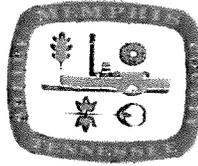


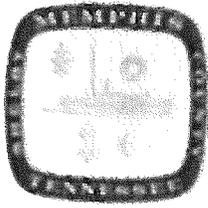
T-174



Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**
Resolution to approve ground lease for High5 Entertainment Complex in The District @ Liberty Park with 30-year base term and four (4) automatic 10-year renewal options
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**
Housing & Community Development
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**
Not applicable
- 4. State whether this will impact specific council districts or super districts.**
District 4 & Super District 8
- 5. State whether this requires a new contract, or amends an existing contract, if applicable.**
requires a new ground lease and development agreement with private developers
- 6. State whether this requires an expenditure of funds/requires a budget amendment**
No. About 85-90% of sitework to accommodate project has already been completed; remaining improvements have already been budgeted and will be performed as developer completes primary construction of project
- 7. If applicable, please list the MWBE goal and any additional information needed**
Not applicable

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A Resolution approving a 30-year Ground Lease, with Four (4) Ten-Year renewal options, for the construction and operation of a High Five Entertainment Complex on a designated site within The District @ Liberty Park with HIGH FIVE ENTERTAINMENT, LLC.

Whereas, the City of Memphis must show the likelihood of Fifty Million Dollars of private development within the Liberty Park Tourism Development Zone to comply with the statutory requirements for tourism development zones as listed in Tennessee Code Annotated 7-88-101 et seq., as amended; and

Whereas, the presence of new private, commercial development within the Liberty Park Tourism Development Zone, and specifically the sales tax revenues generated by such private businesses, is essential to the City's ability to pay the annual debt service of approximately Three Million Seven Hundred Thousand Dollars (\$3,700,000) on the Tourism Development Zone Bonds issued to pay for the redevelopment of Liberty Park, and without such revenues, the City would be responsible for paying the annual debt service from its general fund; and

Whereas, the continued success of the Memphis Sports & Events Center ("MSEC") is enhanced significantly with the presence of nearby hotels and restaurants that cater to the youth and family demographics that attend multi-day competitions at MSEC, particularly since such amenities are increasingly available at other sports facilities with which MSEC must compete for business; and

Whereas, the City owns approximately 18 acres of real property within Liberty Park which is ideally situated for a mixed-use development (the "Master Development") that will include hotels, restaurants, food and beverage establishments, family entertainment venues, and niche retail to serve the visitors of MSEC and the Simmons Bank Liberty Stadium; and

Whereas, said property is depicted on Attachment A and is bordered by Central Avenue on the north, Fred Jones Way on the east, Raymond Skinner Avenue on the south, and Early Maxwell Boulevard on the west, which is a portion of Parcel # 02907000008 that comprises the

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majority of the Liberty Park campus, and has a general address of 2477 Central Avenue as assigned by MLGW for planning purposes; and

Whereas, the City has completed the sitework and utility infrastructure in accordance with the planned development application approved by the Land Use Control Board and the Memphis City Council (Case # PD 19-18) and now has "build-ready" site pads available; and

Whereas, the administration and its team of advisors have selected HIGH FIVE ENTERTAINMENT, LLC, a Texas limited liability company ("Tenant"), as the family entertainment developer based on the success of the company's chain of High Five entertainment complexes and their capacity to undertake this project and further recommend that the City as "Landlord" execute an extended ground lease to Tenant while City maintains ownership of the land; and

Whereas, Tenant, using their private capital, would design, construct, own and operate a High Five entertainment complex consisting of activities such as bowling, video games, and laser tag, as well as a full-service restaurant and upscale bar, with said structure to be located on 0.69 acres labeled as "Parcel 3" on Attachment B (the "Property"); and

Whereas, if approved, the City would execute a ground lease for the Property with Tenant for an initial term of **thirty (30) years with four (4) ten-year renewal options** using a triple-net lease, meaning Tenant would be directly responsible for property taxes (as assessed after any PILOTs, reductions, or incentives which might be awarded by appropriate agencies), building insurance, and maintenance for the Property, in addition to rent and utilities; and

Whereas, the obligation to pay rent would commence on the date the business opens to the public (exclusive of certain "soft openings") and the minimum rent shall be **\$17,756.60 per year for the first five years**, increasing by 5.0% every ten years thereafter during both the base term and the exercised extension option, unless Tenant elects to prepay the rent for the initial term in advance; and

Whereas, Tenant would also be responsible for paying to the City the Property's pro-rata share of common area maintenance expenses or "CAM" for those common areas benefitting the Tenant or the general public and for which the City shall be responsible for the maintenance and

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repair, including but not limited to, parking lots, access and perimeter roads, truck passageways, loading platforms, landscaped areas, exterior walks, ramps, stairs, underground storm and sanitary sewers, utility lines, drinking fountains, and other public facilities, under a mutually acceptable agreement to be executed; and

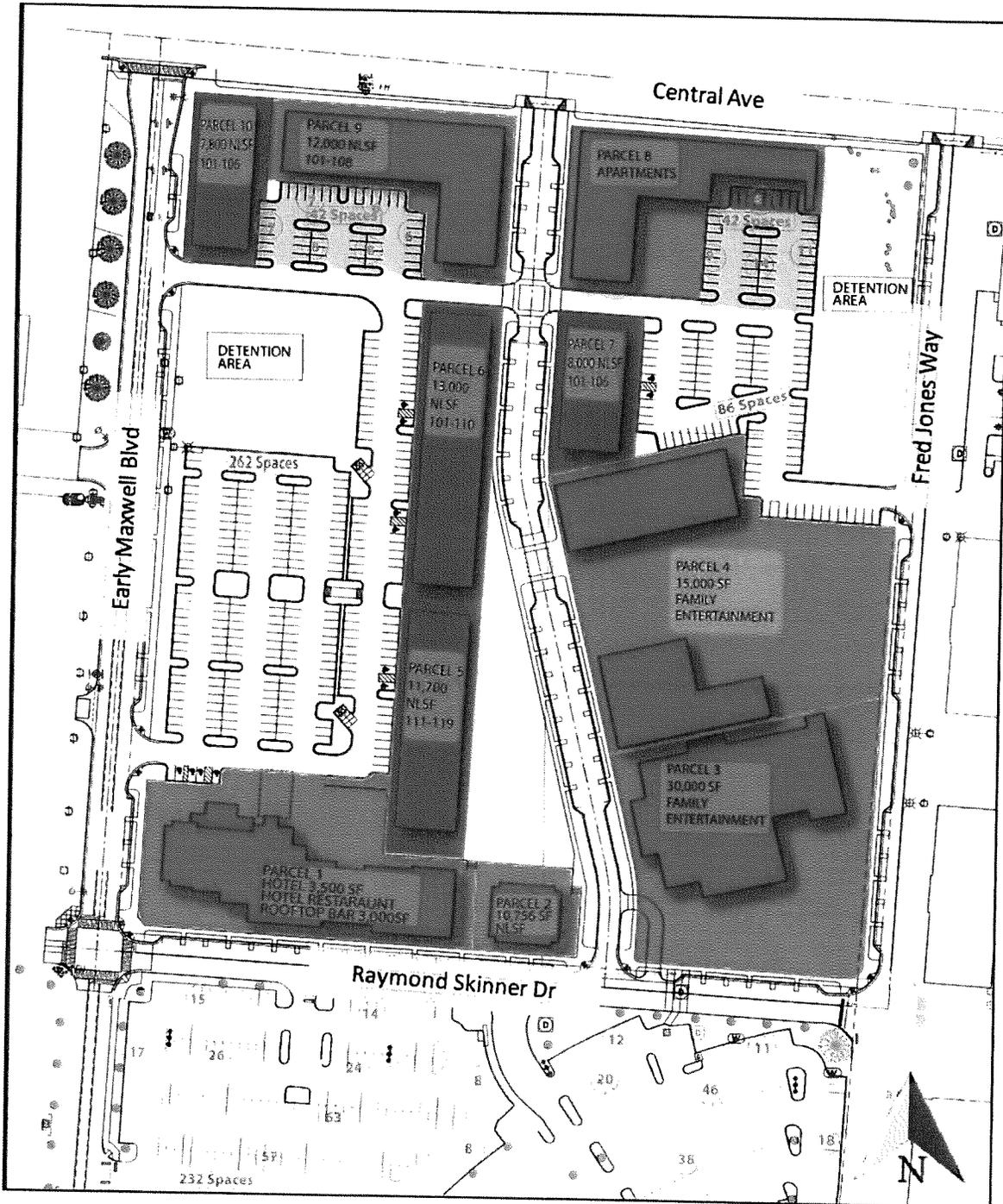
Whereas, the Master Development will include additional retail, restaurant, entertainment and hospitality tenants, and the City as master developer and landlord shall be responsible for creating cross-easements, air rights leases, and/or vertical subdivisions as necessary to maximize enjoyment of use and value for all parties; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the long-term lease for the above-described Property with HIGH FIVE ENTERTAINMENT, LLC, a Texas limited liability company is hereby approved; and

BE IT FURTHER RESOLVED, that the City of Memphis Real Estate Department shall arrange for the execution of the ground lease, and that the Mayor of the City of Memphis is hereby authorized to execute said lease and any other documents necessary to complete the lease.

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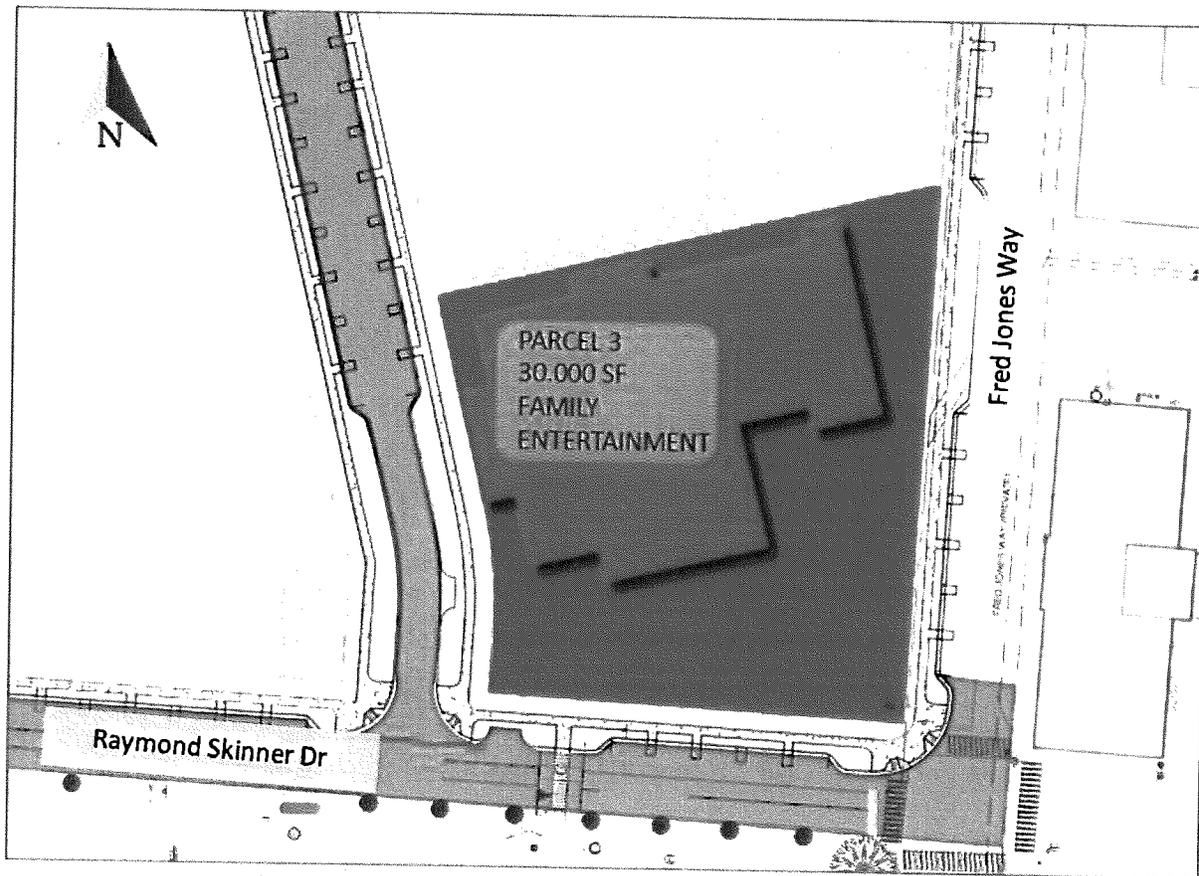
Attachment A
The Master Development, also known as The District @ Liberty Park



Parcels in green are not planned for development during this first phase.

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Attachment B
The Property (Family Entertainment)





Memphis City Council Summary Sheet

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

Resolution to approve ground lease for mixed-use project with approx. 200 residential units and 12,000 SF of retail in The District @ Liberty Park with 30-year base term and six (6) automatic 10-year renewal options

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

Housing & Community Development

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

Not applicable

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

District 4 & Super District 8

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

requires a new ground lease and development agreement with private developers

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

No. About 85-90% of sitework to accommodate project has already been completed; remaining improvements have already been budgeted and will be performed as developer completes primary construction of project

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

Not applicable



A Resolution approving a 30-year Ground Lease, with Six (6) Ten-Year renewal options, for the construction and operation of a mixed-use project with multi-family residences and 12,000 square feet of retail on a designated site within The District @ Liberty Park with Liberty Park Residences, LLC.

Whereas, the City of Memphis must show the likelihood of Fifty Million Dollars of private development within the Liberty Park Tourism Development Zone to comply with the statutory requirements for tourism development zones as listed in Tennessee Code Annotated 7-88-101 et seq., as amended; and

Whereas, the presence of new private, commercial development within the Liberty Park Tourism Development Zone, and specifically the sales tax revenues generated by such private businesses, is essential to the City's ability to pay the annual debt service of approximately Three Million Seven Hundred Thousand Dollars (\$3,700,000) on the Tourism Development Zone Bonds issued to pay for the redevelopment of Liberty Park, and without such revenues, the City would be responsible for paying the annual debt service from its general fund; and

Whereas, the continued success of the Memphis Sports & Events Center ("MSEC") is enhanced significantly with the presence of nearby hotels and restaurants that cater to the youth and family demographics that attend multi-day competitions at MSEC, particularly since such amenities are increasingly available at other sports facilities with which MSEC must compete for business; and

Whereas, the City owns approximately 18 acres of real property within Liberty Park which is ideally situated for a mixed-use development (the "Master Development") that will include hotels, restaurants, food and beverage establishments, family entertainment venues, and niche retail to serve the visitors of MSEC and the Simmons Bank Liberty Stadium; and

Whereas, said property is depicted on Attachment A and is bordered by Central Avenue on the north, Fred Jones Way on the east, Raymond Skinner Avenue on the south, and Early Maxwell Boulevard on the west, which is a portion of Parcel # 02907000008 that comprises the

majority of the Liberty Park campus, and has a general address of 2477 Central Avenue as assigned by MLGW for planning purposes; and

Whereas, the City has completed the sitework and utility infrastructure in accordance with the planned development application approved by the Land Use Control Board and the Memphis City Council (Case # PD 19-18) and now has "build-ready" site pads available; and

Whereas, the administration and its team of advisors have selected Liberty Park Residences, LLC, a Delaware limited liability company ("Tenant"), as the multi-family and retail developer based on the company's experience with mixed-use developments and their capacity to undertake this project and further recommend that the City as "Landlord" execute an extended ground lease to Tenant while City maintains ownership of the land; and

Whereas, Tenant, using their private capital, would design, construct, own and operate a mixed-use development consisting of approximately two hundred (200) residential units and twelve thousand (12,000) square feet of ground-level retail space, with said development to be located on 1.56 acres labeled as "Parcel 8" and "Parcel 9" on Attachment B (the "Property"); and

Whereas, if approved, the City would execute a ground lease for the Property with Tenant for an initial term of **thirty (30) years with six (6) ten-year renewal options** using a triple-net lease, meaning Tenant would be directly responsible for property taxes (as assessed after any PILOTs, reductions, or incentives which might be awarded by appropriate agencies), building insurance, and maintenance for the Property, in addition to rent and utilities; and

Whereas, the obligation to pay rent would commence on the date when either the retail portion or the residences portion opens to the public for business (exclusive of certain "soft openings") and the minimum rent shall be **\$77,847.17 per year for the first five years**, increasing by 4% every five years thereafter during both the base term and the exercised extension options, unless Tenant elects to prepay the rent for the initial term in advance, in which case the amount owed would be \$2,331,247.94; and

Whereas, Tenant would also be responsible for paying to the City the Property's pro-rata share of common area maintenance expenses or "CAM" for those common areas benefitting the

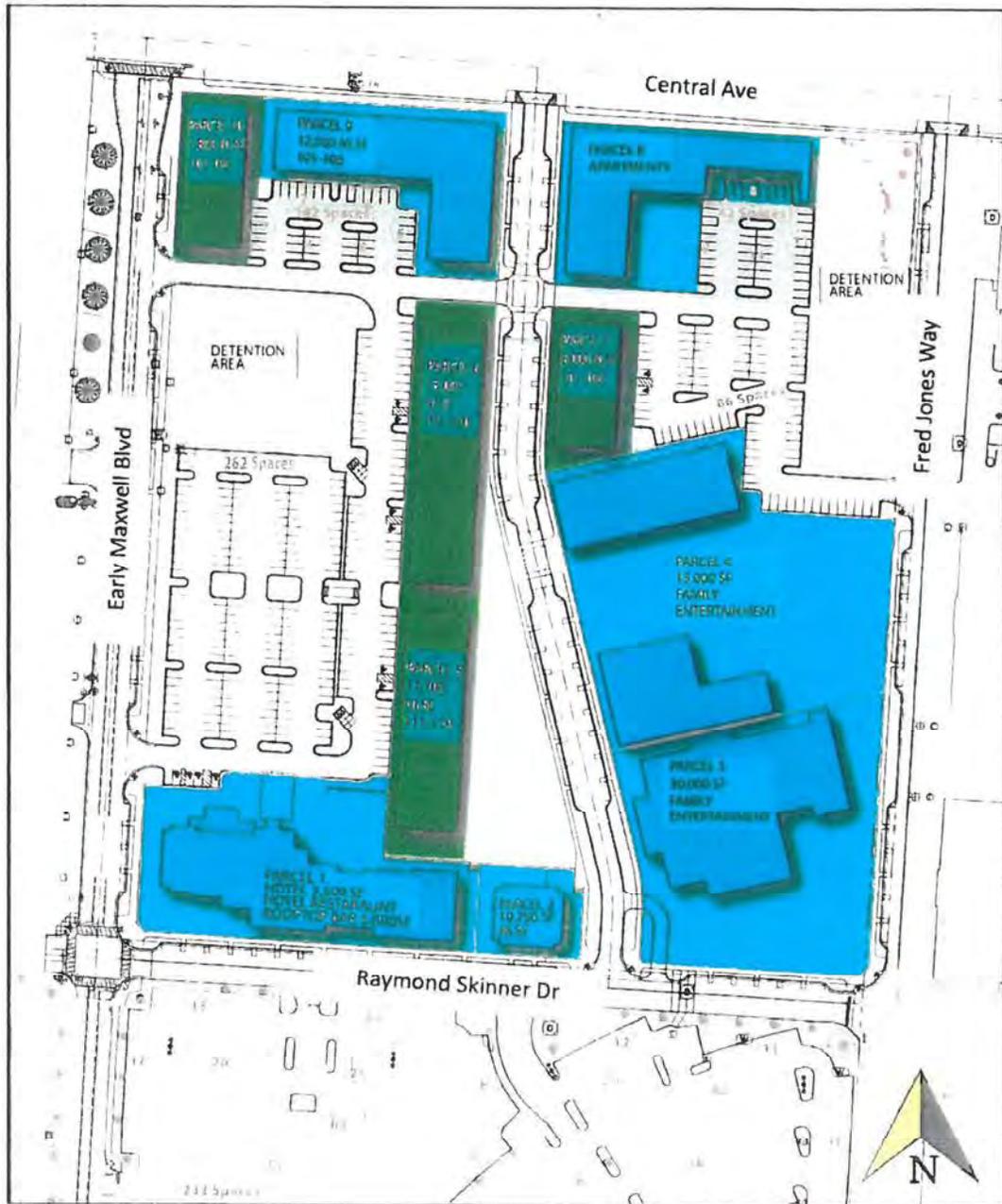
Tenant or the general public and for which the City shall be responsible for the maintenance and repair, including but not limited to, parking lots, access and perimeter roads, truck passageways, loading platforms, landscaped areas, exterior walks, ramps, stairs, underground storm and sanitary sewers, utility lines, drinking fountains, and other public facilities, under a mutually acceptable agreement to be executed; and

Whereas, the Master Development will include additional retail, restaurant, entertainment and hospitality tenants, and the City as master developer and landlord shall be responsible for creating cross-easements, air rights leases, and/or vertical subdivisions as necessary to maximize enjoyment of use and value for all parties; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the long-term lease for the above described Property with Liberty Park Residences, LLC, a Delaware limited liability company is hereby approved; and

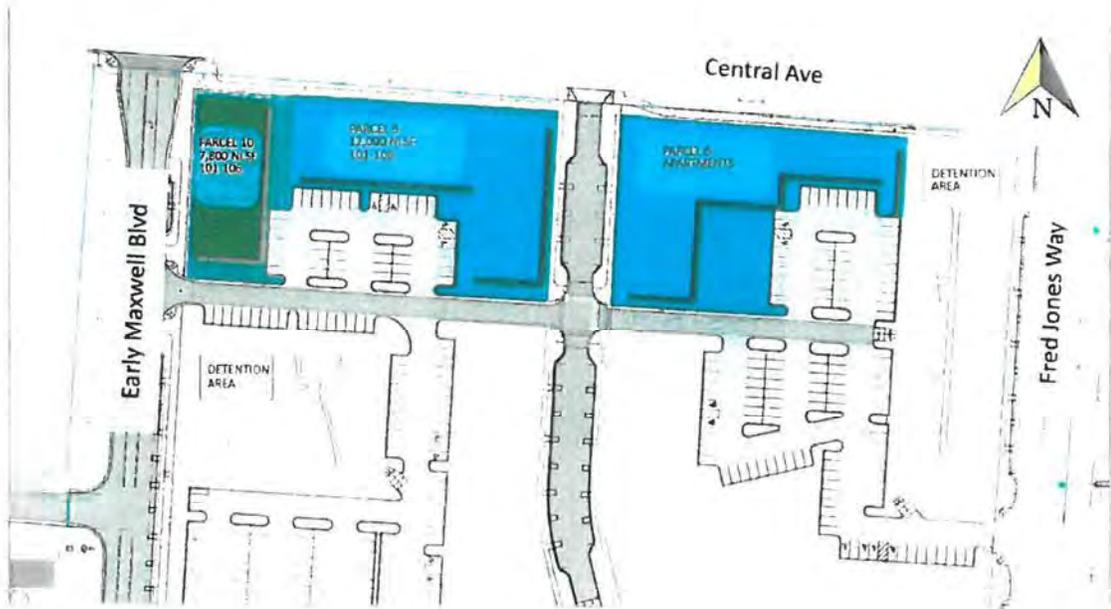
BE IT FURTHER RESOLVED, that the City of Memphis Real Estate Department shall arrange for the execution of the ground lease, and that the Mayor of the City of Memphis is hereby authorized to execute said lease and any other documents necessary to complete the lease.

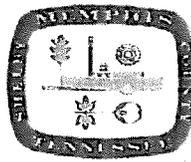
Attachment A
The Master Development, also known as The District @ Liberty Park



Parcels in green are not planned for development during this first phase.

Attachment B
The Property (Multi-Family)





Memphis City Council Summary Sheet

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

Resolution to approve ground lease for 150-room hotel in The District @ Liberty Park with 30-year base term and four (4) automatic 10-year renewal options

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

Housing & Community Development

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

Not applicable

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

District 4 & Super District 8

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

requires a new ground lease and development agreement with private developers

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

No. About 85-90% of sitework to accommodate hotel has already been completed; remaining improvements have already been budgeted and will be performed as developer completes primary construction of hotel

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

Not applicable



A Resolution approving a 30-year Ground Lease, with Four (4) Ten-Year renewal options, for the construction and operation of a hotel on a designated site within The District @ Liberty Park with G2 Venture Group or an entity to be formed by said Group for this project.

Whereas, the City of Memphis must show the likelihood of Fifty Million Dollars of private development within the Liberty Park Tourism Development Zone to comply with the statutory requirements for tourism development zones as listed in Tennessee Code Annotated 7-88-101 et seq., as amended; and

Whereas, the presence of new private, commercial development within the Liberty Park Tourism Development Zone, and specifically the sales tax revenues generated by such private businesses, is essential to the City's ability to pay the annual debt service of approximately Three Million Seven Hundred Thousand Dollars (\$3,700,000) on the Tourism Development Zone Bonds issued to pay for the redevelopment of Liberty Park, and without such revenues, the City would be responsible for paying the annual debt service from its general fund; and

Whereas, the continued success of the Memphis Sports & Events Center ("MSEC") is enhanced significantly with the presence of nearby hotels and restaurants that cater to the youth and family demographics that attend multi-day competitions at MSEC, particularly since such amenities are increasingly available at other sports facilities with which MSEC must compete for business; and

Whereas, the City owns approximately 18 acres of real property within Liberty Park which is ideally situated for a mixed-use development (the "Master Development") that will include hotels, restaurants, food and beverage establishments, family entertainment venues, and niche retail to serve the visitors of MSEC and the Simmons Bank Liberty Stadium; and

Whereas, said property is depicted on Attachment A and is bordered by Central Avenue on the north, Fred Jones Way on the east, Raymond Skinner Avenue on the south, and Early Maxwell Boulevard on the west, which is a portion of Parcel # 02907000008 that comprises the

majority of the Liberty Park campus, and has a general address of 2477 Central Avenue as assigned by MLGW for planning purposes; and

Whereas, the City has completed the sitework and utility infrastructure in accordance with the planned development application approved by the Land Use Control Board and the Memphis City Council (Case # PD 19-18) and now has “build-ready” site pads available; and

Whereas, the administration and its team of advisors have selected G2Venture Group, or an entity to be formed by said Group for the purpose of performing this project, a Memphis-based company (“Tenant”), as the hospitality developer based on the company’s experience with hospitality development and their capacity to undertake this project and recommend that the City as “Landlord” execute an extended ground lease to Tenant while City maintains ownership of the land; and

Whereas, Tenant, using their private capital, would design, construct, own and operate a hotel of approximately 150 hotel rooms, including a restaurant and retail spaces on the ground floor and a rooftop bar, under a hotel flag and brand to be approved by the City, with said hotel to be located in the 1.25 acre lot labeled as “Parcel 1 - Hotel” on Attachment B (the “Property”); and

Whereas, Tenant would furthermore have a right of first refusal to submit a development proposal for a second hotel within the Master Development in the event that the City determines that additional hotel rooms are desirable; and

Whereas, if approved, the City would execute a ground lease for the Property with Tenant for an initial term of **thirty (30) years with four (4) ten-year renewal options** using a triple-net lease, meaning Tenant would be directly responsible for property taxes (as assessed after any PILOTs, reductions, or incentives which might be awarded by appropriate agencies), building insurance, and maintenance for the Property, in addition to rent and utilities; and

Whereas, the obligation to pay rent would commence on the date when the hotel first opens to the general public and the minimum rent shall be **\$34,958.31 per year for the first five**

years, increasing by 7.5% every five years thereafter during both the base term and the exercised extension options, unless Tenant elects to prepay the rent for the initial term in advance; and

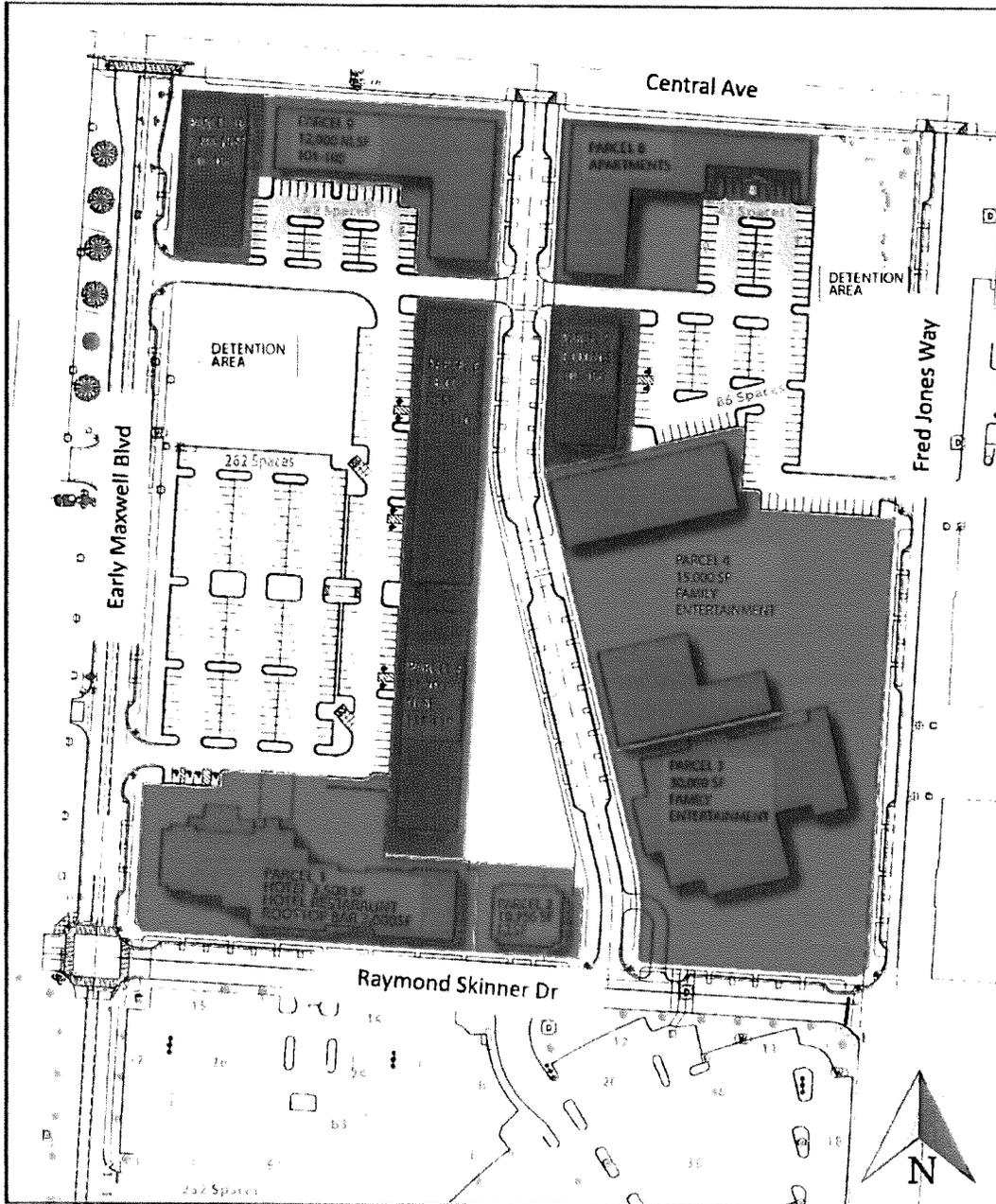
Whereas, Tenant would also be responsible for paying to the City the Property's pro-rata share of common area maintenance expenses or "CAM" for those common areas benefitting the Tenant or the general public and for which the City shall be responsible for the maintenance and repair, including but not limited to, parking lots, access and perimeter roads, truck passageways, loading platforms, landscaped areas, exterior walks, ramps, stairs, underground storm and sanitary sewers, utility lines, drinking fountains, and other public facilities, under a mutually acceptable agreement to be executed; and

Whereas, the Master Development will include additional retail, restaurant, entertainment and hospitality tenants, and the City as master developer and landlord shall be responsible for creating cross-easements, air rights leases, and/or vertical subdivisions as necessary to maximize enjoyment of use and value for all parties; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the long-term lease for the above-described Property with G2 Venture Group, or an entity to be formed by said Group for the purposes of performing this project, is hereby approved; and

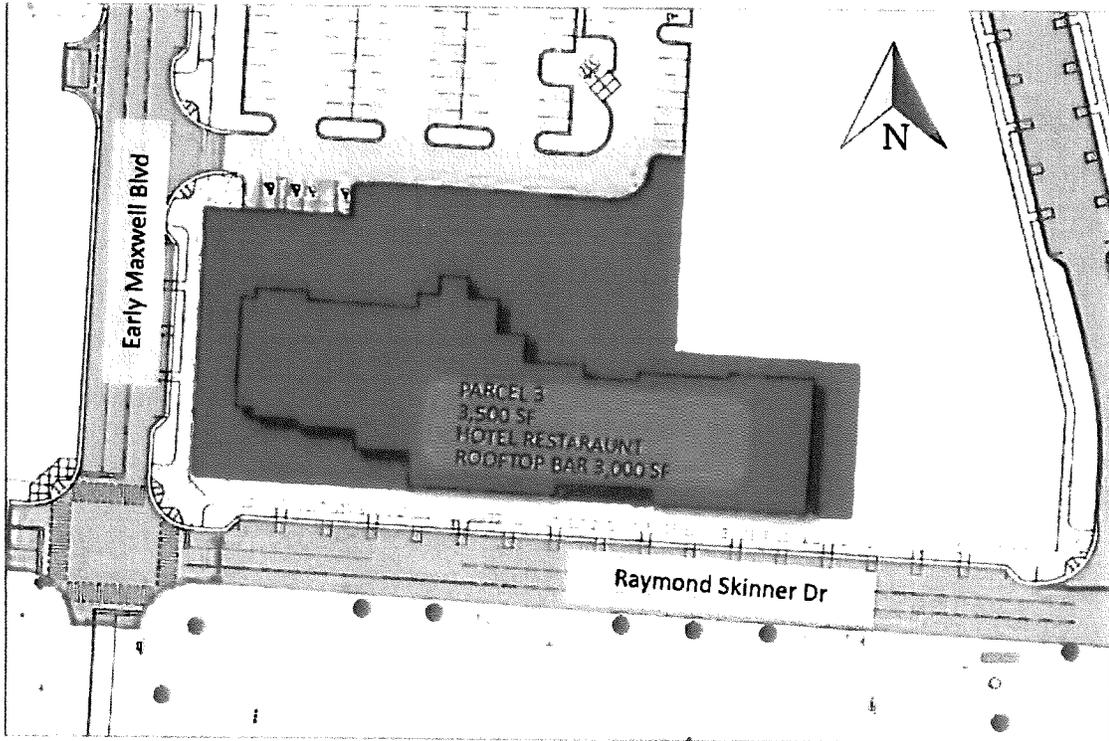
BE IT FURTHER RESOLVED, that the City of Memphis Real Estate Department shall arrange for the execution of the ground lease, and that the Mayor of the City of Memphis is hereby authorized to execute said lease and any other documents necessary to complete the lease.

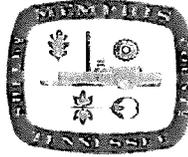
Attachment A
The Master Development, also known as The District @ Liberty Park



Parcels in green are not planned for development during this first phase.

Attachment B
The Property (Hotel)





Memphis City Council Summary Sheet

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

Resolution authorizing sale of multiple parcels at Bellevue and Overton Park acquired by HCD in 2021 and 2024 using available development funding, to developer known as Crosstown Partners, LLC for \$300,000.

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

HCD

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

Not Applicable

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

Council District - 6, Super District 8

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

A deed and other documents necessary to achieve the sale of the parcels

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

No expenditure

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

The parcels will be part of Crosstown Mound mixed use development. The project will include at least 20% affordable housing units and 25% MWBE participation.



A Resolution approving the sale of City-owned parcels known as 333 N Claybrook, 329 N Bellevue Boulevard, and 417 N Bellevue Boulevard, Memphis TN 38104 Parcel ID# 020009 00019, 020093 00003, 020095 00008, 020095 00009 and 020095 00006C respectively.

WHEREAS, the City of Memphis Division of Housing & Community Development ("HCD") owns a parcel known as Crosstown Mound ("Parcel A"), a site located at 333 N Claybrook at Claybrook and Overton Park and further identified by Shelby County Tax Assessor as Parcel # 020009 00019 containing 9.69 acres, more or less; and adjacent parcels ("Parcels B") immediately to the west of the Site, bounded by Bellevue Boulevard on its east, the property municipally known as 329 N. Bellevue Boulevard (Parcel Identification Number 020093 00003) on its south, Interstate Highway 240 on its west and the property municipally known as 417 N. Bellevue Boulevard (Parcel Identification Numbers 020095 00008, 020095 00009 and 020095 00006C) on its north; and

WHEREAS, HCD purchased through its available development funding Parcel A, in a distressed condition, in 2021 for a purchase price of \$885,000.00, from the State of Tennessee Department of Transportation; and

WHEREAS, the City has entered into an agreement to Purchase Parcel B from the state at the close of this transaction for the appraised value of \$270,000; and

WHEREAS, the Parcels were purchased as part of HCD's efforts to ensure that redevelopment of the Crosstown Mound and adjacent parcel occurred in accordance with the Memphis 3.0 Comprehensive Plan and reduce blight and provide housing to the area; and

WHEREAS, having determined that having a master developer for the Site is the best option to ensure the development is completed in a timely fashion; and

WHEREAS, HCD issued a Request for Qualifications for the Parcels on April 8, 2019; and

WHEREAS, Crosstown Partners, LLC ("Purchaser"), submitted a comprehensive response to the RFQ and offered Three Hundred Thousand (\$300,000.00) for Parcel B which has no environmental concerns; and

WHEREAS, the Purchaser's proposal consisted of developing a walkable neighborhood of approximately Ninety-Three (93) units to include a mix of housing types with a projected total development cost of Twenty-Three Million Dollars (\$23,000,000.00); and

WHEREAS, Purchaser and Seller also acknowledge that the remediation of environmental conditions on Parcel A exceed the acknowledged value and is estimated at Three Million Eight Hundred Thousand Dollars (\$3,800,000.00).

WHEREAS, Environmental clearance and remediation are eligible uses of federal funding and HCD recognizes that the Purchaser has knowledge and resources to address these environmental concerns more swiftly than HCD is able to; and

WHEREAS, City of Memphis is working with the Purchaser to identify federal funds to decrease the financial burden of redeveloping Parcel A.

WHEREAS, HCD has determined that the sale of the Parcels would be in furtherance of the redevelopment goals of the Housing and Redevelopment Act of 1974, 2 USC 5301 et seq., as well as generating increased tax revenue and eliminating maintenance cost for the City of Memphis; and

WHEREAS, because the purchase of the Parcels was accomplished using development funding from HCD, proceeds of the sale of the Parcels will be returned to HCD to further additional development projects in the City of Memphis; and

WHEREAS, is it deemed to be in the best interest of the citizens of the City of Memphis and County of Shelby that said sale be accepted subject to City Ordinance 5637, Amendment to Section 2-291(F)1 of the City's Code of Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that the offer made by the Purchaser, on the above-described Parcels is hereby accepted, subject to the City Ordinance 5637, Amendment to Chapter 2, Article V, Division 2, Section 1, Section 2-291(F)1 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 in accordance with the proceeds from the sale and conveyance of the Parcels will be returned to HCD.

AGREEMENT FOR SALE AND PURCHASE OF REAL PROPERTY

THIS AGREEMENT ("Agreement") FOR SALE AND PURCHASE OF REAL PROPERTY made and entered into as of the _____ day of _____, 2024, (the "Effective Date") by and between the **City of Memphis**, ("Seller") and **Crosstown Development Partners, LLC** with an address of 1196 Poplar View Lane S., Ste 1, Collierville, TN 38017 ("Purchaser")

WHEREAS, the Seller issued a Request for Qualifications on February 21, 2019 (the "RFQ") for a development partner for Crosstown Mound Redevelopment Project (the "Project"), a site located at Claybrook and Overton Park (the "Site"). The Purchaser submitted a response on April 8, 2019 and was selected upon meeting the RFQ criteria.

WHEREAS, the Purchaser's proposal consisted of developing a walkable neighborhood of approximately Ninety Three (93) units to include a mix of housing types with a projected total development cost of Twenty Three Million Dollars (\$23,000,000.00)

WHEREAS, the Seller has agreed to sell and the Purchaser has agreed to purchase, "As Is", the property known as 333 North Claybrook, Parcel Number 020009 00019, located in Memphis, Shelby County, Tennessee 38104, and being approximately 9.69 acres of land, as more particularly described in the attached Exhibit A (the "Property").

NOW, THEREFORE, in consideration of the covenants and agreements herein contained, the parties hereto, intending to be legally bound, covenant and agree as follows:

1. SALE AND PURCHASE. Seller does hereby covenant and agree to sell and convey the Property subject to the approval of the Mayor and the Council of the City of Memphis, together with all appurtenances and hereditaments thereon or attached thereto, by good and sufficient Special Warranty Deed, to Purchaser and Purchaser covenants and agrees to purchase and accept the Property on the terms provided for herein.

2. TERMS OF PURCHASE AND SALE. The purchase and sale to be effected in accordance with the provisions of the Agreement shall be on the following terms:

2.1 Consideration. The Consideration for this transaction shall be Ten Dollars (\$10.00) (the "Consideration"). Purchaser and Seller acknowledge the value of the Property at Eight Hundred Eighty-Five Thousand and No/100 Dollars (\$885,000.00). Purchaser and Seller also acknowledge that the remediation of environmental conditions on the Property exceed the acknowledged value and is estimated at Three Million Eight Hundred Thousand Dollars (\$3,800,000.00).

2.2 Prorations and Closing Costs.

a) Prorations at Closing. The ad valorem taxes shall be apportioned and prorated as between the Seller and the Purchaser to the date of Closing and assumed by Purchaser. The Seller is exempt from ad valorem taxes.

DRAFT

b) Closing Costs.

1. Seller shall pay the following costs and expenses in connection with the Closing: Seller's costs of document preparation and attorney's fees and all costs to record any releases of liens recorded against the Property.

2. Purchaser shall pay the following costs and expenses in connection with the Closing: title search and examination fees; the premium costs payable for the owner's policy of title insurance from the Title Company, Purchaser's costs associated with its due diligence of the Property, including the cost of the Survey; all recording costs, transfer taxes, and indebtedness taxes charged by the office recording the Deed, any deed of trust, and any other documents to be recorded relating to the transfer of the property or Purchaser's financing, if any; and Purchaser's costs of document preparation and attorney's fees.

2.3 Closing.

- a) The closing of the purchase and the delivery of the title to and possession of the Property to Purchaser (the "Closing") shall occur, on or before _____, 2024 (the "Closing Date"). Provided the Purchaser is not in default, the Purchaser has the option to extend the Closing Date an additional three (3) months by providing written notice to Seller.
- b) This agreement is contingent upon the Developer receiving approval for Community Development Block Grant funds of One Million Six Hundred Thousand Dollars (\$1,600,000), as identified by the City of Memphis Housing and Community Development Division, to aid in the removal of contaminated soil from the Property. This grant a) may be allocated over a 3-year period; b) is contingent upon the NEPA study being completed 3) is contingent upon the Developer following all pertinent HUD requirements and federal regulations and 4) is reimbursable to Developer following inspection and invoice from and payment to vendors.

2.4 Purchaser Post Closing Obligations.

- a) Purchaser shall engage at its costs, an environmental consultant to aid in the monitoring and reporting of the removal of contaminated soil from the Site.
- b) Purchaser shall remove all contaminated soil from the Site within eighteen (18) months of the transfer of ownership from the City to Purchaser. Purchaser shall begin the redevelopment of the Site within eighteen (18) months of completing the removal of the contaminated soil from the Site. If neither of these thresholds are met, ownership of the Site shall revert back to the City. This provision shall be memorialized in a restriction placed in the deed that transfers ownership of the Site from the City to Purchaser.

- c) Purchaser shall assume the Voluntary Cleanup Oversight and Assistance Program ("VOAP") agreement which ensures the contaminated soil is removed responsibly and in accordance with Tennessee Department of Environment & Conservation (TDEC) approvals.
- d) Purchaser indemnifies and holds the City harmless from any and all liabilities associated with the contaminated soil and shall post a bond or other surety to cover the indemnification prior to Closing.
- e) Purchaser shall obtain written approval from the City prior to selling any portion of the Site, with the exception of the sale of any single-family houses or lots. If the Purchaser attempts to sell any portion of the Site other than a single-family house or lot, ownership of the Site shall revert back to the City. This provision shall be memorialized in a restriction placed in the deed that transfers ownership of the Site from the City to Purchaser.
- f) Purchaser agrees that the redevelopment of the Site will include a park or play area of at least 1/3 acre in size.
- g) Purchaser agrees that 20% of the units will be affordable to households of 80% or lower of the Memphis Metropolitan Statistical Area Median Income.
- h) Purchaser shall use best efforts to ensure that there is a minimum of 25% minority and women owned business participation in the development of the Property.
- i) Subject to the Mayor and City Council Approval, Purchaser shall have an option to purchase the property immediately to the west of the Site, bounded by Bellevue Boulevard on its east, the property municipally known as 329 N. Bellevue Boulevard (Parcel Identification Number 020093 00003) on its south, Interstate Highway 240 on its west and the property municipally known as 417 N. Bellevue Boulevard (Parcel Identification Numbers 020095 00008, 020095 00009 and 020095 00006C) on its north, for three hundred thousand dollars (\$300,000), contingent upon Purchaser obtaining a rezoning of the property to the RU-5 zoning district or other zoning entitlement equivalent to the RU-5 zoning district. The City shall be responsible for securing a survey of the property prior to Mayor and City Council Approval.

2.5 City Post Closing Obligations:

- a) The City shall be supportive of Seller's efforts to work with the appropriate City Divisions in an effort to streamline the relevant permitting processes to ensure the redevelopment of the Site is expedited.
- b) The City shall be supportive of discretionary entitlements sought for the redevelopment of the Site, including but not limited to zoning, tax increment financing or PILOT applications.

- c) The City shall be supportive of zoning entitlement(s) that will enable the redevelopment of the Site to occur over three (3) phases and contains i) buildings of up to three (3) stories in height, ii), a commercial area of up to one (1) acre in size and iii) up to 160 dwelling units.
- d) The City will issue a Notice to Proceed once all requirements are met.

2.6 Inspection Period.

- a) Within ten (10) days of the Effective Date, Seller shall provide to Purchaser copies of all contracts, engineering reports and studies, environmental reports, surveys, zoning approvals, utility letters, and other financial reports, and all other plans, reports or studies of any nature whatsoever regarding the Property which are in the custody of Seller.
- b) Specifically, Seller has conducted a Phase II environmental survey and has completed sampling as previously required by TDEC. Seller will provide all environmental reports to Seller.
- c) Purchaser shall have ninety (90) days from the Effective Date to complete its due diligence (the "Inspection Period").
- d) Notwithstanding anything in this Agreement to the contrary, if Purchaser determines, for any reason or no reason, in Purchaser's sole discretion, that the Property is not acceptable to Purchaser, Purchaser may terminate this Agreement upon written notice to Seller at any time prior to the expiration of the Inspection Period.
- e) During the period occurring between the Effective Date and the Closing Date, Purchaser and its agents shall have the right to conduct investigations and studies upon the Property and to enter upon the Property upon reasonable notice for such purposes ("Purchaser Studies"); provided, however that if Purchaser desires to perform invasive testing of the Property, it shall first obtain the prior written approval of Seller, which approval shall not be unreasonably withheld. Purchaser agrees that all inspections and investigations of the Property by Purchaser shall be performed in compliance with all applicable laws.
- f) Purchaser shall indemnify and hold harmless Seller from and against all loss and expense paid or incurred by Seller if, and to the extent, the same result from or arise out of or in connection with Purchaser Studies, or any actions incident thereto, including any liens or other encumbrances filed against the Property in connection with any work performed as part of Purchaser's Studies.
- g) Purchaser shall restore any damage to the Property caused by Purchaser or its agents or contractors as soon as practicable thereafter. Notwithstanding any contrary

provisions contained in this Agreement, in no event shall Purchaser be liable for any diminution in value of the Property resulting from its discovery of any condition or circumstances affecting the Property.

2.7 Title to be Conveyed.

- a) Title to the Property shall be conveyed by special warranty deed (the "Deed") conveying good and marketable title, free of all interests, liens, and encumbrances, except (i) current real estate taxes which are a lien but not yet payable; and (ii) any Permitted Exceptions (as defined below).
- b) During the Inspection Period, Purchaser shall have the right to review (i) a title insurance commitment (the "Title Commitment") prepared by Purchaser's Attorney as agent for _____ (the "Title Company") covering the Property and (ii) an ALTA/NSPS land title survey of the Property (the "Survey"). The Survey shall be certified to Purchaser, Seller, the Title Company, and any other parties specified by Purchaser, and the legal description in the Deed shall be identical to the legal description of the Property shown on the Survey (the "Surveyed Description"), or, if the Surveyed Description materially differs from the record description of the Property, the Deed shall contain such record description and Seller shall execute and deliver at Closing the Deed conveying the property according to the Surveyed Description.
- c) No later than the expiration of the Inspection Period, Purchaser may notify Seller of any objections it has to the Title Commitment and the Survey. If Seller does not cure such objections, then Purchaser may, at its election, either (i) terminate its obligations under this Agreement or (ii) elect to proceed with the Closing subject to such matters. If this transaction proceeds to close, the conveyance of the Property shall be subject to all items shown on the Title Commitment and the Survey to which Purchaser does not object or which Purchaser is deemed to have waived hereunder (the "Permitted Exceptions").
- d) Except for the Seller's obligation to release, discharge or otherwise remove any new title matters affecting the Property after the effective date of the Title Commitment, and except for the Seller's obligation to cause the satisfaction and release of any mortgages, deeds of trust, or similar liens affecting the Property, Seller shall have no obligation to cure any title defect. If Seller elects not to cure any title defect that Seller is not otherwise obligated to cure pursuant to the preceding sentence, Purchaser's sole remedy shall be to either waive the defect and proceed to close or terminate this Agreement.

3. REPRESENTATIONS, WARRANTIES AND COVENANTS OF PURCHASER AND SELLER.

3.1 Seller warrants that it has the full right, power and authority to enter into this Agreement and to perform its obligations hereunder.

Memphis, Tennessee 38103

If to Purchaser: **Crosstown Partners, LLC**
1196 Poplar View Lane S., Suite 1
Collierville, TN 38017

Purchaser's Attorney: **Josh Whitehead**
Burch, Porter & Johnson, PLLC
130 North Court Ave.
Memphis, Tennessee 38103

6. MISCELLANEOUS.

6.1 Entire Agreement; Interpretation. This Agreement represents the entire agreement between the parties hereto and there are no collateral or oral agreements or understandings. This Agreement shall not be modified in any manner except by an instrument in writing executed by the parties.

6.2 Governing Law. This instrument shall be governed by and construed in accordance with the laws of the State of Tennessee.

6.3 Broker and Commissions. Seller and Purchaser represent and warrant each to the other that it has not employed or retained any broker, agent, or other finder with respect to this Agreement. To the extent permitted by law, each party agrees to indemnify the other from any other claims for commissions or similar fees for brokers or others claiming through such party. The provisions of this Section 6.3 shall survive the Closing.

6.4 Time is of the Essence. Time is of the essence with respect to this Agreement and the performance of the obligations set forth herein.

SIGNATURES FOLLOW ON NEXT PAGE

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year first written above.

CITY OF MEMPHIS

**CROSSTOWN DEVELOPMENT
PARTNERS, LLC**

By: _____
Paul A. Young, Mayor

By: _____

Name: _____

Title: _____

Director of HCD

Ashley Cash, Director

Approved as to Form:

By: _____
Tannera Gibson, Chief Legal Officer/City Attorney

Attest:

By: _____
Comptroller

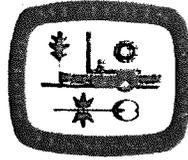
EXHIBIT A
LEGAL DESCRIPTION

The property is improved, and is municipally known as 333 North Claybrook Street,
Memphis, Tennessee.

Land located in Shelby County, Tennessee, more particularly described as follows:

Beginning at a point in the South Right-of-Way line of Overton Park Avenue, and being 175.00 feet (+/-) left of I-40 centerline station 230+17.00±; thence with the South Right-of-Way line of Overton Park Avenue N 80°30'00" W for 1,105.00 feet± to a point in the East Right-of-Way line of Bellevue Boulevard, being 253.00 feet± left of I-40 centerline station 219+12.43±; thence with the East Right-of-Way line of Bellevue Boulevard S 09°30'00" W for 415.00 feet± to a point in the said East Right-of-Way line, being 154.50 feet± right of I-40 centerline station 219+12.43±; thence S 80°30'00" E for 228.50 feet± to a point, being 105.00 feet± right of Ramp "O" baseline station 15+17.00±; thence N 09°30'00" E for 18.27 feet± to a point, being 86.73 feet± right of Ramp "O" baseline station 15+17.00±; thence S 82°15'45" E for 65.03 feet± to a point, being 95.00 feet± right of Ramp "O" baseline station 15+82.00±; thence S 77°32'59" E for 12.17 feet± to a point, being 95.00 feet± right of Ramp "O" baseline station 16+20.00±; thence S 80°30'00" E for 150.00 feet± to a point, being 116.00 feet± right of Ramp "O" baseline station 17+41.00±; thence S 88°42'53" E for 55.99 feet± to a point, being 115.00 feet± right of Ramp "O" baseline station 17+95.00±; thence S 80°30'00" E for 272.50 feet± to a point, being 125.00 feet± right of Ramp "O" baseline station 20+63.00±; thence N 09°30'00" E for 10.00 feet± to a point, being 115.00 feet± right of Ramp "O" baseline station 20+63.00±; thence N 56°55'19" E for 55.00 feet± to a point, being 79.00 feet± right of Ramp "O" baseline station 21+38.50±; thence S 80°30'00" E for 282.50 feet± to a point, being 155.00 feet± right of I-40 centerline station 230+17.00±; thence N 09°13'25" E for 340.00 feet± to the point of beginning, containing 9.692 acres±.

T-254



Memphis City Council Summary Sheet

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

Resolution approving proposed Consolidated Plan, FY2025 Annual Action Plan and appropriating federal entitlement funds to the FY2025 Housing and Community Development Budget.

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

The Division of Housing and Community Development

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

Not applicable.

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

Various council districts or super districts may be impacted.

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

New contracts and contract amendments will be required.

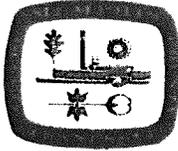
6. State whether this requires an expenditure of funds/requires a budget amendment.

Expenditure of funds will be required.

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

Some funding may be applicable to MWBE goals once awarded.

T-254



A resolution approving proposed consolidated plan PY24/FY25 Annual Action Plan and appropriating federal entitlement funds to the PY24/FY25 Housing and Community Development budget.

WHEREAS, the purpose of the City of Memphis' Consolidated Plan for Housing and Community Development is to foster the development of viable urban neighborhoods which include decent housing for everyone, a suitable living environment, and expanded economic opportunities, especially for low and moderate-income citizens; and

WHEREAS, specific projects and activities within the Consolidated Plan PY24/FY25 Annual Action Plan address the needs of low-and moderate-income persons through goals, objectives, priorities, and strategies for housing, community and public services, assistance for the homeless and special needs populations, neighborhood, economic and community development; and

WHEREAS, projects and activities proposed to be implemented in the Consolidated Plan PY24/FY25 Annual Action Plan will draw upon and augment the resources of the public, private, and nonprofit sectors to meet low and moderate income needs in the community; and

WHEREAS, the plan contains a description of anticipated federal, state, and local housing resources for PY24/FY25, including Community Development Block Grant (CDBG) funds received under Title I of the Housing and Community Development Act of 1974, HOME funds received under Title II of the National Affordable Housing Act of 1990, Emergency Solutions Grant (ESG) funds authorized under the HEARTH Act of 2009, and Housing Opportunities for Person with AIDS (HOPWA) funds, as shown in the following tables:

Estimated FY2025 Funds to be received from HUD

Program Name	Estimated Funds	Percent of Total
CDBG Program	\$ 6,123,518.00	42%
Bass Pro - PI	\$ 750,000.00	5%
HOME Program	\$ 3,310,050.00	23%
HOME Program Income	\$ 163,573.00	1%
Emergency Solutions Grant Program (ESG)	\$ 565,814.00	4%
HOPWA	\$ 3,593,202.00	25%
Total	\$ 14,506,157.00	100%

7-254

WHEREAS, in PY24/FY25, the expected program income for the Community Development Block Grant (CDBG) will be to the amount of \$1m, and not to exceed \$1.2m.
; and

WHEREAS, the plan identifies and describes the following priority areas of projects and activities to be implemented in PY24/FY25 by the federal entitlement funds received from the U.S Department of Housing and Urban Development (HUD):

FY2025 Priority Areas

Program Name	Estimated Funds	Percent of Total
Housing	\$ 5,296,342.00	37%
Homeless	\$ 828,378.00	6%
Special Needs	\$ 3,860,406.00	27%
Neighborhood, Economic, & Community Development	\$ 2,633,231.00	18%
General Administration & Planning	\$ 1,887,800.00	13%
Total	\$ 14,506,157.00	100%

and,

WHEREAS, the Consolidated Plan PY24/FY25 Annual Action Plan includes and was developed within a framework of a citizen participation plan, requiring consultation with citizens and other social service and housing agencies; and

WHEREAS, the Consolidated Plan PY24/FY25 Annual Action Plan was available for a 30-day public review and comment period beginning June 3, 2024, and ending July 3, 2024, and

WHEREAS, the CDBG entitlement, estimated program income, the HOME, ESG, and HOPWA entitlement grants must be appropriated in the FY 2025 Operating Budget for HCD.

NOW, THEREFORE, BE IT RESOLVED that the Council and the City of Memphis hereby adopts and approves the proposed Consolidated Plan PY24/FY25 Annual Action Plan.

BE IT FURTHER RESOLVED that there be and is hereby accepted and appropriated the amount of **\$14,506,157.00** by federal resources for FY2025, including Community Development Block Grant (CDBG) funds, Projected Program Income from CDBG and HOME, HOME Program funds, Emergency Solutions Grant (ESG) funds, and Housing Opportunities for Person with AIDS (HOPWA) chargeable to the FY2025 Operating Budget and credited as follows:

Program Name	Estimated Funds	Percent of Total
CDBG Program	\$ 6,123,518.00	42%
Bass Pro - PI	\$ 750,000.00	5%
HOME Program	\$ 3,310,050.00	23%
HOME Program Income	\$ 163,573.00	1%
Emergency Solutions Grant Program (ESG)	\$ 565,814.00	4%
HOPWA	\$ 3,593,202.00	25%
Total	\$ 14,506,157.00	100%



Memphis City Council Summary Sheet

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

A Resolution approving the sale of a city-owned parcel known as 0 Birchdale Drive, Memphis, TN 38127, Parcel ID# 072029 00030

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.

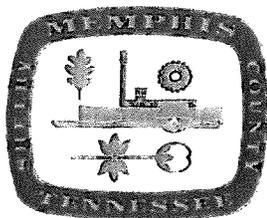
This item does not require a change to an existing ordinance.

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

This item does not require a new contract or amend an existing contract.

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

This item does not require an expenditure of funds or a budget amendment.



**A Resolution approving the sale of a city owned parcel known as 0
Birchdale Drive, Memphis, TN 38127, Parcel ID# 072029 00030**

WHEREAS, the City of Memphis owns the parcel located at 0 Birchdale Drive, Memphis, TN 38127 ("The Parcel") and is further identified by Shelby County Tax Assessor as Parcel ID# 072029 00030 containing 0.197 acres, more or less; and

WHEREAS, the sale of the subject Parcel will increase the Housing and Community Development General Fund, generate tax revenue, and eliminate blight and maintenance costs for the City of Memphis; and

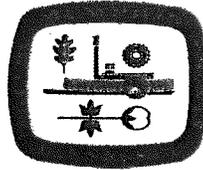
WHEREAS, Elnora Shinault, adjacent property owner, submitted an offer of Three Thousand Dollars (\$3,000.00) along with a Three Hundred Dollar (\$300.00) Earnest Money deposit to the City of Memphis Real Estate Office; and

WHEREAS, it is deemed to be in the best interest of the citizens of the City of Memphis and County of Shelby that this request be considered subject to the terms and conditions set forth in the Offer to Purchase and in City Ordinance 5637 section 2-16-1(F).

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that the offer made by Elnora Shinault for the above-described property is hereby accepted subject to the City Ordinance 5637, section 2-16-1(E) which states in part, "The city real estate manager shall be authorized to convey parcel to a selected adjacent property owner, without necessity of competitive bidding, for approval by the city council with one 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.

T-256



Memphis City Council Summary Sheet

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

Ordinance to raise the property tax freeze income limit for qualifying senior citizens to \$60,000 per year.

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

The Finance Division is the initiating party.

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

Ordinance #5251 (attached)

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

All districts

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

No

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

No

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

N/A



Resolution to Increase the Maximum Income for Property Tax Freeze Participants

WHEREAS, citizens who are age 65 or older, on fixed income (SSI, SSA, pension, etc.), who live in their home as primary residence, provide proof of age, provide proof of all income, and meet certain income limits are eligible for property tax freeze in the City of Memphis;

WHEREAS, legislation enacted in 2023 by the 113th General Assembly authorizes a local option Tax Freeze income limit as an alternative to the standard limits produced annually by the State Comptroller's Office. The higher local option limit of \$60,000 takes effect the following tax year after adoption by the local legislative body;

WHEREAS, an increase in the local option income limit will benefit the citizens of Memphis who are on a fixed income;

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Memphis, that the maximum income limit for the Tax Freeze Program shall be increased to \$60,000 beginning in tax year 2025. The maximum income limit for subsequent years shall automatically be adjusted by the annual cost-of-living adjustment for Social Security recipients.

Ord. # 5251

**AN ORDINANCE TO AMEND CHAPTER 36, ARTICLE I,
SECTION 36-10 OF THE CODE OF ORDINANCES SO AS TO
ESTABLISH A SENIOR PROPERTY TAX FREEZE**

WHEREAS, on November 7, 2006, the voters of the State of Tennessee approved an amendment to Article II, Section 28 of the Constitution of the State of Tennessee to allow for the establishment of a state-wide program to provide a tax freeze for taxpayers 65 years of age or older; and

WHEREAS, the Tennessee General Assembly passed legislation outlining eligibility requirements for such freeze and gave municipalities the option to enact legislation regarding its citizens; and

WHEREAS, the Memphis City Council believes this assistance is needed by many of the seniors residing within the boundaries of the city of Memphis.

SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS That Chapter 36, Article I, Section 36-10 is hereby amended in its entirety to read as follows:

Sec. 36-10. Senior Property Tax Freeze

A. Definitions. For purposes of this section:

“Application” means the form or forms prescribed by the City Treasurer to be filed evidencing eligibility for participation as a senior citizen.

“Principal residence” means the dwelling owned by the taxpayer and eligible as the taxpayer’s legal residence for voting purposes.

“Rules and regulations” means those requirements set by the State Board of Equalization as to qualification and proof of eligibility for participation as a senior citizen.

“Senior citizen” means any person, any joint property owner, any husband and spouse, with a principal residence within the city limits, who will attain the age of sixty-five (65) years on or before December 31 of the tax year for which the property tax freeze is requested.

“Taxes” means city real estate taxes.

“Taxpayer” means any homeowner, any person, any joint owner, any husband and spouse, any holder, owning real estate within the city limits upon which a property tax shall become due and payable.

“Treasurer” means the treasurer of the city.

"Trustee" means the county trustee.

B. Tax freeze established. A tax freeze for senior citizens shall be provided as follows:

(1) Any Taxpayer who is sixty-five (65) years of age or older and who owns residential property as his or her principal place of residence shall pay taxes on such property in an amount not to exceed the maximum amount of tax on such property imposed in the tax year in which the tax freeze is approved for the taxpayer (tax amount not to exceed frozen tax levied, except for improvements).

(2) Any Taxpayer who reaches the age of sixty-five (65) years after the effective date of this section who owns residential property as his or her principal place of residence shall thereafter pay taxes on such property in an amount not to exceed the maximum amount of tax on such property imposed in the tax year in which such taxpayer reaches the age of sixty-five (65) years (tax amount not to exceed tax levied for year in which taxpayer attained sixty-five (65) years of age, except for improvements).

(3) Any Taxpayer who is sixty-five (65) years of age or older who purchases residential property as his or her principal place of residence after his or her sixty- fifth birthday shall pay taxes in an amount not to exceed the maximum amount of tax imposed on such property in the tax year in which such property is purchased (tax amount not to exceed tax levied for year in which taxpayer purchased property, except for improvements).

Provided, however, that whenever the full market value of such property is increased as a result of improvements to such property after the effective date of this section, then the assessed value of such property shall be adjusted to include such increased value and the taxes shall also be increased proportionally with the value.

C. Limitation on Eligibility. Any Taxpayer or Taxpayers who own residential Property as their principal place of residence whose total or combined annual income is in excess of the greater of the weighted average of the median household income for age groups sixty-five (65) to seventy-four (74) and seventy-five (75) or over who resided within Shelby County as determined in the most recent federal decennial census shall not be eligible to receive the tax relief provided in this section. Total or combined income means that of husband and spouse, any person, any joint owners or holders of record.

This limit shall be adjusted by the comptroller of the treasury to reflect the cost of living adjustment for social security recipients as determined by the social security administration and shall be rounded to the nearest ten dollars (\$10.00). The adjusted weighted average median household income level shall be published by the comptroller annually.

D. Rules and Regulations. For purposes of this section, rules and regulations promulgated by The State Board of Equalization shall be used regarding the qualifications for participating and proof of eligibility as to age, income and place of residence. Such rules and regulations shall be set out in writing and made available to all persons desiring to make application.

E. Termination of Tax Freeze. This Program can be terminated by resolution or ordinance adopted by the Memphis City Council as provided in Tenn. Code Ann. Sec. 67-5-705. The clerk of the legislative body must file a copy of the resolution or ordinance terminating the program with the Division of Property Assessments within 45 days of adoption. The Treasurer shall remove all taxpayers under the tax freeze program for the tax year subsequent to the year in which the resolution or ordinance terminating the program is adopted.

SECTION 2. 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 3. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this ordinance 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 Mayor in writing by the comptroller and become effective as otherwise provided by law.

DEDRICK BRITTENUM, JR.
Council Member

TOM MARSHALL
Council Chairman

THE FOREGOING ORDINANCE
5251 PASSED
1st Reading 12-04-2007
2nd Reading 12-18-2007
3rd Reading 01-08-2008

Approved Scott McCall
Chairman of Council

Date Signed: 1-22-08

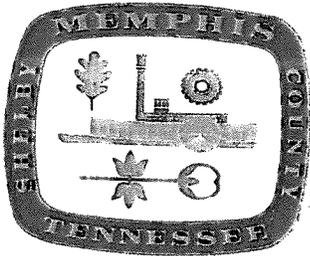
Approved: [Signature]
Mayor, City of Memphis

Date Signed: 1/29/2008

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.

Valerie C. Sures

T-242 § T-2



Memphis City Council Summary Sheet

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

The Finance Division is requesting to amend the FY24 Operating Budget in the amount of \$1,975,000 to fund the City's portion for the Memphis Sports Authority. The expense will be funded from the City of Memphis Fund Balance

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.

This is a change to Budget Ordinance 5872, which approved the FY24 General Fund Operating Budget.

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

Yes

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

No, this will not.

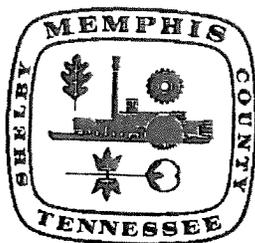
6. State whether this requires an expenditure of funds/requires a budget amendment.

Yes

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

N/A

T-242 & T-243



RESOLUTION

Resolution: To Adjust the Fiscal Year 2024 General Fund Operating Budget for the Finance Division.

WHEREAS, the Memphis City Council approved the Budget Ordinance 5872, which established and appropriated the Fiscal Year 2004 General Fund Operating Budget in which did not include the \$1,975,000 expense for the Memphis Sports Authority; and

WHEREAS, it is necessary to amend the Fiscal Year 2024 Operating Budget for the General Fund (0111) for the Finance division.

WHEREAS, the New Memphis Arena Fund (0225) needs the \$1,975,000 to fund their FY24 operating expenses for the arena.

WHEREAS, it is necessary to transfer allocation and appropriations totaling \$1,975,000 from the General Fund (0111) Unreserved Fund Balance to the New Memphis Arena Fund;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2024 Operating Budget is hereby ~~be~~ amended by transferring \$1,975,000 from the General Fund (0111-000000-049999) unreserved fund balance to the New Memphis Area Fund (0225-230301-070111).

**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) provide that funds may be used to:

A. 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. 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 investments 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; and

WHEREAS, at the September 16, 2021, regular meeting of the Memphis City Council, the Council approved the Administration’s proposal for allocations of ARPA funding. Included in the Administration’s proposal was an allocation for Memphis Libraries in the amount of \$2,211,232; and

WHEREAS, the Memphis City Council intends to support the advancement of the City of Memphis into a hub of increased innovation and equity, a center of sustainable mobility, an environment conducive to Black entrepreneurship, and a model of intelligent infrastructure; and further intends to enhance efforts to build a more efficient and sustainable food system to reduce food insecurity and waste production.

NOW, THEREFORE, BE IT RESOLVED that the Council hereby amends the FY24 ARPA allocations to reallocate \$175,000.00 to Start Co. and 150,000.00 to Clean Memphis from the Memphis Libraries Youth Pilot Program ARPA line item, effective with the approval of this resolution.

Sponsor:
J. Ford Canale



Memphis City Council Summary Sheet

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

Resolution to approve Downtown Memphis Commission's FY25 budget

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

Downtown Memphis Commission

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

No

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

No

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

No

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

No

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

See attached for numbers



City Council Item Routing Sheet

Division Committee Hearing Date

Ordinance

Resolution

Grant Acceptance

Budget Amendment

Commendation

Other: [Click here to enter text.](#)

Item Description:

Downtown Memphis Commission Budget and Assessment Rate Approval

Recommended Council Action: Council affirms that the assessment rate approved by Council in 1997, of \$0.65 per \$100 of assessed value and approves FY25 budget.

Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:

The DMC Board of Directors approved this budget on May 24, 2024.

Does this item require city expenditure? No

\$0 Amount

\$ 5,293,991 Revenue to be received;

Source and Amount of Funds

\$0 Operating Budget

\$0 CIP Project #

\$0 Special Assessment Federal/State/Other

Approvals

Director  Date 5-30-24

Chief Administrative Officer

Division Chief _____ Date _____

Budget Manager _____ Date _____ **Council Committee Chair**

Chief Financial Officer _____ Date _____

Chief Legal Officer _____ Date _____



Resolution approving Downtown Memphis Commission’s FY25 Budget

WHEREAS, the Memphis City Council authorized the Downtown Memphis Commission to manage the Central Business Improvement District in 1997, and to determine annually the cost and expenses necessary to be funded by special assessment; and

WHEREAS, the Downtown Memphis Commission submitted their FY2025 Budget in the amount of \$5,293,991 for approval by the Memphis City Council; and

WHEREAS, full Council approval is also needed for the Downtown Memphis Commission budget; and

WHEREAS, the Council affirms that the assessment rate approved by Council in 1997, of \$0.65 per \$100 of assessed value, was used to determine the revenues listed below.

NOW, THEREFORE, BE IT RESOLVED that the *FY2025 Budget for the Downtown Memphis Commission be and is hereby approved.*

DOWNTOWN MEMPHIS COMMISSION BUDGET

	FY2025
Safety & Hospitality	\$2,460,985
Beautification and Clean & Green	\$1,084,688
Community Planning, Development & Diversity	\$ 926,094
Marketing, Events & Activation	<u>\$ 822,224</u>
	<u>\$5,293,991</u>

RESOLUTION TO AMEND THE MEMPHIS CITY COUNCIL RULES OF PROCEDURE

WHEREAS, the Memphis City Council has adopted Rules of Procedure by which it maintains its operation, pursuant to Referendum Ordinance 1852, Section 1, Legislative Council; and

WHEREAS, from time to time it becomes necessary to amend said rules to ensure that Council Members are able to conduct the business of the City of Memphis efficiently and effectively, and it is proper that such amendments be officially approved by the legislative body.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the Council Rules of Procedure are hereby repealed and replaced with Attachment A.

BE IT FURTHER RESOLVED, by the Council of the City of Memphis that the Council Rules of Procedure be republished with the passage of this resolution.

Sponsor(s):

JB Smiley, Jr.
J. Ford Canale

ATTACHMENT A

MEMPHIS CITY COUNCIL

RULES OF PROCEDURE

CITY OF MEMPHIS, TENNESSEE

INCLUDING AMENDMENTS OF:

January 10, 1984
January 17, 1984
March 20, 1984
January 2, 1985
January 21, 1986
January 6, 1987
February 17, 1987
December 8, 1987
January 26, 1988
January 10, 1989
October 6, 1998
May 15, 2001
October 21, 2003
December 2, 2003
October 3, 2006
February 6, 2007
February 20, 2007
September 18, 2007
September 9, 2008
September 23, 2008
April 5, 2011
August 2, 2011
December 20, 2011
December 16, 2014
June 7, 2016
December 20, 2016
December 5, 2017
February 19, 2019
December 1, 2020
January 5, 2021
February 15, 2022
December 19, 2023
February 20, 2024

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RULES OF PROCEDURE - COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE

A. DUTIES OF THE CHAIRPERSON (1 through 6)

1. The Chairperson shall preside at all meetings of the Council.
2. The Chairperson shall have general direction of the Council Chamber and shall preserve order. The Sergeant at Arms of the Council shall be under the direct supervision of the Chairperson.
3. The Chairperson, in consultation with the Parliamentarian, shall decide questions of order, subject to appeal of the council by any member, and shall put each question. The Chairperson shall have a vote on all matters.
4. The Chairperson shall appoint all committees, unless otherwise directed by the Council, and shall have other powers granted to him/her hereunder. The Chairperson may also appoint a Parliamentarian; in default of such appointment the Council's Legal Counsel shall serve as Parliamentarian. The Chairperson shall establish the order of business for any special meeting of the Council.
5. The Chairperson shall be elected by a majority vote of the duly sworn Council Members during the second meeting of November preceding the year he/she shall serve.

The Vice Chairperson shall be elected by a majority vote of the Council Members during the second meeting of the November preceding the year he/she shall serve. In the event the Chairperson of the Council becomes incapacitated, the Vice Chairperson shall serve as Chairperson of the Council and a new member shall be voted in as Vice Chairperson for the remainder of the year.

6. The Chairperson, through the Chief Administrative Officer, shall supervise and manage the office staff, including scheduling workloads and staff assignments for Council members. The Council's assistant attorneys shall be under the direction and supervision of the Council Attorney, who shall report to the Chairperson. Evaluations and staff requests shall be directed to the Chief Administrative Officer in writing. The Chairperson shall be in charge of employment, with notification by the Chief Administrative Officer to Council Members of job openings. Notification of all vacancies, including the filling of any new positions, shall be made in writing to all Council Members and Staff. The written notification must include the job description for the vacant position, the Chairperson's proposed plan for filling said vacancy, and a solicitation to Council Members for referrals of qualified candidates to fill the vacant position. Referrals shall be directed to the Chief Administrative Officer, who shall oversee the process of filling the vacancy at the direction of the Chairperson. The Chairperson, through the Chief Administrative Officer, is strongly encouraged to notify the Council in a timely manner when a position becomes vacant, preferably within one (1) business day. Members of the Council shall not request personal secretarial work of staff

members for other than strictly Council business, including but not limited to the scheduling of personal appointments or other tasks unrelated to Council business or outside the scope of the Council's authority.

The Chairperson will be in charge of and accountable for the Council budget that has been approved by the Council during the budget process.

The Chairperson will authorize and/or approve all expenditures requested by the Council Members and the staff, including, but not limited to, travel and supplies. The party seeking authorization or approval shall, at the request of the Chairperson, submit written substantiation that the expenditure requested is for City business. If the Chairperson determines that the expenditure is not for City business, the Chairperson will return the request without authorization or approval for payment to the Council Member or staff member.

If the involved Council or staff member disagrees with the Chairperson's decision, said Council Member or staff member may appeal to the Council's Personnel Committee, which will make a recommendation to the entire Council, action of the entire Council shall be conclusive.

If it is determined that an expenditure properly authorized was not for City business, the Chairperson and the Council Member who initiated the expenditure will both be equally responsible for making restitution; provided, however, if the substantiating evidence upon which the Chairperson relied was incorrect, then the Chairperson shall not be liable to make restitution.

If the involved Council or staff member disagrees with the findings, such person may appeal to the Council's Personnel Committee, which will make a recommendation to the entire Council, and action of the entire Council shall be conclusive.

B. ORDER OF BUSINESS (7 through 21)

7. The Regular meeting shall be called to order at 3:30 p.m.
8. Invocation.
9. Roll Call.
10. Recognition of Visitors, including presentations of Resolutions and Certificates (presentations limited to 10 minutes). There shall be no more than three (3) presentations on the regular agenda per meeting. Priority will be given based on the time of notification to the Chief Administrative Officer.
11. Minutes of previous meeting approved.
12. Comptroller shall call agenda.
13. Recommendations and Communications from Mayor and others received and considered.
14. Nominations and/or appointments made.
15. Passage of ordinances considered in the following manner:
(Rezoning ordinances excluded)
 - a. First Reading
 - b. Second Reading.
 - c. Third and Final Reading.
16. Public hearings required by law (including consideration of ordinances on Third and Final Reading on Zonings).
17. Resolutions presented by Divisions in the following order:
 - a. Engineering
 - b. Executive Office
 - c. Finance and Administration
 - d. Fire Services
 - e. General Services
 - f. Housing and Community Development
 - g. Human Resources
 - h. Information Technology
 - i. Law
 - j. Library Services
 - k. MLGW
 - l. Memphis Parks

- m. Planning and Development
- l. Police Services
- j. Public Services
- k. Public Works
- i. Solid Waste

18. Committee reports shall be given consideration and action in the order listed hereinafter (See E. Organization of Council).
19. Recommendations of the Council:
 - a. General Items.
 - b. Discussion Items.
20. Introduction of items on matters by the General Public.
21. Adjournment.

C. PROCEEDINGS IN COUNCIL MEETINGS (22 through 34)

22. Council Members shall have a regularly assigned seat in the Council Chamber. The Chairperson will assign the seating at the beginning of each year. Each Council Member shall address the Chairperson from his/her appropriate seat, and no Council Member shall be recognized by the Chairperson unless he/she be in his/her proper place. Talking on a Cell phone is not permitted at the Council member's assigned seat. If a call must be made or taken, members are asked to use the ante rooms located on either side of Council Chambers. The Chairperson may request a member to step away from the dais if he/she is causing a major distraction.
23. Every resolution or ordinance must be introduced by verbal motion of a Council Member and seconded by another Council Member during a regular meeting. The fact that any Council Member introduces a resolution or ordinance shall not prevent the Council Member from casting a negative vote on said resolution or ordinance. Upon failure of a second, the Chairperson shall declare the motion failed for lack of a second and the motion shall not be considered further.
24. All motions shall be subject to debate except the following motions:
 - a. To Adjourn
 - b. To Lay on the Table
 - c. For the Previous Question

provided, however, the proponent of any measure sought to be tabled shall have the right to be heard after the motion To Table is made and before said motion is put to vote. Furthermore, if any Member requests to be recognized, either electronically or by another means, and such request is registered and duly acknowledged by the Chairperson, after a motion for the previous question has been made, those persons will be allowed to speak but no new requests for recognition will be accepted.

25. When any question or motion is under debate in the Council, only the following oral motions shall be in order and may be entertained by the Chairperson.
 - a. To Adjourn.
 - b. To Lay on the Table.
 - c. To the Previous Question.
 - d. To Limit or Extend Limits of Debate
 - d. To Postpone to a Day Certain.
 - e. To Commit.
 - f. To Amend.
 - g. To Postpone Indefinitely.

Each of said motions shall take precedence in the order set out herein.

26. A roll call vote shall be taken by the Chairperson on all ordinances and on all resolutions involving appropriations, real property or funding. All ordinances shall be passed on consecutive, regular meetings; provided, however, that on Third and Final Reading, an ordinance may be postponed by affirmative action of Council from week-to-week or to a date certain. After the Chairperson has put a question, or after there has been a roll call vote of the Council, the Chairperson shall not entertain a motion until a decision of the Council has been declared by the Chairperson.

The chair may call for any other method of voting allowed by Roberts Rules of Order such as voice vote, show of hands or by unanimous consent. In each case, the Comptroller shall reveal how each member voted to the Chairperson either verbally or electronically. The result of the vote shall not be final until announced by the Chairperson. Any member whose vote was not called may request his or her vote to be recorded at any time prior to the Chairperson's announcement of the vote. Any member may change his or her vote at any time prior to the announcement of the vote as long as such change does not change the outcome of the vote.

27. Any Council Member may appeal to the Council from any ruling of the Chairperson, and a majority vote of the Council Members present shall decide the appeal.
28. No one other than a Council Member may address the Council, except with the permission of the Chairperson, or as otherwise permitted under these Rules of Procedure. The Chairperson's ruling under this Rule 28 may be appealed to Council in the same manner as any other ruling. Members of the public wishing to address the Council on an agenda item shall sign in with the Sergeant at Arms and will be recognized by the Chairperson at the appropriate time. When recognized, this person shall state his or her name and address and shall limit remarks to the specific question under debate. Comment shall be limited to two (2) minutes. Persons may speak on no more than two (2) agenda items. No citizen may yield any allotted time to any other person or speaker. There shall be no debate by Council on the Consent Agenda, unless a matter is removed from the Consent Agenda by proper vote of the Council. Members of the public may not speak to the Consent Agenda except during the portion of the Agenda reserved for Discussion of matters presented by the General Public.
29. The Council may change the order of business upon majority vote of those Council Members present or at the discretion of the Chairperson or Councilmember presiding over the meeting.
30. In the case of public hearings which debate the passage of an ordinance, the Chairperson may set time limitations in advance of the hearings; provided, however, that equal time be afforded to those who support such proposals and those who are in opposition. In the case of group opposition or group support, the Chairperson may request agreement on a single spokesman for each group.
31. In the case of final readings on Zoning Ordinances, the following procedures shall be

followed:

- a. Office of Planning and Development will provide the Chairperson and the committee Chairperson of Planning and Zoning a list of cases on the agenda that are non-contested which may be heard prior to any contested cases that may require a lengthy debate and discussion. Each case shall be presented by a member of the staff of the Office of Planning and Development.
 - b. The applicant shall be granted a maximum of fifteen (15) minutes for oral presentation. This time limitation may be divided between initial presentation and rebuttal, as long as the total does not exceed the fifteen minutes allotted.
 - c. Spokesman for the opposition shall be granted equal time.
 - d. Discussion between Council Members shall not be interrupted by either the applicants or the opponents, nor by any other members of the public present in the Council Chamber. **The Chairperson shall strictly enforce these rules.**
32. Persons seeking to speak during the section reserved for Discussion of matters presented by the General Public shall sign in with the Sergeant at Arms, listing name and subject matter. At the conclusion of the regular business on the agenda, the Chairperson recognizes those persons who have registered to speak with the Sergeant at Arms, the Chairperson shall make the following statement:

As a reminder, these meetings are for the official business of the council and are held in public, not as a meeting with the public. Citizens may address the Council as a matter of legislative grace and not as a matter of right. Any person wishing to speak is expected to reflect a total sense of respect for the office held by those assembled to conduct business. Speakers shall be courteous to one another, to any member of the administrative staff, as well as persons who may address the Council. Each speaker must state their name and home address for the record. Speakers are respectfully asked to refrain from using names of city personnel or elected officials, particularly when lodging a complaint. Speakers will not be permitted to engage in gossip, make defamatory comments, or use abusive or vulgar language. The Chairperson shall have the authority to revoke the permission granted to any individual to speak if any such individual is disruptive or does not adhere to Council rules. A continued disturbance may result in removal from the Council Meeting or possible removal from the Council Meeting. Each Speaker will have no more than two minutes to speak.

After making the foregoing announcement, the Chairperson shall recognize persons who have registered to speak with the Sergeant at Arms in the proper order of signatures as handed to him by the Sergeant at Arms. Recognition of any person who failed to sign in will be

discouraged, but final decision shall rest with the Chairperson. No citizen may yield any allotted time to any other person or speaker.

33. In the case of any disturbance or disorderly conduct in the Council Chamber, the Chairperson shall have the power to order the same to be cleared.
34. If any question shall arise which is not provided for in these Rules, the same shall be governed by Roberts Rules of Order, which is hereby adopted. The Council Rules of Procedure as adopted shall supersede Robert's Rules of Order for items addressed within.

D. DECORUM IN COUNCIL MEETINGS (35 and 36)

35. Meetings of the Council shall be conducted in an orderly manner to ensure the public has a full opportunity to be heard and the deliberative process of the Council is retained at all times. The Presiding Officer shall be responsible for maintaining decorum throughout the meeting. If a Councilmember feels that the Presiding Officer has failed to address a breach of decorum, the Councilmember may by motion appeal to the Chairperson to preserve decorum.
- a. Councilmembers. The members of the City Council shall preserve order and decorum, and a member shall not by conversation or other means delay or interrupt the Council proceedings or disturb any other member while speaking and obey the orders of the Presiding Officer. Councilmembers addressing the public, Administrative Staff, Council Staff or other Councilmembers shall do so in an orderly manner and shall not make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or general public. Any Councilmember who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting shall, at the discretion of the presiding officer, be asked to refrain from such behavior. If the behavior persists, the Chairperson with the approval or majority vote of the body shall determine how to proceed with the meeting.
 - b. Employees. Employees of the City or City shall observe the same rules of order and decorum as those which apply to the members of Council.
 - c. Persons Addressing the Council. Any person who addresses the Council shall do so in an orderly manner and shall not make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting shall, at the discretion of the presiding officer, be barred from further audience before the Council during that meeting.
 - d. Members of the Audience. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts, such as hand-clapping, which disturb, disrupt or otherwise impede the orderly conduct of any Council meeting. Any person who conducts himself in the aforementioned manner shall, at the discretion of the presiding officer, be barred from further audience before the Council during that meeting.
 - e. If members of the public who are in attendance would like to express support, agreement, disagreement, or opposition to a comment or item on the agenda, he or she shall only express such with either a thumbs up or a thumbs down. Applause is prohibited.

- f. Members of the public may bring signs or posters to the meeting as long as such sign or poster does not convey any discriminatory, threatening, foul, or offensive language. Any sign or poster must be no larger than 11x17 inches and be made of paper material to be allowed inside the Council Chamber.

36. Rules of Enforcement

- a. **Warning.** The presiding officer shall request that a person who is breaching the rules of decorum be orderly and silent through a verbal warning.
- b. **Order to Leave.** If, after receiving a warning from the presiding officer, a person persists in disturbing the meeting, the presiding officer shall order him or her to leave the Council meeting to prevent any further disruption of the meeting.
- c. **Removal.** If such person does not remove himself or herself, the presiding officer may order any law enforcement officer who is on duty at the meeting as Sergeant-at-Arms of the Council to remove that person from the Council chambers to prevent further disruption of the meeting.

E. ORGANIZATION OF COUNCIL (37 and 38)

37. There shall be the following standing committees, the chairperson of which shall be appointed annually by the Council Chairperson:

- a. Budget and Audit
- c. Economic Development, Tourism and Technology
- d. Housing and Community Development
- e. Libraries and Neighborhood Improvement
- f. MLGW
- g. Parks and Environment
- h. Personnel, Government Affairs and Annexations
- i. Planning and Zoning
- j. Public Safety and Homeland Security
- k. Public Services, Arts and Youth Initiatives
- l. Public Works, Solid Waste, and General Services
- m. Transportation

The Council may, by resolution, add, reorganize, or consolidate standing committees.

38. a. Any proposal or ordinance, other than routine personal resolutions, must be referred by the originator to an appropriate committee for consideration and recommendation. If the originator has an item and he is not sure to which committee it should be referred, he will give it to the Chairperson of the Council for assignment. This committee may, if it desires, hold public hearings thereon. In such public hearings, all speakers shall be limited to five minutes, except by special permission of the committee Chairperson. Equal time shall be afforded to the proponents and opponents of any ordinance or resolution under consideration.
- b. Any proposal or resolution presented in committee must contain the name of the originator and co-sponsor (if applicable) in the lower portion of the document immediately following the body of the legislation. Any ordinance presented must contain the name of the originator, co-sponsor (if applicable) and Council Chairperson.
- c. On occasion should an emergency arise or a quantifiable benefit to the City of Memphis or another party will be lost as a result of the delay of action by the Memphis City Council, meeting minutes for an agenda item may be approved at the same meeting. In order to approve an agenda item and minutes for that item the same evening, a Councilmember shall request during the Committee in which the item was heard or in Executive Session by motion and approval by a majority of Councilmembers present and voting in Executive Session on that day that those minutes be approved the same evening.

F. AGENDA (39 through 45)

39. The agenda of the Council shall be prepared under the direction of the Council Records in consultation with the Council's Chief Administrative Officer, with administrative items to be submitted no later than 10:00 a.m. on TUESDAY, next preceding the next regular Council meeting, to the Council Office.
- a. Resolutions or Ordinances placed on the agenda shall indicate the sponsor of the item as well as the Chairperson of the committee.

Example:

Flinn
Chairperson, Personnel
Committee

7. Ordinance to amend Chapter 25 of the City of Memphis Code of Ordinances, governing the City Pension System to provide a 2016 Cash Balance Plan and a 2016 Defined Contribution Plan (Non-vested employees) Ordinance No. 5572 Sponsored by Administration

- b. Any matter which has appeared on the agenda and has been acted upon by either a majority vote for approval or rejection, may be brought before the Council for reconsideration upon a timely motion of a Council Member and seconding motion by another Council Member during the appropriate Council meeting.

The only requirements for this action are:

- (1) The Member making the Motion to Reconsider must have voted on the prevailing side of the initial vote. A Member, regardless of how he voted on the Motion to be Reconsidered, may Second the Motion.
- (2) Such Motion to Reconsider must be made prior to approval of the minutes in which the first vote was cast.
- (3) The Motion to Reconsider is not amendable.
- (4) No question can be reconsidered twice unless it was materially amended during its first reconsideration.

Once a matter, either ordinance, resolution, or special permit, has been finally approved or rejected at one meeting, any such item may not be placed on the agenda by either a Member of the Council or the Administration for further consideration until SIX MONTHS (minimum of twelve (12) official weekly meetings) following original consideration of the matter.

- c. All items that have been referred to committee and have been acted upon by that committee shall appear on the agenda with the appropriate committee Chairperson's name alongside. All items not referred to committee shall appear with the Council Member's name who is the sponsor of that item.

Before any item is put on the Council Agenda, with the exception of subdivision approval and acceptance, Fiscal Consent Agenda items, personal resolutions, i.e., acknowledgment, condolence, commendation, the originator of such item must present it promptly to the appropriate committee.

- d. Each Council Member may sponsor only four (4) honorary street name changes per council member per four-year term. Each honorary street name change shall be considered by a Council Committee and placed on a Council agenda. Additionally, not more than two (2) name changes per member are permitted in a calendar year and no name changes will be carried over from term to term.

The Council may collectively sponsor an honorary street name change for City of Memphis employees that are killed in the line of duty. This shall not count against any individual Council Member's allotted (4) four honorary street name changes.

If an honorary street name change is cosponsored, the honorary street name change will only be counted against the original, primary sponsor of the resolution.

Upon approval of the resolution to designate an honorary street name change, the staff member assigned to the sponsoring Council Member shall complete the required request form for Engineering to affix the honorary street signs to the designated location; in addition, the primary sponsor of the resolution shall sign off on the location, installation date, and name listed on the resolution and, subsequently the signage, prior to submission of the form to the Department of Engineering.

40. All proposed ordinances, resolutions, and other matters submitted by Council Members shall be submitted in writing to the Council Office by close of business (COB) TUESDAY next preceding the next regular Council meeting, except that a Council Member may give notice of an ordinance or resolution and the same shall be considered on TUESDAY during committee meetings if, in fact, the Council Member presents it in writing by the Tuesday meeting. Only items involving extreme emergencies may be added to the agenda after the Tuesday, COB deadline; provided, also, that two or more Members of the Council may voice their objections thereto and said items shall be added to the next committee agenda.
41. All proposals, recommendations and communications submitted by the Mayor or his designated officer shall be in the Council Office by 10:00 a.m., TUESDAY next preceding the next regular Council meeting. All recommendations and proposals not involving resolutions or ordinances shall also be placed on the agenda.

The Council Chairperson shall announce any changes to the published agenda during the Council Executive Session held each Tuesday. If additional time is needed to gather information or study an agenda item, it may be deferred or dropped from the agenda by a majority of the Council present.

42. All other communications required by law to be presented to the Council shall be placed on the agenda.
43. The Council Records staff shall distribute to all Council Members and the administration a copy of the agenda before 5:00 p.m., THURSDAY preceding each Council Meeting. A copy of any

resolutions or ordinances on the agenda for consideration shall be sent to the Council Office and distributed to each member of the appropriate committee, along with the agenda. Any Council Member may request the Council Office to allow him to pick up a copy of the agenda, resolutions, and ordinances in lieu of distributing the same to him/her via email or other means.

44. The Council staff shall make such agenda available to the public and to the press each Friday.
45. a. Resolutions and ordinances on first and second reading, which appear to be noncontroversial, may be placed on a Consent Agenda. All items on the Consent Agenda may be read cumulatively and adopted by one vote, provided, however, an objection by any one Member of the Council or a timely motion to remove the item will cause an item to be removed from the Consent Agenda and handled in the normal manner. The Consent agenda is to be made and distributed at the same time as the regular weekly agenda.
- b. Resolutions on first and second reading, prepared for fiscal matters and routine appropriation of funds on items previously budgeted or allocated for specific projects, may be placed under a caption Fiscal Consent Agenda, be read cumulatively and adopted by one roll call vote, provided, however, any objection by any one Member of the Council will cause an item to be removed from the Fiscal Consent Agenda and handled in the normal manner. Items where no objection is voiced, may be added at Executive Sessions and be considered with other Fiscal Consent items. The Fiscal Consent Agenda is to be made a part of and distributed at the same time as the regular weekly agenda.

There shall be a permanent Fiscal Consent Agenda for the acceptance of grant funds and donations across all city divisions. Items shall appear in the Executive Session and on the Fiscal Agenda simultaneously. Items appearing on the Fiscal Consent Agenda will be approved with same night minutes. Any item requiring a city match will be added on the Fiscal Consent Agenda only after it has received approval in the appropriate committee and a motion has been made to add the item. Council members shall be able to pull items from the Fiscal Consent Agenda upon timely motion or with an objection.

G. CODE OF ETHICS (46 through 49)

46. Meetings of the Council: Members of the Council are expected to be prompt in their attendance of official meetings, including those held in joint session with the Shelby County Commission. Such meetings shall be conducted in an orderly manner and according to the Rules of Procedure as adopted by this Council pursuant to Article 7, Section 44, of the Charter of the City of Memphis, as quoted below:

It shall require a majority of the duly sworn Members of the Council to form a quorum for the transaction of business, but a smaller number may adjourn from day to day, and can adopt such measures as are necessary to compel the attendance of absent Members. The Council may determine the rules for its procedure and may prescribe the punishment for its Members for non-attendance or disorderly conduct, and shall have the power to enforce same.

47. Conduct of individual Members during meetings of the Council is expected to reflect a total sense of respect for the office held by those assembled to conduct business. Members shall be courteous to one another, to any member of the administrative staff, as well as persons who may address the Council. The length of time to speak for each Council member is limited to not more than five (5) minutes, per motion, to be used in sum or in part when first recognized to speak on a matter or the remaining time may be used when recognition is sought the second time. A Member may not speak until recognized by the Chairperson and **shall not be recognized the second time on the same subject** until all members who wish to speak have had an opportunity to do so. Any disorderly conduct shall be noted by the Chairperson.
48. General Conduct: Members of the Council are advised of the following provision of the Home Rule Amendment:

Neither the Council nor any Member thereof shall give orders directly to the Mayor's subordinates or otherwise interfere with the operation of the administrative departments through such means as directing or requesting the appointment or removal of any of the Mayor's subordinates, or by suggesting or promoting the making of particular purchases from, or contract with, any specific organization, or by applying for special services not available to all citizens. The office of any Council Member violating any provision of this section shall immediately become vacant upon his conviction of such type of misconduct in a court of competent jurisdiction.

The Council shall have full power and authority to adopt the rules and regulations pertaining to the conduct of the Council, including the power to issue subpoenas and administer oaths, as now provided for the Board of Commissioners.

49. In order to implement these procedures, the Chairperson shall appoint a special three-member committee designated as a COMMITTEE OF ETHICS. Its function shall be to receive, consider and investigate any written charges presented by a Council Member preferred against any Member of the Council wherein said Member of the Council is alleged to have been guilty of misfeasance, malfeasance, or any felony or misdemeanor involving moral turpitude. This shall include written complaints that may be filed concerning ethical conduct of any Member of

the Council, such as conduct alleged to be in violation of the Oath of Office as sworn to by each Member of the Council, including the specific Charter references cited above. The Committee shall report to the full Council as to its findings and recommendations in any such case filed.

Censure of any Member of the Council would require nine (9) votes. Recommendations of this Committee may include referral to the Shelby County Attorney General and/or U.S. Attorney General, and findings deemed appropriate for further investigation by proper offices.

H. OTHER MEETINGS OF THE COUNCIL (50 through 53)

50. The Council meets in official session at 3:30 p.m. the first and third Tuesday of each month unless otherwise notified, in the Council Chamber unless otherwise changed by ordinance of the Council, with an Executive Session beginning at least 30 minutes prior to the official session.
51. Special called meetings must follow official procedures as specified in the Charter and as directed by the Chairperson.
52. The Chairperson of the Council may call a meeting of the Council, upon reasonable notice, for discussion purposes or consideration of any item the Chairperson deems pertinent, but such meeting shall not be considered official, nor can any official or binding action be taken by the Council at any such meeting. As many as seven (7) Members of the Council may petition the Chairperson to call such a meeting of the Council, provided, however, that the same restrictions as the official action shall apply.
53. No rule(s) of the Council's Rules of Procedure may be changed without receiving an affirmative constitutional majority. A constitutional majority is defined to be a majority of the number of Members to which the Council is entitled; currently seven (7).

Notice of a proposed rule change must be communicated in writing, to each Council Member at least seven days prior to consideration by the Council. Said notice shall state the general nature of the proposed rule and the date on which the sponsor intends to present the proposal to the Council.

These Rules may be amended at any time by a constitutional majority vote of the Council.

I. TRAVEL POLICY (54 and 55)

54. The City Council hereby adopts the official City of Memphis Travel Policy as a guideline for definition of allowable travel expense and limitation, and for the Chairperson's use in considering approval or disapproval of the type and amount of travel expenditure requests for which individual Members seek advance payment of post-travel reimbursement. Said Travel Policy as it relates to Council Members may be amended by majority vote of Council.

All Members of the City Council shall request out-of-city travel and/or reimbursement from the Chairperson of the Council, who will approve or disapprove said request after expeditious review, and said review and determination shall be based on whether or not said travel is judged to be in the best interest of the City of Memphis. Any travel approved by the Chairperson of the City Council, for either himself or another council member, is only valid during the calendar year of the Chairperson's tenure. All persons seeking approval for travel must receive authorization in writing from the Chairperson of the Council prior to the initiation of travel plans by the City Council staff. In the event the Council Chairperson disapproves a Member's travel request, said Member may appeal the Chairperson's decision to the Council's Personnel Committee which may, by majority vote of the Committee's membership, recommend to the full Council to uphold the Chairperson's decision or approve the travel requested.

Upon approval by the Chairperson, for either himself or herself or another council member, the Chief Administrative Officer or his or her designee shall provide the council member with a physical and digital copy of all travel arrangements and approvals at least seven (7) days prior to departure.

55. Council Members shall be responsible for prompt notification of their inability to attend a conference or a meeting which requires pre-registration. In the event a registration fee has been made which is not refundable, Council Members shall be required to reimburse the City for that portion of the fee which is non-refundable.

The Council Chairperson shall have the ability to waive this requirement upon justification of the circumstances which require cancellation. In the event the Council Chairperson disapproves a Member's waiver request, said Member may appeal the Chairperson's decision to the Council's Personnel, Intergovernmental and Annexation Committee's membership and recommend to the full Council, either to uphold the Chairperson's decision or to waive the reimbursement.

J. VACANCIES (56)

56. Upon notification of a vacancy on the Council, the Chairperson shall request written nominations from Council members of a qualified individual(s) they would like considered for the position. Additionally, the public may nominate candidates and interested candidates shall personally submit a resume and letter indicating their interest in the vacant seat. The name, address and birthdate of all candidates should be included in the nominating letter. Interested candidates will also be asked to provide proof of residency as described by the City of Memphis Human Resources Division. Required documents for Proof of Residency shall be at least one (1) of the following: valid Tennessee driver's license or state identification; Tennessee vehicle registration; current Memphis Light Gas & Water bill (within previous 30 days), and at least two (2) of the following: mortgage papers or lease agreement in candidate's or spouse's name; address section of federal tax return or tax bill for residence; recent bank or credit union statement in candidate's or spouse's name (within previous 30 days); voter registration card. The candidate's eligibility and residency will be certified by the Shelby County Election Commission.

Signatures of twenty-five (25) registered voters residing in the Council district in which the vacancy exists shall be obtained. Said signatures and proof of residency shall be submitted to the Shelby County Election Commission on a form which includes a sworn, affirmative statement regarding the residency of the candidate by noon on the Thursday preceding the Tuesday meeting when the Council shall fill the vacancy.

During the Regular Meeting of the Council or Executive Session, all nominees will be given an opportunity to deliver a speech, may be questioned by the Council, and will be voted on at the same time. A roll call vote shall be taken with each Council member indicating the name of their choice to fill the vacant seat. Voting will begin with the Council person whose name appears first on the voting board. With each successive round of voting, the person who voted first in the previous round will vote last.

The Deputy Comptroller will tabulate the votes and inform the Chairperson of the vote count for each nominee at the conclusion of each round of voting. The procedures in the initial round will be repeated as many times as necessary until a nominee receives a majority vote of the duly sworn Council Members. Beginning at the second round of voting, a nominee receiving less than two (2) votes will be dropped from the list of nominees. After three (3) rounds of voting, the Chairperson may accept a motion to consider the top two (2) vote-getters.

The Chairperson will have the discretion to establish time limits for voting when an impasse seems likely and to table voting to the next meeting so as to not disrupt and delay normal Council business.

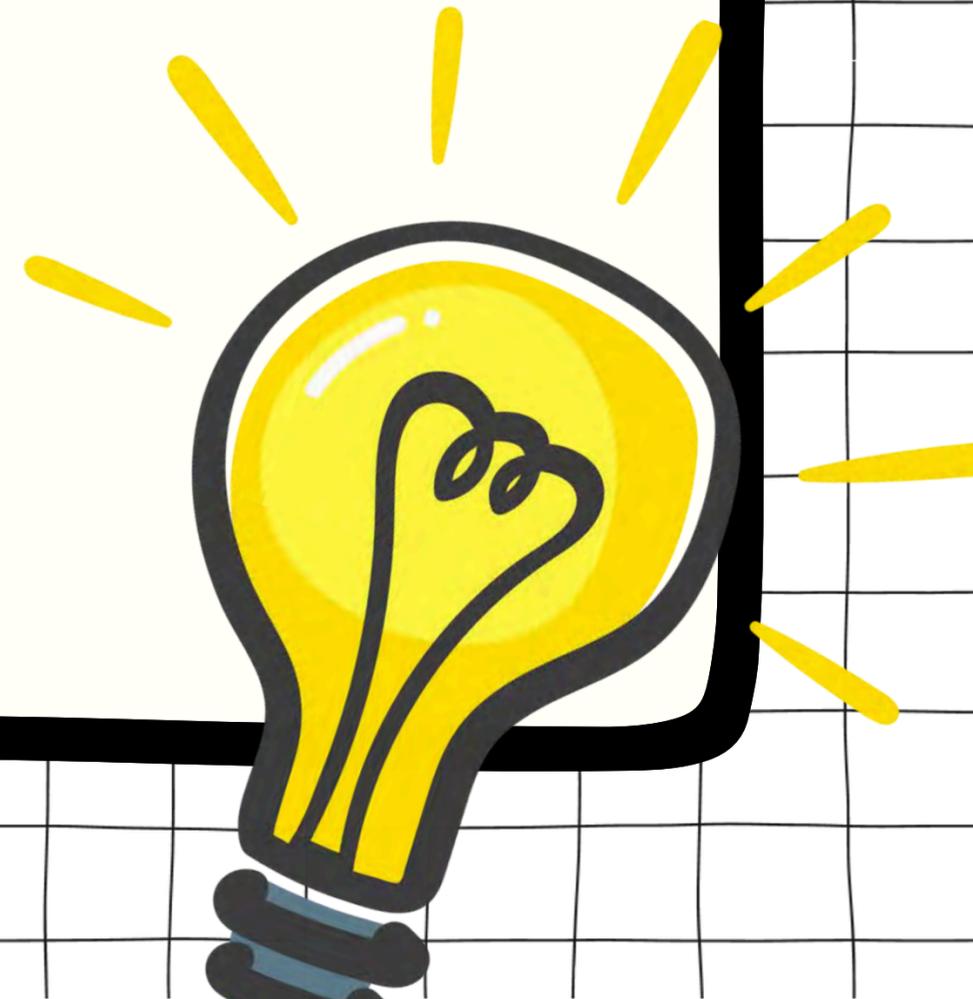
**MORAL
BUDGET**
COALITION



Moral

Budget FY 2025

Investing in People and Communities





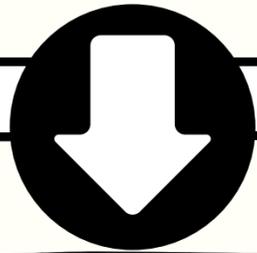
Introduction

The Moral Budget Coalition is made up of organizations and community members who care deeply about our community and bring work and lived experience on funding solutions that will invest in people and communities.

Since 2021, the Moral Budget has been calling on the City and County to increase sustainable revenue and fund the services and systems that increase our wellbeing, because we're all safer when our communities have what they need to be thriving, healthy, and whole.

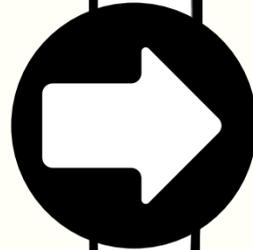
Youth Mental Health ...

During Transition Team talks, youth mental health was brought up consistently so we think it's imperative to have a line item specifically for investment in youth mental health.



What's the ask?

A \$600,000 investment in youth mental health!

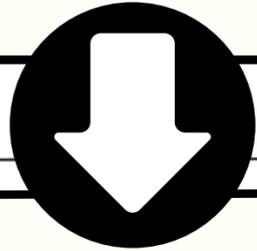


Funding a micro transit program to give students access to therapy services

Stipends to support therapists paying for clinical supervision.

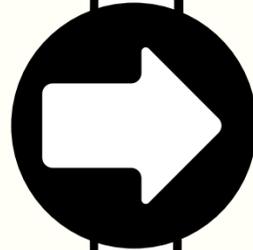
Opportunity Workforce Fund ●●●

There are upwards of 45,000 “Opportunity Youth” in Memphis who are out of school and out of work. They need intensive support to receive soft skills and technical skills training and to enter the workforce in living-wage entry level jobs that will provide a path to long term career pathways and economic mobility.



What’s the ask?

A \$2M investment in youth!



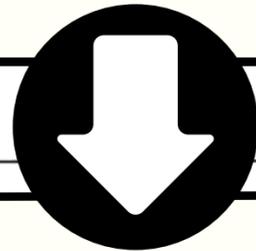
This funding would support Opportunity Youth pathways to success through:

- Stipends and/or “learn to earn” program subsidies
- Tuition support
- Emergency funding pool
- “Soft costs” (equipment, supplies, food)

Invest in Arts & Culture

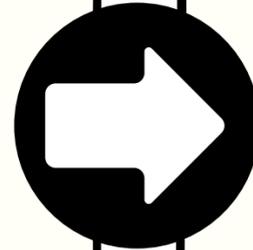


Increase out-of-school internship and fellowships in music and creative technical production opportunities for youth 16-24.



What's the ask?

A \$1,016,400 investment in youth pathways to creative careers!



This funding would support training and internship opportunities to prepare youth for careers in:

- Arts
- Audio/Visual Technology
- Music Production, Design, & Communications

Ineffective ...

We spend too much of our budget on methods that fail to keep us safe, at the expense of services our people and communities need.

**More
police surveillance**



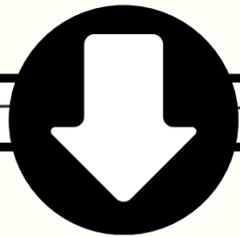
Incarceration



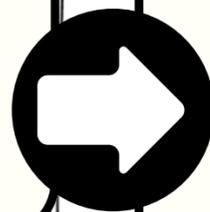
Removing services



Memphis City Council, you have a real opportunity!



Implement line items in the FY25 budget that address



youth mental health

a youth workforce fund

transit access & reliability

arts and culture programs

The status quo is not working for directly impacted Memphians. This year is your chance to change that by investing in people and community!

**MORAL
BUDGET**
COALITION

Thank You!

901moralbudget.org

