needed skills to utilize available technology while enhancing career and educational prospects. MPL also offers LinkedInLearning.com to library card holders through our website. This is our most utilized digital database with online learning resources offering more than 3,400 courses covering technical skills, creative techniques, business strategies, personal finance, and more.
- Updated public computers and laptops will increase access to these virtual resources and ensure that customers have the technology they need for education and employment. In FY 2023 alone, 222,449 customers used our public PCs for education, workforce development, researching health information and resources, entrepreneurship, accessing City of Memphis services, and more. For our community's most vulnerable residents, MPL is their only access point to free technology and internet resources.
- Updated and accessible staff computers are an invaluable part of MPL's operations. Many of the staff computers are stationed at service desks where our employees work one-on-one with customers to find information needed, offer customized training, and even checkout materials so customers can take resources home. These computers are also used to create, schedule, and evaluate the 1000s of annual programs offered to more than 2 million visitors each year. These programs include resources needed by our community's most vulnerable still struggling from the effects of COVID-19 like job readiness and resume building, ESL and adult literacy, STEM learning for at-risk youth, Techie Seniors for older adults at risk for social isolation, using Microsoft Office Suite and other software programs needed for jobseekers, health literacy and accessing accurate health information online, financial literacy, summer and fall break camps, Explore Memphis summer learning for all ages and learning levels, arts and cultural programs, and much more. These computers are used in tandem with public PCs so that customers can continue their learning journey between formal programs and participate in independent learning resources offered through MPL.
- 500 public PCs x \$1,000 each = \$500,000
- 250 staff computers x \$1,500 each = \$375,000

Connect Crew Transport Vans: \$225,000

MPL's Connect Crew, an award winning ten-person team of talented program developers and presenters, was launched in 2019 to deliver innovative programming anywhere in our community. This model allows us to serve those who cannot attend traditional in-library programming due to financial, mobility, and transportation barriers.

- Connect Crew team members were strategically selected to incorporate a wide-range of expertise so that program offerings can be tailored to a variety of community groups and audience needs. The Connect Crew hosts programs everywhere from parks and community centers to laundromats, apartment buildings, and retail centers. The programs provided include Techie Seniors classes to decrease social isolation in older adults; career and job-readiness offerings including resume building and technology classes; Storytimes and early literacy education including DiscoverREAD-On-The-Go; youth STEM including programming, coding, and robotics; health and financial literacy education; library card sign-ups and mobile circulation; and arts and cultural offerings.
- MPL has more than 200 active community partners, including local schools, service organizations, and businesses, and the Connect Crew works with these agencies to bring in programs that support and enhance their work. Their team has also fostered relationships with new organizations to further broaden MPL's reach. In addition to these extensive outreach efforts, Connect Crew members bring their programs to neighborhood branch libraries that lack the equipment and capacity to implement, and their team also offers cross-training so that the staff of those libraries can gain skills to offer new programs for customers on an ongoing basis. In their first six months of operation alone, their team hosted more than 125 programs and outreach events with over 8,000 participants. In FY2020, they hosted 151 programs with 4,377 participants. In addition, the Connect Crew signed up 800 new customers for library cards within their first year of existence.
- In FY 2023, the Connect Crew served 6,139 program participants across Memphis. A vast majority of these attendees are from traditionally underserved populations including at-risk and opportunity youth, minorities, low-income residents, low-literacy adults, seniors at-risk for social isolation, and those lacking transportation to attend traditional library programs.
- The team critically needs new cargo vans to conduct community outreach. Some of the vehicles they are using were repurposed and are older and unreliable at times. The team has grown rapidly since its inception (from six members to ten members in a short time with additional growth projected in the coming years) along with program requests. The new vans will increase staff capacity to conduct additional programs with reliable vehicles to reach even more vulnerable residents.



Memphis City Council Summary Sheet

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

This is a resolution requests that the State Treasurer pay the unclaimed balance of funds to the City of Memphis in accordance with the provisions of Tennessee Code Annotated Section 66-29-146(c).

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

Finance Division

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

Yes

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

Not applicable

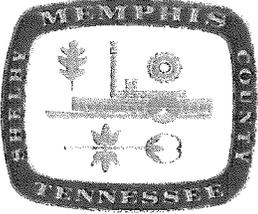
5. State whether this requires a new contract, or amends an existing contract, if applicable.

Not applicable

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

This resolution requires a budget amendment.

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



RESOLUTION TO REQUEST UNCLAIMED BALANCE OF
ACCOUNTS REMITTED TO STATE TREASURER UNDER
UNCLAIMED PROPERTY ACT

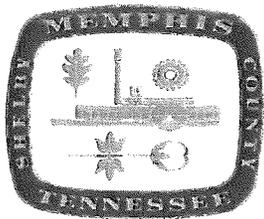
WHEREAS, Tennessee Code Annotated Section 66-29-146(c) provides that a municipality or county in Tennessee may request payment for the unclaimed balance of funds reported and remitted by or on behalf of the local government and its agencies if it exceeds \$100, less a proportionate share of the cost of administering the program; and

WHEREAS, the City of Memphis and/or its agencies have remitted unclaimed accounts to the State Treasurer in accordance with the Uniform Unclaimed Property Act; and

WHEREAS, the City of Memphis agrees to meet all of the requirements of Tennessee Code Annotated Section 66-29-101 et seq. and to accept liability for future claims against accounts represented in funds paid to it and

WHEREAS, it is agreed that this local government will retain a sufficient amount to insure prompt payment of allowed claims and that the balance of funds will be deposited in this local government's general fund;

THEREFORE, BE IT RESOLVED that the City Council of the City of Memphis requests the State Treasurer to pay the unclaimed balance of funds to it in accordance with the provisions of Tennessee Code Annotated Section 66-29-146(c). A list of remittances made by or on behalf of the local government and its agencies is attached.



REMITTANCES FILED BY OR ON BEHALF OF LOCAL GOVERNMENT AND ITS AGENCIES

Name of County/Municipality The City of Memphis

Mailing Address 125 North Main Room 348

Memphis, TN 38103-2080

Name of Holder or Agency Submitting Report and Remittance	Holder Identification Number	Amount of Remittance (If Available)	Date of Remittance (If Available)	Federal employer tax ID #
The City of Memphis	53872	155,545.99	10/28/19	62-6000361
The City of Memphis	53872	319,201.90	11/23/20	62-6000361
The City of Memphis	53872	578,271.79	10/29/21	62-6000361
The City of Memphis	53872	205,944.37	11/07/22	62-6000361

I certify that any agencies included in this request are chartered under this local government.

(901) 636-6160
Phone Number

Warren Hogue IV
(Signature)

Warren Hogue IV
Printed Name
Date 02/07/2024

Accountant
(Title)

This report and accompanying Resolution may be filed with the Unclaimed Property office of the State Treasury Department at any point between the actual remittance of unclaimed accounts and the June 1 eighteen months following.

ORDINANCE NO. _____

SUBSTITUTE ORDINANCE TO AMEND THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, CHAPTER 6 -BUSINESS LICENSES AND REGULATIONS -TO DEFINE ENTERTAINMENT TRANSPORTATION VEHICLES, AND TO PROVIDE FOR THE LICENSING AND REGULATION OF THE SAME

WHEREAS, in recent years a new type of transportation business has emerged in various cities within the United States in which the passengers hire a motor vehicle not only as a means of transportation but also for some entertainment or social purpose; and

WHEREAS, the General Assembly of the State of Tennessee did in its recent session amend Tennessee Code Annotated, Section 7-51-1007, to recognize Entertainment Transportation Vehicles as a category separate from other types of vehicles already included in said law, and to allow municipalities within Tennessee to regulate the operation of Entertainment Transportation Vehicles; and

WHEREAS, in other cities in which such vehicles operate, governments have encountered various problems caused by the vehicles in the area of public safety and welfare, including accidents resulting in damage and injury, the commission of crimes related to the operation of the vehicles, and complaints from businesses and citizens about noise and offensive behavior by patrons; and

WHEREAS, the Memphis City Council deems it necessary for the health, safety, and welfare of citizens to amend the code of ordinances to regulate the operation of Entertainment Transportation Vehicles in the City of Memphis.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF MEMPHIS that Chapter 39 – Vehicles for Hire – of the City of Memphis Code of Ordinances, also referenced in Chapter 6-44, is hereby amended to create a new Article V, which shall read as follows:

Section 1. **Sec. 39-256. Definitions.**

For purposes of this chapter:

"Certificate" means a certificate of public convenience and necessity, a license granted, upon application and approval, by the Memphis Transportation Commission (MTC) for the sole purpose of authorizing the certificate holder to provide entertainment transportation through an Entertainment Transportation Vehicle.

"Certificate holder" means a person, company, corporation or association which has applied for, and been granted, a certificate of public necessity and convenience.

"Customer" means any person on an Entertainment Transportation Vehicle other than the driver or other employee of the entertainment transportation business, who has paid money for the services of the business or is attached to a party that has done so.

"Driver" means any individual who physically operates an Entertainment Transportation Vehicle as a for-hire vehicle under this chapter. This person may share additional, company-related titles, such as owner, employee of the owner, holder or independent contractor.

"Driver permit" means a permit issued by the MTC to drive and operate an Entertainment Transportation Vehicle.

"Entertainment Transportation Vehicle" means any motor vehicle that is designed or constructed to accommodate and transport more than one passenger for hire, the principal operation of which is confined to the area within the Memphis City Limits, whether it is operated on a fixed route or schedule, and where the passengers hire the motor vehicle not only as a means of transportation but also for some entertainment or social purpose. "Entertainment transportation" includes, but is not limited to, trucks, buses, and wagons/trailers pulled by a motor vehicle. "Entertainment transportation" does not include a limousine, sedan, shuttle, taxicab, horse-drawn

carriage, or electric-assist pedal carriage.

"For hire" means a transaction whereby any money, thing of value, charge tickets, surcharge, payment, pecuniary consideration or compensation, reward, donation, tip, or any other remuneration or profit is paid to, accepted by, or received by a driver, employee, agent, owner, or any other representative of an Entertainment Transportation Vehicle in exchange for the temporary use by or for the transportation of a passenger, whether such is paid voluntarily or upon solicitation, demand, request, contract, agreement, or as a surcharge; or otherwise in conjunction with the purchase of any other services wherein the entertainment transportation is part of the services provided.

"Good cause" means (1) a material violation of a state law or municipal ordinance, rule, or regulation governing the permit, which may be demonstrated by a knowing failure or refusal to comply with such law, ordinance, rule, or regulation; and (2) includes the disuse or dormancy of a permit for a period of six (6) months or longer prior to the Memphis Transportation Commission taking action to revoke the permit.

"Inspector(s)" means the inspector(s) for the Commission.

"Memphis Transportation Commission," hereinafter referred to as "MTC" or "the Commission," means the Memphis Transportation Commission as established by the City of Memphis Code of Ordinances, Chapter 39, Article V, the same being identified as Chapter 6-46 of the Code of Ordinances of the City of Memphis.

"MTC Director" means the Executive Secretary of the MTC, as employed by the City of Memphis on behalf of the MTC.

"Owner" means the person who holds the legal title of the Entertainment Transportation Vehicle.

"Passenger" means any person on an Entertainment Transportation Vehicle other than the driver.

"Person" means any individual, partnership, corporation, association or public or private organization of any character.

"Permittee" means a holder of any permit issued under this chapter.

"Solicit" means the distribution of flyers or other material, or an appeal by bell, horn, whistle, words, or gestures by a driver or his or her agent directed at individuals or groups for the purpose of attracting passengers for immediate hire.

"Vehicle permit" means a permit issued by the MTC for an Entertainment Transportation Vehicle to carry passengers.

Section 2. Certificate of Public Convenience and Necessity

Sec. 39-257. Required Certificate and Effective Term.

A. No Entertainment Transportation Vehicle shall be used or operated on a for hire basis by any person in the territorial jurisdiction of the Memphis City government without an owner or operator having first obtained a certificate of public convenience and necessity. Each certificate shall be valid for one year and shall be subject to renewal pursuant to the provisions set forth in this article. Applications will be reviewed and considered as they come in to the MTC.

B. Certificates shall not be transferred, sold or given from one owner to another, including the sale of one Entertainment Transportation Vehicle company in its entirety to another, without approval of the MTC upon the filing of an application for such transfer.

C. The MTC shall track all certificates, and after the renewal period, if the certificate

has not been renewed it shall be determined to be void.

Sec. 39-258. Application - Information and fees required.

- A. An application shall be filed with the MTC for each certificate of public convenience and necessity sought. Forms will be provided by the MTC and payment of a nonrefundable fee of \$200 will be charged.
- B. The application shall require the following information:
 1. Name and address of applicant;
 - a. Sole-proprietor: Name and address of the owner.
 - b. Partnership: Names and addresses of all partners.
 - c. Corporation or association: Names and addresses of all the officers, directors, and members.
 2. Business name (d/b/a), business address, and telephone number if different from above;
 3. A background check of each person;
 4. Proof of U.S. citizenship or legal residency;
 5. Names and addresses of two references as to the applicant's financial responsibility;
 6. Prior experience of applicant in transport of passengers;
 7. Number of Entertainment Transportation Vehicle permits requested, and copy of proof of ownership or other evidence of lawful control, as determined by the MTC, for each vehicle to be operated under the certificate;
 8. Applicant's Procedures for training drivers;
 9. Applicant's Rules and regulations governing driver appearance and conduct;
 10. Disclosure of prior state law or City of Memphis Code of Ordinances violations pertaining to noise from motor vehicles, lewd conduct as part of a commercial business, or alcoholic beverage open container laws; any disclosures shall be verified by the MTC;
 11. The financial status of the applicant, including the amounts of all unpaid judgments against the applicant or if a corporation, against any officer, director or shareholder as

listed above or, if a partnership, any partner or limited partner, or any other person who is interested directly in the ownership or operation of the business.

12. Any additional information the applicant desires to include to aid in the determination of whether the requested certificate should be issued; and

13. Such further information as the MTC may require.

C. An applicant will be ineligible for consideration if:

1. Any of the owners, partners, officers, directors, or members are under twenty-one (21) years of age and/or the Entertainment Transportation Vehicle business has no separate legal existence beyond a shareholder, owner, or partner who is under the age of twenty-one years of age;

2. Any of the owners, partners, officers, directors, or members has violated any portion of this chapter of the City of Memphis Code of Ordinances within five years immediately preceding the date of application;

3. Any of the owners, partners, officers, directors, or members have any outstanding unpaid final judgment; or

4. Any portion of the application is incomplete or contains incorrect or untruthful information.

D. An applicant will be ineligible for consideration for a one-year period if any owner, partner, officer, director, or member has been found guilty by a court of competent jurisdiction of violating state law or City of Memphis Code provisions three or more times within the past three hundred sixty-five days pertaining to noise from motor vehicles and/ or lewd conduct as part of a commercial business.

Sec. 39-259. Findings - Issuance of additional certificates.

A. If the MTC finds that further or additional Entertainment Transportation Vehicle service

within the Memphis City Limits is warranted for the public convenience and necessity and that the applicant is fit, willing, and able to provide such service and to conform to the provisions of this chapter and the rules promulgated by the MTC, the MTC may issue a certificate of public convenience and necessity. The certificate shall state the name, business address and telephone number of the applicant, the number of vehicles authorized upon such certificate, the date of issuance and the date of expiration.

B. In making the above findings, the MTC shall, at a minimum, take into consideration the number of Entertainment Transportation Vehicles already in operation, whether existing service is adequate to meet the public need; the experience, financial condition and responsibility of the applicant, and such criteria as may be adopted by the MTC in its rules.

C. No more than (25) Entertainment Transportation Vehicles may be permitted to operate upon the streets of Memphis, and the MTC shall accept no applications for additional vehicles once this maximum has been permitted. Applications shall be evaluated in the order in which they are received; and upon issuance of a 25th permit, any other pending applications shall be set aside. Should the number of permitted vehicles drop below the maximum allowed, those applications will be considered in the order in which they were filed with the MTC, beginning with those pending applications that were previously set aside.

D. The MTC may, by rule, establish any further criteria for determining the necessity for additional Entertainment Transportation Vehicle certificates.

E. Any person whose application for a certificate is denied by the MTC may file a written appeal with the MTC within thirty days of denial and request an appearance before the MTC and appear in-person for consideration of the certificate application.

Section 39-260. Renewal of the Certificate of Public Convenience and Necessity.

A. All certificates issued under the provisions of this chapter shall expire one (1) year from the date on which the certificate was issued. All certificates may be renewed by the MTC director up to 30 days before their expiration date. A renewal fee of \$125 for each approved certificate and other licensing fees shall be charged at the annual renewal of the certificate.

B. All applicants for renewal must be current with all assessments and taxes due to the City of Memphis.

C. If a licensed Entertainment Transportation Vehicle company or individual fails to renew their certificate within thirty (30) days from the expiration date, such company shall be treated as a new applicant upon renewal application.

Section 39-261. Insurance required.

A. Before any certificate shall be issued by the Commission Director, or before the renewal of such certificate shall be granted, the applicant or association shall be required to file an insurance policy and/or certificate of insurance with the MTC director evidencing insurance coverage as required in this section.

B. Insurance coverage as provided in subsection (A) of this section means a policy of public liability insurance issued by an insurance company qualified to do business in the State of Tennessee and naming the City of Memphis as an additional insured. Any policy of public liability insurance issued in compliance with this article shall be for a term of not less than one year, and for any Entertainment Transportation Vehicle insured thereunder shall afford protection to any third party sustaining injury or damage as a result of the negligent operation of any Entertainment Transportation Vehicle, with the minimum amount of insurance to be determined by the City Risk Management Department, known as combined single limit insurance coverage. Such policy shall

expressly provide that it may not be canceled, except after thirty (30) days' written notice to the Commission Director.

C. Such certificate will certify that the policy provides for a minimum coverage per the requirements of the Risk Management Department of the City of Memphis, which may be amended from time to time to remain current with the current risk factors, per Entertainment Transportation Vehicle for liability imposed by law for damages on account of bodily injuries, death or personal damages, other than injuries, death or property damages of the company or driver, in any one accident resulting from the ownership, maintenance or use of such Entertainment Transportation Vehicle. The certificate of insurance shall also list the serial number or identification number of each Entertainment Transportation Vehicle that is insured.

D. The operation of any Entertainment Transportation Vehicle within the Memphis City Limits without having in force the public liability insurance policy as outlined in this section is hereby declared to be a violation of this Article, subjecting the owner and/or certificate holder to all applicable penalties provided in this Article and this Chapter.

E. Any changes in insurance must be reported to the Commission immediately.

Section 39-262. Suspension and revocation.

A. A certificate issued under the provisions of this chapter may be revoked by the MTC only after the holder has been provided with proper notice and the opportunity to be heard at an administrative hearing and for good cause shown. A certificate issued may be suspended, placed on probation, otherwise restricted, or not renewed by the MTC if the holder thereof has:

1. Violated any of the provisions of this chapter or failed to comply with any rule or regulation established by the MTC;

2. Violated any other provision of the Code of Ordinances of the City of Memphis or laws of the United States or the State of Tennessee, the violation of which reflects unfavorably on the fitness of the holder to offer transportation services, including but not limited to, violations for excessive noise;
3. Failed to pay assessments or taxes due to the City of Memphis;
4. Attempted to transfer a certificate or permit; or
5. Made a misrepresentation or false statement when obtaining a certificate or additional permits or transferring a certificate.

B. Prior to any action to revoke, suspend, place on probation, otherwise restrict, or not renew a certificate, the holder shall be given notice to the address listed on their certificate of the proposed action to be taken and shall have an opportunity to be heard by the MTC.

C. If the holder commits an act in violation of the criminal laws of the United States of America or State of Tennessee, and the MTC director determines that the holder poses a threat to public safety, the MTC director may enact an emergency suspension of the holder's certificate to remain in effect until the holder has the opportunity to be heard by the MTC at the next available meeting, but in no circumstance later than sixty (60) days from the date of the emergency suspension.

Section 3. Driver Permits

Section 39-263. Driver Permit required- Violations and term.

A. No person shall drive or otherwise operate an Entertainment Transportation Vehicle engaged in the transportation of passengers unless he or she has a driver permit from the MTC and a currently effective Tennessee commercial driver's license.

B. A person commits an offense if he or she operates an Entertainment Transportation

Vehicle in the Memphis City Limits without a driver permit issued by the MTC.

C. A business commits an offense if it employs or otherwise allows a person to operate an Entertainment Transportation Vehicle owned, controlled, or operated by the permittee without a driver permit issued by the MTC.

D. Each driver permit shall be valid for one (1) year and shall be subject to renewal pursuant to the provisions set forth in this Article.

Section 39-264. Application-Information and fees required.

A. An application for an Entertainment Transportation Vehicle driver permit shall be filed with the MTC on forms provided by the MTC.

B. Such application shall be certified under oath and shall at a minimum contain the following information:

1. The name, residential address, telephone number and date of birth of the applicant. No applicant under twenty-one (21) years of age will be accepted.
2. The type(s) of vehicle(s) which the applicant will drive under the certificate.
3. The years of experience of the applicant in the transportation industry.
4. A concise history of the applicant's employment.

C. The applicant shall provide copies of the following documents in order to submit his or her application:

1. A valid driver's license issued by one of the fifty states within the United States of America for the issuance or renewal of an Entertainment Transportation Vehicle driver permit corresponding with the type/classification of Entertainment Transportation Vehicle to be operated (i.e., commercial driver license, for-hire endorsement, etc.).

2. If a resident alien, a current work permit or other valid United States Immigration and Customs Enforcement document.
3. A copy of a currently effective Tennessee commercial driver's license.

D. Each application shall be accompanied by an official driver record obtained no longer than thirty (30) days prior to the date of application. All applicants are required to meet the following standards:

1. No convictions or nolo contendere pleas in the last five (5) years for any of the following offenses involving bodily injury or death and no convictions in the last three (3) years for any of the following offenses not involving injury or death:
 - Hit and run;
 - Driving under the influence of an alcoholic beverage or drug;
 - Reckless or careless driving;
 - Any other offense, including moving traffic violations, that directly relates to a person's ability to operate a vehicle.
2. For an initial driver permit, no more than three moving violations within the last three (3) years and no more than two (2) moving violations in the last year.
3. For a renewal driver permit, no more than four (4) moving violations within the last three (3) years and no more than two (2) moving violations in the last year.

Section 39-265. Fingerprint-based criminal background investigation.

A. All applicants for an Entertainment Transportation Vehicle driver permit must undergo a fingerprint-based identification and background check. The MTC shall provide instructions to applicants on obtaining such background checks. A background check report and a copy of the

Motor Vehicle Record (MVR), generated by the Department of Motor Vehicles, of the applicant, if any, shall be attached to the application and forwarded for consideration by the MTC.

B. Any applicant shall, in addition to any disqualifications listed elsewhere in this Chapter, be disqualified if the applicant:

1. Has been convicted of, forfeited bond or pleaded nolo contendere to a felony or any crime involving moral turpitude as defined by laws of the State of Tennessee, a controlled substance, prostitution, assignation, or obscenity within five (5) years immediately preceding the date of application; or has been convicted of, forfeited bond or pleaded nolo contendere to any crime involving the abuse of a child or of a sexual nature in any jurisdiction at any time preceding the date of application.
2. If, at the time of application, the applicant is charged with any offenses in subsection

(1) of this section, consideration of the application shall be deferred until the applicant's entry of a plea, conviction, acquittal, dismissal, or other final disposition of the charges.

3. Has been convicted of two (2) or more felony offenses within the past seven (7) years.

4. Has been convicted for a period of two (2) years prior to the date of application for violation of two or more sections of this Code or other ordinances governing the operation of Entertainment Transportation Vehicles.

If the applicant fails to disclose any criminal conviction, except traffic citations, on the application for a driver permit, the application may be referred to the MTC for consideration.

Section 39-266. Application - Approval or disapproval.

The MTC or its staff shall, upon the consideration of the application and any reports and certificates required to be attached thereto, approve or reject the application. Any applicant rejected by the MTC staff may file an appeal within thirty (30) days of denial and request an appearance before the MTC. The appeal shall be heard by the MTC at the next available MTC meeting with the appellant appearing in-person for consideration of the application.

Section 39-267. Issuance – Driver Permit contents and display.

A. Upon approval of an application for an Entertainment Transportation Vehicle driver permit, the MTC director shall issue a permit to the applicant, which shall bear the applicant's name, driver permit number, height, date of birth, a photograph of the applicant, and other information deemed appropriate by the MTC.

B. Every driver shall at all times conspicuously display a driver permit within the Entertainment Transportation Vehicle, where it is visible to passengers. A driver shall allow the MTC director, MTC inspector, or a police officer to examine the permit upon request.

Section 39-268. New application after denial.

Upon denial of an application for a driver permit, no new application shall be considered for a period of three (3) months.

Section 39-269. Expiration - Issuance and renewal fee.

A. A driver permit may be issued to qualified applicants upon the payment of a \$35 fee plus the costs of investigation. If the permit for the preceding year has been revoked, no new permit shall be issued without prior MTC approval.

B. Each Entertainment Transportation Vehicle driver permit shall be issued for a period of one year. The fee to renew a driver permit shall be \$17.50. Such fees shall be in addition to the cost of any investigation.

Section 39-270. Unpermitted drivers.

A. If any person is found operating an Entertainment Transportation Vehicle within the Memphis City Limits without a valid Entertainment Transportation Vehicle driver permit on behalf of any holder of a certificate of necessity and public convenience, the MTC director may

immediately take action to suspend or revoke the certificate in accordance with § 39-262(B).

B. A person whose Entertainment Transportation Vehicle driver permit is suspended shall not drive an Entertainment Transportation Vehicle within the Memphis City Limits during the period of suspension.

Section 39-271. Suspension, revocation, and appeal.

A. The MTC director is hereby given authority to suspend any Entertainment Transportation Vehicle driver permit issued under this Article for a driver's failure or refusal to comply with the provisions of this Article. Such suspensions may not last for a period of more than thirty (30) days. The MTC director is also given authority to revoke any driver permit, provided that the revocation is decided in accordance with §39-262(B), for failure to comply with the provisions of this Article.

B. If a driver is charged in any court with a misdemeanor involving moral turpitude, or with any felony, or with driving while intoxicated or under the influence of drugs, or with violations of this Article, the MTC director is hereby given authority to suspend the driver's permit pending final disposition of the charges against them, and to revoke such permit upon conviction thereof.

C. The MTC director may revoke an Entertainment Transportation Vehicle driver permit for good cause in accordance with §39-262(B), if the director determines that the permittee has engaged in conduct detrimental to the public safety.

D. The MTC director may not suspend or revoke any driver permit unless the driver has received notice of the charges against them and has had the opportunity to present evidence on their behalf at an administrative hearing before the MTC Director, where good cause has been established.

E. Any permittee whose driver permit has been suspended or revoked by the MTC director may file a written appeal with the MTC within ten (10) business days. If an appeal is not made to the MTC within ten (10) business days of the MTC director's decision, the MTC director's decision shall

be final. A letter addressed to the MTC and delivered to the MTC office stating that an appeal from the decision of the MTC director is desired shall perfect such appeal. The MTC, as soon as practicable after receiving such notice of appeal, shall notify the permittee of the date and time of the hearing which shall be not less than five (5) business days after the mailing of such notice. After the hearing of the appeal, the MTC shall sustain, modify or reverse the findings of the MTC director, and shall notify the MTC director and the permittee of its findings. The findings of the MTC shall be final, subject to any applicable legal processes.

F. A driver whose permit is revoked may not reapply for ninety (90) days from the date of revocation and will be treated as a new applicant.

Section 39-272. Revocation of a valid driver's license.

An Entertainment Transportation Vehicle driver permit issued under this Chapter shall be valid for one (1) year so long as the permittee's valid driver's license, issued by one of the fifty states in the United States of America for the type/classification of Entertainment Transportation Vehicle to be operated, remains valid for the duration of the permit. Any time that a permittee's driver's license is suspended, revoked, or cancelled, their Entertainment Transportation Vehicle driver permit shall likewise be immediately suspended, revoked pursuant to § 39-262(B), or cancelled. The Entertainment Transportation Vehicle driver permit shall immediately be surrendered to the MTC until such time as their driver's license is reinstated.

Section 39-273. Conduct of drivers.

A. A driver shall at all times:

1. Act in a reasonable, prudent, safe, and courteous manner;

2. Take the necessary measures to prevent and prohibit a person not possessing an Entertainment Transportation Vehicle driver permit from operating the Entertainment Transportation Vehicle;
3. Refrain from allowing more passengers to be carried in an Entertainment Transportation Vehicle than for which there is proper seating, and at no time shall the driver allow any passenger to ride in any area of the Entertainment Transportation Vehicle not specifically designed or designated as a seat;
4. Prohibit any passenger eighteen (18) years of age or younger from riding in an Entertainment Transportation Vehicle unaccompanied by an adult;
5. Not operate an Entertainment Transportation Vehicle while under the influence of intoxicating beverages or drugs;
- 6.
7. Observe and obey all state and local noise and traffic laws and regulations;
8. Not permit a customer to stand or ride on any part of the Entertainment Transportation Vehicle other than the designated seating area while the Entertainment Transportation Vehicle is in motion and require that passengers must be seated except when loading or unloading.

Section 39-274. Drivers not to work more than 12 hours out of 24.

No driver shall work more than a maximum of twelve (12) driving hours in the aggregate of any twenty-four-hour period, and such driver shall not begin to drive until he has had at least eight (8) consecutive hours of rest.

Section 39-275. Consumption of Alcoholic Beverages.

The consumption of an alcoholic beverage by an individual, over the age of twenty-one (21), who is strictly a passenger in the passenger area of an Entertainment Transportation Vehicle is permitted. Sales of alcohol by the operator, driver, or riders of the vehicle are prohibited.

A. If alcoholic beverages are allowed to be consumed on an Entertainment Transportation Vehicle, the vehicle operator shall apply for a permit to allow such consumption from the Permits Office. The application fee for such permit is \$25 and the operator of an Entertainment Transportation Vehicle company shall pay an additional \$25 for each Entertainment Transportation Vehicle on which alcohol is being consumed. The driver or operator of an Entertainment Transportation Vehicle shall be in possession of the permit referenced in this subsection at all times alcohol is being consumed on the Entertainment Transportation Vehicle. Additionally, the registration number issued by the Permits Office shall be conspicuously displayed on the rear of the Entertainment Transportation Vehicle.

B. If an alcohol consumption permit is granted to the Entertainment Transportation Vehicle operator, the following notice shall be on full display on the Entertainment Transportation Vehicle:

1. Each passenger is asked to drink responsibly; and
2. No passengers are permitted to take any opened alcoholic beverage container with them when they exit the Entertainment Transportation Vehicle, except in the Beale Street Historic District.

C. An Entertainment Transportation Vehicle driver shall not operate an Entertainment Transportation Vehicle while under the influence of alcoholic beverages, nor shall the driver consume alcoholic beverages while operating the vehicle.

D. The Entertainment Transportation Vehicle operator and driver may not allow consumption of alcoholic beverages by persons under the age of twenty-one (21).

E. Any violations of this Section may be enforced under the applicable laws of the City of Memphis and the State of Tennessee, as contemplated by §§ 39-291 and 39-293, which may result in revocation or suspension of the operator's certificate of public convenience and necessity.

Section 39-276. Return of passengers' property.

A driver of an Entertainment Transportation Vehicle shall immediately attempt to return to a passenger any property left by the passenger in the vehicle. If unable to locate the passenger, the driver shall turn the property in to the certificate holder's company office at the end of the driver's shift or at the first available opportunity. In such cases, the certificate holder shall make a good faith effort to locate the passenger, and, if not successful, hold the property in storage at its location for at least thirty (30) days.

Section 39-277. Compliance with provisions.

Every driver granted a driver permit under this Article shall comply with all City of Memphis, state, and federal laws. Failure to do so may result in disciplinary actions including suspension and up to revocation of the Entertainment Transportation Vehicle driver permit.

Section 4. Equipment and Operation

Section 39-278. Entertainment Vehicle permit required.

A. Each Entertainment Transportation Vehicle must have a vehicle permit issued by the MTC in the vehicle. The permit will identify each vehicle by a unique number in accordance with rules and procedures established by the MTC and will be associated with the certificate holder. Entertainment Transportation Vehicle permits are not transferable to other entertainment transportation vehicles or other certificate holders.

B. To qualify for a vehicle permit, an applicant must have obtained a Certificate of Public Convenience and Necessity pursuant to § 39-257 of this Article and comply with all of the requirements and stipulations of this Chapter and any rules and regulations adopted by the MTC.

C. A \$125 fee will be charged for the issuance of each approved Entertainment Transportation Vehicle permit associated with the certificate.

D. It shall be unlawful for any person to transport or offer to transport passengers in any Entertainment Transportation Vehicle which does not have affixed to the vehicle a valid permit issued through the MTC.

Section 39-279. Application for additional vehicle permits.

An application for additional Entertainment Transportation Vehicle permits under the certificate of public convenience and necessity issued pursuant to this Article must be filed with the MTC director. The requirements stipulated in this Chapter shall apply and must be satisfied in order for the application to be considered. If approved, the established permit fee will be applied.

Section 39-280. Ownership and control of vehicles.

All Entertainment Transportation Vehicles permitted under this Chapter must be under the lawful control of a certificate holder demonstrated either by proof of ownership or a copy of a valid lease agreement and must be under the direct control of a permitted driver while in operation or use.

Section 39-281. Vehicle to display identification.

All Entertainment Transportation Vehicles operated under the authority of this Chapter shall be equipped with identification as prescribed by the MTC in rules and regulations.

Section 39-282. Vehicle requirements; safety standards.

A. To the fullest extent permitted by Tennessee and federal law, prior to the issuance of a permit, or the use and operation of any vehicle under the provisions of this Chapter, the vehicle shall be thoroughly examined and inspected by the certificate holder or a designated third party in accordance with rules and regulations prescribed by the MTC. When a certificate holder finds that a vehicle has met all the terms established by the MTC, the holder shall certify this to the MTC director, who shall authorize an Entertainment Transportation Vehicle permit to be issued.

B. To the fullest extent permitted by Tennessee and federal law, every vehicle operating under this Chapter is subject to random and periodic inspections to ensure the continued maintenance of safe operating conditions. A certificate holder shall make an Entertainment Transportation Vehicle available for inspection in accordance with the rules and regulations adopted by the MTC. If, upon inspection, it is determined that an Entertainment Transportation Vehicle for hire is not in compliance with this Chapter or MTC rules, the MTC staff shall order the vehicle to be removed from service or brought into compliance within two (2) weeks and require it to be reinspected prior to resuming operation.

C. Every vehicle operating under this Chapter shall be kept in a clean and satisfactory condition, according to rules and regulations promulgated by the MTC.

D. Every vehicle operating under this Chapter must be equipped with seats for each passenger.

E. To the fullest extent permitted by Tennessee and federal law, every vehicle operating under this Chapter shall undergo an annual detailed mechanical inspection conducted by an approved mechanic pursuant to the requirements of rules and regulations adopted by the MTC. The records of these inspections must be maintained and made available to MTC staff as provided by the rules and regulations adopted by the MTC. The certificate holder shall certify its compliance with this subsection to the MTC director.

F. The MTC may, by rule, establish additional inspection requirements for Entertainment Transportation Vehicles and other equipment used in the Entertainment Transportation Vehicle service.

Section 39-283. Operating area.

Entertainment Transportation Vehicles shall operate upon the streets in the Memphis City Limits on routes or zones delineated by the Memphis Transportation Commission, within the selected portion of the Central Business Improvement District (CBID - Core District, Edge/Medical District, and South District - see Exhibit A). In addition, Entertainment Transportation Vehicles may operate in the area commonly known as Overton Square, and along Union Avenue between the CBID and Overton Square. Any deviation or amendments to routes or zones must be reviewed by the MTC or its staff and receive approval from the Memphis City Council by Resolution. Any approved deviation must be reported to the MTC or its staff prior to beginning of operations.

Section 39-284. Operating hours.

Entertainment Transportation Vehicles shall operate between the hours of 11 AM to 1 AM local time. Any deviation from these hours must be reviewed by the MTC or its staff and receive approval from the Memphis City Council by Resolution. Any approved deviation must be reported to the MTC or the MTC director staff prior to beginning of operations.

Section 39-285. Records and reports.

A. Each holder shall maintain at a single location business records of its Entertainment Transportation Vehicle business. The records must be maintained in a manner approved by the MTC director and contain the following information:

1. An identification of the Entertainment Transportation Vehicle(s) operating each day;

2. An identification of the drivers operating the Entertainment Transportation Vehicles each day and a statement of the hours each driver operated the vehicle each day; and

3. Any other information the MTC director determines necessary for monitoring the activities, operations, service, and safety record of the licensee.

B. A certificate holder shall make its records available for inspection by the MTC director, inspector, law enforcement officer or designated officials.

Section 39-286. Accidents

A. All accidents arising from or in connection with the operation of an Entertainment Transportation Vehicle shall be reported within seventy-two (72) hours from the time of occurrence to the MTC director if the accident results in:

1. Death or bodily injury to any person; or

2. Damage to any vehicle, or to any property in an amount exceeding the sum of four hundred dollars (\$400).

B. An Entertainment Transportation Vehicle damaged in an accident, but still operable without placing the driver or passengers at risk, must be repaired within two (2) weeks of the accident, or removed from operation until repaired, and inspected prior to resuming operations.

Section 39-287. Passengers-Receiving and discharging by drivers.

A. Drivers shall only receive and discharge passengers at designated staging areas/locations approved by the MTC.

B. Drivers shall not allow additional passengers to board the Entertainment Transportation Vehicle after the vehicle has left its fixed starting point.

Section 39-288. Disposition of disorderly passengers.

Drivers shall act in a reasonable and professional manner in dealing with disorderly passengers.

Section 39-289. Soliciting business.

No certificate holder or driver of an Entertainment Transportation Vehicle shall offer any compensation of whatever form to any person or entity in exchange for the direction or recommendation of passengers to that Entertainment Transportation Vehicle. This section shall not be construed to prohibit certificate holders from advertising their entertainment transportation business by other reasonable means.

Section 39-290. Compliance with other laws.

It shall be a violation of this Chapter for a certificate holder or driver to violate any other applicable federal, state or local law or regulation in offering or providing Entertainment Transportation Vehicle services.

Section 39-291. Enforcement of this Article.

A. The MTC shall promulgate rules and regulations, consistent with applicable state and federal law, relative to the operation and use of Entertainment Transportation Vehicles. These rules and regulations shall be promulgated to provide safe transportation and specify such safety equipment and regulatory devices as the MTC shall deem necessary.

B. Enforcement of any power or authority granted the MTC under this Chapter or any rules or regulations issued by the MTC pursuant to such authority shall be delegated by the Commission to any employee of the Commission staff, who may issue a citation for violations of this Ordinance, pursuant

to Tenn. Code Ann. §§ 7-56-101 and 7-63-101.

C. The inspectors of the Memphis Transportation Commission are authorized and instructed to observe the conduct of holders of certificates and permits operating under this Chapter. Upon discovering a violation of any of the provisions of this Chapter, the inspector may either report the violation to the MTC, which will order or take appropriate action, or issue a citation as authorized under this section.

D. The inspectors of the Memphis Transportation Commission shall conduct random and periodic inspections of the operations of holders of certificates and permits operating under this chapter, to ensure compliance with the provisions of this Chapter and the Rules and Regulations of the MTC.

E. In addition to the enforcement authority provided to MTC inspectors in this section, officers of the Memphis Police Department shall have the authority to enforce this Chapter in performance of their duty to protect and serve and enforce the laws of the City of Memphis and the State of Tennessee; such enforcement includes, but is not limited to the authority of the police officer to issue a summons or misdemeanor citation or effect a physical arrest for violations. A police officer, upon observing a violation of this Chapter or of any regulation or rule established by the MTC or the MTC director pursuant to this Chapter, may take necessary enforcement action to ensure effective regulation of Entertainment Transportation Vehicles.

Section 39-292. Limitation of service due to weather conditions.

Entertainment Transportation Vehicles shall not receive passengers when weather conditions are sufficiently adverse or inclement so as to endanger passengers or the public. The MTC, by rule, may adopt specific guidelines for the operation of Entertainment Transportation Vehicles in

inclement weather conditions.

Section 5. Violations – Civil Penalty Schedules

Section 39-293. Violations-Penalties-Additional regulations.

A. All provisions of this Chapter shall be governed by the penalties and procedures for general ordinance violations set forth in Tennessee Code Annotated § 6-54-306, the Charter of the City of Memphis Article 40, Section 355, and the Code of Ordinances of Memphis, Tennessee, Section 1-24-1.

B. Notwithstanding any provision contained herein, the MTC shall have the authority to enforce the provisions of this Chapter.

C. The MTC shall have the authority to promulgate, implement, and enforce additional rules and regulations pertaining to entertainment transportation vehicles, provided such rules and regulations are consistent with the provisions of this Chapter and state and federal laws, and prior approval is obtained from the Memphis City Council.

Section 6. Severability

BE IT FURTHER ORDAINED, That the provisions of this Ordinance are hereby severable. 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 7. Intent on Legal Effect

BE IT FURTHER ORDAINED, That as amended hereby the remaining provisions of CHAPTER 6

– BUSINESS LICENSES AND REGULATIONS remains in full force and effect.

Section 8. Codification

BE IT FURTHER ORDAINED, That this ordinance amends Chapter 39 of the official City Code. The City has authorized the Municipal Code Corporation to provide a republication of the City’s Ordinances in the official City Code, as amended from time to time, for the convenience of the public. The official City Code and the official version of all new, amending, repealing and clarifying ordinances adopted by the City Council are maintained by the City’s Comptroller in the Office of Council Records.

Section 9. Effective Date Clause

BE IT FURTHER ORDAINED, That this Ordinance shall take effect after having been passed by City Council, signed by the Chair of Council, certified and delivered to the office of the Mayor in writing by the Comptroller, and becomes effective as otherwise provided by law and shall remain effective and operative unless and until the City Council alters, amends, clarifies or repeals it by a superseding, amending, clarifying or codifying ordinance.

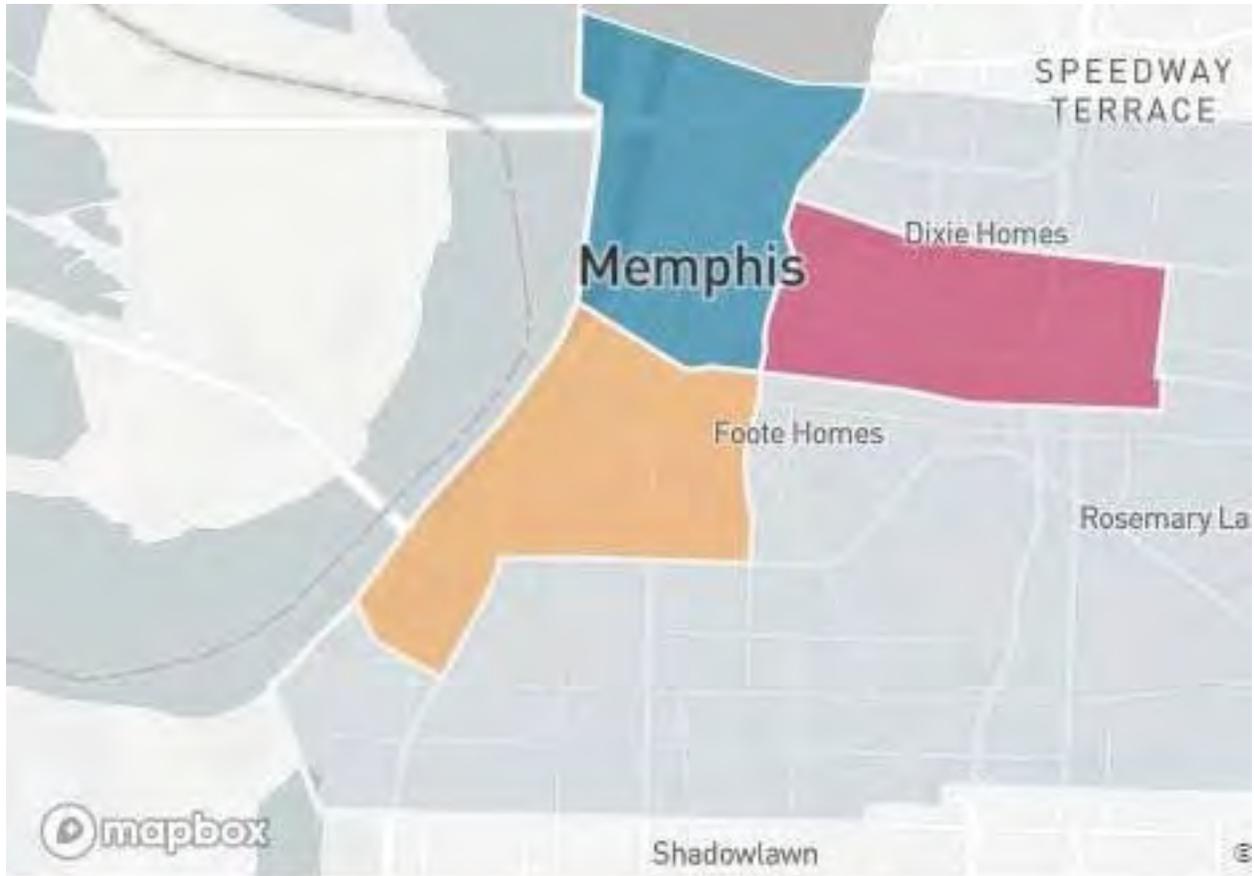
SPONSOR

J. Ford Canale

CHAIRMAN

JB Smiley, Jr.

Exhibit A



-  South District
-  North District
-  Core District
-  Edge/Medical District
-  Core City District

ORDINANCE NO. _____

SUBSTITUTE ORDINANCE TO AMEND THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, CHAPTER 6 -BUSINESS LICENSES AND REGULATIONS -TO DEFINE ENTERTAINMENT TRANSPORTATION VEHICLES, AND TO PROVIDE FOR THE LICENSING AND REGULATION OF THE SAME

WHEREAS, in recent years a new type of transportation business has emerged in various cities within the United States in which the passengers hire a motor vehicle not only as a means of transportation but also for some entertainment or social purpose; and

WHEREAS, the General Assembly of the State of Tennessee did in its recent session amend Tennessee Code Annotated, Section 7-51-1007, to recognize Entertainment Transportation Vehicles as a category separate from other types of vehicles already included in said law, and to allow municipalities within Tennessee to regulate the operation of Entertainment Transportation Vehicles; and

WHEREAS, in other cities in which such vehicles operate, governments have encountered various problems caused by the vehicles in the area of public safety and welfare, including accidents resulting in damage and injury, the commission of crimes related to the operation of the vehicles, and complaints from businesses and citizens about noise and offensive behavior by patrons; and

WHEREAS, the Memphis City Council deems it necessary for the health, safety, and welfare of citizens to amend the code of ordinances to regulate the operation of Entertainment Transportation Vehicles in the City of Memphis.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF MEMPHIS that Chapter 39 – Vehicles for Hire – of the City of Memphis Code of Ordinances, also referenced in Chapter 6-44, is hereby amended to create a new Article V, which shall read as follows:

Section 1. **Sec. 39-256. Definitions.**

For purposes of this chapter:

"Certificate" means a certificate of public convenience and necessity, a license granted, upon application and approval, by the Memphis Transportation Commission (MTC) for the sole purpose of authorizing the certificate holder to provide entertainment transportation through an Entertainment Transportation Vehicle.

"Certificate holder" means a person, company, corporation or association which has applied for, and been granted, a certificate of public necessity and convenience.

"Customer" means any person on an Entertainment Transportation Vehicle other than the driver or other employee of the entertainment transportation business, who has paid money for the services of the business or is attached to a party that has done so.

"Driver" means any individual who physically operates an Entertainment Transportation Vehicle as a for-hire vehicle under this chapter. This person may share additional, company-related titles, such as owner, employee of the owner, holder or independent contractor.

"Driver permit" means a permit issued by the MTC to drive and operate an Entertainment Transportation Vehicle.

"Entertainment Transportation Vehicle" means any motor vehicle that is designed or constructed to accommodate and transport more than one passenger for hire, the principal operation of which is confined to the area within the Memphis City Limits, whether it is operated on a fixed route or schedule, and where the passengers hire the motor vehicle not only as a means of transportation but also for some entertainment or social purpose. "Entertainment transportation" includes, but is not limited to, trucks, buses, and wagons/trailers pulled by a motor vehicle. "Entertainment transportation" does not include a limousine, sedan, shuttle, taxicab, horse-drawn

carriage, or electric-assist pedal carriage.

"For hire" means a transaction whereby any money, thing of value, charge tickets, surcharge, payment, pecuniary consideration or compensation, reward, donation, tip, or any other remuneration or profit is paid to, accepted by, or received by a driver, employee, agent, owner, or any other representative of an Entertainment Transportation Vehicle in exchange for the temporary use by or for the transportation of a passenger, whether such is paid voluntarily or upon solicitation, demand, request, contract, agreement, or as a surcharge; or otherwise in conjunction with the purchase of any other services wherein the entertainment transportation is part of the services provided.

"Good cause" means (1) a material violation of a state law or municipal ordinance, rule, or regulation governing the permit, which may be demonstrated by a knowing failure or refusal to comply with such law, ordinance, rule, or regulation; and (2) includes the disuse or dormancy of a permit for a period of six (6) months or longer prior to the Memphis Transportation Commission taking action to revoke the permit.

"Inspector(s)" means the inspector(s) for the Commission.

"Memphis Transportation Commission," hereinafter referred to as "MTC" or "the Commission," means the Memphis Transportation Commission as established by the City of Memphis Code of Ordinances, Chapter 39, Article V, the same being identified as Chapter 6-46 of the Code of Ordinances of the City of Memphis.

"MTC Director" means the Executive Secretary of the MTC, as employed by the City of Memphis on behalf of the MTC.

"Owner" means the person who holds the legal title of the Entertainment Transportation Vehicle.

"Passenger" means any person on an Entertainment Transportation Vehicle other than the driver.

"Person" means any individual, partnership, corporation, association or public or private organization of any character.

"Permittee" means a holder of any permit issued under this chapter.

"Solicit" means the distribution of flyers or other material, or an appeal by bell, horn, whistle, words, or gestures by a driver or his or her agent directed at individuals or groups for the purpose of attracting passengers for immediate hire.

"Vehicle permit" means a permit issued by the MTC for an Entertainment Transportation Vehicle to carry passengers.

Section 2. Certificate of Public Convenience and Necessity

Sec. 39-257. Required Certificate and Effective Term.

A. No Entertainment Transportation Vehicle shall be used or operated on a for hire basis by any person in the territorial jurisdiction of the Memphis City government without an owner or operator having first obtained a certificate of public convenience and necessity. Each certificate shall be valid for one year and shall be subject to renewal pursuant to the provisions set forth in this article. Applications will be reviewed and considered as they come in to the MTC.

B. Certificates shall not be transferred, sold or given from one owner to another, including the sale of one Entertainment Transportation Vehicle company in its entirety to another, without approval of the MTC upon the filing of an application for such transfer.

C. The MTC shall track all certificates, and after the renewal period, if the certificate

has not been renewed it shall be determined to be void.

Sec. 39-258. Application - Information and fees required.

- A. An application shall be filed with the MTC for each certificate of public convenience and necessity sought. Forms will be provided by the MTC and payment of a nonrefundable fee of \$200 will be charged.
- B. The application shall require the following information:
 1. Name and address of applicant;
 - a. Sole-proprietor: Name and address of the owner.
 - b. Partnership: Names and addresses of all partners.
 - c. Corporation or association: Names and addresses of all the officers, directors, and members.
 2. Business name (d/b/a), business address, and telephone number if different from above;
 3. A background check of each person;
 4. Proof of U.S. citizenship or legal residency;
 5. Names and addresses of two references as to the applicant's financial responsibility;
 6. Prior experience of applicant in transport of passengers;
 7. Number of Entertainment Transportation Vehicle permits requested, and copy of proof of ownership or other evidence of lawful control, as determined by the MTC, for each vehicle to be operated under the certificate;
 8. Applicant's Procedures for training drivers;
 9. Applicant's Rules and regulations governing driver appearance and conduct;
 10. Disclosure of prior state law or City of Memphis Code of Ordinances violations pertaining to noise from motor vehicles, lewd conduct as part of a commercial business, or alcoholic beverage open container laws; any disclosures shall be verified by the MTC;
 11. The financial status of the applicant, including the amounts of all unpaid judgments against the applicant or if a corporation, against any officer, director or shareholder as

listed above or, if a partnership, any partner or limited partner, or any other person who is interested directly in the ownership or operation of the business.

12. Any additional information the applicant desires to include to aid in the determination of whether the requested certificate should be issued; and

13. Such further information as the MTC may require.

C. An applicant will be ineligible for consideration if:

1. Any of the owners, partners, officers, directors, or members are under twenty-one (21) years of age and/or the Entertainment Transportation Vehicle business has no separate legal existence beyond a shareholder, owner, or partner who is under the age of twenty-one years of age;

2. Any of the owners, partners, officers, directors, or members has violated any portion of this chapter of the City of Memphis Code of Ordinances within five years immediately preceding the date of application;

3. Any of the owners, partners, officers, directors, or members have any outstanding unpaid final judgment; or

4. Any portion of the application is incomplete or contains incorrect or untruthful information.

D. An applicant will be ineligible for consideration for a one-year period if any owner, partner, officer, director, or member has been found guilty by a court of competent jurisdiction of violating state law or City of Memphis Code provisions three or more times within the past three hundred sixty-five days pertaining to noise from motor vehicles and/ or lewd conduct as part of a commercial business.

Sec. 39-259. Findings - Issuance of additional certificates.

A. If the MTC finds that further or additional Entertainment Transportation Vehicle service

within the Memphis City Limits is warranted for the public convenience and necessity and that the applicant is fit, willing, and able to provide such service and to conform to the provisions of this chapter and the rules promulgated by the MTC, the MTC may issue a certificate of public convenience and necessity. The certificate shall state the name, business address and telephone number of the applicant, the number of vehicles authorized upon such certificate, the date of issuance and the date of expiration.

B. In making the above findings, the MTC shall, at a minimum, take into consideration the number of Entertainment Transportation Vehicles already in operation, whether existing service is adequate to meet the public need; the experience, financial condition and responsibility of the applicant, and such criteria as may be adopted by the MTC in its rules.

C. No more than (25) Entertainment Transportation Vehicles may be permitted to operate upon the streets of Memphis, and the MTC shall accept no applications for additional vehicles once this maximum has been permitted. Applications shall be evaluated in the order in which they are received; and upon issuance of a 25th permit, any other pending applications shall be set aside. Should the number of permitted vehicles drop below the maximum allowed, those applications will be considered in the order in which they were filed with the MTC, beginning with those pending applications that were previously set aside.

D. The MTC may, by rule, establish any further criteria for determining the necessity for additional Entertainment Transportation Vehicle certificates.

E. Any person whose application for a certificate is denied by the MTC may file a written appeal with the MTC within thirty days of denial and request an appearance before the MTC and appear in-person for consideration of the certificate application.

Section 39-260. Renewal of the Certificate of Public Convenience and Necessity.

A. All certificates issued under the provisions of this chapter shall expire one (1) year from the date on which the certificate was issued. All certificates may be renewed by the MTC director up to 30 days before their expiration date. A renewal fee of \$125 for each approved certificate and other licensing fees shall be charged at the annual renewal of the certificate.

B. All applicants for renewal must be current with all assessments and taxes due to the City of Memphis.

C. If a licensed Entertainment Transportation Vehicle company or individual fails to renew their certificate within thirty (30) days from the expiration date, such company shall be treated as a new applicant upon renewal application.

Section 39-261. Insurance required.

A. Before any certificate shall be issued by the Commission Director, or before the renewal of such certificate shall be granted, the applicant or association shall be required to file an insurance policy and/or certificate of insurance with the MTC director evidencing insurance coverage as required in this section.

B. Insurance coverage as provided in subsection (A) of this section means a policy of public liability insurance issued by an insurance company qualified to do business in the State of Tennessee and naming the City of Memphis as an additional insured. Any policy of public liability insurance issued in compliance with this article shall be for a term of not less than one year, and for any Entertainment Transportation Vehicle insured thereunder shall afford protection to any third party sustaining injury or damage as a result of the negligent operation of any Entertainment Transportation Vehicle, with the minimum amount of insurance to be determined by the City Risk Management Department, known as combined single limit insurance coverage. Such policy shall

expressly provide that it may not be canceled, except after thirty (30) days' written notice to the Commission Director.

C. Such certificate will certify that the policy provides for a minimum coverage per the requirements of the Risk Management Department of the City of Memphis, which may be amended from time to time to remain current with the current risk factors, per Entertainment Transportation Vehicle for liability imposed by law for damages on account of bodily injuries, death or personal damages, other than injuries, death or property damages of the company or driver, in any one accident resulting from the ownership, maintenance or use of such Entertainment Transportation Vehicle. The certificate of insurance shall also list the serial number or identification number of each Entertainment Transportation Vehicle that is insured.

D. The operation of any Entertainment Transportation Vehicle within the Memphis City Limits without having in force the public liability insurance policy as outlined in this section is hereby declared to be a violation of this Article, subjecting the owner and/or certificate holder to all applicable penalties provided in this Article and this Chapter.

E. Any changes in insurance must be reported to the Commission immediately.

Section 39-262. Suspension and revocation.

A. A certificate issued under the provisions of this chapter may be revoked by the MTC only after the holder has been provided with proper notice and the opportunity to be heard at an administrative hearing and for good cause shown. A certificate issued may be suspended, placed on probation, otherwise restricted, or not renewed by the MTC if the holder thereof has:

1. Violated any of the provisions of this chapter or failed to comply with any rule or regulation established by the MTC;

2. Violated any other provision of the Code of Ordinances of the City of Memphis or laws of the United States or the State of Tennessee, the violation of which reflects unfavorably on the fitness of the holder to offer transportation services, including but not limited to, violations for excessive noise;
3. Failed to pay assessments or taxes due to the City of Memphis;
4. Attempted to transfer a certificate or permit; or
5. Made a misrepresentation or false statement when obtaining a certificate or additional permits or transferring a certificate.

B. Prior to any action to revoke, suspend, place on probation, otherwise restrict, or not renew a certificate, the holder shall be given notice to the address listed on their certificate of the proposed action to be taken and shall have an opportunity to be heard by the MTC.

C. If the holder commits an act in violation of the criminal laws of the United States of America or State of Tennessee, and the MTC director determines that the holder poses a threat to public safety, the MTC director may enact an emergency suspension of the holder's certificate to remain in effect until the holder has the opportunity to be heard by the MTC at the next available meeting, but in no circumstance later than sixty (60) days from the date of the emergency suspension.

Section 3. Driver Permits

Section 39-263. Driver Permit required- Violations and term.

A. No person shall drive or otherwise operate an Entertainment Transportation Vehicle engaged in the transportation of passengers unless he or she has a driver permit from the MTC and a currently effective Tennessee commercial driver's license.

B. A person commits an offense if he or she operates an Entertainment Transportation

Vehicle in the Memphis City Limits without a driver permit issued by the MTC.

C. A business commits an offense if it employs or otherwise allows a person to operate an Entertainment Transportation Vehicle owned, controlled, or operated by the permittee without a driver permit issued by the MTC.

D. Each driver permit shall be valid for one (1) year and shall be subject to renewal pursuant to the provisions set forth in this Article.

Section 39-264. Application-Information and fees required.

A. An application for an Entertainment Transportation Vehicle driver permit shall be filed with the MTC on forms provided by the MTC.

B. Such application shall be certified under oath and shall at a minimum contain the following information:

1. The name, residential address, telephone number and date of birth of the applicant. No applicant under twenty-one (21) years of age will be accepted.
2. The type(s) of vehicle(s) which the applicant will drive under the certificate.
3. The years of experience of the applicant in the transportation industry.
4. A concise history of the applicant's employment.

C. The applicant shall provide copies of the following documents in order to submit his or her application:

1. A valid driver's license issued by one of the fifty states within the United States of America for the issuance or renewal of an Entertainment Transportation Vehicle driver permit corresponding with the type/classification of Entertainment Transportation Vehicle to be operated (i.e., commercial driver license, for-hire endorsement, etc.).

2. If a resident alien, a current work permit or other valid United States Immigration and Customs Enforcement document.
3. A copy of a currently effective Tennessee commercial driver's license.

D. Each application shall be accompanied by an official driver record obtained no longer than thirty (30) days prior to the date of application. All applicants are required to meet the following standards:

1. No convictions or nolo contendere pleas in the last five (5) years for any of the following offenses involving bodily injury or death and no convictions in the last three (3) years for any of the following offenses not involving injury or death:
 - Hit and run;
 - Driving under the influence of an alcoholic beverage or drug;
 - Reckless or careless driving;
 - Any other offense, including moving traffic violations, that directly relates to a person's ability to operate a vehicle.
2. For an initial driver permit, no more than three moving violations within the last three (3) years and no more than two (2) moving violations in the last year.
3. For a renewal driver permit, no more than four (4) moving violations within the last three (3) years and no more than two (2) moving violations in the last year.

Section 39-265. Fingerprint-based criminal background investigation.

A. All applicants for an Entertainment Transportation Vehicle driver permit must undergo a fingerprint-based identification and background check. The MTC shall provide instructions to applicants on obtaining such background checks. A background check report and a copy of the

Motor Vehicle Record (MVR), generated by the Department of Motor Vehicles, of the applicant, if any, shall be attached to the application and forwarded for consideration by the MTC.

B. Any applicant shall, in addition to any disqualifications listed elsewhere in this Chapter, be disqualified if the applicant:

1. Has been convicted of, forfeited bond or pleaded nolo contendere to a felony or any crime involving moral turpitude as defined by laws of the State of Tennessee, a controlled substance, prostitution, assignation, or obscenity within five (5) years immediately preceding the date of application; or has been convicted of, forfeited bond or pleaded nolo contendere to any crime involving the abuse of a child or of a sexual nature in any jurisdiction at any time preceding the date of application.
2. If, at the time of application, the applicant is charged with any offenses in subsection

(1) of this section, consideration of the application shall be deferred until the applicant's entry of a plea, conviction, acquittal, dismissal, or other final disposition of the charges.

3. Has been convicted of two (2) or more felony offenses within the past seven (7) years.

4. Has been convicted for a period of two (2) years prior to the date of application for violation of two or more sections of this Code or other ordinances governing the operation of Entertainment Transportation Vehicles.

If the applicant fails to disclose any criminal conviction, except traffic citations, on the application for a driver permit, the application may be referred to the MTC for consideration.

Section 39-266. Application - Approval or disapproval.

The MTC or its staff shall, upon the consideration of the application and any reports and certificates required to be attached thereto, approve or reject the application. Any applicant rejected by the MTC staff may file an appeal within thirty (30) days of denial and request an appearance before the MTC. The appeal shall be heard by the MTC at the next available MTC meeting with the appellant appearing in-person for consideration of the application.

Section 39-267. Issuance – Driver Permit contents and display.

A. Upon approval of an application for an Entertainment Transportation Vehicle driver permit, the MTC director shall issue a permit to the applicant, which shall bear the applicant's name, driver permit number, height, date of birth, a photograph of the applicant, and other information deemed appropriate by the MTC.

B. Every driver shall at all times conspicuously display a driver permit within the Entertainment Transportation Vehicle, where it is visible to passengers. A driver shall allow the MTC director, MTC inspector, or a police officer to examine the permit upon request.

Section 39-268. New application after denial.

Upon denial of an application for a driver permit, no new application shall be considered for a period of three (3) months.

Section 39-269. Expiration - Issuance and renewal fee.

A. A driver permit may be issued to qualified applicants upon the payment of a \$35 fee plus the costs of investigation. If the permit for the preceding year has been revoked, no new permit shall be issued without prior MTC approval.

B. Each Entertainment Transportation Vehicle driver permit shall be issued for a period of one year. The fee to renew a driver permit shall be \$17.50. Such fees shall be in addition to the cost of any investigation.

Section 39-270. Unpermitted drivers.

A. If any person is found operating an Entertainment Transportation Vehicle within the Memphis City Limits without a valid Entertainment Transportation Vehicle driver permit on behalf of any holder of a certificate of necessity and public convenience, the MTC director may

immediately take action to suspend or revoke the certificate in accordance with § 39-262(B).

B. A person whose Entertainment Transportation Vehicle driver permit is suspended shall not drive an Entertainment Transportation Vehicle within the Memphis City Limits during the period of suspension.

Section 39-271. Suspension, revocation, and appeal.

A. The MTC director is hereby given authority to suspend any Entertainment Transportation Vehicle driver permit issued under this Article for a driver's failure or refusal to comply with the provisions of this Article. Such suspensions may not last for a period of more than thirty (30) days. The MTC director is also given authority to revoke any driver permit, provided that the revocation is decided in accordance with §39-262(B), for failure to comply with the provisions of this Article.

B. If a driver is charged in any court with a misdemeanor involving moral turpitude, or with any felony, or with driving while intoxicated or under the influence of drugs, or with violations of this Article, the MTC director is hereby given authority to suspend the driver's permit pending final disposition of the charges against them, and to revoke such permit upon conviction thereof.

C. The MTC director may revoke an Entertainment Transportation Vehicle driver permit for good cause in accordance with §39-262(B), if the director determines that the permittee has engaged in conduct detrimental to the public safety.

D. The MTC director may not suspend or revoke any driver permit unless the driver has received notice of the charges against them and has had the opportunity to present evidence on their behalf at an administrative hearing before the MTC Director, where good cause has been established.

E. Any permittee whose driver permit has been suspended or revoked by the MTC director may file a written appeal with the MTC within ten (10) business days. If an appeal is not made to the MTC within ten (10) business days of the MTC director's decision, the MTC director's decision shall

be final. A letter addressed to the MTC and delivered to the MTC office stating that an appeal from the decision of the MTC director is desired shall perfect such appeal. The MTC, as soon as practicable after receiving such notice of appeal, shall notify the permittee of the date and time of the hearing which shall be not less than five (5) business days after the mailing of such notice. After the hearing of the appeal, the MTC shall sustain, modify or reverse the findings of the MTC director, and shall notify the MTC director and the permittee of its findings. The findings of the MTC shall be final, subject to any applicable legal processes.

F. A driver whose permit is revoked may not reapply for ninety (90) days from the date of revocation and will be treated as a new applicant.

Section 39-272. Revocation of a valid driver's license.

An Entertainment Transportation Vehicle driver permit issued under this Chapter shall be valid for one (1) year so long as the permittee's valid driver's license, issued by one of the fifty states in the United States of America for the type/classification of Entertainment Transportation Vehicle to be operated, remains valid for the duration of the permit. Any time that a permittee's driver's license is suspended, revoked, or cancelled, their Entertainment Transportation Vehicle driver permit shall likewise be immediately suspended, revoked pursuant to § 39-262(B), or cancelled. The Entertainment Transportation Vehicle driver permit shall immediately be surrendered to the MTC until such time as their driver's license is reinstated.

Section 39-273. Conduct of drivers.

A. A driver shall at all times:

1. Act in a reasonable, prudent, safe, and courteous manner;

2. Take the necessary measures to prevent and prohibit a person not possessing an Entertainment Transportation Vehicle driver permit from operating the Entertainment Transportation Vehicle;
3. Refrain from allowing more passengers to be carried in an Entertainment Transportation Vehicle than for which there is proper seating, and at no time shall the driver allow any passenger to ride in any area of the Entertainment Transportation Vehicle not specifically designed or designated as a seat;
4. Prohibit any passenger eighteen (18) years of age or younger from riding in an Entertainment Transportation Vehicle unaccompanied by an adult;
5. Not operate an Entertainment Transportation Vehicle while under the influence of intoxicating beverages or drugs;
- 6.
7. Observe and obey all state and local noise and traffic laws and regulations;
8. Not permit a customer to stand or ride on any part of the Entertainment Transportation Vehicle other than the designated seating area while the Entertainment Transportation Vehicle is in motion and require that passengers must be seated except when loading or unloading.

Section 39-274. Drivers not to work more than 12 hours out of 24.

No driver shall work more than a maximum of twelve (12) driving hours in the aggregate of any twenty-four-hour period, and such driver shall not begin to drive until he has had at least eight (8) consecutive hours of rest.

Section 39-275. Consumption of Alcoholic Beverages.

The consumption of an alcoholic beverage by an individual, over the age of twenty-one (21), who is strictly a passenger in the passenger area of an Entertainment Transportation Vehicle is permitted. Sales of alcohol by the operator, driver, or riders of the vehicle are prohibited.

A. If alcoholic beverages are allowed to be consumed on an Entertainment Transportation Vehicle, the vehicle operator shall apply for a permit to allow such consumption from the Permits Office. The application fee for such permit is \$25 and the operator of an Entertainment Transportation Vehicle company shall pay an additional \$25 for each Entertainment Transportation Vehicle on which alcohol is being consumed. The driver or operator of an Entertainment Transportation Vehicle shall be in possession of the permit referenced in this subsection at all times alcohol is being consumed on the Entertainment Transportation Vehicle. Additionally, the registration number issued by the Permits Office shall be conspicuously displayed on the rear of the Entertainment Transportation Vehicle.

B. If an alcohol consumption permit is granted to the Entertainment Transportation Vehicle operator, the following notice shall be on full display on the Entertainment Transportation Vehicle:

1. Each passenger is asked to drink responsibly; and
2. No passengers are permitted to take any opened alcoholic beverage container with them when they exit the Entertainment Transportation Vehicle, except in the Beale Street Historic District.

C. An Entertainment Transportation Vehicle driver shall not operate an Entertainment Transportation Vehicle while under the influence of alcoholic beverages, nor shall the driver consume alcoholic beverages while operating the vehicle.

D. The Entertainment Transportation Vehicle operator and driver may not allow consumption of alcoholic beverages by persons under the age of twenty-one (21).

E. Any violations of this Section may be enforced under the applicable laws of the City of Memphis and the State of Tennessee, as contemplated by §§ 39-291 and 39-293, which may result in revocation or suspension of the operator's certificate of public convenience and necessity.

Section 39-276. Return of passengers' property.

A driver of an Entertainment Transportation Vehicle shall immediately attempt to return to a passenger any property left by the passenger in the vehicle. If unable to locate the passenger, the driver shall turn the property in to the certificate holder's company office at the end of the driver's shift or at the first available opportunity. In such cases, the certificate holder shall make a good faith effort to locate the passenger, and, if not successful, hold the property in storage at its location for at least thirty (30) days.

Section 39-277. Compliance with provisions.

Every driver granted a driver permit under this Article shall comply with all City of Memphis, state, and federal laws. Failure to do so may result in disciplinary actions including suspension and up to revocation of the Entertainment Transportation Vehicle driver permit.

Section 4. Equipment and Operation

Section 39-278. Entertainment Vehicle permit required.

A. Each Entertainment Transportation Vehicle must have a vehicle permit issued by the MTC in the vehicle. The permit will identify each vehicle by a unique number in accordance with rules and procedures established by the MTC and will be associated with the certificate holder. Entertainment Transportation Vehicle permits are not transferable to other entertainment transportation vehicles or other certificate holders.

B. To qualify for a vehicle permit, an applicant must have obtained a Certificate of Public Convenience and Necessity pursuant to § 39-257 of this Article and comply with all of the requirements and stipulations of this Chapter and any rules and regulations adopted by the MTC.

C. A \$125 fee will be charged for the issuance of each approved Entertainment Transportation Vehicle permit associated with the certificate.

D. It shall be unlawful for any person to transport or offer to transport passengers in any Entertainment Transportation Vehicle which does not have affixed to the vehicle a valid permit issued through the MTC.

Section 39-279. Application for additional vehicle permits.

An application for additional Entertainment Transportation Vehicle permits under the certificate of public convenience and necessity issued pursuant to this Article must be filed with the MTC director. The requirements stipulated in this Chapter shall apply and must be satisfied in order for the application to be considered. If approved, the established permit fee will be applied.

Section 39-280. Ownership and control of vehicles.

All Entertainment Transportation Vehicles permitted under this Chapter must be under the lawful control of a certificate holder demonstrated either by proof of ownership or a copy of a valid lease agreement and must be under the direct control of a permitted driver while in operation or use.

Section 39-281. Vehicle to display identification.

All Entertainment Transportation Vehicles operated under the authority of this Chapter shall be equipped with identification as prescribed by the MTC in rules and regulations.

Section 39-282. Vehicle requirements; safety standards.

A. To the fullest extent permitted by Tennessee and federal law, prior to the issuance of a permit, or the use and operation of any vehicle under the provisions of this Chapter, the vehicle shall be thoroughly examined and inspected by the certificate holder or a designated third party in accordance with rules and regulations prescribed by the MTC. When a certificate holder finds that a vehicle has met all the terms established by the MTC, the holder shall certify this to the MTC director, who shall authorize an Entertainment Transportation Vehicle permit to be issued.

B. To the fullest extent permitted by Tennessee and federal law, every vehicle operating under this Chapter is subject to random and periodic inspections to ensure the continued maintenance of safe operating conditions. A certificate holder shall make an Entertainment Transportation Vehicle available for inspection in accordance with the rules and regulations adopted by the MTC. If, upon inspection, it is determined that an Entertainment Transportation Vehicle for hire is not in compliance with this Chapter or MTC rules, the MTC staff shall order the vehicle to be removed from service or brought into compliance within two (2) weeks and require it to be reinspected prior to resuming operation.

C. Every vehicle operating under this Chapter shall be kept in a clean and satisfactory condition, according to rules and regulations promulgated by the MTC.

D. Every vehicle operating under this Chapter must be equipped with seats for each passenger.

E. To the fullest extent permitted by Tennessee and federal law, every vehicle operating under this Chapter shall undergo an annual detailed mechanical inspection conducted by an approved mechanic pursuant to the requirements of rules and regulations adopted by the MTC. The records of these inspections must be maintained and made available to MTC staff as provided by the rules and regulations adopted by the MTC. The certificate holder shall certify its compliance with this subsection to the MTC director.

F. The MTC may, by rule, establish additional inspection requirements for Entertainment Transportation Vehicles and other equipment used in the Entertainment Transportation Vehicle service.

Section 39-283. Operating area.

Entertainment Transportation Vehicles shall operate upon the streets in the Memphis City Limits on routes or zones delineated by the Memphis Transportation Commission, within the selected portion of the Central Business Improvement District (CBID - Core District, Edge/Medical District, and South District - see Exhibit A). In addition, Entertainment Transportation Vehicles may operate in the area commonly known as Overton Square, and along Union Avenue between the CBID and Overton Square. Any deviation or amendments to routes or zones must be reviewed by the MTC or its staff and receive approval from the Memphis City Council by Resolution. Any approved deviation must be reported to the MTC or its staff prior to beginning of operations.

Section 39-284. Operating hours.

Entertainment Transportation Vehicles shall operate between the hours of 11 AM to 1 AM local time. Any deviation from these hours must be reviewed by the MTC or its staff and receive approval from the Memphis City Council by Resolution. Any approved deviation must be reported to the MTC or the MTC director staff prior to beginning of operations.

Section 39-285. Records and reports.

A. Each holder shall maintain at a single location business records of its Entertainment Transportation Vehicle business. The records must be maintained in a manner approved by the MTC director and contain the following information:

1. An identification of the Entertainment Transportation Vehicle(s) operating each day;

2. An identification of the drivers operating the Entertainment Transportation Vehicles each day and a statement of the hours each driver operated the vehicle each day; and

3. Any other information the MTC director determines necessary for monitoring the activities, operations, service, and safety record of the licensee.

B. A certificate holder shall make its records available for inspection by the MTC director, inspector, law enforcement officer or designated officials.

Section 39-286. Accidents

A. All accidents arising from or in connection with the operation of an Entertainment Transportation Vehicle shall be reported within seventy-two (72) hours from the time of occurrence to the MTC director if the accident results in:

1. Death or bodily injury to any person; or

2. Damage to any vehicle, or to any property in an amount exceeding the sum of four hundred dollars (\$400).

B. An Entertainment Transportation Vehicle damaged in an accident, but still operable without placing the driver or passengers at risk, must be repaired within two (2) weeks of the accident, or removed from operation until repaired, and inspected prior to resuming operations.

Section 39-287. Passengers-Receiving and discharging by drivers.

A. Drivers shall only receive and discharge passengers at designated staging areas/locations approved by the MTC.

B. Drivers shall not allow additional passengers to board the Entertainment Transportation Vehicle after the vehicle has left its fixed starting point.

Section 39-288. Disposition of disorderly passengers.

Drivers shall act in a reasonable and professional manner in dealing with disorderly passengers.

Section 39-289. Soliciting business.

No certificate holder or driver of an Entertainment Transportation Vehicle shall offer any compensation of whatever form to any person or entity in exchange for the direction or recommendation of passengers to that Entertainment Transportation Vehicle. This section shall not be construed to prohibit certificate holders from advertising their entertainment transportation business by other reasonable means.

Section 39-290. Compliance with other laws.

It shall be a violation of this Chapter for a certificate holder or driver to violate any other applicable federal, state or local law or regulation in offering or providing Entertainment Transportation Vehicle services.

Section 39-291. Enforcement of this Article.

A. The MTC shall promulgate rules and regulations, consistent with applicable state and federal law, relative to the operation and use of Entertainment Transportation Vehicles. These rules and regulations shall be promulgated to provide safe transportation and specify such safety equipment and regulatory devices as the MTC shall deem necessary.

B. Enforcement of any power or authority granted the MTC under this Chapter or any rules or regulations issued by the MTC pursuant to such authority shall be delegated by the Commission to any employee of the Commission staff, who may issue a citation for violations of this Ordinance, pursuant

to Tenn. Code Ann. §§ 7-56-101 and 7-63-101.

C. The inspectors of the Memphis Transportation Commission are authorized and instructed to observe the conduct of holders of certificates and permits operating under this Chapter. Upon discovering a violation of any of the provisions of this Chapter, the inspector may either report the violation to the MTC, which will order or take appropriate action, or issue a citation as authorized under this section.

D. The inspectors of the Memphis Transportation Commission shall conduct random and periodic inspections of the operations of holders of certificates and permits operating under this chapter, to ensure compliance with the provisions of this Chapter and the Rules and Regulations of the MTC.

E. In addition to the enforcement authority provided to MTC inspectors in this section, officers of the Memphis Police Department shall have the authority to enforce this Chapter in performance of their duty to protect and serve and enforce the laws of the City of Memphis and the State of Tennessee; such enforcement includes, but is not limited to the authority of the police officer to issue a summons or misdemeanor citation or effect a physical arrest for violations. A police officer, upon observing a violation of this Chapter or of any regulation or rule established by the MTC or the MTC director pursuant to this Chapter, may take necessary enforcement action to ensure effective regulation of Entertainment Transportation Vehicles.

Section 39-292. Limitation of service due to weather conditions.

Entertainment Transportation Vehicles shall not receive passengers when weather conditions are sufficiently adverse or inclement so as to endanger passengers or the public. The MTC, by rule, may adopt specific guidelines for the operation of Entertainment Transportation Vehicles in

inclement weather conditions.

Section 5. Violations – Civil Penalty Schedules

Section 39-293. Violations-Penalties-Additional regulations.

A. All provisions of this Chapter shall be governed by the penalties and procedures for general ordinance violations set forth in Tennessee Code Annotated § 6-54-306, the Charter of the City of Memphis Article 40, Section 355, and the Code of Ordinances of Memphis, Tennessee, Section 1-24-1.

B. Notwithstanding any provision contained herein, the MTC shall have the authority to enforce the provisions of this Chapter.

C. The MTC shall have the authority to promulgate, implement, and enforce additional rules and regulations pertaining to entertainment transportation vehicles, provided such rules and regulations are consistent with the provisions of this Chapter and state and federal laws, and prior approval is obtained from the Memphis City Council.

Section 6. Severability

BE IT FURTHER ORDAINED, That the provisions of this Ordinance are hereby severable. 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 7. Intent on Legal Effect

BE IT FURTHER ORDAINED, That as amended hereby the remaining provisions of CHAPTER 6

– BUSINESS LICENSES AND REGULATIONS remains in full force and effect.

Section 8. Codification

BE IT FURTHER ORDAINED, That this ordinance amends Chapter 39 of the official City Code. The City has authorized the Municipal Code Corporation to provide a republication of the City’s Ordinances in the official City Code, as amended from time to time, for the convenience of the public. The official City Code and the official version of all new, amending, repealing and clarifying ordinances adopted by the City Council are maintained by the City’s Comptroller in the Office of Council Records.

Section 9. Effective Date Clause

BE IT FURTHER ORDAINED, That this Ordinance shall take effect after having been passed by City Council, signed by the Chair of Council, certified and delivered to the office of the Mayor in writing by the Comptroller, and becomes effective as otherwise provided by law and shall remain effective and operative unless and until the City Council alters, amends, clarifies or repeals it by a superseding, amending, clarifying or codifying ordinance.

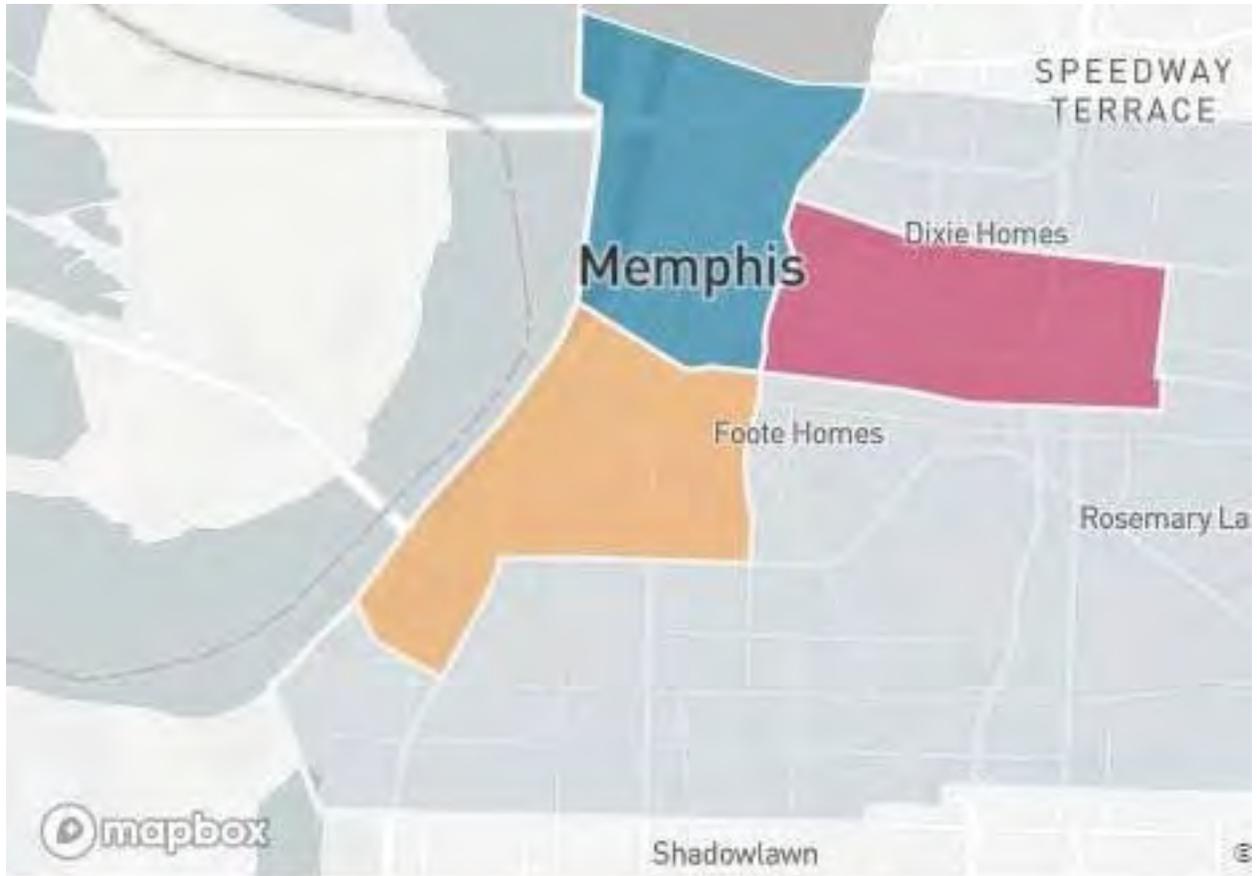
SPONSOR

J. Ford Canale

CHAIRMAN

JB Smiley, Jr.

Exhibit A



-  South District
-  North District
-  Core District
-  Edge/Medical District
-  Core City District

FORD URBANITE MOBILITY ENTREPRENEURSHIP CHALLENGE



Start Co. (501c3)
Memphis, TN

www.neverstop.co

Andre Fowlkes
andre@neverstop.co



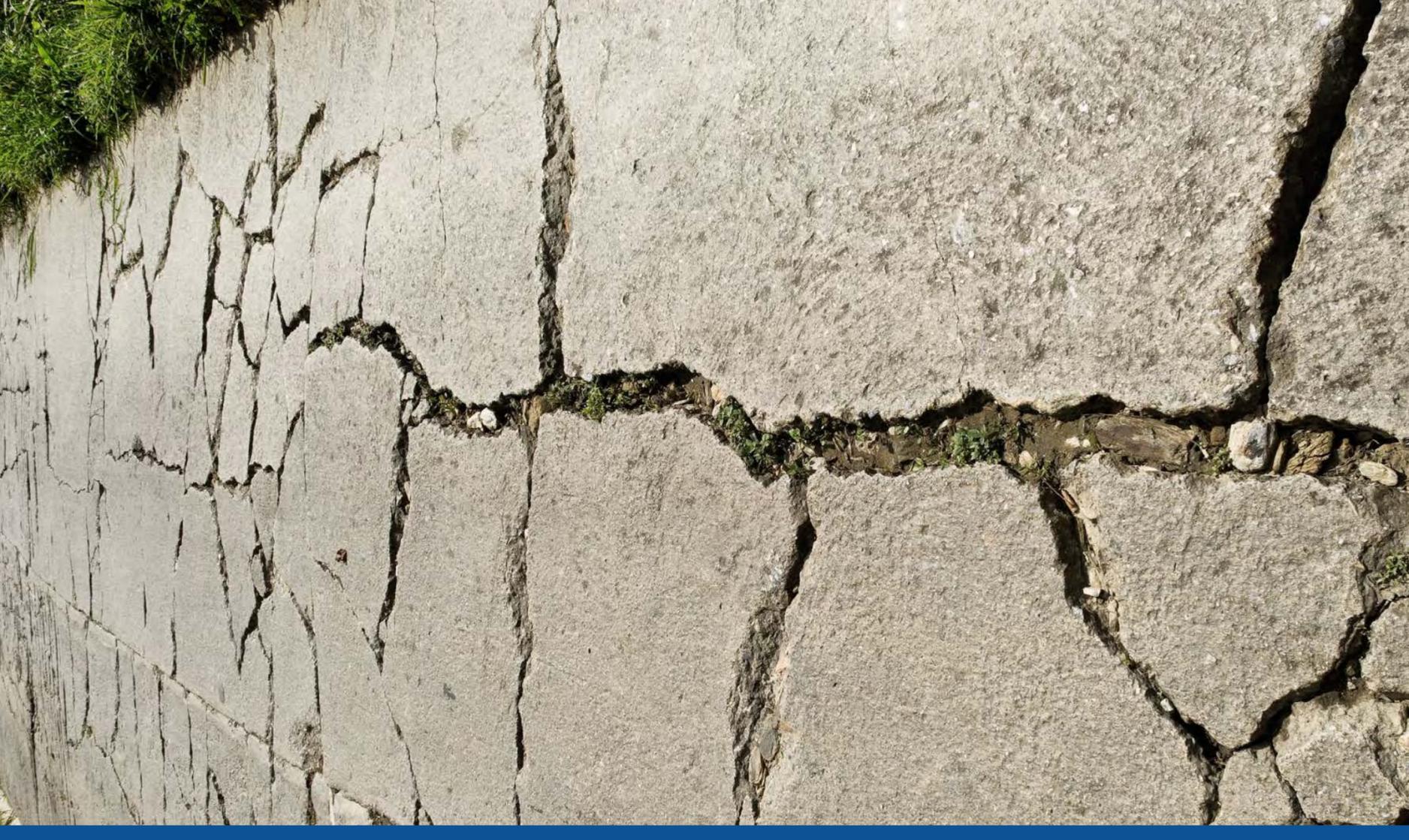


FORD URBANITE ANCHOR ORGANIZATION

Start Co. is a venture development organization that prides itself on building innovative programs, civic solutions, new technologies, and partner alignment in strategies all to support the building of a greater entrepreneurship ecosystem in the Memphis region. Start Co. has a mission to transform Memphis into a venture city with an innovation and equity agenda; sustainable mobility, black entrepreneurship, smart infrastructure, and the digital divide are lead areas.

TRANSPORT POVERTY: A USE CASE FOR FAR TOO MANY IN MEMPHIS

- 63% of children are in single mother households
- 25% of these single mothers don't have a high school degree
- Zip codes of 90% poverty
- Have one car and spends 30-50% of income on transportation costs
- In locations of transportation, food, retail, and internet deserts
- Lost wages and underemployment
- Lack of dignity in the day to day experience



CRITICAL INVESTMENTS SETTING THE STAGE FOR INNOVATION

Will Memphis level up and focus these activities on mobility and transportation innovation?



\$5.6B EV Manufacturing & Battery Innovation Plant with SK Innovation



\$500M Innovation Corridor, BRT Integration, & Electrification Schedule



\$750M Fiber Infrastructure Investment



\$2B Climate & Sustainability Agenda



\$1.2B Utilities Infrastructure Upgrade, Distributed & Alternative Energy System

Urbanite

By FORD Next, LLC

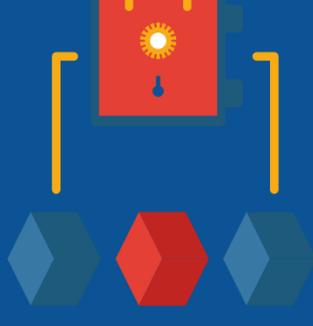
The Ford Urbanite Challenge brings together hundreds of residents, entrepreneurs, and key mobility and community stakeholders to design, develop, and pilot innovative mobility solutions. Together, we have the power to accelerate growth for local and national entrepreneurs while increasing mobility access for residents.



Research & analysis of the Memphis mobility & transportation environment with the publishing of an Explore Report



An open call for entrepreneurs, small businesses, and academia to solve for opportunity areas ideintified in the Explore Report



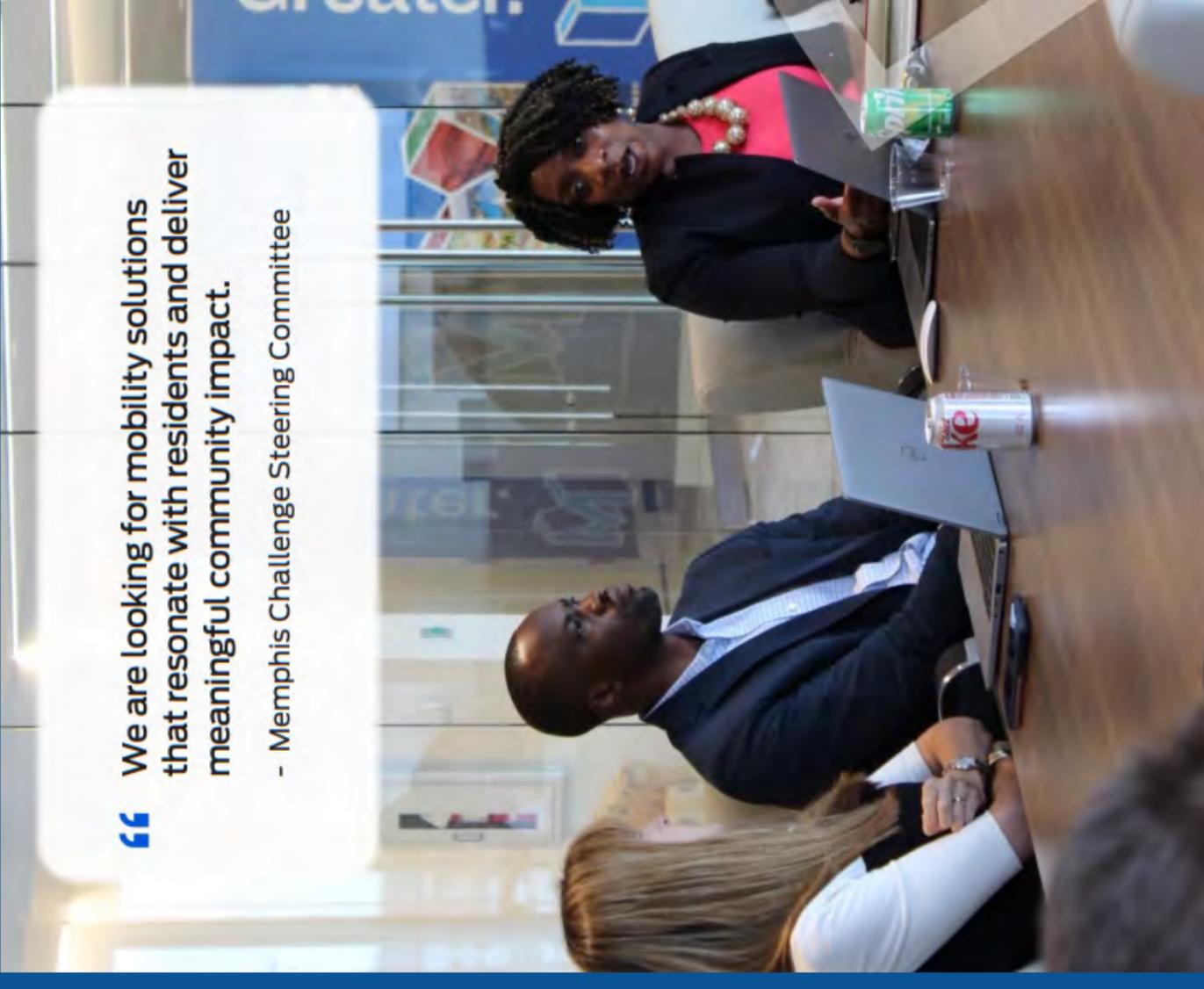
2-3 winners are selected for paid pilots to be deployed into the community

EXPLORE REPORT OPPORTUNITY AREAS

The Challenge is looking for mobility and transportation ideas across the entire mobility journey; however the next two slides highlight priority areas uncovered during the Explore Phase of research, analysis, and resident engagement.

The Explore Report also uncovered themes that should be considered when creating and launching solutions:

1. Personal Safety is a Priority
2. Public transit is not a top choice, but still critical for some
3. Residents are crossing town for jobs, food, education, and healthcare
4. Strong family networks; an asset getting households through



CREATE SAFE ACCESS TO TRANSPORTATION

Context & Painpoints

The 200ft a resident might have to cover – even in broad daylight – often left residents feeling exposed and at risk, with many choosing to avoid the risk altogether.

Recognizing the changes in Memphis over the last few years, residents describe a general “tension” when leaving their homes, places of work, or even grocery stores, highlighting concerns that other members of their neighborhood might try to take advantage when they are away from the relative safety of personal vehicles or busses.

SAFETY THROUGH THE ENTIRE MOBILITY JOURNEY

Context & Painpoints

Residents are looking for solutions to better control all aspects of their mobility experiences – especially safety – because of a general distrust of riders and drivers in Memphis.

From residents’ perspective, they can really only trust their closest friends and family with mobility-related requests (e.g., borrowing a car, asking for a ride). Unfortunately, the general expectation is strangers and other community members will take advantage.

PERSONAL VEHICLES = RELIABLE, SAFE MOBILITY IN MEMPHIS

Context & Painpoints

Although many residents recognize the difficulty of owning/leasing a personal vehicle, they believe it is the key to their mobility journey – the reliable, safe option that they can use to get to school, jobs, food and more.

Because of this, residents with vehicles are often asked to loan out the vehicle or provide trips for family and friends – tie these requests into the previously discussed distrust of other drivers, etc. and it is not hard to see why many residents express frustration about the lack of reliable, safe and affordable options in Memphis for themselves, family and friends.

UNDERSTANDING TOTAL COST OF CAR & MOBILITY OWNERSHIP

Context & Painpoints

Despite the recognized importance of personal vehicle ownership, many residents are not fully considering the total cost of ownership of their vehicle, leaving many to find more affordable ‘partial solutions.’

Most residents participating in ‘partial solutions’ are quick to highlight how simple their mobility experience would become if they could afford to spend more on mobility. Financially Stretched Residents also expressed the cost of a vehicle repair due to an accident or poorly maintained roads or recovery from theft would put them in an impossible position.

FORD URBANITE 2024 SPECIFICS

Originally \$350,000 was raised summer of 2023 to start this initiative last year; \$200,000 is committed to the research phase, partner management, events and programs, business and technical assistance, and help launch the pilot winners. \$150,000 will go to the pilot winners.

150+
APPLICATIONS



100
COMMUNITY
SOLUTIONS



40 VIABLE
OPPORTUNITIES



10 PILOT
FINALISTS



3 PAID
PILOTS

- Today a total of \$800,000 in resources has been secured for the Challenge. In addition to the \$350k, \$300k was committed by Corridor Ventures (New Orleans based) who will match any paid pilot secured by a for-profit startup company.
- The pilot grant pool has grown from \$150k to \$200k to ensure there is underserved community representation and not just startups
- Business, technical, and legal assistance
- 40 SMWBE's and /or community projects will receive business and technical assistance
- All 150 applicants will receive access to online webinars, events, and online business assistance toolkits.



DETROIT WINNER

With the \$85,000 award, the young women of the Mercy Education Project will create the Rock City Mobility Stations. The students, who are also residents of the Impact Area, created this proposal to address the concerns of friends, family and of their own, about moving around safely and feeling isolated from the remainder of the city. The station will create a mobility and information hub that would be built within the neighborhood and identified as a safe epicenter location for residents and tourists.



INDIANAPOLIS WINNER

AbleLink Smart Living Technologies (Wayfinding) Awarded \$75,000. AbleLink's pilot aims to enhance transportation for individuals with cognitive disabilities using the WayFinder Ecosystem. WayFinder operates on iOS and Android mobile devices and uses GPS and personalized visual, audio, and vibration prompts to allow individuals with cognitive disabilities to be able to use fixed route public transportation independently.



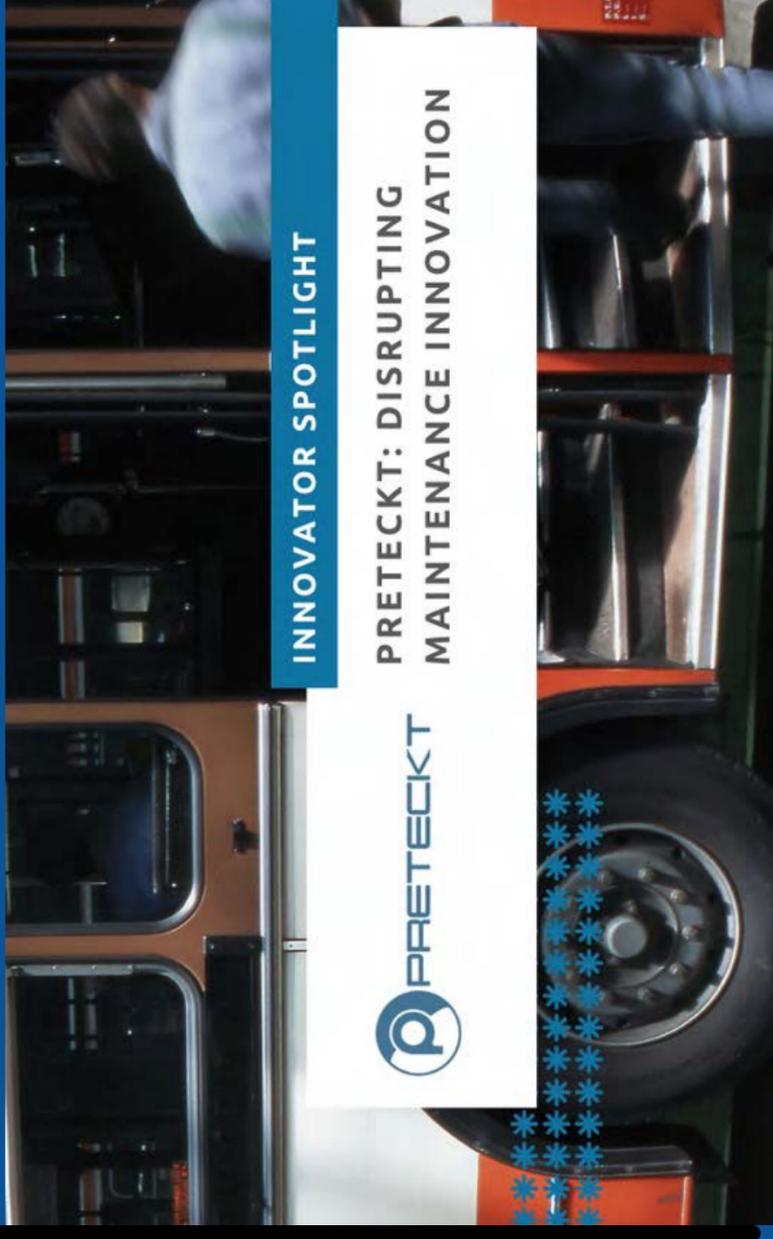
MEMPHIS GROWN SOLUTION

Predictive Maintenance Technology for
Buses & Long Haul Trucks
Running on all buses with
MATA & NYC Metro



INNOVATOR SPOTLIGHT

PRETECKT: DISRUPTING
MAINTENANCE INNOVATION



THE VALUE PROPOSITION

1. Ensures Memphis entrepreneurs and talent are part of the process to improve mobility and transportation
2. A platform for resident participation
3. Serves up viable solutions to the city's mobility stakeholders for adoption and scale
4. Provides assistance to the SMWBE community
5. Brings national branding and positive attention to the Memphis region
6. Attracts new investment and partners to the region
7. Constant research and development for the community to leverage and use

EQUITY

- Informed by residents built for residents
- Aligned with SMWBE partners to bring diverse businesses and talent into one of the fastest growing sectors in the world
- Leveraging data and policy insights from the State of Black Business Report; funded by the City of Memphis
- An inclusive innovation model on steroids



PARTNERS

There are partners serving in a governing capacity through a steering committee, and others who are providing resources, mentorship, advocacy support, community and entrepreneur engagement, etc.



Ford Urbanite Steering Committee

1. Ford Motor Company
2. Start Co.
3. Memphis Area Transit Authority
4. Greater Memphis Chamber
5. Christian Brothers University
6. City of Memphis
7. University of Memphis
8. Downtown Memphis Commission
9. Innovate Memphis
10. Memphis Medical District Collaborative
11. Orion Federal Credit Union
12. Seeding Success
13. Women's Foundation of Greater Memphis
14. AgLaunch



Other Partners

1. Corridor Ventures
2. LaunchTN
3. TennSMART
4. The Wond'ry at Vanderbilt
5. Builders & Backers
6. Baker Donelson
7. Partnership for Southern Equity
8. Code Crew
9. Knowledge Quest
10. Epicenter

\$1,000,000 TWO YEAR BUDGET

Events & Programs- 20 events/programs are planned through various phases of the challenge including information sessions, business workshops, demo day events, summits, webinars, and startup weekends; facilities, food/beverage, incentives, etc.	\$100,000
Partner Engagement- in order to expand ecosystem resources, partners must be engaged through one on one support, update meetings, train the trainer sessions, evaluation and alignment, and brokering resources.	\$100,000
Research & Discovery- evaluating existing mobility, transit, & climate plans, primary and secondary research, focus groups, startup/customer engagement meetings, etc.	\$100,000
Assistance (Programs & Support)- planned through various phases of the challenge including direct business, technical, & legal assistance to select firms and projects, and immersive content and programs for development	\$200,000
Grants- for select 6 pilot winners	\$400,000
Planning & Administration- the coordination and executing of the Challenge	\$100,000

\$650,000 SECURED: ASKING \$175,000

	Budget	Secured	The Ask
Events & Programs	\$100,000	\$62,500	\$18,750
Partner Engagement	\$100,000	\$62,500	\$18,750
Research & Discovery	\$100,000	\$62,500	\$18,750
Assistance (Programs & Support)	\$200,000	\$200,000	\$0
Grants	\$400,000	\$200,000	\$100,000
Planning & Administration	\$100,000	\$62,500	\$18,750
	\$1,000,000	\$650,000	\$175,000

PROGRESS & OUTCOMES



Progress

Explore Phase Report Published
Propose Phase Launched
\$650k Committed
\$300k in outside investment capital



Outcomes

300 applicants Receive Online Programming & Resources
100 Receive Individual Assistance
6 Pilots Are Developed & Deployed

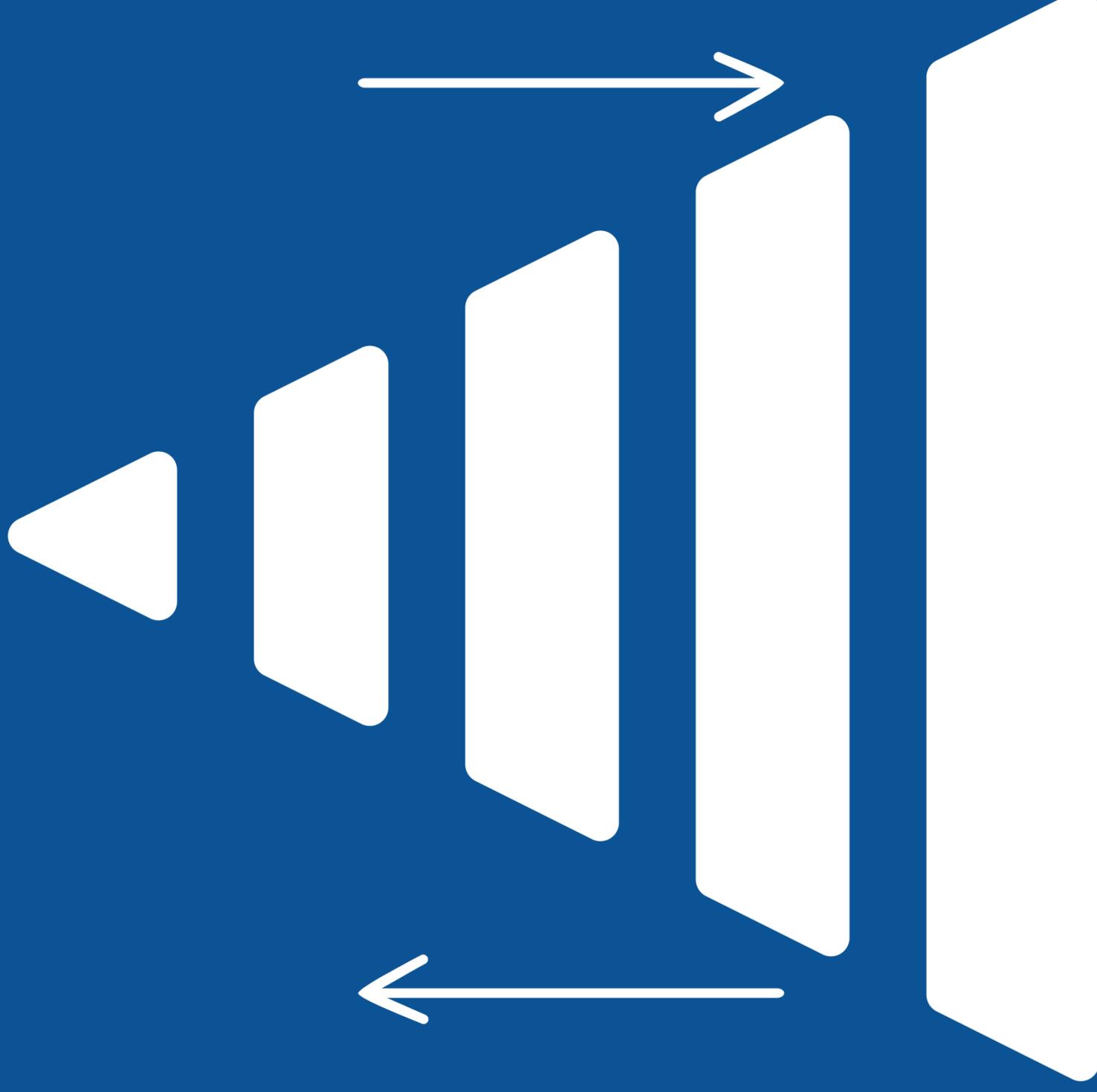
2024 Milestone Dates

May 10th Year One Application Closes
June 11-13th- Sustainable Mobility Summit
August TBD Demonstration Event- Announce Pilot Winners

THANK YOU

We must balance top down with bottom up approaches to solving our transit challenges; there is no one silver bullet and so we are asking support to invest in a multitude of opportunities to get to the ones that are most suitable for the Memphis community

Start Co. (501c3)
Memphis, TN
www.neverstop.co
Andre Fowlkes
andre@neverstop.co



FORD URBANITE

MOBILITY ENTREPRENEURSHIP CHALLENGE



JB Smiley, Jr.
MEMPHIS CITY COUNCIL
SUPER DISTRICT 8-1

April 3, 2024

Councilwoman Michalyn Easter-Thomas
Chairwoman, Personnel & Governmental Affairs Committee
125 N. Main St., 5th floor
Memphis, TN 38103

Dear Councilwoman Easter-Thomas,

Subject to the approval of the Memphis City Council, it is my recommendation that:

Takeyshia Johnson

be appointed to the Urban Arts Commission's Public Art Oversight Committee.

Regards,

JB Smiley, Jr.
Chairman

April 1, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

Contania Evans

be appointed to the Pension Board of Administration with a term expiration date of December 31, 2025.

I have attached biographical information.

Sincerely,



Paul A. Young
Mayor

PAY/sss

Enclosure

cc: Council Members

PENSION BOARD of ADMINISTRATION

9 Member Board

2 Year Term

Purpose:

The Pension Board shall administer the pension plan and trust fund created for the employees of the City of Memphis.

Members:

		Term ends:	
Paul Young (Mayor)	M/B	no expiration	Ex-Officio
Fonda Fouché (Chief)	F/B	no expiration	Ex-Officio
Crystal Givens (Interim Comptroller)	F/B	no expiration	Voting
Regina Lucas (Secretary)	F/B	no expiration	Ex-Officio
Barbralette Davis (Attorney)	F/B	no expiration	Ex-Officio
Sharonda Hampton (Employee)	F/B	12-31-2021	
Vacancy (Retiree)	F/W	12-31-2019	
Ted Davis (Citizen)	M/B	12-31-2023	
Markus D. Smith (Employee)	M/B	12-31-2021	
Mairi Albertson (Employee)	F/W	12-31-2025	
Vacancy (Employee)	M/B	12-31-2023	
Brooke Hyman (Employee)	F/B	12-31-2023	

2024 Council Liaison: Chase Carlisle

Updated 040124

April 1, 2024

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

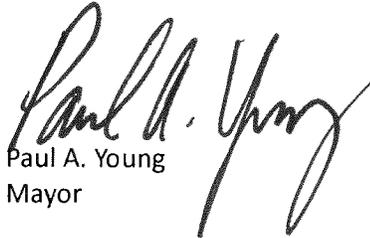
Subject to Council approval, I hereby recommend that:

James "Mike" Ryall

be appointed to the Pension Board of Administration with a term expiration date of December 31, 2025.

I have attached biographical information.

Sincerely,


Paul A. Young
Mayor

PAY/sss

Enclosure

cc: Council Members

PENSION BOARD of ADMINISTRATION

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Markus D. Smith (Employee)	M/B	12-31-2021	
Mairi Albertson (Employee)	F/W	12-31-2025	
Vacancy (Employee)	M/B	12-31-2023	
Brooke Hyman (Employee)	F/B	12-31-2023	

2024 Council Liaison: Chase Carlisle

Updated 040124