

Memphis City Council Summary Sheet

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

This item is a resolution to appropriate FY24 CIP funds for MATA for a new Bus Rapid Transit (BRT) line known as the Memphis Innovation Corridor connecting Downtown with the University of Memphis.

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

MATA initiated the request for the City Council to appropriate \$5,005,750 in FY24 CIP funds under GA03028 Memphis Innovation Corridor.

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

This is not a change to an existing ordinance or resolution.

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

This project will require MATA to solicit bids and award contracts for the Memphis Innovation Corridor BRT in accordance with its Procurement Manual.

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

No new contract or budget amendments are required.

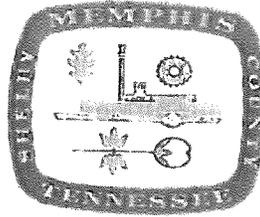
6. State whether this requires an expenditure of funds/requires a budget amendment

Yes, this item requires an expenditure of funds in the amount of \$5,005,750

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

N/A

City Council Resolution Template – 8-28-12



A RESOLUTION TO APPROPRIATE FY24 CIP FUNDS FOR MEMPHIS INNOVATION CORRIDOR BUS RAPID TRANSIT (BRT) PROJECT FOR THE MEMPHIS AREA TRANSIT AUTHORITY

WHEREAS, The Council of the City of Memphis did approve Memphis Innovation Corridor Bus Rapid Transit (BRT) project, Project Number GA03028, as part of The Memphis Area Transit Authority (MATA) FY24 Capital Improvement Program (CIP) budget; and

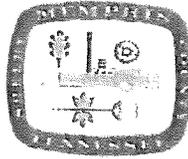
WHEREAS, FTA requires that MATA show that the Local funds are available for the project in order to receive the BUILD grant; and

WHEREAS, The Council of the City of Memphis did approve Memphis Innovation Corridor BRT, Project Number GA03028, as part of MATA's FY24 Capital Improvement Program (CIP) budget; and

WHEREAS, It is necessary to appropriate \$ 5,005,750 funded by G.O Bonds – General, CIP Project Number GA03028 – Memphis Innovation Corridor BRT for construction associated with a new BRT line connecting Downtown with the University of Memphis.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS that there be and is hereby appropriated the sum of \$ 5,005,750 funded by G.O Bonds – General chargeable to the Fiscal Year 2024 Capital Improvement Budget and credited as follows:

Project Title:	Memphis Innovation Corridor BRT
Project Number:	GA03028
Amount:	\$ 5,005,750



Memphis City Council Summary Sheet

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

This item is a resolution to appropriate FY24 CIP funds for the Transit Vision Project for the Memphis Area Transit Authority (MATA).

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

MATA initiated the request the City Council to appropriate \$750,000 in FY24 CIP funds under GA03029.

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

This is not a change to an existing ordinance or resolution.

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

This project will impact council districts and super districts.

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

This project will require MATA to solicit bids and award contracts for the Transit Vision Projects in accordance with its Procurement Manual.

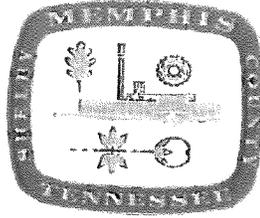
6. State whether this requires an expenditure of funds/requires a budget amendment

Yes, this item requires an expenditure of funds in the amount of \$750,000; however, no budget amendments are required.

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

N/A

City Council Resolution Template – 8-28-12



A RESOLUTION TO APPROPRIATE FY24 CIP FUNDS FOR TRANSIT VISION PROJECT FOR THE MEMPHIS AREA TRANSIT AUTHORITY

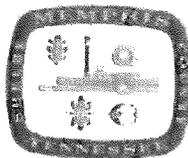
WHEREAS, The Council of the City of Memphis did approve Transit Vision project, Project Number GA03029, as part of The Memphis Area Transit Authority (MATA) FY24 Capital Improvement Program (CIP) budget; and

WHEREAS, The Council of the City of Memphis did approve Transit Vision project, Project Number GA03029, as part of MATA's FY24 Capital Improvement Program (CIP) budget; and

WHEREAS, It is necessary to appropriate \$ 750,000 funded by G.O Bonds – General, CIP Project Number GA03029 – Transit Vision project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS that there be and is hereby appropriated the sum of \$ 750,000 funded by G.O Bonds – General chargeable to the Fiscal Year 2024 Capital Improvement Budget and credited as follows:

Project Title:	Transit Vision project
Project Number:	GA03029
Amount:	\$ 750,000



Memphis City Council Summary Sheet

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

Resolution to transfer and appropriate construction funds in the amount of \$3,500,000 to fund installation of stormwater improvements associated with the South Cypress Project, National Disaster Resilience Competition

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

The Division of Planning and Development has drafted the resolution and is recommending City Council approval.

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

This resolution does not change an existing ordinance or resolution.

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.

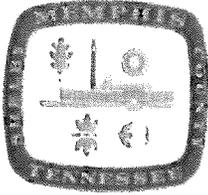
This resolution will require a Memorandum of Understanding (MOU) between the City of Memphis and Shelby County Government, in accordance with Section 12-9-101 through 12-9-109, Tennessee Code Annotated.

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

Yes - Expenditure of 2024 stormwater funds

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

NA



RESOLUTION

This is a Resolution to approve an agreement between the City of Memphis and Shelby County Government, establishing a Memorandum of Understanding (MOU) that requires a future allocation and appropriation of \$3,500,000 in Storm Water Revenue Bonds in Drainage – Fund Number: 11289 for the Shelby County National Disaster Resilience Grant, Project Number ST03235. This project is in Council District 6. Request same night minutes.

WHEREAS, the Shelby County Government, has received \$60,445,163 in National Disaster Resilience Competition Funds as a result of a nationwide competition sponsored by the U.S. Department of Housing and Urban Development in Collaboration with the Rockefeller Foundation; and

WHEREAS, the City of Memphis is required to provide \$3,500,000 of funding to Shelby County Government in order to implement Infrastructure and Construction Improvement activities for the South Cypress Creek Stream and Neighborhood Restoration Activity, located within the City of Memphis; and

WHEREAS, it will be necessary to allocate and appropriate \$3,500,000 funded by Capital Pay GO storm water funds, at a future date, to complete the required infrastructure and construction improvements;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2024 Capital Improvement Budget be and is hereby amended by transferring a construction allocation amount of \$3,500,000 funded by Storm Water Revenue Bonds in Drainage – Fund Number 11289 to the South Cypress Project 2-NDR; ST03235 of the NDRC Grant B13-US-47-0002 for the purpose as stated above.

BE IT FURTHER RESOLVED that there be and is hereby appropriated the sum of \$3,500,000 funded by Storm Water Revenue Bonds chargeable to the FY2024 Capital Improvement Budget and credited as follows:

Project Title:	South Cypress Activity: 2-NDR, of the HUD CDBG-DR National Disaster Resilience Competition Grant: B13-US-47-0002, Project Number: ST03235
Amount:	\$3,500,000

MEMORANDUM OF UNDERSTANDING
BETWEEN SHELBY COUNTY GOVERNMENT
AND THE
CITY OF MEMPHIS

This Memorandum of Understanding ("MOU") is made and entered into between Shelby County Government, with principal offices at 160 North Main Street, Memphis, Tennessee 38103, ("COUNTY") and the City of Memphis, with principal offices at 125 North Main Street, Memphis, Tennessee 38103 ("CITY").

RECITALS

WHEREAS, Section 12-9-101 through 12-9-109, Tennessee Code Annotated, authorizes public agencies of the State of Tennessee to enter into inter-local MOUs; and

WHEREAS, the COUNTY has been awarded the sum Of \$60,445,163.00 in National Disaster Resilience Competition Funds as a result of a nationwide competition sponsored by the U.S. Department of Housing and Urban Development (HUD) in collaboration with the Rockefeller Foundation; and

WHEREAS, the COUNTY is implementing various Infrastructure and Construction Improvement activities and projects throughout Shelby County consistent with the terms and requirements of the award of National Disaster Resilience Competition Funds; and

WHEREAS, the CITY has committed to provide funding to COUNTY in order to implement Infrastructure and Construction Improvement activities for the South Cypress Creek Stream and Neighborhood Restoration Activity, located within the CITY of Memphis; and

WHEREAS, the COUNTY and CITY wish to enter into this MOU to set forth and memorialize the understanding of the rights and duties of each party hereto.

NOW, THEREFORE, in consideration of these premises the Parties agree as follows:

- 1) The CITY will, upon receipt of an invoice submitted by the COUNTY, remit to COUNTY the sum not to exceed \$3,500,000.00 for the South Cypress Creek Stream and Neighborhood Restoration Project based on invoices submitted by COUNTY to CITY for services performed and costs incurred for each project.
- 2) The COUNTY will provide all services relative to the implementation of the referenced projects consistent with the terms of the award of National Disaster Resilience Competition Funds.
- 3) This MOU shall become effective upon the signature of both Parties.
- 4) The term of this MOU shall begin upon the date of execution and continue until the Projects are completed or for a period of five (5) years through September 30, 2029, whichever occurs first.
- 5) This MOU may be terminated by either party, with or without cause, by giving thirty

DRAFT

- (30) days' written notice to the other before the effective date of termination. In the event of termination, the COUNTY shall be entitled to receive compensation from the CITY for all costs or expenses incurred by the COUNTY for these projects, including but not limited to services rendered or work performed, as of the termination date.
- 6) The parties recognize that each party is a governmental entity as defined by Tennessee Code Annotated Section 29-20-101 et. seq. and is responsible for negligent acts and/or omissions of its agents or employees. The parties agree that neither party shall be responsible for personal injury or property damage, or other loss suffered by any person or entity except that resulting from its own negligence, and nothing in this MOU shall be construed as creating an obligation to indemnify the other party against that party's own negligence. The foregoing notwithstanding, it is the intent of the parties hereto that neither party, by virtue of entering this MOU, assume liabilities that are greater than those set forth in the Tennessee Governmental Tort Liability Act, T.C.A. Section 29-20-101, et seq., or an amount of liability greater than set forth in T.C.A. Section 29-20-101, et seq.
 - 7) All parties hereto hereby agree, warrant, and assure compliance with the provisions of Title VI and VII of the Civil Rights Act of 1964 and all other federal statutory laws which provide in whole or in part that no person shall be excluded from participation or be denied benefits of or be otherwise subjected to discrimination in the performance of this MOU or in the employment practices on the grounds of handicap and/or disability, age, race, color, religion, sex, national origin, or any other classification protected by federal, Tennessee State Constitutional or statutory law. Upon request, the requested party shall show proof of such non-discrimination and shall post in conspicuous places available to all employees and applicants notices of non-discrimination.
 - 8) This MOU represents the entire and integrated MOU between the parties and supersedes all prior negotiations, representations, or MOUs, whether oral or written. This MOU may be modified or amended only by written instrument signed by both parties.
 - 9) If any provision of this MOU is held to be unlawful, invalid, or unenforceable for any reason, such provision shall be fully severable; and this MOU shall then be construed and enforced as if such unlawful, invalid, or unenforceable provision had not been a part hereof. The remaining provisions of this MOU shall remain in full force and effect and shall not be affected by such unlawful, invalid, or unenforceable provision or by its severance here from. Furthermore, in lieu of such unlawful, invalid, or unenforceable provision, there shall be added automatically as a part of this MOU a legal, valid, and enforceable provision as similar in terms to such unlawful, invalid, or unenforceable provision as possible.
 - 10) No waiver of any term, condition, default, or breach of this MOU, or of any document executed pursuant hereto, shall be effective unless in writing and executed by the party making such waiver; and no such waiver shall operate as a waiver of either (a) such term, condition, default, or breach on any other occasion or (b) any other term, condition, default, or breach of this MOU or of such document. No delay or failure to enforce any provision in this MOU or in any document executed pursuant hereto shall operate as a waiver of such provision or any other provision herein or in any document related hereto. The enforcement by any party of any right or remedy it may have under this MOU or applicable law shall not be deemed an election of remedies or otherwise prevent such party from enforcement of one or more other remedies at any time.

- 11) Any notices required or permitted to be given under the provisions of this MOU shall be effective only if in writing and delivered either in person to the authorized agent or by First Class or U.S. Mail, return receipt requested, to the addresses set forth below, or to such other person or address as either party may designate in writing and deliver as herein provided. Notices shall be deemed received (i) if by hand delivery, on date of delivery with a signed receipt; (ii) if U.S. Mail, on date of receipt appearing on the return receipt card; (iii) if by overnight courier, on date receipt is confirmed by such courier service.

COUNTY:

Shelby COUNTY Engineer 6449 Haley Road
Memphis, Tennessee 38134

and

Shelby COUNTY Government Contract Administration
160 N. Main St., Suite 950
Memphis, Tennessee 38103

CITY:

CITY of Memphis Attn: CITY Engineer
125 N. Main, Room 644
Memphis, TN 38103 and

CITY of Memphis
Attn: Public Works Director
125 N. Main, Room 608
Memphis, TN 38103

CITY of Memphis
Attn: CITY Attorney
125 Main, Room 336
Memphis, TN 38103

- 12) Both parties shall comply with all applicable federal, state, and local laws in the performance of its duties and obligations herein. For all purchases herein, the COUNTY shall comply with its purchasing policies and procedures.
- 13) Nothing in this MOU shall be deemed to represent that either party, or any of its employees or agents, are the agents, representatives, or employees of the other party. Each party shall be an independent service provider over the details and means for performing the services under this MOU. Anything in this MOU which may appear to give either party the right to direct the other party as to the details of the performance of the services under this MOU or to exercise a measure of control over the other party is solely for purposes of compliance with local, state and federal regulations and means that the party will follow the desires of the other party only as to the intended results of the scope of this MOU.
- 14) This MOU will be interpreted in accordance with the laws of the State of Tennessee. By execution of this MOU, the parties agree that all actions, whether sounding in contract or in tort, relating to

the validity, construction, interpretation, and enforcement of this MOU will be instituted and litigated in the courts of the State of Tennessee, located in Shelby County, Tennessee, and in no other. In accordance herewith, the parties to this MOU submit to the jurisdiction of the courts of the State of Tennessee located in Shelby County, Tennessee.

- 15) This MOU, including any exhibits hereto, contains the entire agreement of the parties relative to this subject matter and supersedes any prior written or oral agreements or contracts between the parties.

IN WITNESS WHEREOF, the Parties have executed this Memorandum of Understanding to become effective as of the date first written above.

SHELBY COUNTY GOVERNMENT

By: _____
Lee Harris, Mayor

APPROVED AS TO FORM AND LEGALITY:

By: _____
Contracts Administrator/
Assistant COUNTY Attorney

CITY OF MEMPHIS

By: _____
Jim Strickland, Mayor

APPROVED AS TO FORM AND LEGALITY:

By: _____
Chief Legal Officer/
CITY Attorney

SUBSTITUTE ORDINANCE AMENDING CHAPTER 15, SECTION 15-12, OF THE MEMPHIS CODE OF ORDINANCES REGARDING SOLID WASTE FEES FOR COLLECTION AND DISPOSAL

WHEREAS, Ordinance 5707 of the Memphis Code of Ordinances, created Chapter 15, establishing a Solid Waste Division as a division of city government and established a Solid Waste Director;

WHEREAS, pursuant to Chapter 15 of the Memphis Code of Ordinances, the Solid Waste Division maintains jurisdiction over residential and commercial solid waste collection, transportation, and disposal;

WHEREAS, the services provided by the Solid Waste Division are critical to the citizens of Memphis and warrant revision and adequate funding;

WHEREAS, the benefits of adequate funding of these services include personnel, equipment, facilities, and services used to safely collect and dispose of solid waste;

WHEREAS, the existing rate structure does not adequately fund the service delivery model;

Section 1.

NOW THEREFORE BE IT ORDAINED BY THE MEMPHIS CITY COUNCIL AS FOLLOWS that Chapter 15, Article 1, Section 15-12, be amended to change the solids waste fees for the collection and disposal of solid waste:

Sec. 15-12. - Solid waste fees for collection and disposal.

The following monthly fees are established for the collection, removal or disposal of solid waste:

Residential units, including single-family dwellings, mobile homes, duplexes, triplexes, quadruplexes, apartment units with seven units or less, for each unit thereof ¹ .	\$41.05
Additional carts for residential units may be leased for, each ² .	\$10.00
Apartment houses provided with non-mechanized collection, for each unit thereof **	\$33.26
Apartment houses and mobile homes with centralized, mechanized collection for each unit thereof **	\$21.63

Commercial businesses, churches, boardinghouses with three or more living quarters, and other institutions shall be charged the appropriate commercial rate based upon weekly containerized volume:	
Gallons	Monthly Fee
0-180	\$109.11
181-360	\$206.91
361-780	\$420.75
781-1,200	\$571.25
1,201-1,800	\$797.48
1,801-3,600	\$1,307.83
3,601-5,400	\$2,087.96
5,401-7,200	\$2,866.12

7,201-9,000	\$3,645.27
9,001-10,800	\$4,412.85
10,801-12,600	\$5,202.29

Notes:

1. Residential customers will be assigned a minimum of one (1) 90-gallon garbage cart and one (1) 90-gallon recycle cart, for a total of two (2) carts. Residential customers must have at least one (1) 90-gallon garbage cart. Residential customers in this category will be eligible for a reduced fee in the amount of \$10.28 if they meet the following criteria: Head of household, have an active utility account in their name, are at least 65 years of age or 100 percent (100%) disabled and have a gross household income of \$25,000.00 per year or less.
2. Households qualifying for the reduced fee, which generate more waste than what can be contained in one 90-gallon garbage cart per week, may request an additional city cart through the cart lease program, and pay the normal monthly fee.

**This item may be adjusted as necessary by resolution with a recommendation of the director of solid waste and approval of the city council.

Section 2. Severability. The provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts is held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

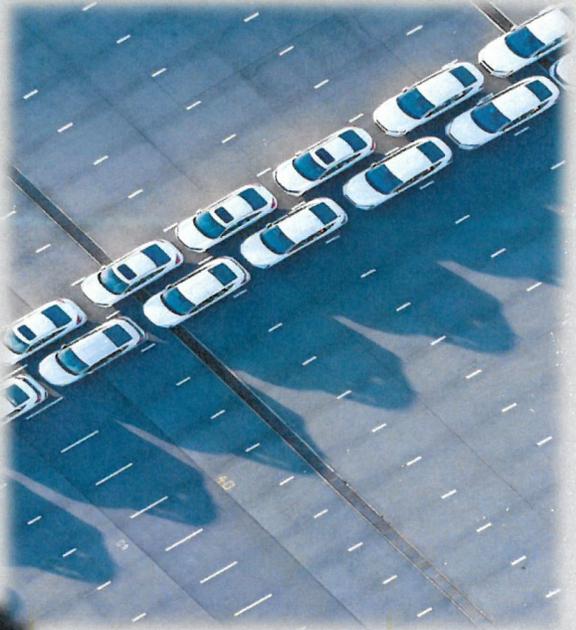
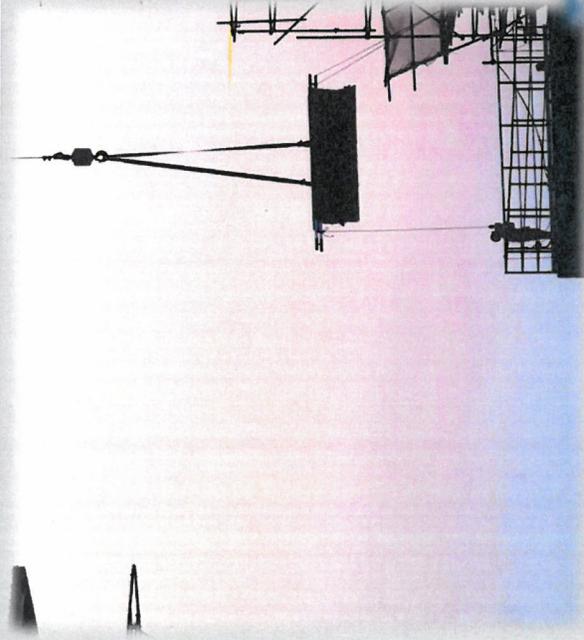
Section 3. Effective Date. This Ordinance shall take effect on January 1, 2024, so as to coincide with the monthly billing cycles of Memphis Light Gas and Water.

Sponsor: Administration

Martavius Jones
CHAIRMAN

Capital Acquisition & *Fleet Maintenance*

Connecting the dots...
...for sustainable asset management



Context



City of Memphis

Vehicle Life Cycle Parameters

A. Light Fleet Vehicles: (Non-Emergency Response)

Seven Years of Age (any vehicle that is older than seven years of age, according to the model year)
One Hundred Thousand Miles (any vehicle that travels over 100,000 miles, regardless of age)

B. SUV's

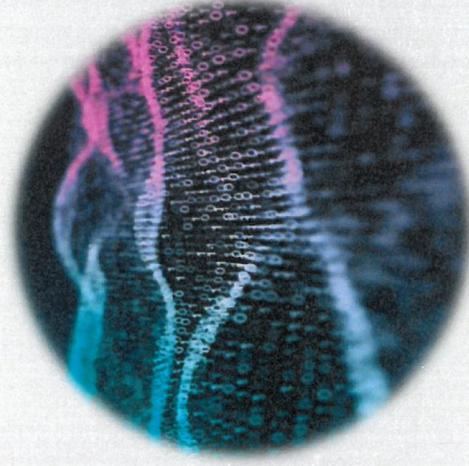
Ten Years of Age (any vehicle that is older than ten years of age, according to the model year)
One Hundred Fifty Thousand Miles (any vehicle that travels over 150,000 miles, regardless of age)

C. Heavy Fleet Vehicles

Twelve Years of Age (any vehicle that is older than twelve years of age, according to the model year)
One Hundred Fifty Thousand Miles (any vehicle that travels over 150,000 miles, regardless of age)

D. Emergency Response (Police Squad Cars)

Five Years of Age (any vehicle that is older than five years of age according to the model year)
One Hundred Thousand Miles (any vehicle that travels over 100,000 miles, regardless of age)

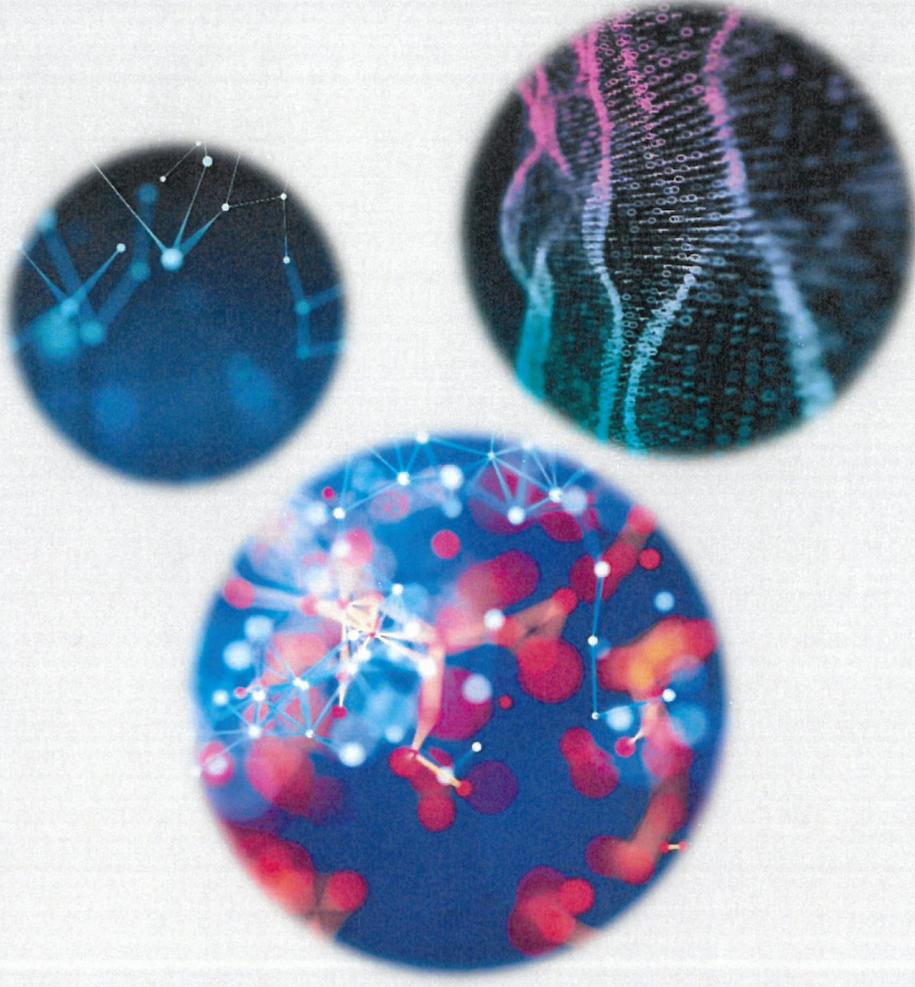


Fleet Roles & Responsibilities



Core Services

- Maintenance and repair of city vehicles and equipment
- Specification development for procurement with customer involvement, ordering, and asset tracking.
- Asset budgeting, reporting: this includes vehicle and equipment replacement, scheduling, forecasting, and specific analytics such as vehicle locations (GPS), driving habits, energy efficiency (hybrids and/or EVS)
- Fuel management, fuel system management, energy efficiency



Fleet

Developing the CIP and Capital Acquisition Budget

Identify Projects, Vehicles, & Equipment for CIP & Capital Outlay

**2nd Quarter
(October - November)**
GS composes CIP & Capital Acquisition lists from FCAs, Outstanding Work Orders, & Deferred Maintenance.

**2nd Quarter
(December)**
Division Reps. provide project/vehicle requests. GS updates list & sets priorities.

**2nd Quarter
(December 15th)**
GS refines the collaborative lists to create a major mod and capital acquisition budget for the upcoming FY.



Fleet

Developing the CIP and Capital Acquisition Budget

Submit, Defend, & Adjust Proposed Budget

3rd Quarter (January)

GS submits & defends the proposed Cap.Acq. Budget before the Executive CIP Committee.

3rd Quarter (February)

Executive CIP Committee makes a recommendation on the budgeted amount for the upcoming FY.
GS adjusts the budget and priorities according to recommendations.

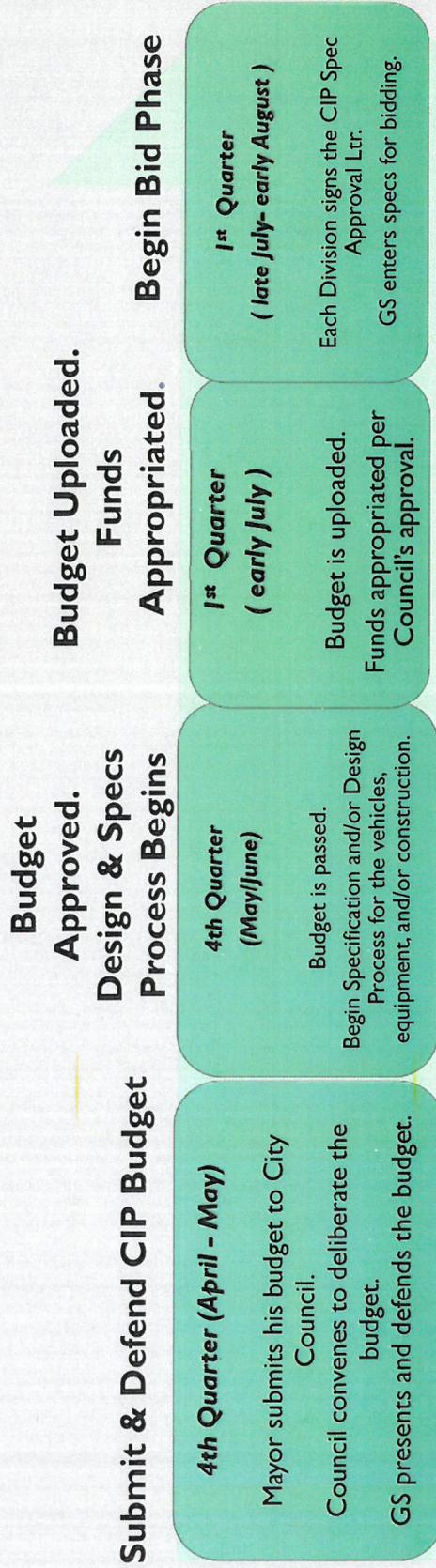
3rd Quarter (early March)

The refined Capital Acquisition Budget is entered and submitted for the Mayor's total City budget.



Fleet

Developing the CIP and Capital Acquisition Budget



Fleet

Developing the CIP and Capital Acquisition Budget

Contract Execution & Procurement

*1st Quarter
(late August)*

Execute Contracts
& Procure Vehicles,
Equipment,

Completion & Close

*Timeline Varies
(according to
contracts)*

Procurement /
Contract Completion
& Close

*Timeline Varies
(according to
contracts)*

Remaining Funds
tracked & tallied.
Remaining Funds
reallocated as needed.



Fleet



Replacement Cycle based upon

Current Funding Levels



Data: General Services Maintenance

Database

Division	Type of Vehicle	# of Units in Active Fleet	% Recommended for Replacement (outside of Lifecycle)	% Anticipated to be Replaced (based on Division historical priority)
Parks	Light	108	86%	3%
	SUVs	1	100%	0%
	Heavy	102	75%	5%
Public Works	Light	405	50%	3%
	SUVs	18	39%	0%
	Heavy	319	43%	2%
General Services	Light	125	75%	5%
	Heavy	89	58%	1%
Fire	Light	86	65%	1%
	SUVs	129	57%	3%
	Heavy	65	58%	2%
	Ambulances	52	13%	8%
	Pumper/Engine/Aerial	142	27%	3%
Engineering	Light	25	92%	4%
	SUVs	22	41%	5%
	Heavy	42	40%	5%
Libraries	Light	11	82%	18%
	Heavy	7	43%	29%
IS	Light	4	20%	20%
Police	Light	332	37%	30%
	SUVs	159	45%	8%
	Heavy	18	72%	0%
	Squad / Emerg. Response	1,254	73%	5%
	Motorcycles	31	3%	3%
Solid Waste	Light	68	68%	0%
	SUVs	4	100%	0%
	Heavy	348	18%	4%



Police and Fire
 Services Capital
 Acquisition FY13 -
 FY23

<u>Fiscal Year</u>	<u>Division</u>	<u>Total Approved Capital Acquisition</u>
FY13	Fire Services	\$2,500,000.00
FY14	Fire Services	\$3,050,000.00
FY15	Fire Services	\$2,952,900.00
FY16	Fire Services	\$3,357,000.00
FY17	Fire Services	\$4,930,000.00
FY18	Fire Services	\$4,849,688.00
FY19	Fire Services	\$4,237,780.00
FY20	Fire Services	\$4,468,573.00
FY21	Fire Services	\$3,939,352.00
FY22	Fire Services	\$5,729,030.00
FY23	Fire Services	\$3,000,000.00
<hr/>		
FY13	Police Services	\$4,425,000.00
FY14	Police Services	\$4,520,000.00
FY15	Police Services	\$4,498,564.00
FY16	Police Services	\$4,520,239.00
FY17	Police Services	\$3,586,400.00
FY18	Police Services	\$3,765,446.00
FY19	Police Services	\$3,419,202.00
FY20	Police Services	\$2,925,950.00
FY21	Police Services	\$3,495,000.00
FY22	Police Services	\$3,349,000.00
FY23	Police Services	\$3,000,000.00



Police and Fire
 Services Spending
 Funding and
 Grants FY13 -
 FY23

<u>Fiscal Year/ Type</u>	<u>Division</u>	<u>Total Approved Capital Acquisition</u>
FY22 Grant Healthcare Navigator (FEMA)	Fire Services	\$ 146,163.64
FY23 Airport	Fire Services	\$ 33,878.00
FY23 Grant Healthcare Navigator	Fire Services	\$ 67,756.00
Grant	Police Services	\$ 36,057.65
Grant	Police Services	\$ 153,167.40
ARPA	Police Services	\$6,206,200.00
APRA	Police Services	\$252,616.00
ARPA	Police Services	\$270,000.00

Fleet



What if.....

year 1	Total Budget \$	year 2	Total Budget	year 3	Total Budget	year 4	Total Budget	year 5	Total Budget \$
	19,859,135.48		16,432,956.07		14,259,205.56		11,923,123.01		5,813,844.61
Fire		Fire							
PUMPER	12	8	6	3	3	1	1	1	
	790,472.00	790,472.00	790,472.00	790,472.00	790,472.00	790,472.00	790,472.00	790,472.00	
total	9,485,664.00	6,323,776.00	4,742,832.00	4,742,832.00	2,371,416.00	2,371,416.00	2,371,416.00	2,371,416.00	
AMBULANCE	3	1	0	0	1	1	1	3	
	539,612.00	539,612.00	539,612.00	539,612.00	539,612.00	539,612.00	539,612.00	539,612.00	
total	1,618,836.00	539,612.00	-	-	539,612.00	539,612.00	539,612.00	539,612.00	
AERIAL TRUCK	0	0	1	1	1	1	0	0	
	1,121,491.00	1,121,491.00	1,121,491.00	1,121,491.00	1,121,491.00	1,121,491.00	1,121,491.00	1,121,491.00	
total	11,104,500.00	6,863,388.00	5,864,323.00	5,864,323.00	4,032,519.00	4,032,519.00	4,032,519.00	4,032,519.00	
Budgeted amount									2,409,308.00
Police		Police							
MOTORCYCLE	13	2	0	0	2	2	0	0	
	27,682.88	27,682.88	27,682.88	27,682.88	27,682.88	27,682.88	27,682.88	27,682.88	
total	359,877.44	55,365.76	-	-	55,365.76	55,365.76	55,365.76	55,365.76	
INTERCEPTOR	108	150	132	132	126	126	43	43	
	46,639.62	46,639.62	46,639.62	46,639.62	46,639.62	46,639.62	46,639.62	46,639.62	
total	5,037,078.96	6,995,943.00	6,156,429.84	6,156,429.84	5,876,592.12	5,876,592.12	5,876,592.12	5,876,592.12	
Budgeted amount									2,005,503.66
Solid Waste		Solid Waste							
HEIL PACKER 32yd	12	9	8	8	7	7	5	5	
	279,806.59	279,806.59	279,806.59	279,806.59	279,806.59	279,806.59	279,806.59	279,806.59	
total	3,357,679.08	2,518,259.31	2,238,452.72	2,238,452.72	1,958,646.13	1,958,646.13	1,958,646.13	1,958,646.13	
Budgeted amount									1,399,032.95
Total Budget		Total Budget							
	19,859,135.48	16,432,956.07	14,259,205.56	14,259,205.56	11,923,123.01	11,923,123.01	11,923,123.01	11,923,123.01	5,813,844.61
	19,859,135.48	16,432,956.07	14,259,205.56	14,259,205.56	11,923,123.01	11,923,123.01	11,923,123.01	11,923,123.01	5,813,844.61

REFERENDUM ORDINANCE NO. _____

A REFERENDUM ORDINANCE TO AMEND, PURSUANT TO [ARTICLE XI, § 9](#) OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT), PROVISIONS OF THE CHARTER OF THE CITY OF MEMPHIS, THE SAME BEING CHAPTER 11 OF THE ACTS OF 1879, AS AMENDED, RELATIVE TO PARTISAN ELECTIONS FOR THE OFFICES OF MAYOR AND CITY COUNCIL MEMBERS AND TO REPEAL ALL PROVISIONS OF THE CITY’S CHARTER INCONSISTENT WITH THIS AMENDMENT

WHEREAS, the Tennessee Code Annotated § 2-13-208, provides that municipal elections shall be nonpartisan unless the municipality's charter specifically permits partisan elections. When a municipality's charter allows partisan elections, political parties may nominate candidates for municipal office by using the primary election provisions of Title 2 of Tennessee Code Annotated (the “Election Code”) or as otherwise authorized by the rules of the party; and

WHEREAS, it is deemed advisable and in the best interest of the citizens of the City of Memphis that the City of Memphis Charter be amended by ordinance as provided by [Article XI, Section 9](#) of the Constitution of the State of Tennessee (Home Rule Amendment) for the purpose of permitting partisan elections for the Offices of the Mayor and Memphis City Council Members.

[Section 1](#). Proposed Amendment Authorized.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESEE, That pursuant to Article XI, Section 9 of the Constitution of the State of Tennessee, as amended, a proposal for amending the Charter of the City, as set forth in this ordinance, shall be published and submitted by the City of Memphis to its qualified voters at the first state general election, which shall be held in the City of Memphis on August 1, 2024, and which shall be held at least sixty (60) days after such publication.

[Section 2](#). Publication of Home Rule Amendment as required by Tennessee Constitution.

BE IT FURTHER ORDAINED, That the Comptroller is hereby directed to cause this Ordinance, as finally adopted, to be published pursuant to provisions of Article XI, Section 9 of the Constitution of the State of Tennessee immediately after adoption by the City Council.

[Section 3](#). Certification and Delivery to Election Commission.

BE IT FURTHER ORDAINED, That upon the adoption of this Ordinance becoming effective as required by law, the Comptroller of the City of Memphis shall immediately certify adoption of this Ordinance and deliver a certified copy thereof to the Shelby County Election Commission in charge of holding the general State election on August 1, 2024, and shall request that the proposed amendment to the Home Rule Charter of the City of Memphis, in the preferred form set forth in this Ordinance, be placed on the ballot.

[Section 4.](#) Proposal and preference.

BE IT FURTHER ORDAINED, That the City Council does hereby adopt the suggested proposal and form of question to be placed on the ballot for a referendum vote on a Home Rule Amendment to the Charter of the City of Memphis in a State General election to be held on the 1st day of August, 2024, which question shall read as follows:

“ Shall the Charter of the City of Memphis be amended to read:

‘ Elections for the Offices of Mayor and Memphis City Council Members shall be partisan, such that political parties, including but not limited to the Democratic and Republican parties, may nominate candidates for the offices of Mayor and Memphis City Council Members by using the primary election provisions of the Tennessee Election Code or as otherwise authorized by the rules of the party. All provisions of the Charter that are inconsistent with this charter amendment are repealed.’ ?

I, Shirley Ford, Director of Finance for the City of Memphis do hereby certify that the foregoing amendment shall have no impact on the annual revenues and expenditures of the City.

FOR THE AMENDMENT	(YES) _____
AGAINST THE AMENDMENT	(NO) _____

[Section 5.](#) Effective Date of Charter Amendment.

BE IT FURTHER ORDAINED, That this Ordinance shall take effect for the purposes set forth herein sixty (60) days after approval by a majority of the qualified voters voting thereon in an election to be held on the 1st day of August, 2024, the public welfare, requiring it.

[Section 6.](#) Certification of Results.

BE IT FURTHER ORDAINED, That the Shelby County Election Commission certify the result of said election on the referendum question to the Comptroller of the City of Memphis, who shall see that said result is made a part of the Minutes of the Council of the City of Memphis.

[Section 7.](#) **BE IT FURTHER ORDAINED,** That the Mayor be and is hereby authorized to appropriate and expend out of general revenues of the City of Memphis, Tennessee, a sum sufficient to pay a pro-rata cost attributable to the inclusion of the proposed amendment on the ballot for the election to be held on the 1st day of August, 2024, if any.

[Section 8.](#) Nonconflicting - Conflicting Laws.

BE IT FURTHER ORDAINED, That from and after the effective date of this Home Rule Amendment, all laws constituting the present Charter of the City of Memphis in conflict with the subject matter of this amendatory Home Rule Ordinance shall be immediately annulled, vacated,

and repealed and all laws constituting the present Charter of the City of Memphis not in conflict with this amendatory Home Rule Ordinance, be and the same are here continued in full force and effect.

[Section 9.](#) Severability.

BE IT FURTHER ORDAINED, that if any clause, section, paragraph, sentence or part of this Ordinance shall be held or declared to be unconstitutional and void, it shall not affect the remaining parts of this Ordinance, it being hereby declared to be the legislative intent to have passed the remainder of this Ordinance notwithstanding the parts so held to be invalid, if any.

[Section 10.](#) Publication as Required by the City Charter.

BE IT FURTHER ORDAINED, that this Ordinance shall also be published by the Comptroller at the same time and manner as required by the City's Charter for all ordinances adopted by the City Council.

[Section 11.](#) Enactment of Referendum Ordinance.

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

CHAIRMAN:
Martavius Jones

REFERENDUM ORDINANCE NO. _____

A REFERENDUM ORDINANCE TO AMEND, PURSUANT TO ARTICLE XI, § 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT), PROVISIONS OF THE CHARTER OF THE CITY OF MEMPHIS, THE SAME BEING CHAPTER 11 OF THE ACTS OF 1879, AS AMENDED, RELATIVE TO APPLICATION OF CITY CHARTER REFERENDUM ORDINANCE NO. 1794 TO CITY MUNICIPAL ELECTIONS

WHEREAS, by decree of the United States District Court, the Court found that the majority run-off provision in the City's Charter, Referendum Ordinance No. 1794, with regard to the City's offices of Mayor, city judges and the then existing six at large council seats caused minority vote dilution denying black citizens of Memphis the same opportunity as white citizens to elect representatives of their choice;

WHEREAS, the same court entered a separate consent decree approving a remedy with regard to the application of the majority run-off provision in the City's Charter with regard to the offices of the City Council, which was ratified by the citizens of Memphis in Referendum Ordinance No. 4346 on November 5, 1996;

WHEREAS, in the thirty-two years following the 1991 federal court decree, the City Council has not heretofore proposed any referendum with regard to the application of the majority run-off provision in the City's Charter, Referendum Ordinance No. 1794, to the office of Mayor;

WHEREAS, due to large number of persons that qualified for election in the October 5, 2023 City general municipal for the Office of Mayor, it is deemed necessary to insure that a winning candidate for the Office of Mayor obtain a majority of the votes cast in the general election or run-off, if necessary, to prevent a Mayor being elected by a small plurality of the votes cast in the general election;

WHEREAS, it is deemed advisable to allow the citizens of Memphis to decide whether continuation of the exclusion of the Office of Mayor from the application of the majority run-off provision in the City's Charter, Referendum Ordinance No. 1794, is in the best interests of the citizens of the City of Memphis.

Section 1. Proposed Amendment Authorized.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, That pursuant to Article XI, Section 9 of the Constitution of the State of Tennessee, as amended, a proposal for amending the Charter of the City, as set forth in this ordinance, shall be published and submitted by the City of Memphis to its qualified voters at the first state general election, which shall be held in the City of Memphis on November 5, 2024, and which shall be held at least sixty (60) days after such publication.

Section 2. Publication of Home Rule Amendment as required by Tennessee Constitution.

BE IT FURTHER ORDAINED, That the Comptroller is hereby directed to cause this Ordinance, as finally adopted, to be published pursuant to provisions of Article XI, Section 9 of the Constitution of the State of Tennessee immediately after adoption by the City Council.

Section 3. Certification and Delivery to Election Commission.

BE IT FURTHER ORDAINED, That upon the adoption of this Ordinance becoming effective as required by law, the Comptroller of the City of Memphis shall immediately certify adoption of this Ordinance and deliver a certified copy thereof to the Shelby County Election Commission in charge of holding the general State election on November 5, 2024, and shall request that the proposed amendment to the Home Rule Charter of the City of Memphis, in the preferred form set forth in this Ordinance, be placed on the ballot.

Section 4. Proposal and preference.

BE IT FURTHER ORDAINED, That the City Council does hereby adopt the suggested proposal and form of question to be placed on the ballot for a referendum vote on a Home Rule Amendment to the Charter of the City of Memphis in a State General election to be held on the 5th day of November, 2024, which question shall read as follows:

"Shall the Charter of the City of Memphis be amended to provide that the majority run-off provision in the City's Charter, Referendum Ordinance No. 1794, shall apply to any election for the office of Mayor."

I, Shirley Ford, Director of Finance for the City of Memphis do hereby certify that the foregoing amendment shall have _____ impact on the annual revenues and expenditures of the City.

FOR THE AMENDMENT	(YES) ___
AGAINST THE AMENDMENT	(NO) ___

Section 5. Effective Date of Charter Amendment.

BE IT FURTHER ORDAINED, That this Ordinance shall take effect for the purposes set forth herein sixty (60) days after approval by a majority of the qualified voters voting thereon in an election to be held on the 5th day of November, 2024, the public welfare, requiring it.

Section 6. Certification of Results.

BE IT FURTHER ORDAINED, That the Shelby County Election Commission certify the result of said election on the referendum question to the Comptroller of the City of Memphis, who shall

see that said result is made a part of the Minutes of the Council of the City of Memphis.

Section 7. BE IT FURTHER ORDAINED, That the Mayor be and is hereby authorized to appropriate and expend out of general revenues of the City of Memphis, Tennessee, a sum sufficient to pay a pro-rata cost attributable to the inclusion of the proposed amendment on the ballot for the election to be held on the 5th day of November, 2024 and for the cost of seeking a declaratory judgment as to the enforceability of proposed amendment if approved by the qualified voters of the City.

Section 8. Nonconflicting - Conflicting Laws.

BE IT FURTHER ORDAINED, That from and after the effective date of this Home Rule Amendment, all laws constituting the present Charter of the City of Memphis in conflict with the subject matter of this amendatory Home Rule Ordinance shall be immediately annulled, vacated, and repealed and all laws constituting the present Charter of the City of Memphis not in conflict with this amendatory Home Rule Ordinance, be and the same are here continued in full force and effect.

Section 9. Severability.

BE IT FURTHER ORDAINED, that if any clause, section, paragraph, sentence or part of this Ordinance shall be held or declared to be unconstitutional and void, it shall not affect the remaining parts of this Ordinance, it being hereby declared to be the legislative intent to have passed the remainder of this Ordinance notwithstanding the parts so held to be invalid, if any.

Section 10. Publication as Required by the City Charter.

BE IT FURTHER ORDAINED, that this Ordinance shall also be published by the Comptroller at the same time and manner as required by the City's Charter for all ordinances adopted by the City Council.

Section 11. Enactment of Referendum Ordinance.

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

SPONSORS:
JB Smiley, Jr.
Cheyenne Johnson
Rhonda Logan
Dr. Jeff Warren

**MARTAVIUS JONES
CHAIRMAN**

Draft Submitted Council Member Priorities

Councilman Worth Morgan.

1. Remove both the grandfather and three strike clause for short term rentals.

Councilman Ford Canale

1. Strengthen laws around VRBO.

Councilman Warren

1. Request to secure \$3,000,000.00 for the construction of a Youth Crisis Center, as well as see Shelby County and Memphis have more control over gun regulation.

Councilwoman Logan

1. Gun reform/control for 18 and under.
2. Community Policing through Partnerships with Crime Prevention/Intervention Grassroots Nonprofits.
3. Stiffer penalties for ordinance violations.
4. Increased funding for Neighborhoods via grants for HOAs and Neighborhood Associations.
5. Reinstate Auto Safety Inspections through auto dealers (registration, car maintenance, car safety). Not emissions testing.

Councilman Jones

1. Request funding for Regional One Health.
2. Reclassifying owners of more than TDB number of properties that have common ownership be classified as commercial property instead of residential where we collect 40% of the assessed value versus 24%.

Federal Funding Update

American Rescue Plan Act (ARPA)

October 2023

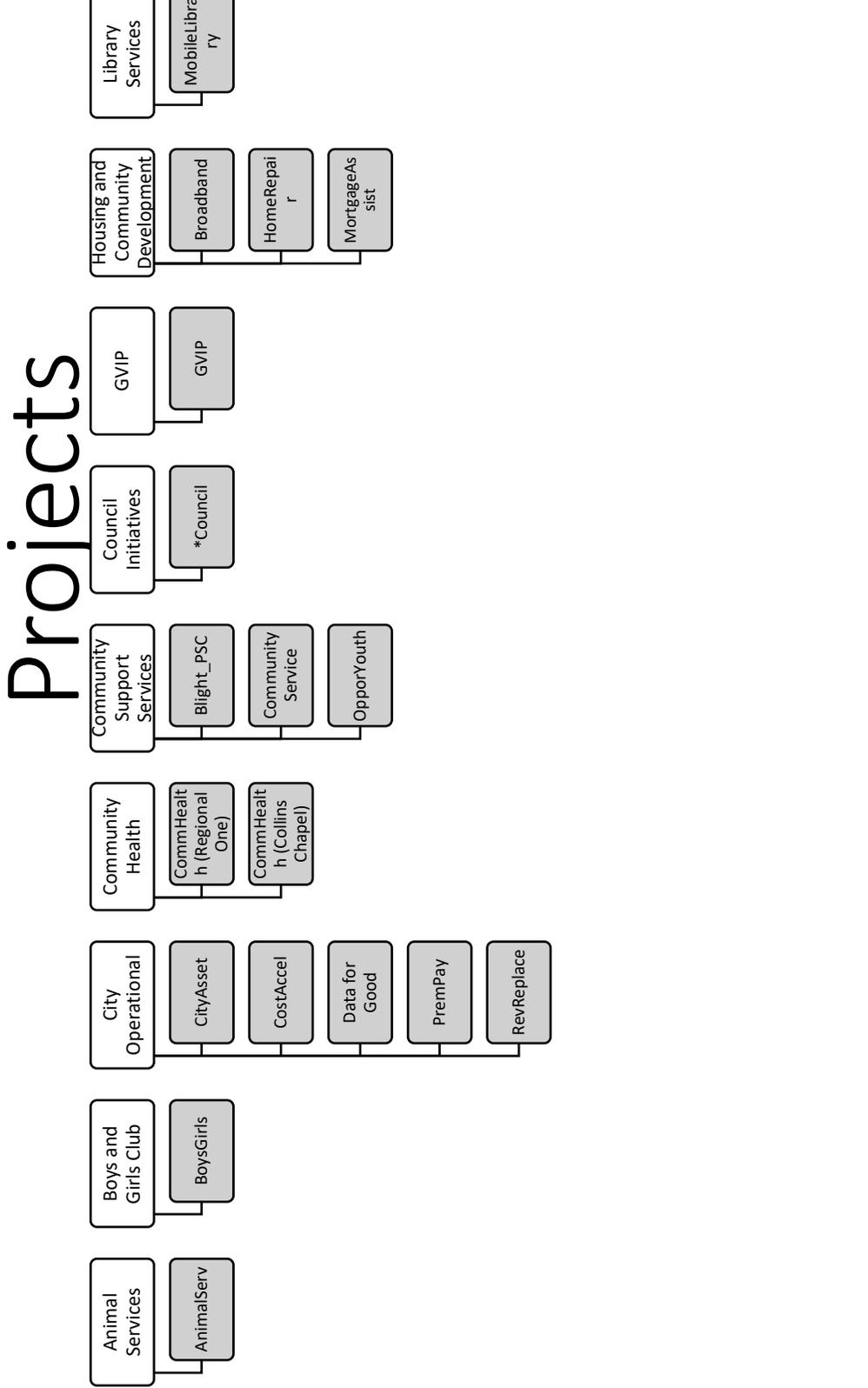
Presented by the City of Memphis, Finance Division – Grants Administration

- **Overview**
- **Reporting**
- **Allocation Categories and Projects**
- **Council Initiatives**
- **Expenditure Summary**

- Funds may be used for costs incurred between March 3, 2021, and December 31, 2024 for the following purposes:
 - To respond to the public health emergency or its negative economic impacts
 - To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers
 - 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
 - To make the necessary investment in water, sewer, or broadband infrastructure
 - NEW: To provide emergency relief from natural disasters or the negative economic impacts on natural disasters
 - NEW: Surface transportation projects
 - NEW: Title I projects under CDBG and ICDBG

- Project and expenditure reporting is due to the US Treasury on the last day of the month after the end of each quarter
 - Last report submitted - July 28, 2023
 - Next report due - October 31, 2023
- Recovery Plan Performance Report
 - Due annually on July 31st
 - On the City's website - <https://www.memphistn.gov/finance-files/>

ARPA Allocation Categories and Projects



- | | | |
|---|--|--|
| 1. Mental Health Breakfast | 14. Orpheum Theatre | 27. Flip My Life |
| 2. Healthcare Navigator | 15. Public Transportation: MATA | 28. Environmental Court Indigent Defendants Foundation |
| 3. Africa in April | 16. Relationship Unleashed | 29. Memphis Libraries |
| 4. Choose901 | 17. Hub for Homeless Operations | 30. Memphis Aging Commission |
| 5. Communities in Schools | 18. ShotRX | 31. Juvenile Intervention & Faith-Based Follow-Up (JIFF) |
| 6. Equity to Prosperity | 19. Stax Museum-Soulsville Foundation, Inc | 32. Memphis Police CIP - Axon Updates PD04031 |
| 7. Explore Bike Share | 20. Affordable Housing Grant | 33. Feasibility Study for a Memphis Crime Lab |
| 8. Food Desert Initiative North Memphis | 21. Habitat for Humanity (Seniors) | 34. Memphis Food Waste Project 2 |
| 9. HBCU Scholarship Initiative | 22. Share the Pennies (MLGW) | 35. Raleigh CDC |
| 10. Memphis Food Waste Project | 23. Solid Waste Initiatives | 36. Shell on Wheels |
| 11. Midsouth Food Bank | 24. Girls Inc. Campus Construction | 37. The Time Is Now Redevelopment |
| 12. MMDC Memphis Medical District Collaborative | 25. Memphis Brand Initiative | |
| 13. National Civil Rights Museum | 26. Black Business Association | |

Allocation Category	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including commitments)
Animal Services	600,000	368,177	231,823	600,000	-	38.64%
Boys and Girls Club	9,000,000	-	9,000,000	9,000,000	-	100.00%
City Operational	61,554,554	3,488,395	58,016,159	61,504,554	50,000	94.25%
Community Health	4,000,000	-	4,000,000	4,000,000	-	100.00%
Community Support Services	3,900,035	728,776	3,171,259	3,900,035	-	81.31%
Council Initiatives	26,732,095	13,879,773	12,852,322	26,732,095	-	48.08%
Group Violence Intervention Program	4,250,000	1,398,888	2,851,112	4,250,000	-	67.08%
Housing & Community Development Initiatives	21,100,000	2,692,143	2,739,857	5,432,000	15,668,000	12.99%
Library Services	450,970	222,535	228,435	450,970	-	50.65%
Public Safety Initiatives	26,870,000	5,321,711	21,548,289	26,870,000	-	80.19%
Youth Services	2,603,836	935,526	1,668,310	2,603,836	-	64.07%
Grand Total	161,061,490	29,035,924	116,307,566	145,343,490	15,718,000	72.21%

Animal Services

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Animal Services	AnimalServ	2-Negative Economic Impacts	To add three additional Animal Control Officers by reducing the response time for dangerous aggressive and injured dog emergencies	600,000	368,177	231,823	600,000	-	38.64%
				600,000	368,177	231,823	600,000	-	38.64%

Boys and Girls Club of Greater Memphis

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Boys and Girls Club	BoysGirls	2-Negative Economic Impacts	To provide 50 additional club sites in the City of Memphis schools and community centers	9,000,000	-	9,000,000	9,000,000	-	100.00%
				9,000,000	-	9,000,000	9,000,000	-	100.00%

City Operational Support Initiatives

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
City Operational	CityAsset	2-Negative Economic Impacts	The City's tourism travel and hospitality industries have all suffered disproportionate negative impacts due to the COVID-19 public health emergency and associated closures and efforts to contain the pandemic	4,000,000	-	4,000,000	4,000,000	-	100.00%
City Operational	CostAccel	2-Negative Economic Impacts	To address the needs of the increase in construction costs due to the COVID-19 pandemic	4,000,000	3,420,895	579,105	4,000,000	-	14.48%
City Operational	Data for Good	7-Administrative	To assist the City of Memphis in developing plans and strategies for all grant opportunities for the City of Memphis focusing on opportunities funded through the American Rescue Plan	96,000	67,500	28,500	96,000	-	29.69%
City Operational	PremPay	4-Premium Pay	The Essential Worker Premium Pay program is for general employees who worked for the City of Memphis in 2021. The employees must meet the definition of essential worker	14,022,900	-	13,972,900	13,972,900	50,000	99.64%
City Operational	RevReplace	6-Revenue Replacement	Revenue replacement will be used to provide funding for government services up to the amount of revenue loss due to the pandemic	39,435,654	-	39,435,654	39,435,654	-	100.00%
				61,554,554	3,488,395	58,016,159	61,504,554	50,000	94.25%

Community Health Initiatives

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Community Health	CommHealth	1-Public Health	Collins Chapel - to provide capital investment and/or adaptations to the facilities of Collins Chapel Connectional Hospital.	1,000,000.00	-	1,000,000.00	1,000,000.00	-	100.0%
Community Health	CommHealth	1-Public Health	Regional One - to provide funding to re-open 21 beds by increasing staffing for Regional One Health Medical Center	3,000,000.00	-	2,000,000.00	3,000,000.00	-	100.0%
				4,000,000.00	-	4,000,000.00	4,000,000.00	-	100.0%

Community Support Services

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Community Support Services	Blight_PSC	2-Negative Economic Impacts	The Memphis Public Service Corps (MPSC) offers part-time employment opportunities to serve the community through various blight remediation efforts around the City. MPSC targets opportunity youth and those with non-violent criminal backgrounds by providing employment for clearing litter and debris from parks, streets, and right of ways.	387,035	-	387,035	387,035	-	100.00%
Community Support Services	Community Service (formerly Manhood/WOWS)	2-Negative Economic Impacts	The Manhood University and WOWS programs will encourage, empower, and employ the men and women in Memphis to reach their highest potential. These programs offer application, resume completion, effective communication skills, preparation for interviews, and credit financial literacy.	2,253,000	532,938	1,720,062	2,253,000	-	76.35%
Community Support Services	OpporYouth	2-Negative Economic Impacts	Employment for youth to increase family income and reduce crime.	1,260,000	195,838	1,064,162	1,260,000	-	84.46%
				3,900,035	728,776	3,171,259	3,900,035	-	81.31%

Council Initiatives

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Council Initiatives	Council	2-Negative Economic Impacts	Public Safety Professional Development /Training (Mental Health Breakfast)	2,500	-	2,500	2,500	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Healthcare Navigator (Council)	1,071,640	115,716	955,924	1,071,640	-	89.20%
Council Initiatives	Council	2-Negative Economic Impacts	Africa in April	125,000	-	125,000	125,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Choose901	30,000	-	30,000	30,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Communities in Schools	500,000	250,000	250,000	500,000	-	50.00%
Council Initiatives	Council	2-Negative Economic Impacts	Equity to Prosperity	1,000,000	-	1,000,000	1,000,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Explore Bike Share	50,000	-	50,000	50,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Food Desert Initiative North Memphis	3,000,000	590,000	2,410,000	3,000,000	-	80.33%
Council Initiatives	Council	2-Negative Economic Impacts	HBCU Scholarship Initiative	1,000,000	-	1,000,000	1,000,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Memphis Food Waste Project	180,000	-	180,000	180,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Midsouth Food Bank_3	250,000	-	250,000	250,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	MMDC Memphis Medical District Collaborative	240,000	-	240,000	240,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	National Civil Rights Museum	250,000	-	250,000	250,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Orpheum Theatre	125,000	-	125,000	125,000	-	100.00%

Council Initiatives

(Continued)

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Council Initiatives	Council	2-Negative Economic Impacts	MATA	1,500,000	1,500,000	-	1,500,000	-	0.00%
Council Initiatives	Council	2-Negative Economic Impacts	Relationship Unleashed	25,000	-	25,000	25,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Hub for Homeless Operations	3,000,000	3,000,000	-	3,000,000	-	0.00%
Council Initiatives	Council	2-Negative Economic Impacts	ShotRX	1,000,000	-	1,000,000	1,000,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Stax Museum-Soulsville Foundation, Inc	125,000	-	125,000	125,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Affordable Housing Grant/Loan	3,000,000	1,727,630	1,272,370	3,000,000	-	42.41%
Council Initiatives	Council	2-Negative Economic Impacts	Habitat for Humanity (Seniors)	500,000	500,000	-	500,000	-	0.00%
Council Initiatives	Council	2-Negative Economic Impacts	Share the Pennies (MLGW)	250,000	-	250,000	250,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Council Initiatives - Solid Waste	1,428,360	385,195	1,043,165	1,428,360	-	73.03%
Council Initiatives	Council	2-Negative Economic Impacts	Girls Inc. Campus Construction	500,000	-	500,000	500,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Memphis Brand Initiative	100,000	-	100,000	100,000	-	100.00%

Council Initiatives

(Continued)

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Council Initiatives	Council	2-Negative Economic Impacts	Black Business Association	916,851	-	916,851	916,851	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Flip My Life	80,000	-	80,000	80,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Environmental Court Indigent Defendants Foundation	150,000	150,000	-	150,000	-	0.00%
Council Initiatives	Council	2-Negative Economic Impacts	Memphis Libraries	2,211,232	2,211,232	-	2,211,232	-	0.00%
Council Initiatives	Council	2-Negative Economic Impacts	Memphis Aging Commission	220,912	-	220,912	220,912	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Juvenile Intervention & Faith-Based Follow-Up (JIFF)	250,000	-	250,000	250,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Memphis Police CIP - Axon Updates PD04031 11534	3,000,000	3,000,000	-	3,000,000	-	0.00%
Council Initiatives	Council	2-Negative Economic Impacts	Feasibility Study for a Memphis Crime Lab	300,000	300,000	-	300,000	-	0.00%
Council Initiatives	Council	2-Negative Economic Impacts	Memphis Food Waste Project 2	145,600	-	145,600	145,600	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	Raleigh CDC	150,000	150,000	-	150,000	-	0.00%
Council Initiatives	Council	2-Negative Economic Impacts	Shell on Wheels	40,000	-	40,000	40,000	-	100.00%
Council Initiatives	Council	2-Negative Economic Impacts	The Time Is Now Redevelopment	15,000	-	15,000	15,000	-	100.00%
				26,732,095	13,879,773	12,852,322	26,732,095	-	48.08%

Group Violence Intervention Program

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Group Violence Intervention Program	GVIP	1-Public Health	To hire Street Intervention Workers Hospital Violence Interrupters and provide outreach services for youth and other wrap around services	4,250,000	1,398,888	2,851,112	4,250,000	-	67.08%
				4,250,000	1,398,888	2,851,112	4,250,000	-	67.08%

Housing and Community Development Initiatives

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Housing & Community Development Initiatives	Broadband	5-Infrastructure	To create broadband infrastructure that provides opportunities for job growth new business development residential density vibrancy and a strong sustained economic resilience for a future Memphis	15,000,000	-	82,000	82,000	14,918,000	0.55%
Housing & Community Development Initiatives	HomeRepair	2-Negative Economic Impacts	Provides grants to City of Memphis homeowners ranging from 5,000 to 25,000 to complete home repairs and resolve health and safety issues	5,000,000	2,407,143	1,842,857	4,250,000	750,000	36.86%
Housing & Community Development Initiatives	MortgageAssist	2-Negative Economic Impacts	To assist City of Memphis residents who are in danger of becoming homeless due to their inability to pay their monthly mortgage because of hardship related to the COVID-19 pandemic	1,100,000	285,000	815,000	1,100,000	-	74.09%
				21,100,000	2,692,143	2,739,857	5,432,000	15,668,000	12.99%

Library Services

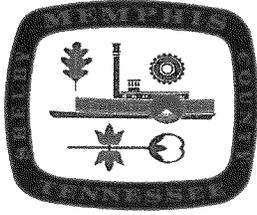
Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures and Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Library Services	MobileLibrary	2-Negative Economic Impacts	To increase equitable access to technology and library programs. This will support education advancement and workforce readiness by offering computer classes and STEM programming.	450,970	222,535	228,435	450,970	-	50.65%
				450,970	222,535	228,435	450,970	-	50.65%

Public Safety

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Public Safety Initiatives	CARE Program	1-Public Health	This project supports the Memphis Fire Divisions CARE Crisis Assessment and Response to Emergencies Program. It is a three-person mental health response team that includes a MFD firefighter and/or paramedic, a masters level crisis assessor from Alliance Healthcare Services and a CIT police officer. Together this team is equipped with the necessary knowledge and tools to act as a resource for those individuals diagnosed with or displaying symptoms of mental illness who require assistance in that regard.	1,500,000	1,500,000	-	1,500,000	-	0.00%
Public Safety Initiatives	HCNavigator	1-Public Health	To connect vulnerable populations to community resources, increase ambulance availability for life-threatening events and other EMS responses navigate low-acuity 911 callers to more appropriate healthcare services will avoiding unnecessary ER visits	1,000,000	356,735	643,265	1,000,000	-	64.33%
Public Safety Initiatives	PoliceFleet	2-Negative Economic Impacts	Take home car program	6,575,000	1,466,235	5,108,765	6,575,000	-	77.70%
Public Safety Initiatives	PublicSafetyFelony	2-Negative Economic Impacts	Public safety division enhancements - Felony Assault Unit	530,000	252,205	277,795	530,000	-	52.41%
Public Safety Initiatives	PublicSafetyRecruit	2-Negative Economic Impacts	Public safety recruitment incentives	12,000,000	136,256	11,863,744	12,000,000	-	98.86%
Public Safety Initiatives	PublicSafetyProfDev	2-Negative Economic Impacts	Public safety professional development	270,000	240,900	29,100	270,000	-	10.78%
Public Safety Initiatives	PubSafetyStaffSup	2-Negative Economic Impacts	Staff costs associated with supporting public safety recruitment	1,500,000	329,906	1,170,094	1,500,000	-	78.01%
Public Safety Initiatives	PubSafetyTech	2-Negative Economic Impacts	Safety Technology Improvements - ESRI Geographical Information Systems Atlas One Mobile Application LeadsOnline	3,000,000	870,877	2,129,123	3,000,000	-	70.97%
Public Safety Initiatives	PublicSafetyTrain	2-Negative Economic Impacts	Public safety development and training initiatives	495,000	168,597	326,403	495,000	-	65.94%
				26,870,000	5,321,711	21,548,289	26,870,000	-	80.19%

Youth Services

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Youth Services	YouthServices_IAm	2-Negative Economic Impacts	To assist youth who have disabilities and assist with creating post secondary plans which includes developing hard and soft skills for gainful employment	604,980	442,638	162,342	604,980	-	26.83%
Youth Services	YouthServices_MAP	2-Negative Economic Impacts	Youth program designed to offer leadership education entrepreneurship community service and perseverance	1,575,000	492,888	1,082,112	1,575,000	-	68.71%
Youth Services	YouthServices_Summer	2-Negative Economic Impacts	The MPLOY Youth Summer Experience provides the City of Memphis youth ages 14 - 22 with meaningful and rewarding summer experiences for six weeks It will service over 2000 youth with soft skills entry level positions and internships	423,856	-	423,856	423,856	-	100.00%
				2,603,836	935,526	1,668,310	2,603,836	-	64.07%



A Resolution to Amend the American Rescue Plan Act (ARPA) Allocation.

WHEREAS, on September 14, 2021, the Memphis City Council allocated \$5,035,980.00 of the City's tranche of American Rescue Plan Act (ARPA) funds to Youth Services Support Initiatives; and

WHEREAS, this funding was allocated over three (3) fiscal years for the MPLOY, I Am Included, and MAP programs through the Office of Youth Services; and

WHEREAS, on June 27, 2023, the Memphis City Council reallocated \$2,432,144.00 of these funds to the Memphis Library and Memphis Aging Commission; and

WHEREAS, a portion of these previously allocated ARPA funds had been committed by the Office of Youth Services for costs related to the fiscal year 2024 summer and fall sessions for:

- **\$345,000** (MPLOY Summer Staff) to 100804-051402- Summer 2023 MPLOY staff payroll-part-time salaries
- **\$310,000** (Community Partners) to 100804-066104- Ambassador's Fellowship Pay
- **\$90,000** (MPLOY Plus) to 100804-066104-Ambassador's Fellowship Stipend Pay
- **\$15,000** (Security for Schools) to 100804-066104- Ambassador's Fellowship Pay

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council hereby amends ARPA allocations by reallocating and reappropriating \$760,000.00 from the Memphis Library to Youth Services Support Initiatives for the costs of summer programming, internships, and apprenticeships as detailed above.

**AN ORDINANCE TO CREATE A POLICE ADVISORY AND
REVIEW COMMITTEE**

WHEREAS, the State of Tennessee has enacted Public Chapter 454, codifying changes to Tenn. Code Ann. §38-8-301, *et. seq.* and requiring modifications to City of Memphis Code of Ordinances Chapter 28, Article VII, pertaining to the Civilian Law Enforcement Review Board; and

WHEREAS, the City Council desires to provide transparency and promote interaction between the citizens and the Memphis Police Department in compliance with Public Chapter 454; and

WHEREAS, in accordance with Public Chapter 454, the City Council desires to repeal Chapter 28, Article VII, pertaining to the Civilian Law Enforcement Review Board and further desires to adopt Public Chapter 454, creating a Police Advisory and Review Committee, effective October 29, 2023;

NOW, THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 28, Article VII, Civilian Law Enforcement Review Board is hereby repealed in its entirety and substituted to read as follows:

(a)

(1) The City Council hereby creates a Police Advisory and Review Committee for the City of Memphis.

(2) The purpose of the committee is to strengthen the relationship between citizens and the Memphis Police Department; to ensure the timely, fair, and objective review of citizen complaints while protecting the individual rights of police officers; and to make recommendations concerning citizen complaints to the Chief of Police.

(b)

(1) The committee will consist of seven (7) members, each of whom must:

(A) Possess a reputation for fairness, integrity, and responsibility,

and have demonstrated an active interest in public affairs and public service;

(B) Be a registered voter, as defined by Tenn. Code. Ann. § 2-1-104(a)(24), of the City of Memphis; and

(C) Not be a current employee of the City Council.

(2) The membership on the committee shall not be restricted or otherwise limited based upon demographics, economic status, or employment history.

(c)

(1) Committee members shall be appointed by the Mayor and confirmed by a majority vote of the City Council, with initial appointments to be made for the following terms:

(A) Two (2) members of the committee are appointed for one-year terms;

(B) Two (2) members of the committee are appointed for two-year terms; and

(C) Three (3) members of the committee are appointed for three-year terms.

(2) No more than two (2) persons may be appointed from one (1) City Council district.

(3) Following the initial appointments, all subsequent appointments, except to fill vacancies, are for three-year terms.

(4) Vacancies occurring other than through the expiration of terms are filled for the remainder of the term of the member being replaced.

(5) A committee member appointed pursuant to this subsection (c) shall not serve more than two (2) consecutive

terms.

(6)

(A) Upon making the initial appointments to the committee, the Mayor shall designate one (1) member of the committee to convene the first regular meeting of the committee.

(B) At its first regular meeting, the committee shall elect one (1) of its members to serve as chair, who serves a term of one (1) year or until a successor is elected. The chair may appoint other officers as the chair deems appropriate.

(d)

(1) Upon the recommendation of a majority of the committee members or by a finding of the Mayor, the Mayor, with a majority approval of the City Council, may remove a member of the committee for official misconduct or neglect of duty including neglect of any duty in subsection (g).

(2) Members who are absent from three (3) consecutive regular committee meetings are considered to have vacated their positions on the committee and may be replaced.

(3) Members who cease to possess the qualifications for membership on the committee under subdivision (b)(1) are deemed to have forfeited their position on the committee.

(e) A person shall not receive compensation for services performed as an appointed member of the committee.

(f) Each person appointed to the committee shall complete the citizen's police academy course offered by the Chief of Police to educate citizens on law enforcement operations, practice, and training. The course must be completed within six (6) months of the date of a person's appointment to the committee. Members who fail to

complete required courses are considered to have vacated their positions on the committee and may be replaced. Each member of the committee must also participate in an official ride along and become familiar with police policies and procedures within six (6) months of the date of the person's appointment.

(g) Members of the committee shall:

(1) Respect an individual's, including a police officer's, right to privacy, and maintain confidentiality of records;

(2) Maintain the confidentiality of Internal Affairs Unit files; personnel files; and other files, records, or recordings received pertaining to their membership on the committee;

(3) Excuse themselves from participating in the review of a complaint in which they have a personal, professional, or financial conflict of interest,

(4) Conduct themselves in a manner that ensures public confidence in the fairness, impartiality, and integrity of the committee, and refrain from making inappropriate or prejudicial comments regarding a matter being reviewed by the committee or which may be reasonably expected to be reviewed by the committee; and

(5) Qualify and take an oath to uphold the Constitution of the United States, the laws of the State of Tennessee, and the ordinances of the City of Memphis and to faithfully discharge the duties of such office.

(h) The City Attorney shall investigate any allegation of misconduct by a committee member or their staff and submit a written report of investigative findings to the Mayor and City Council.

(i)

(1) The Mayor may select an executive director of the committee whose appointment is subject to the approval of a majority of the members of the committee.

(2) The executive director must:

(A) Possess a reputation for fairness, integrity, and responsibility and have demonstrated an active interest in public affairs and service;

(B) Be a registered voter of the City of Memphis;

(C) Not be a former employee of a law enforcement agency for the preceding twelve (12) months;

(D) Possess prior investigative experience, such as would be possessed by an attorney or a local law enforcement officer;

(E) Respect an individual's, including police officer's, right to privacy, and maintain confidentiality of records;

(F) Maintain the confidentiality of all law enforcement records and files that the executive director or committee receives as a result of the committee's performance of its official duties;

(G) Not participate in the review of a complaint in which the executive director has a personal, professional, or financial conflict of interest;

(H) Conduct the duties of the office in a manner that maintains public confidence in the fairness, impartiality, and integrity of the committee, and refrain from making inappropriate or prejudicial comments regarding a matter being reviewed by the committee or which may be reasonably expected to be reviewed by the committee; and

(I) Comply with all rules applicable to other employees of the City of Memphis.

(3)

(A) A person shall not be approved as executive director under subdivision (i)(1) until the person has:

(i) Supplied a fingerprint sample for the purpose of a state criminal history background check to be conducted by the

Tennessee Bureau of Investigation, as well as a national criminal history background check to be conducted by the Federal Bureau of Investigation; and

(ii) Submitted to a lawfully administered test designed to detect the presence of a controlled substance or a controlled substance analogue.

(B) The City shall pay the costs incurred to conduct the criminal history background check and to administer the test under subdivision (i)(3)(A).

(C) The Tennessee Bureau of Investigation and the entity conducting the test shall report the results of the criminal history background check and test to the Mayor or the Mayor's designee within five (5) business days of the bureau's receipt of such results.

(D) The results of the criminal history background check and test are deemed to be confidential under Title 10, Chapter 7, Part 5 and are not required to be disclosed or made available under T.C.A. § 10-7-503(a).

(i)

(1) The executive director shall accept written, sworn complaints from members of the public regarding misconduct of City of Memphis police officers and shall forward the complaints to the head of the Internal Affairs Unit of the Memphis Police Department within three (3) business days of their receipt. Upon receipt of a complaint, the unit shall immediately cause an investigation to be conducted of the allegations pursuant to the standard operating procedures of the Memphis Police Department. The executive director may also accept unsworn or anonymous complaints and, if accepted, refer the complaints to the internal

affairs unit for investigation.

(2) Upon notification by the head of the Internal Affairs Unit that an investigation of an allegation of misconduct by a police officer is closed, whether the investigation was prompted by a complaint received by the executive director or otherwise, the executive director may review the unit file or the referral action form and determine if the investigation is complete.

(3)

(A) If the executive director determines that the investigation is complete in accordance with subdivision (j)(2), then the executive director shall file a report with the committee at its next regularly scheduled meeting that contains a copy of the Internal Affairs Unit case, summary, or referral action form, and any documentation of disciplinary action pertaining to the case.

(B) If the executive director determines that the investigation is not complete, then the executive director shall notify the committee, at its next regularly scheduled meeting, that, in the executive director's opinion, additional investigation or additional time may be required for the investigation to be complete.

(k) At each of the regularly scheduled committee meetings, the executive director shall file a report with the committee that details the resolution of unsworn or anonymous complaints the executive director has been able to resolve without an investigation by the internal affairs unit.

(l) The executive director may request legal services and advice from the City Attorney. If the City Attorney determines that the provision of legal services and advice would constitute a conflict of interest, then the City Attorney shall advise the executive director of the conflict and the executive director may request the City Attorney to provide other outside counsel for such legal services and advice.

(m) The executive director shall:

- (1) Ensure the proper recording of the minutes of the committee;
- (2) Maintain proper records and files pertaining to committee business;
- (3) Receive and record all exhibits, petitions, documents, or other materials presented to the committee in support of or in opposition to a question before the committee;
- (4) Comply with state law and local ordinances regarding notice of meetings;
- (5) Provide complainants with information about the complaint process;
- (6) Be a notary public;
- (7) Compile statistical information regarding complaints of misconduct by law enforcement officers as reported to the executive director from a member of the public, reported to the internal affairs unit where the investigation was reviewed by the executive director, or which were initiated by the executive director; and
- (8) Include the information compiled under subdivision (m)(7) in an annual report to the Chief of Police, the Mayor, and the City Council of the committee's activities.
- (9) Complaints will be placed into one of the following categories for administrative purposes:
 - (A) Force: The use or threatened use of improper, unnecessary or excessive force by a member of the Memphis Police Department.
 - (B) Arrest: The restraint of a person's liberty was improper or unjustified.
 - (C) Entry: Entry into a building or onto property was improper, including the use of excessive force against the property to gain entry.
 - (D) Search: The search of a person or their property was improper, in violation of established police procedures or unjustified.

(E) Harassment: The taking of police action which was predicated upon factors which are irrelevant, under the circumstances, to good law enforcement decision-making.

(F) Demeanor: Improper actions regarding an officer's bearing, gestures, language or other action which allegedly is offensive or of doubtful social propriety.

(G) Other Procedures: Allegation of other actions which are in violation of departmental rules, procedures, or policies.

(H) Service: The inadequacy or lack of police service.

(I) Property: Property lost or damaged while in police custody or confiscated through police action.

(n)

(1) The committee shall review all reports submitted by the executive director under subdivision (j)(3)(A).

(2) If the executive director finds that an investigation is not complete under subdivision (j)(3)(B), then the committee may, by a majority vote of its members:

(A) Request the Chief of Police to conduct a further investigation of the incident, specifying that additional information is needed; or

(B) Direct the executive director to return the investigation to the Internal Affairs Unit for additional investigation.

(3) The executive director shall report any additional investigative findings made to the committee, and upon completion of its inquiry, the committee shall report its written findings and conclusions to the Chief of Police and the Mayor.

(4)

(A) The committee shall have access to all public records it deems necessary to conduct its affairs in furtherance of its duties under

this section, including law enforcement agency records. Such records include:

(i) Complaints and supporting documents provided by complainants;

(ii) Offense, incident, and arrest reports; and

(iii) Incident-related documents such as schedules, dispatch notes, dispatch tapes and transcriptions, citations, videos, photographs, and records of interviews with complainants, employees, and witnesses.

(B) The committee shall not access nonpublic records, including employee medical records, or records that are otherwise exempt from disclosure under any state or federal law.

(5)

(A) Upon completion of the review of an Internal Affairs investigation, the committee may, subject to its own specific findings and conclusions, make recommendations to the Chief of Police for the improvement of law enforcement policies and activities and to benefit the community.

(B) All meetings must be open to the public and the Chief of Police, or his/her designee, may attend and provide information and advice to, or accept the recommendations, if any, of the committee.

(6)

(A) The committee shall compile a comprehensive report of its activities at least once a year, containing statistics and summaries of citizen complaints, including a comparison of the committee's findings and conclusions with those of the internal affairs

unit, along with the actions taken by the Chief of Police.

(B) The report compiled in subdivision (n)(6)(A) must be

submitted to:

(i) The executive director for inclusion in the executive director's annual report to the Chief of Police;

(ii) The Mayor;

(iii) The City Council;

(iv) The chairs of the Civil Justice and Criminal Justice Committees of the Tennessee House of Representatives; and

(v) The chair of the Judiciary Committee of the Tennessee Senate.

(7)

(A) The committee may request legal services and advice from the City Attorney. If the City Attorney determines that the provision of legal services and advice would constitute a conflict of interest, then the City Attorney shall advise the committee of the conflict and the committee may request the City Attorney to provide other outside counsel for such legal services and advice.

(B) If the executive director is prohibited from participating in the review of a complaint pursuant to subdivision (i)(2)(G), then the committee may petition the Mayor to appoint a temporary assistant to perform the duties of the executive director.

(o)

(1) The committee shall adopt rules of procedure for the transaction of committee business not inconsistent with this section.

(2) Four (4) members of the committee constitute a quorum. A meeting of the committee must not commence or continue in the absence of a quorum, and a majority vote of those forming a quorum is required for action to be taken by the committee except where otherwise specified in this section.

(3) Regular meetings of the committee must be held no less than quarterly, on the first Wednesday of January, April, July, and October, or as the committee may otherwise elect. A scheduled meeting may be rescheduled at the preceding regular meeting. The chairman and three (3) members of the committee may call a special meeting of the committee upon at least five (5) days' notice.

(4) Committee meetings and records must be open to the public in accordance with Tennessee law, including Title 8, Chapter 44, Part 1, and Title 10, Chapter 7. The committee shall provide an opportunity for public comment about an investigation being reviewed by the committee pursuant to rules established by the committee.

(5)

(A) The police advisory and review committee does not have the power to issue subpoenas for documents or to compel witness testimony.

(B) This subdivision (o)(5) does not prohibit the issuance of a subpoena by the City Council as otherwise provided by law.

(C) A subpoena issued by the City Council, on behalf of the Police Advisory and Review Committee, must:

(i) Be issued pursuant to majority vote of the City Council;

(ii) Not be issued in the form of a blanket authorization, but must specify each document to be produced; and

(iii) Not be issued for documents that are confidential under state or federal law.

(D) Notwithstanding subdivision (o)(4), any document provided to a committee that is confidential under state or federal law must be treated as confidential and must not be released to the public.

(p)

(1) The committee or its staff shall not review an investigation:

(A) Concerning an incident that occurred prior to January 1, 2023;

(B) Prior to the closure of an investigation by the Internal Affairs Unit or of a criminal investigation;

(C) While the complainant, the officer complained about, or a witness is actively engaged in pursuing a remedy provided by the rules and regulations of the Civil Service Commission or grievance process, including arbitration, as set forth in the memorandum of understanding between law enforcement officers and the City; or

(D) If the complainant has initiated, threatened, or given notice of the intent to initiate litigation against the City or its employees.

(2) The committee shall not direct the Chief of Police to alter or impose disciplinary action against an employee of the Memphis Police Department.

(q) Public meetings will follow a routine agenda which includes the following components:

(1) Call to order, roll call;

(2) Acceptance of agenda;

(3) Approval of previous meeting minutes;

(4) Approval of administrative matters;

(5) Opportunity for public comment on pending individual cases; and

(6) Deliberation of individual cases.

(r) The committee and the executive director shall be jointly responsible for the creation and maintenance of a mobile-friendly website. The website shall be independent from the main web portal of the City of Memphis. The executive director shall have a budget for the establishment of the website and an annual budget to maintain the website. The website shall be updated

at least monthly and shall include the following:

- (1) An "About Us" page describing the committee's mission. This page shall also contain a link to this ordinance and any other applicable law.
- (2) A "Process" page describing, in detail, the options for filing a complaint with the committee, the process by which complaints are reviewed, all relevant timing requirements and deadlines, and a description of all possible outcomes.
- (3) A "Committee Members and Staff" page listing office location, hours, and phone number as well as the names, photos, and contact information for all committee members and staff.
- (4) A "File a Complaint" page containing an online form which can be used to file a formal complaint.
- (5) A "Complaints Reviewed" page that lists all complaints received, and posts the following information for each complaint:
 - (A) the current stage in proceedings of each complaint and the time and place of any meetings concerning the investigation;
 - (B) no more than 45 days after the complaint is filed, the completed investigation, finding, and recommendation of the committee; and
 - (C) no more than 30 days after receiving a response from the Memphis Police Department as to the committee's recommendation, the finding and explanation of action taken by the Chief of Police.
 - (D) A "Committee Meetings" page that posts all approved minutes from meetings of the committee and lists the time and location of future committee meetings.
 - (E) Any other pages or information the committee deems necessary in carrying out its mission.

AN ORDINANCE TO AMEND CHAPTER 41- WRECKERS OR TOWING OPERATORS OF THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, SO AS TO UPDATE FEES PRESCRIBED

WHEREAS, the Memphis City Council strives to ensure our laws are clear, current and relevant to keep our citizens safe and best serve our business community, assisting them in operating in accord with the laws contained within the Tennessee Code Annotated and the Code of Ordinances of Memphis, Tennessee; and

WHEREAS, the City of Memphis has a significant governmental interest in protecting the health, safety and welfare of the general public and preserving the public order; and

WHEREAS, Chapter 41 of the Code of Ordinances of Memphis, Tennessee, allows the Memphis City Council to define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of the public, and the peace and dignity of the City; and

WHEREAS, the fees charged for non-consensual wreckers and towing operators within the City of Memphis have not been updated since 2006; in contrast, the cost of doing business has steadily risen since 2006, and current inflation and materials pricing have raised that cost even higher; and

WHEREAS, steady or increasing calls for service, coupled with space and staffing shortages at the City of Memphis Impound Lot require Towing Company drivers to spend more time dropping vehicles on the lot, thus further eroding the profitability of the business; and

WHEREAS, the Memphis City Council has heard the pleas of the city's Towing Operators to raise fees for their service to sustainable levels;

NOW, THEREFORE,

Section 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 41 - Wreckers and Towing Operators, of the Code of Ordinances, is hereby amended as follows:

Article 1, Section 41-2. Definitions.

Extra Winching means a tow that requires the use of more cable than prescribed for each Class of wrecker in Section 41-4.

Holiday hours means any paid holiday recognized by the U.S. Federal or Tennessee State Governments.

Night hours means the hours between 6:00 p.m. and 7:00 a.m. daily.

Weekend hours means the hours between 6:00 p.m. Friday and 7:00 a.m. Monday.

Article 1, Section 41-5. Wrecker classifications.

A. Class A. For towing passenger cars, pickup trucks, small trailers or other vehicles having a gross vehicle weight of zero through 7,000 pounds and meeting the following requirements:

B. Class B. For towing medium-size trucks, trailers, or other vehicle having a gross vehicle weight of 7,001 pounds through 11,000 pounds and meeting the following requirements:

Article 1, Section 41-6. Wrecker Fees Prescribed

The following fees shall apply for each class of wrecker services providing non-consensual tow services:

A. Class A Wrecker Service: The maximum charge for Class A wrecker services, except in those instances which require the use of heavy-duty equipment as provided for in paragraph (2)(a) of this section, shall be as follows within the corporate limits of the city:

For the purposes of this section, "towed" vehicles are vehicles which can be driven but are towed to the lot at the request of the owner or police office. "Wrecked" vehicles are vehicles which cannot be driven and must be towed to the lot and not related to recovery of vehicles submerged in water and, or off the road by 200 feet.

	Recovery Base Rate	
<u>Wrecker Class</u>	<u>Towed</u>	<u>Wrecked</u>
A	\$225.00	\$275.00
Extra Winching	\$100.00 one-time fee	\$100.00 one time-fee

The applicable fee shall include the point of final destination given to the wrecker driver in accordance with section 41-12(a).

B. Class B and C wrecker service fees shall apply as follows:

For the purposes of this section, "towed" vehicles are vehicles which can be driven but are towed to the lot at the request of the owner or police office. "Wrecked" vehicles are vehicles which cannot be driven and must be towed to the lot and not related to recovery of vehicles submerged in water and, or off the road by 200 feet.

		Recovery Base Rate	
<u>Wrecker Class</u>		<u>Towed</u>	<u>Wrecked</u>
B	Straight Trucks, Vans, etc.:	\$370.00	\$475.00
B	Extra Winching	\$300.00 one-time	\$300.00 one time
<u>Wrecker Class</u>		<u>Towed</u>	<u>Wrecked</u>
C	Tandem-Axle, Not Loaded:	\$430.00	\$535.00
C	Tandem-Axle, Loaded:	\$465.00	\$575.00
	Recreational Vehicles:		
C	25 Feet & Under in Length	\$370.00	\$460.00
C	Over 25 Feet in Length:	\$505.00	\$610.00
C	Buses (Large):	\$505.00	\$610.00
C	Extra Winching	\$450.00 one-time fee	\$450.00 one-time fee

The fee for the use of a licensed driver helper for Class B wreckers shall not exceed \$60.00/hour and for Class C wreckers shall not exceed \$100.00/hour.

Fee To Drop Vehicle Before Departing.

If the owner or operator of the vehicle is present and removes the vehicle to be towed from the premises before it is connected to the towing vehicle, the owner or operator shall not be charged any fee. If the owner or operator of the vehicle is present after the towing vehicle has been connected to the vehicle to be towed, the vehicle shall not be towed, but the owner or operator of the vehicle shall be liable for a reasonable fee not to exceed seventy-five dollars (\$75.00), in lieu of towing, provided the owner or operator of the vehicle forthwith removes the vehicle from the premises. A vehicle shall be deemed connected if every procedure required to secure the vehicle to the wrecker or wrecker equipment so that the vehicle may be safely towed has been completed at the time the owner or operator arrives, including the attachment of any safety chains. In the event that a tow is disregarded, the wrecker owner/operator responding to the call shall be rotated back to the top of the City's Wrecker Rotation List.

Bi-Annual Fee Review

The fees prescribed in this Chapter, including the foregoing and any prescribed in the Chapter's subsequent Articles or Sections, shall be subject to review by the Memphis City Council once every two years, to ensure parity with Towing Operator business costs.

Section 41-7. City Impound Lot Storage Fees, Private Lot Fees, and Administrative Fees

(a) A **one-time administrative fee of seventy-five dollars (\$75.00)** will be assessed for each tow ticket processed at the Memphis Police Department (City Impound Lot Facility or private tow lot), **after the first 72-hours of impoundment**. Such fee shall be charged to the consumer.

(b) The storage of a vehicle (excepting tractor trailer trucks) by a wrecker operator on a private tow lot or any municipally operated vehicle storage or impound lot shall be thirty dollars (\$30.00) for each twenty-four (24) hour period, or fraction thereof, after the first two (2) hours of impoundment. All vehicles that have been damaged in an accident and cannot be safely driven shall be towed. Such vehicles shall be removed from the scene of the accident by a wrecker service owner or operator and towed to such wrecker owner or operator's private wrecker lot, provided that, such wrecker owner or operator has not been notified by the Memphis Police Department that the vehicle is needed for evidentiary or investigative purposes.

(c) **The storage fee for tractor trailer trucks on a private tow lot or any municipally operated vehicle storage or impound lot shall be sixty dollars (\$60.00) for the rig and sixty dollars (\$60.00) for the trailer, for each twenty-four hour period, or fraction thereof. All vehicles must be stored behind the fence of the vehicle storage lot.**

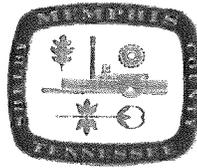
(d) **In the case of private property impound (PPI) tows (also known as towaways), the fee shall be limited to no more than two hours. In the case that a trailer is attached to the driving vehicle, the fee amount shall apply to the driving vehicle and the attached trailer as a single unit. No additional fees may be charged for using dollies, trailers, lifts, slim jim or any other equipment, services, or licensed drive helpers.**

(e) **A "Gate Fee" of fifty dollars (\$50.00) shall be charged to release any car from a private tow lot or any municipally operated vehicle storage or impound lot during night, weekend, or holiday hours. A gate fee and daily storage fee may not be charged for the same day.**

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, That this Ordinance shall take effect after having been passed by City Council, signed by the Chair of Council, certified and delivered to the office of the Mayor in writing by the comptroller, and becomes effective as otherwise provided by law.

Sponsor:
Ford Canale



Memphis City Council Summary Sheet

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

A resolution to accept, allocate and appropriate Port Security Grant Program funds from the Department of Homeland Security Operations Safety in the amount of \$526,580 to be used to replace Class B firefighting foam.

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

Memphis Fire Services is the initiating party.

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

There is no change to an existing ordinance or resolution.

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

All council districts and super district.

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

This request will require a new contract.

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

This project requires an expenditure of funds and a budget adjustment.

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

There is no MWBE goal.



A resolution to accept, allocate and appropriate Port Security Grant Program funds from the Department of Homeland Security Operations Safety in the amount of Five Hundred Twenty-Six Thousand Five Hundred Eighty Dollars and Zero Cents (\$526,580) to be used to replace Class B firefighting foam.

WHEREAS, The City of Memphis Division of Fire Services has been awarded grant fund in the amount of Five Hundred Twenty-Six Thousand Five Hundred Eighty Dollars (\$526,580) from the Department of Homeland Security Operations Safety to be used to replace Class B firefighting foam and with a City match in the amount of One Hundred Seventy-Five Thousand Five Hundred Twenty-Seven Dollars and Zero Cents (\$175,527); and

WHEREAS, These funds will be used for organizational service-delivery improvements that overlay with the Port-area and maritime emergency response by replacing Class B firefighting foam; and

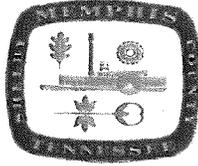
WHEREAS, It is necessary to accept the grant funding and amend the FY24 Misc. Grant Budget to establish funds for the Port Security Grant Program; and

WHEREAS, It is necessary to appropriate the fund in the amount of Five Hundred Twenty-Six Thousand Five Hundred Eighty Dollars and Zero Cents (\$526,580) for Fire Services; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Port Security Grant Program funds in the amount of Five Hundred Twenty-Six Thousand Five Hundred Eighty Dollars and Zero Cents (\$526,580) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the FY24 Misc. Grant Budget be and is hereby amended by allocation and appropriating the Expenditures and Revenues for the Port Security Grant Program as follows:

Revenue	
Federal Grants	\$526,580
Expense	
Equipment	\$526,580



Memphis City Council Summary Sheet

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

A resolution to accept and appropriate supplemental grant funding from the Department of Homeland Security - FEMA for Tennessee Task Force 1 Readiness Cooperative Agreement in the amount of \$158,477 for equipment.

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

Fire Services is the initiating party.

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

The original resolution to accept the grant funding passed Council on 11-15-22 in the amount of \$1,211,650.

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

This will impact all council and super districts.

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

This will not require a new contract or an amendment to an existing contract.

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

This requires a budget adjustment and expenditure of grant funds.

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

N/A



A resolution to accept supplemental grant funding in the amount of One Hundred Fifty-Eight Thousand Four Hundred Seventy-Seven Dollars (\$158,477) from the US Department of Homeland Security for the annual sustainment of TN Task Force 1.

WHEREAS, the City of Memphis Division of Fire Services has received supplemental grant funds in the amount of One Hundred Fifty-Eight Thousand Four Hundred Seventy-Seven Dollars (\$158,477) from the US Department of Homeland Security - FEMA; and

WHEREAS, these supplemental funds will be used for the annual sustainment of Tennessee Task Force One; and

WHEREAS, it is necessary to accept the supplemental grant funding and amend the Fiscal Year 2024 Misc Grant Budget to establish funds for the Urban Search & Rescue grant; and

WHEREAS, it is necessary to appropriate the supplemental grant funds in the amount of One Hundred Fifty-Eight Thousand Four Hundred Seventy-Seven Dollars (\$158,477) for the Urban Search & Rescue grant; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Urban Search & Rescue Grant supplemental funds in the amount of One Hundred Fifty-Five Thousand Four Hundred Seventy-Seven Dollars (\$158,477) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2024 Misc Grant Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Urban Search & Rescue Grant supplemental funds in the amount of One Hundred Fifty-Five Thousand Four Hundred Seventy-Seven Dollars (\$158,477) as follows:

<u>Revenue</u>	
FEMA	\$158,477
<u>Expense</u>	
Equipment	\$158,477

WHEREAS, on occasion the Memphis City Council has seen fit to honor citizens who have enriched the community, and **Bishop E. Lynn Brown**, a distinguished figure in the City of Memphis and beyond, is one such citizen whose memory is certainly worthy of honoring; and

WHEREAS, emerging from Madison County, Tennessee, **Bishop E. Lynn Brown's** academic achievements included a Bachelor of Arts degree from Lane College in Jackson, a Master of Divinity degree from Phillips School of Theology at the Interdenominational Theological Center in Atlanta, and the completion of doctoral studies at the esteemed McCormick Theological Seminary in Chicago; additionally, he held a cherished membership within the first black intercollegiate Greek-letter fraternity, Alpha Phi Alpha Fraternity, Inc.; and

WHEREAS, in 1986, **Bishop Brown** was elected as the 46th Bishop of the Christian Methodist Episcopal Church, he assumed the esteemed role of presiding prelate of the Ninth Episcopal District, a vast territory encompassing the regions of California, Arizona, New Mexico, Oklahoma, Oregon, Washington, and Alaska; and demonstrating extraordinary leadership and commitment to his faith, he was also assigned to the Second Episcopal District comprised of Indiana, Kentucky and Ohio; and

WHEREAS, **Bishop Brown's** extraordinary journey, characterized by his selfless dedication to the community and passionate advocacy for social justice throughout the 1980s and 1990s, was demonstrated through his early involvement in the civil rights movement alongside the distinguished Dr. Martin Luther King, Jr.; he also dedicated himself to teaching at LeMoyne-Owen College, imparting knowledge and wisdom to future generations; and

WHEREAS, **Bishop Brown's** powerful oratory and musical talents resonated deeply with all who had the privilege of hearing him speak and sing; his voice carried messages of inspiration, hope, and unity across denominational boundaries; he served as the CME's general secretary of the Board of Publication Services as well as the pastor of Greenwood CME Church, Mt. Pisgah Church and founder of Temple of Love CME Church, all of which are located in Memphis; in his honor, a choir and scholarship fund were established at Mt. Pisgah, reflecting the profound impact of his unwavering commitment to improving the lives of others; and

WHEREAS, in 2019, **Bishop Brown** transitioned from this world, concluding a life distinguished by exceptional service, unwavering community engagement, and an unyielding commitment to social justice; he was the beloved husband of Gladys S. Brown, and father of Donna Brown, Cheronda Brown Guyton and Rev. Alonzo Victor Brown; Alonzo preceded him in death; and

WHEREAS, in recognition of his profound influence, unwavering dedication, and extraordinary contributions, we hereby honor and celebrate the life and legacy of **Bishop E. Lynn Brown**, a beacon of hope, a champion of justice, and a beloved figure whose impact will forever be imprinted in the City of Memphis' history.

NOW, THEREFORE, BE IT RESOLVED by the Memphis City Council that Marechalneil Street between Park Avenue and Spottswood Avenue be designated as

Bishop E. Lynn Brown Street

in honor of his commitment to the betterment of people, justice, and community, leaving a permanent mark in the City of Memphis.

BE IT FURTHER RESOLVED that the City Engineer is requested to affix suitable signs designating this public road, effective with the passage of this resolution.

**Given by my hand and under the
great seal of the City of Memphis
this 7th day of November, 2023.**

**Cheyenne Johnson
Memphis City Councilwoman**