

WHEREAS, for many years, the cornerstone of pediatric healthcare in the Mid-South has been Le Bonheur Children's Hospital, which includes locations in Memphis, Jackson, Jonesboro, and Tupelo; and

WHEREAS, the hospital's community outreach division, which employs 250 committed people, is proof of its dedication to providing services beyond its physical walls; and

WHEREAS, comprehensive care for children is provided across numerous campuses by the flagship 290-bed hospital and Jackson-Madison County General Hospital's 21-bed unit; and

WHEREAS, Le Bonheur Children's Hospital employs around 3,000 kind people, including more than 750 pediatric specialists with 40 different areas of expertise, so every child gets the best care possible (Why Le Bonheur, n.d.); and

WHEREAS, the hospital's 13 years of continuous recognition by *U.S. News & World Report* highlights its reputation as a leader in pediatric healthcare nationwide; and

WHEREAS, Le Bonheur serves as a teaching hospital for the pediatric department of the University of Tennessee Health Science Center, helping to mold the next wave of pediatric healthcare professionals; and

WHEREAS, the hospital's dedication to furthering pediatric medicine is demonstrated by its partnership with St. Jude Children's Research Hospital; and

WHEREAS, the hospital maintains the highest standards of care and service as a member of the Methodist Le Bonheur Healthcare family, setting the bar for excellence in healthcare delivery (Why Le Bonheur, n.d.); and

WHEREAS, Le Bonheur Children's Hospital has demonstrated its commitment to providing exceptional nursing care by achieving Magnet Hospital designation, the most prestigious nursing certification in the country; and

WHEREAS, the American College of Surgeons classification of the hospital as a Level 1 Pediatric Trauma Center guarantees that children in the area receive the best trauma care available; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL to praise and recognize Le Bonheur Children's Hospital for its unwavering commitment to providing excellent pediatric healthcare and for significantly improving the well-being of kids and families in the Mid-South, and

BE IT FURTHER RESOLVED, That the administration, personnel, and volunteers of Le Bonheur Children's Hospital receive the proper acknowledgment and gratitude for their ceaseless efforts to enhance the health and welfare of the youngest members of our community and that this resolution is given to Le Bonheur Children's Hospital as a genuine thank you for everything it does to support and encourage our communities as a recognition of their 2024 critical care expansion.

Adopted: July 23, 2024



**Councilwoman Yolanda Cooper-Sutton
Memphis City Council, Super District 8-3**

WHEREAS, on occasion, the Memphis City Council has seen fit to commemorate occasions that raise awareness about an issue that significantly impacts this community; **World Drowning Prevention Day** is one such occasion that is worthy of recognition; and

WHEREAS, drowning is a leading cause of unintentional injury death worldwide, accounting for nearly 236,000 deaths annually, according to the World Health Organization; and

WHEREAS, World Drowning Prevention Day, observed annually on July 25th, serves as a global platform to raise awareness about the tragic and preventable issue of drowning; and

WHEREAS, the World Health Organization and other organizations globally encourage individuals, communities, and governments to take proactive steps to prevent drowning through education, training, and effective safety measures; and

WHEREAS, drowning prevention measures such as swimming lessons, proper supervision, use of life jackets, and understanding water safety can significantly reduce the risk of drowning incidents; and

WHEREAS, the City of Memphis is committed to promoting water safety and supporting initiatives that aim to reduce the number of drowning incidents within our community; and

WHEREAS, recognizing **World Drowning Prevention Day** aligns with the City of Memphis' dedication to the safety, health, and well-being of its residents, particularly children, who are most vulnerable to drowning; and

WHEREAS, collaboration with organizations such as the American Red Cross, local swimming schools, and water safety advocacy groups is essential in fostering a culture of water safety in Memphis; and

WHEREAS, by raising awareness and promoting education on water safety, we can honor the memory of those lost to drowning and work towards a future where such tragedies are significantly reduced.

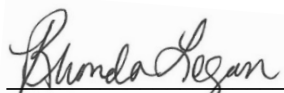
NOW, THEREFORE, BE IT RESOLVED, that the Memphis City Council hereby recognizes July 25, 2024, as

World Drowning Prevention Day

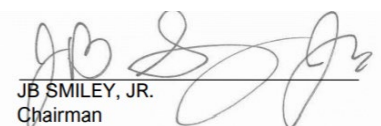
in the City of Memphis, honoring the lives of Antonio “TJ” Weston, Jr., Dior Thedford, and all others who lost their lives due to drowning.

BE IT FURTHER RESOLVED, that the City of Memphis encourages all residents to participate in activities and programs dedicated to water safety and drowning prevention, and to support initiatives aimed at educating the public about the importance of water safety measures.

Adopted: July 23, 2024

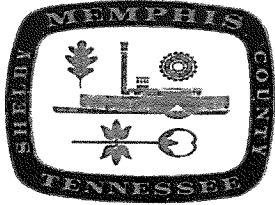


 RHONDA LOGAN
 Councilmember



 JB SMILEY, JR.
 Chairman

6004



Memphis City Council Summary Sheet

1. This resolution seeks the acceptance of grant funds from the state of Tennessee in the amount of 1,440,000.00 specifically for the In-Service Training Program for the training of 1800 commissioned officers.
2. The City of Memphis Division of Police Services requests the approval of grant project PD90284.
3. This resolution will not change an existing ordinance or resolution.
4. This resolution will not impact any council districts or super districts.
5. This resolution will not require a new contract or amendment to an existing contract.
6. This grant requires the expenditure of grant funds for payment to commissioned officers who completed In-Service training in the calendar year 2023 but will not require a budget amendment.

6604



RESOLUTION

WHEREAS, the City of Memphis Division of Police Services receives monies for In-Service Training for Commissioned Officers and

WHEREAS, the 1,800 Memphis Police Commissioned Officers have completed their In-Service Training at a unit price per Officer of \$800.00 for a total of \$1,440,000.00; and

WHEREAS, the Memphis Police Division must accept State monies for In-Service Training for Commissioned Officers and

WHEREAS, it is necessary to appropriate Special Revenue funding of One Million Four Hundred Forty Thousand Dollars (\$1,440,000.00) in the Fiscal Year 2024 Operating Budget for the Police In-Service Training as stated in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Special Revenue for the Police In-Service Training be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal year 2024 Operating Budget be and is hereby amended by appropriating the Revenues for the Special Revenue as follows:

REVENUES

In-Service Grant	\$1,440,000.00
Total Special Revenues	\$1,440,000.00

EXPENDITURES

Personnel	\$1,440,000.00
Total Expenditures	\$1,440,000.00

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding Contract No. 12480, Overhead Storage Tank Painting for Arlington Standpipe, Casper Creek, Cloverhaven, Gallagher, Palmer, and Redwood to G & L Tank Sandblasting and Coatings, LLC in the funded amount of \$2,344,410.00.

2. Additional Information

The project scope is to furnish all required supervision, labor, materials, transportation, equipment, chemicals, and tools necessary for the preparation and application of coating for six (6) potable water storage tanks for Memphis Light Gas and Water, including a limited number of metal repairs/additions for the following elevated water storage tanks: Arlington Standpipe, Casper Creek (Farris), Cloverhaven, Gallagher, Palmer, and Redwood (Rainey).

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of July 17, 2024 awarded Contract No. 12480, Overhead Storage Tank Painting for Arlington Standpipe, Casper Creek, Cloverhaven, Gallagher, Palmer, and Redwood to G & L Tank Sandblasting and Coatings, LLC in the funded amount of \$2,344,410.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to furnish all required supervision, labor, materials, transportation, equipment, chemicals, and tools necessary for the preparation and application of coating for six (6) potable water storage tanks for Memphis Light Gas and Water, including a limited number of metal repairs/additions for the following elevated water storage tanks: Arlington Standpipe, Casper Creek (Farris), Cloverhaven, Gallagher, Palmer, and Redwood (Rainey); and

WHEREAS, the Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on May 2, 2024. MLGW solicited 12 bids; of which, eight (8) firms attended the Mandatory Site Visit on May 9, 2024 and one (1) firm attended on May 17, 2024 respectively. MLGW received seven (7) bids on June 4, 2024; of which, three (3) bids were deemed non-responsive due to not meeting the State of Tennessee Contractor's license requirement for this project. The lowest and best bid was received from G & L Tank Sandblasting and Coatings, LLC in the amount of \$2,044,410.00. MLGW is also requesting the approval of contingency funds in the amount of \$300,000.00 for any unforeseen circumstances that may occur during construction. The total amount of this award is \$2,344,410.00. The term of this contract is three (3) years from the date of the Notice to Proceed. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12480, Overhead Storage Tank Painting for Arlington Standpipe, Casper Creek, Cloverhaven, Gallagher, Palmer, and Redwood to G & L Tank Sandblasting and Coatings, LLC in the funded amount of \$2,344,410.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
July 17, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12480, Overhead Storage Tank Painting for Arlington Standpipe, Casper Creek, Cloverhaven, Gallagher, Palmer, and Redwood to G & L Tank Sandblasting and Coatings, LLC in the funded amount of \$2,344,410.00.

The project scope is to furnish all required supervision, labor, materials, transportation, equipment, chemicals, and tools necessary for the preparation and application of coating for six (6) potable water storage tanks for Memphis Light Gas and Water, including a limited number of metal repairs/additions for the following elevated water storage tanks: Arlington Standpipe, Casper Creek (Farris), Cloverhaven, Gallagher, Palmer, and Redwood (Rainey).

The Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on May 2, 2024. MLGW solicited 12 bids; of which, eight (8) firms attended the Mandatory Site Visit on May 9, 2024 and one (1) firm attended on May 17, 2024 respectively. MLGW received seven (7) bids on June 4, 2024; of which, three (3) bids were deemed non-responsive due to not meeting the State of Tennessee Contractor's license requirement for this project. The lowest and best bid was received from G & L Tank Sandblasting and Coatings, LLC in the amount of \$2,044,410.00. MLGW is also requesting the approval of contingency funds in the amount of \$300,000.00 for any unforeseen circumstances that may occur during construction. The total amount of this award is \$2,344,410.00. The term of this contract is three (3) years from the date of the Notice to Proceed. This award complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12480, Overhead Storage Tank Painting for Arlington Standpipe, Casper Creek, Cloverhaven, Gallagher, Palmer, and Redwood to G & L Tank Sandblasting and Coatings, LLC in the funded amount of \$2,344,410.00, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Award.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - ~~special~~ meeting held on 17th day of July, 2024, at which a quorum was present.

SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving Change No. 2 to Contract No. 12240, Overhead Water Storage Tank Painting Inspections with Mid-South Tank Consultants to change the scope, extend the term and increase the current contract value in the funded not-to-exceed amount of \$511,300.00.

2. Additional Information

The project scope is to furnish supervision, labor, transportation, tools, materials, and equipment to inspect various MLGW overhead water storage tanks on an as-needed basis due to tanks being painted, tank wash-outs, or planned/emergency maintenance repairs in establishing a standard for inspecting water tank painting, interior and exterior coating repairs, interior coating wash-outs as well as provide a one (1) year inspection after a tank has been painted. The contract award was based on the lowest and best bid using the Sealed Bid process.

This change is to change the scope of the contract to include the following:

Addition of inspection services for the following six (6) overhead water storage tanks which will be painted in 2024 through 2026: 1) Arlington Sandpipe; 2) Casper Creek; 3) Cloverhaven; 4) Gallagher; 5) Palmer; and 6) Redwood (Rainey) in the amount of \$422,500.00;

Inspections and washouts of tanks for six (6) one-year anniversary inspections and three (3) regulatory inspections and washouts in the amount of \$30,300.00; and

MLGW is requesting contingency funds in the amount of \$58,500.00 for any unforeseen miscellaneous tank inspection services that may occur. The total funded amount for this change is not-to-exceed \$511,300.00. This change is also to extend the contract term for an additional year covering the period September 20, 2026 through September 19, 2027 to allow for the one (1) year anniversary inspections for tanks, which will be painted in 2026. The new contract value is \$1,025,700.00.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of July 17, 2024 approved Change No. 2 to Contract No. 12240, Overhead Water Storage Tank Painting Inspections with Mid-South Tank Consultants to change the scope, extend the term and increase the current contract value in the funded not-to-exceed amount of \$511,300.00, and is now recommending to the Council of the City of Memphis that it approves said change and extension as approved; and

WHEREAS, the project scope is to furnish supervision, labor, transportation, tools, materials, and equipment to inspect various MLGW overhead water storage tanks on an as-needed basis due to tanks being painted, tank wash-outs, or planned/emergency maintenance repairs in establishing a standard for inspecting water tank painting, interior and exterior coating repairs, interior coating wash-outs as well as provide a one (1) year inspection after a tank has been painted. The contract award was based on the lowest and best bid using the Sealed Bid process; and

WHEREAS, this change is to change the scope of the contract to include the following:

- Addition of inspection services for the following six (6) overhead water storage tanks which will be painted in 2024 through 2026: 1) Arlington Sandpipe; 2) Casper Creek; 3) Cloverhaven; 4) Gallagher; 5) Palmer; and 6) Redwood (Rainey) in the amount of \$422,500.00;
- Inspections and washouts of tanks for six (6) one-year anniversary inspections and three (3) regulatory inspections and washouts in the amount of \$30,300.00; and

MLGW is requesting contingency funds in the amount of \$58,500.00 for any unforeseen miscellaneous tank inspection services that may occur. The total funded amount for this change is not-to-exceed \$511,300.00. This change is also to extend the contract term for an additional year covering the period September 20, 2026 through September 19, 2027 to allow for the one (1) year anniversary inspections for

tanks, which will be painted in 2026. This change and extension complies with all applicable laws and policies. The new contract value is \$1,025,700.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 2 to Contract No. 12240, Overhead Water Storage Tank Painting Inspections with Mid-South Tank Consultants to change the scope, extend the term and increase the current contract value in the funded not-to-exceed amount of \$511,300.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
July 17, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 2 to Contract No. 12240, Overhead Water Storage Tank Painting Inspections with Mid-South Tank Consultants to change the scope, extend the term and increase the current contract value in the funded not-to-exceed amount of \$511,300.00.

The project scope is to furnish supervision, labor, transportation, tools, materials, and equipment to inspect various MLGW overhead water storage tanks on an as-needed basis due to tanks being painted, tank wash-outs, or planned/emergency maintenance repairs in establishing a standard for inspecting water tank painting, interior and exterior coating repairs, interior coating wash-outs as well as provide a one (1) year inspection after a tank has been painted. The contract award was based on the lowest and best bid using the Sealed Bid process.

This change is to change the scope of the contract to include the following:

- Addition of inspection services for the following six (6) overhead water storage tanks which will be painted in 2024 through 2026: 1) Arlington Sandpipe; 2) Casper Creek; 3) Cloverhaven; 4) Gallagher; 5) Palmer; and 6) Redwood (Rainey) in the amount of \$422,500.00;
- Inspections and washouts of tanks for six (6) one-year anniversary inspections and three (3) regulatory inspections and washouts in the amount of \$30,300.00; and

MLGW is requesting contingency funds in the amount of \$58,500.00 for any unforeseen miscellaneous tank inspection services that may occur. The total funded amount for this change is not-to-exceed \$511,300.00. This change is also to extend the contract term for an additional year covering the period September 20, 2026 through September 19, 2027 to allow for the one (1) year anniversary inspections for tanks, which will be painted in 2026. This change and extension complies with all applicable laws and policies. The new contract value is \$1,025,700.00.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 2 to Contract No. 12240, Overhead Water Storage Tank Painting Inspections with Mid-South Tank Consultants to change the scope, extend the term and increase the current contract value in the funded not-to-exceed amount of \$511,300.00, as outlined in the above preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Extension and Change.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 17th day of July, 2024 at which a quorum was present.

SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving Change No. 2 to Contract No. 12518 (formerly Contract No. C2499), Trend Micro Site Bundle with Unistar-Sparco Computers, Inc. to renew the contract in the funded amount of \$312,561.00.

2. Additional Information

The project scope is to provide license and support for MLGW's Trend Micro Site Bundle. The term consists of provisions for annual software license, maintenance and support services. The bundle consists of the following components and its related software: ServerProtect, Deep Security Enterprise and Apexon Apex central full feature for Windows and Mac. Trend Micro provides MLGW with important enterprise security software for servers, desktops/laptops, containers, cloud computing environments, networks, and endpoints. Trend Micro protects devices from viruses, malware, ransomware, spyware, identity theft, and dangerous websites. The Trend Micro's functionality is to provide anti-virus and cybersecurity protection for MLGW's entire infrastructure and computing environment. The contract award was selected based on the lowest and best bid received using the Sealed Bid process.

This change is to renew the current contract for annual Trend Micro Site Bundle software license, maintenance and support services for three (3) years covering the period of September 30, 2024 through September 29, 2027 in the amount of \$312,561.00. This renewal reflects a negotiated 8.13% increase in rates for a three (3) year renewal instead of a one (1) year renewal increase of 33.08% from the previous term due to increased infrastructure costs that is consistent with the US Bureau of Labor Statistics and the Consumer Price Index (CPI). The new contract value is \$499,247.69.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of July 17, 2024 approved Change No. 2 to Contract No. 12518 (*formerly Contract No. C2499*), Trend Micro Site Bundle with Unistar-Sparco Computers, Inc. to renew the contract in the funded amount of \$312,561.00, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to provide license and support for MLGW's Trend Micro Site Bundle. The term consists of provisions for annual software license, maintenance and support services. The bundle consists of the following components and its related software: ServerProtect, Deep Security Enterprise and Apexon Apex central full feature for Windows and Mac. Trend Micro provides MLGW with important enterprise security software for servers, desktops/laptops, containers, cloud computing environments, networks, and endpoints. Trend Micro protects devices from viruses, malware, ransomware, spyware, identity theft, and dangerous websites. The Trend Micro's functionality is to provide anti-virus and cybersecurity protection for MLGW's entire infrastructure and computing environment. The contract award was selected based on the lowest and best bid received using the Sealed Bid process; and

WHEREAS, this change is to renew the current contract for annual Trend Micro Site Bundle software license, maintenance and support services for three (3) years covering the period of September 30, 2024 through September 29, 2027 in the amount of \$312,561.00. This renewal reflects a negotiated 8.13% increase in rates for a three (3) year renewal instead of a one (1) year renewal increase of 33.08% from the previous term due to increased infrastructure costs that is consistent with the US Bureau of Labor Statistics and the Consumer Price Index (CPI). This renewal complies with all applicable laws and policies. The new contract value is \$499,247.69; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 2 to Contract No. 12518 (*formerly Contract No. C2499*), Trend Micro Site Bundle with Unistar-Sparco Computers, Inc. to renew the contract in the funded amount of \$312,561.00.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
July 17, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 2 to Contract No. 12518 (*formerly Contract No. C2499*), Trend Micro Site Bundle with Unistar-Sparco Computers, Inc. to renew the contract in the funded amount of \$312,561.00.

The project scope is to provide license and support for MLGW's Trend Micro Site Bundle. The term consists of provisions for annual software license, maintenance and support services. The bundle consists of the following components and its related software: ServerProtect, Deep Security Enterprise and Apexon Apex central full feature for Windows and Mac. Trend Micro provides MLGW with important enterprise security software for servers, desktops/laptops, containers, cloud computing environments, networks, and endpoints. Trend Micro protects devices from viruses, malware, ransomware, spyware, identity theft, and dangerous websites. The Trend Micro's functionality is to provide anti-virus and cybersecurity protection for MLGW's entire infrastructure and computing environment. The contract award was selected based on the lowest and best bid received using the Sealed Bid process.

This change is to renew the current contract for annual Trend Micro Site Bundle software license, maintenance and support services for three (3) years covering the period of September 30, 2024 through September 29, 2027 in the amount of \$312,561.00. This renewal reflects a negotiated 8.13% increase in rates for a three (3) year renewal instead of a one (1) year renewal increase of 33.08% from the previous term due to increased infrastructure costs that is consistent with the US Bureau of Labor Statistics and the Consumer Price Index (CPI). This renewal complies with all applicable laws and policies. The new contract value is \$499,247.69.

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 2 to Contract No. 12518 (*formerly Contract No. C2499*), Trend Micro Site Bundle with Unistar-Sparco Computers, Inc. to renew the contract in the funded amount of \$312,561.00, as outlined in the above preamble, is approved; and further

THAT, the President or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 17th day of July, 2024, at which a quorum was present.

SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding Contract No. 12522 (formerly Contract No. C2728), Solarwinds' Enterprise Hybrid Cloud Observability (HCO) and Supporting Modules to Insight Public Sector, Inc. in the funded amount of \$150,303.24.

2. Additional Information

The project scope is to provide license renewals for Solarwinds' Enterprise Hybrid Cloud Observability (HCO) and Supporting Modules. SolarWinds Enterprise Hybrid Cloud Observability (HCO) is software deployed in MLGW's Datacenter environment that helps MLGW to manage the network, servers, and our entire Information Technology Infrastructure. This software is utilized to quickly detect, diagnose, and resolve network/server performance problems and outages. It provides the Enterprise Server and Storage (ESS) and the Network Teams with unified monitoring, observability, and service management in one platform. Some features that the software allows include Network Performance Monitoring, Server and Application Monitoring, System/Network Availability, IP Address Management, Log Analysis, VOIP (Voice Over IP) and Network Management, Application and System Alerting, and Virtualization Management.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of July 17, 2024 awarded Contract No. 12522 (*formerly Contract No. C2728*), Solarwinds' Enterprise Hybrid Cloud Observability (HCO) and Supporting Modules to Insight Public Sector, Inc. in the funded amount of \$150,303.24, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to provide license renewals for Solarwinds' Enterprise Hybrid Cloud Observability (HCO) and Supporting Modules. SolarWinds Enterprise Hybrid Cloud Observability (HCO) is software deployed in MLGW's Datacenter environment that helps MLGW to manage the network, servers, and our entire Information Technology Infrastructure. This software is utilized to quickly detect, diagnose, and resolve network/server performance problems and outages. It provides the Enterprise Server and Storage (ESS) and the Network Teams with unified monitoring, observability, and service management in one platform. Some features that the software allows include Network Performance Monitoring, Server and Application Monitoring, System/Network Availability, IP Address Management, Log Analysis, VOIP (Voice Over IP) and Network Management, Application and System Alerting, and Virtualization Management; and

WHEREAS, the Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on April 12, 2024. MLGW solicited six (6) bidders and received three (3) bids on May 1, 2024; of which, one (1) bid was deemed non-responsive due to the proposal not meeting the mandatory submittal deadline. The lowest and best bid received was from Insight Public Sector, Inc. in the amount of \$150,303.24. The term of this contract is one (1) year from the date of the Notice to Proceed with the option of four (4) annual renewal terms. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12522 (*formerly Contract No. C2728*), Solarwinds' Enterprise Hybrid Cloud Observability (HCO) and Supporting Modules to Insight Public Sector, Inc. in the funded amount of \$150,303.24 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
July 17, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12522 (*formerly Contract No. C2728*), Solarwinds' Enterprise Hybrid Cloud Observability (HCO) and Supporting Modules to Insight Public Sector, Inc. in the funded amount of \$150,303.24.

The project scope is to provide license renewals for Solarwinds' Enterprise Hybrid Cloud Observability (HCO) and Supporting Modules. SolarWinds Enterprise Hybrid Cloud Observability (HCO) is software deployed in MLGW's Datacenter environment that helps MLGW to manage the network, servers, and our entire Information Technology Infrastructure. This software is utilized to quickly detect, diagnose, and resolve network/server performance problems and outages. It provides the Enterprise Server and Storage (ESS) and the Network Teams with unified monitoring, observability, and service management in one platform. Some features that the software allows include Network Performance Monitoring, Server and Application Monitoring, System/Network Availability, IP Address Management, Log Analysis, VOIP (Voice Over IP) and Network Management, Application and System Alerting, and Virtualization Management.

The Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on April 12, 2024. MLGW solicited six (6) bidders and received three (3) bids on May 1, 2024; of which, one (1) bid was deemed non-responsive due to the proposal not meeting the mandatory submittal deadline. The lowest and best bid received was from Insight Public Sector, Inc. in the amount of \$150,303.24. The term of this contract is one (1) year from the date of the Notice to Proceed with the option of four (4) annual renewal terms. This award complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12522 (*formerly Contract No. C2728*), Solarwinds' Enterprise Hybrid Cloud Observability (HCO) and Supporting Modules to Insight Public Sector, Inc. in the funded amount of \$150,303.24, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Award.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 17th day of July, 2021, at which a quorum was present.

SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution ratifying the award of Contract No. 12521 (formerly Contract No. C2707), Serena Business Manager Maintenance to Visionary Integration Professionals, LLC in the funded amount of \$231,245.73.

2. Additional Information

The project scope is to provide a 36-month agreement to purchase maintenance support for Serena Business Manager. Serena Business Manager is a process management and workflow platform used to process and issue change requests, business processes and product development.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of July 17, 2024 ratified the award of Contract No. 12521 (*formerly Contract No. C2707*), Serena Business Manager Maintenance to Visionary Integration Professionals, LLC in the funded amount of \$231,245.73, and is now recommending to the Council of the City of Memphis that it approves said ratification of the award as approved; and

WHEREAS, the project scope is to provide a 36-month agreement to purchase maintenance support for Serena Business Manager. Serena Business Manager is a process management and workflow platform used to process and issue change requests, business processes and product development; and

WHEREAS, the Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on February 23, 2024. MLGW solicited 10 bidders and received three (3) bids on March 12, 2024; of which, one (1) bid was deemed non-responsive as the proposal did not fully conform to the mandatory submittal requirements. The lowest and best bid was received from Visionary Integration Professionals, LLC in the amount of \$216,117.50. MLGW is also requesting contingency funds in the amount of \$15,128.23 for future products and/or upgrades. The total amount of this award is \$231,245.73. The contract was executed on June 26, 2024 with a term of 36 months from the date of the Notice to Proceed. The term covers the period of June 27, 2024 through June 26, 2027. This ratification of the award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved the ratification of the award of Contract No. 12521 (*formerly Contract No. C2707*), Serena Business Manager Maintenance to Visionary Integration Professionals, LLC in the funded amount of \$231,245.73 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
July 17, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it ratify the award of Contract No. 12521 (*formerly Contract No. C2707*), Serena Business Manager Maintenance to Visionary Integration Professionals, LLC in the funded amount of \$231,245.73.

The project scope is to provide a 36-month agreement to purchase maintenance support for Serena Business Manager. Serena Business Manager is a process management and workflow platform used to process and issue change requests, business processes and product development.

The Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on February 23, 2024. MLGW solicited 10 bidders and received three (3) bids on March 12, 2024; of which, one (1) bid was deemed non-responsive as the proposal did not fully conform to the mandatory submittal requirements. The lowest and best bid was received from Visionary Integration Professionals, LLC in the amount of \$216,117.50. MLGW is also requesting contingency funds in the amount of \$15,128.23 for future products and/or upgrades. The total amount of this award is \$231,245.73. The contract was executed on June 26, 2024 with a term of 36 months from the date of the Notice to Proceed. The term covers the period of June 27, 2024 through June 26, 2027. This ratification of the award complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the ratification of award of Contract No. 12521 (*formerly Contract No. C2707*), Serena Business Manager Maintenance to Visionary Integration Professionals, LLC in the funded amount of \$231,245.73, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Ratification of Award.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - ~~special~~ meeting held on 17th day of July, 2024, at which a quorum was present.

SVP, CFO & CAO Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving an annual salary in the amount of \$171,000.00 for a candidate for the position of Director of Safety.

2. Additional Information

The President and CEO and Chief People Officer recommended to the Board of Light, Gas and Water Commissioners an annual salary in the amount of \$171,000.00 for a candidate for the position of Director of Safety.

RESOLUTION

WHEREAS, MLGW desires to hire a candidate to fill the vacant position of Director of Safety; and

WHEREAS, the Board of Memphis Light, Gas & Water Commissioners at their meeting of July 17, 2024, approved an annual salary in the amount of \$171,000.00 for the Director of Safety; and

WHEREAS, Memphis City Substitute Ordinance No. 5897 provides that the salary of executive management employees or other employees over \$120,000.00 be approved by the City Council in advance of employment.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that the above identified salary is hereby approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
July 17, 2024

WHEREAS, MLGW desires to hire a candidate to fill the vacant position of Director of Safety; and

WHEREAS, the President & CEO and Chief People Officer recommend to the Board of Memphis Light, Gas & Water Commissioners an annual salary in the amount of \$171,000.00 for a candidate for the position of Director of Safety.

NOW THEREFORE BE IT RESOLVED by the Board of Memphis Light, Gas & Water Commissioners:

THAT, subject to the consent and approval of the City Council of the City of Memphis, the annual salary for the Director of Safety in the amount of \$171,000.00 is hereby approved.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 17th day of July 2024 at which a quorum was present.

SVP, CFO & CAO Secretary - Treasurer

Resolution Summary

1. Description of the Item

Resolution awarding Contract No. 12484, Water Filter System Upgrades to Grinder, Taber & Grinder, Inc. in the funded amount of \$44,599,588.63.

2. Additional Information

The project scope is to remove all the existing filter media, surface wash equipment, clay underdrains and wash water troughs, and install new underdrains, wash water troughs, air scour system and filter media at five (5) MLGW water pumping stations: 1) Mallory; 2) Davis; 3) Morton; 4) McCord; and 5) Shaw. MLGW is eligible to be reimbursed \$31,000,000 of the cost from the American Rescue Plan (ARP). The term of this contract is 24 months from the date of the Notice to Proceed.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of June 19, 2024 awarded Contract No. 12484, Water Filter System Upgrades to Grinder, Taber & Grinder, Inc. in the funded amount of \$44,599,588.63, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, project scope is to remove all the existing filter media, surface wash equipment, clay underdrains and wash water troughs, and install new underdrains, wash water troughs, air scour system and filter media at five (5) MLGW water pumping stations: 1) Mallory; 2) Davis; 3) Morton; 4) McCord; and 5) Shaw; and

WHEREAS, the Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on April 3, 2024. MLGW solicited 10 bids; of which, four (4) firms attended the Mandatory Site Visits on April 12, 2024 and April 16, 2024. Bidders were required to submit pricing for the following two (2) options: 1) Bid Amount Base A-Plastic Block Underdrain and 2) Bid Amount Base B-Stainless Steel Underdrain; and

MLGW received one (1) bid on May 14, 2024 from Grinder, Taber & Grinder, Inc:

- Base A Bid Amount: \$40,460,247.77; and
- Base B Bid Amount and the alternative bid two (2) in the amounts of \$42,437,514.63 and \$37,074.00 respectively; and

WHEREAS, MLGW has selected Base B in the amount of \$42,474,588.63 in addition to contingency funds in the amount of \$2,125,000.00 for any unforeseen circumstances that may occur during the construction process. Based on the MLGW's Engineering Consultant's opinion of probable cost (OPCC), the Contractor's bid is lower than the estimated cost. Therefore, MLGW chose not to negotiate the bid cost and deemed the bid to be a fair market price. The total amount of this award is

\$44,599,588.63. MLGW is eligible to be reimbursed for \$31,000,000.00 from the American Rescue Plan (ARP) grant. The term of this contract is 24 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12484, Water Filter System Upgrades to Grinder, Taber & Grinder, Inc. in the funded amount of \$44,599,588.63 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
June 19, 2024

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12484, Water Filter System Upgrades to Grinder, Taber & Grinder, Inc. in the funded amount of \$44,599,588.63.

The project scope is to remove all the existing filter media, surface wash equipment, clay underdrains and wash water troughs, and install new underdrains, wash water troughs, air scour system and filter media at five (5) MLGW water pumping stations: 1) Mallory; 2) Davis; 3) Morton; 4) McCord; and 5) Shaw.

The Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on April 3, 2024. MLGW solicited 10 bids; of which, four (4) firms attended the Mandatory Site Visits on April 12, 2024 and April 16, 2024. Bidders were required to submit pricing for the following two (2) options: 1) Bid Amount Base A-Plastic Block Underdrain and 2) Bid Amount Base B-Stainless Steel Underdrain.

MLGW received one (1) bid on May 14, 2024 from Grinder, Taber & Grinder, Inc:

- Base A Bid Amount: \$40,460,247.77; and
- Base B Bid Amount and the alternative bid two (2) in the amounts of \$42,437,514.63 and \$37,074.00 respectively.

MLGW has selected Base B in the amount of \$42,474,588.63 in addition to contingency funds in the amount of \$2,125,000.00 for any unforeseen circumstances that may occur during the construction process. Based on the MLGW's Engineering Consultant's opinion of probable cost (OPCC), the Contractor's bid is lower than the estimated cost. Therefore, MLGW chose not to negotiate the bid cost and deemed the bid to be a fair market price. The total amount of this award is \$44,599,588.63. MLGW is eligible to be reimbursed for \$31,000,000.00 from the American Rescue Plan (ARP) grant.

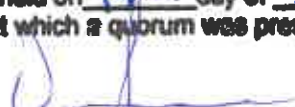
this contract is 24 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12484, Water Filter System Upgrades to Grinder, Taber & Grinder, Inc. in the funded amount of \$44,599,588.63, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Award.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a ~~regular~~ - special meeting held on 19th day of June, 2024, at which a quorum was present.



SVP, CFO & CAO Secretary - Treasurer

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND RESTATE REFERENDUM ORDINANCE NO. 5877 THAT PROPOSED AN AMENDMENT TO THE CHARTER OF THE CITY OF MEMPHIS, PURSUANT TO ARTICLE XI, § 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT), SO AS TO PROVIDE PROVISIONS FOR THE REGULATION OF DEADLY WEAPONS

WHEREAS, Referendum Ordinance No. 5877 was approved by the Memphis City Council on July 11, 2023, to be published and submitted by the City of Memphis to its qualified voters during the general election on August 1, 2024; and

WHEREAS, it is the intent of the Council to amend and restate Referendum Ordinance No. 5877 to be published and submitted by the City of Memphis to its qualified voters during the state general election on November 5, 2024; 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 regulating deadly weapons in the City of Memphis.

Section 1. Proposed Amendment Authorized.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, That Referendum Ordinance No. 5877, passed pursuant to Article XI, Section 9 of the Constitution of the State of Tennessee, as amended, to submit a proposal for amending the Charter of the City, is hereby amended and restated 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, and as so amended and restated 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 separate and independent questions to be placed on the ballot for a referendum vote to amend the 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(s) shall read as follows:

QUESTION NO. 1:

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

1. No person shall be allowed to carry a handgun in the City of Memphis without possessing a valid handgun carry permit.
2. No person shall be allowed to carry, store, or travel with a handgun in a vehicle in the City of Memphis without possessing a valid handgun permit.
3. It shall be unlawful for a person to store a firearm, whether loaded or unloaded, or firearm ammunition, in a motor vehicle or boat while the person is not in the motor vehicle or boat unless the firearm or firearm ammunition is kept from ordinary observation and locked within the trunk, utility or glove box, or a locked container securely affixed to the motor vehicle or boat.

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) _____

QUESTION NO. 2:

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

1. The citizens of Memphis hereby find and declare that the proliferation and use of assault weapons pose a threat to the health, safety, and security of all citizens of Memphis.
2. Hereafter, it shall be unlawful and prohibited for a person to possess or carry, openly or concealed, any assault rifles in the City of Memphis. Persons with valid handgun permits are exempt from this restriction when possessing or carrying an assault rifle on their privately owned property or at a shooting range.
3. Hereafter, the commercial sale of assault rifles within the City of Memphis is unlawful and is hereby prohibited.
4. The provisions of this Chapter shall not apply to the commercial sale of assault rifles to:

- 4.1 Any federal, state, local law enforcement agency;
- 4.2 The United States Armed Forces or department or agency of the United States;
- 4.3 Tennessee National Guard, or a department, agency, or political subdivision of a state; or
- 4.4 A Law Enforcement Officer.

5. Pre-existing owners that can demonstrate that the commercial sale of an assault rifle was completed prior to the Effective Date of January 1, 2025, which means that prior to January 1, 2025, the purchaser completed an application, passed a background check, and has a receipt or purchase order for said purchase, without regard to whether the purchaser has actual physical possession of the Assault Rifle, shall be considered a pre-existing purchaser.

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) _____

QUESTION NO. 3:

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

Section 1. EXTREME RISK PROTECTION ORDERS

A. Definitions

1. “Petitioner” means:

- (A) A law enforcement officer or agency, including an attorney for the state;
- (B) A member of the family of the respondent, which shall be understood to mean a parent, spouse, child, or sibling of the respondent;
- (C) A member of the household of the respondent;
- (D) A dating or intimate partner of the respondent;
- (E) A health care provider who has provided health services to the respondent;
- (F) An official of a school or school system in which the respondent is enrolled or has been enrolled within the preceding month;

2. “Respondent” means the person against whom an order under Section 2 or 3 has been sought or granted.

B. Types of Orders

1. The petitioner may apply for an emergency ex parte order as provided in Section 2 or an order following a hearing as provided in Section 3.

Section 2. EMERGENCY EX PARTE ORDER

(a) Basis for Order. The court shall issue an emergency ex parte extreme risk protection order upon submission of an application by a petitioner, supported by an affidavit or sworn oral statement of the petitioner or other witness, that provides specific facts establishing probable cause that the respondent's possession or receipt of a firearm will pose a significant danger or extreme risk of personal injury or death to the respondent or another person. The court shall take up and decide such an application on the day it is submitted, or if review and decision of the application on the same day is not feasible, then as quickly as possible but in no case later than forty-eight hours.

(b) Content of Order. An order issued under this section shall,

(1) prohibit the respondent from possessing, using, purchasing, manufacturing, or otherwise receiving a firearm;

(2) order the respondent to provisionally surrender any firearms in his or her possession or control, and any license or permit allowing the respondent to possess or acquire a firearm, to any law enforcement officer presenting the order or to a law enforcement agency as directed by the officer or the order; and

(3) inform the respondent of the time and place of the hearing under Section 3 to determine whether he or she will be subject to a continuing prohibition on possessing and acquiring firearms.

(c) Search and Seizure.

(1) If the application and its supporting affidavit or statement establish probable cause that the respondent has access to a firearm, on his or her person or in an identified place, the court shall concurrently issue a warrant authorizing a law enforcement agency to search the person of the respondent and any such place for firearms and to seize any firearm therein to which the respondent would have access.

(2) The court may subsequently issue additional search warrants of this nature based on probable cause that the respondent has retained, acquired, or gained access to firearm while an order under this section remains in effect.

(3) If the owner of a firearm seized pursuant to this subsection is a person other than the respondent, the owner may secure the return of the firearm as provided in Section 3(c)(3).

(d) Time for Service and Searches. The responsible law enforcement agency shall serve the order on the respondent and carry out any search authorized under subsection (c)(1), promptly following issuance of the order. If a search is authorized under subsection (c)(1), the agency may serve the order on the respondent concurrently with or after the execution of the search.

SEC. 3. ORDER AFTER HEARING

(a) Order After Hearing. Upon application for an extreme risk protection order, supported by an affidavit or sworn oral statement of the petitioner or other witness that provides specific facts giving rise to the concern about the significant danger or extreme risk described in Section 2, the court may issue an order under this section, which shall be effective for a period of one (1) year after a hearing. An order issued under this section shall,

(1) prohibit the respondent from possessing, using, purchasing, or otherwise receiving a firearm; and

(2) order the respondent to surrender any firearm in his or her possession or control, and any license or permit allowing the respondent to possess or acquire a firearm, to any law enforcement officer presenting the order or to a law enforcement agency as directed by the officer or the order.

(b) Basis for order. The court shall issue such an order based on a preponderance of the evidence that the respondent's possession or receipt of a firearm will pose a significant danger or extreme risk of personal injury or death to the respondent or another person. In determining the satisfaction of this requirement, the court shall consider all relevant facts and circumstances after reviewing the petitioner's application and conducting the hearing described in Section 2(d). The court may order a psychological evaluation of the respondent, including voluntary or involuntary commitment of the respondent for purposes of such an evaluation, to the extent authorized by other law.

(c) Search and Seizure.

(1) If the evidence presented at the hearing establishes probable cause that the respondent has access to a firearm, on his or her person or in an identified place, the court shall concurrently issue a warrant authorizing a law enforcement agency to search the person of the respondent and any such place for firearms and to seize any firearm therein to which the respondent would have access.

(2) The court may subsequently issue additional search warrants of this nature based on probable cause that the respondent has retained, acquired, or gained access to a firearm while an order under this section remains in effect.

(3) If the owner of a firearm seized pursuant to this subsection is a person other than the respondent, the owner may secure the prompt return of the firearm by providing an affidavit to the law enforcement agency affirming his or her ownership of the firearm and providing assurance that he or she will safeguard the firearm against access by the respondent. The law enforcement agency shall return the firearm to the owner upon its confirmation, including by a check of the National Instant Criminal Background Check System and the applicable state firearm background check system, that the owner is not legally disqualified from possessing or receiving the firearm.

(d) Time for Hearings and Service.

(1) A hearing under this section shall be held within three (3) days of the filing of the application, or within one (1) day of the issuance of an emergency ex parte order under Section 2, if such an order is issued. The responsible law enforcement agency shall serve notice of the hearing on the respondent promptly after the filing of the application or issuance of an emergency ex parte order, but notice may be provided by publication or mailing if the respondent cannot be personally served within the specified period. The respondent shall be entitled to one continuance of up to two (2) days on request, and the court may thereafter grant an additional continuance or continuances for good cause. Any emergency ex parte order under Section 2 shall remain in effect until the hearing is held. The court may temporarily extend the emergency order at the hearing, pending a decision on a final order.

(2) The responsible law enforcement agency shall serve an order issued under this section on the respondent and carry out any search authorized under subsection (c)(1), promptly following issuance of the order. If a search is authorized under subsection (c)(1), the agency may serve the order on the respondent concurrently with or after the execution of the search.

(e) Termination and Renewal of Orders.

(1) A respondent may file a motion to terminate an order under Section 3 one time during the effective period of that order. The respondent shall have the burden of proving, by the same standard of proof required for issuance of such an order, that he or she does not pose a significant danger or extreme risk of personal injury or death to himself or herself or another.

(2) The petitioner may seek renewals of an order under this section for an additional six (6) months at any time preceding its expiration. Renewals after the initial order shall be granted subject to the same standards and requirements as an initial order. The preceding order shall remain in effect until the renewal hearing is held and the court grants or denies a renewed order.

(3) If the respondent fails to appear at, or cannot be personally served in relation to, any hearing or renewal hearing under this section, the default does not affect the court's authority to issue an order or entitle the respondent to challenge the order prior to its expiration. The order will lapse after one (1) year if no eligible petitioner seeks its renewal.

SEC. 4. ENTRY INTO BACKGROUND CHECK SYSTEMS

The court shall forward any order issued under Section 2 or 3 to an appropriate law enforcement agency on the day it is issued. Upon receipt of an order under Section 3, the law enforcement agency shall make the order available to the National Instant Criminal Background Check System and any state system used to identify persons who are prohibited from possessing firearms.

SEC. 5. VIOLATIONS

The following persons shall be in violation of the City Code of Ordinances:

(1) **FILER OF FALSE OR HARASSING APPLICATION.** – Any person filing an application under Section 2 or 3 containing information that he or she knows to be materially false, or for the purpose of harassing the respondent.

(2) **RESPONDENT NOT COMPLYING WITH ORDER.** – Any person who knowingly violates an order under Section 2 or 3, including by possessing or acquiring a firearm in violation of the order or failing to surrender a firearm as required by the order.

(3) **PROVIDER OF PROHIBITED ACCESS TO RESPONDENT.** – Any person who knowingly provides the subject of an order under Section 2 or 3 access to a firearm, in violation of an assurance the person has provided in an affidavit under Section 2(c)(3) or 3(c)(3) that he or she will safeguard the firearm against access by the respondent.

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 Amendments Amended and Restated.

BE IT FURTHER ORDAINED, That any referendum question proposed by this Ordinance shall take effect for the purposes set forth herein on January 1, 2025, if any of such questions is approved 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 questions to the Comptroller of the City of Memphis, who shall see that said result is made a part of the Minutes of the Council of the City of Memphis.

Section 7. Nonconflicting – Conflicting Laws.

BE IT FURTHER ORDAINED, That 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 8. Severability.

BE IT FURTHER ORDAINED, that if any clause, section, paragraph, sentence or part of this Ordinance shall be held or declared to be unconstitutional and void, it shall not 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 9. 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 10. 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.

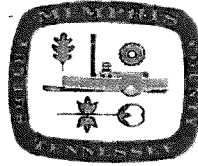
SPONSORS

Jeff Warren

CHAIRMAN

JB Smiley, Jr.

T-294



Memphis City Council Summary Sheet

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

Resolution approving a Use Agreement between the City of Memphis through its Division of Parks and Miracle League of Memphis to fund raise and project manage construction of accessible ballfield at Tobey Park

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

Parks Division

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

N/A

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

District 5, Super District 9

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

Requires new contract

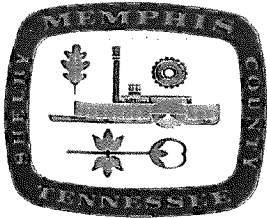
6. State whether this requires an expenditure of funds/requires a budget amendment

Will not require increase from existing budget; partner agency to fund raise for project

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

N/A

T-294



Resolution approving a Use Agreement between the City of Memphis through its Division of Parks and Miracle League of Memphis to allow for fundraising and project management of construction of accessible ballfield at Tobey Park.

WHEREAS, the City, through its Division of Parks, owns and operates Tobey Park, including greenspace, dog park, skate park, and ballfields; and,

WHEREAS, Everybody Plays is a 501(c)(3) non-profit doing business as Miracle League of Memphis (the "Miracle League") whose mission is One Field. One Playground. Everybody Plays and,

WHEREAS, certain funders and supporters of Miracle League, and the City desire to transform and make improvements to Tobey Park Field #1; and

WHEREAS, Miracle League has agreed to fund raise and provide the cost of said renovation; and,

WHEREAS, Miracle League has agreed to management of the renovation project and to serve as a coordinator between the funders, architects, and Memphis Parks staff; and

WHEREAS, the City and Miracle League desire to memorialize their agreements herein.

NOW THEREFORE, for and in consideration of the premises herein, the receipt and sufficiency of which are hereby acknowledged, the undersigned agree as follows:

WHEREAS, the City of Memphis desires to enter a Use Agreement with Miracle League for the project management and subsequent non-exclusive use of built amenities with a term of 5 years with an option to extend for two (2) additional five (5) -year periods, subject to mutual agreement of the parties, evidenced in writing.

WHEREAS, City of Memphis Ordinance No. 4763, Article 1, Section 23-1(d) requires the Council of the City of Memphis to approve all management and use agreements for Parks facilities; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that this Use Agreement between the City of Memphis and Miracle League, as agreed to by the parties, is hereby approved in accordance with the terms set forth therein outlining committed operational and other stipulated criteria as to both parties in the approved agreement.

T-294



PAULA A. YOUNG
MAYOR

MEMPHIS PARKS
NICK WALKER

FROM: Nick Walker, Director, Memphis Parks
DATE: 6/20/24
SUBJECT: Miracle League Use Agreement

1. Statement of Opportunity

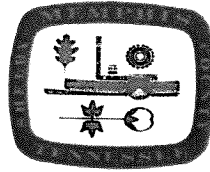
Since 2020, Memphis Parks has been engaged with a local nonprofit Everybody Plays- Miracle League of Memphis. This group has a mission of bringing a fully accessible ballfield to Memphis. Memphis Parks worked with Miracle League to identify Tobey Park as the best fit location for this amenity. Miracle League has spent three years actively fundraising for this project and is now ready to begin construction. At this time, zero funds are required by the City.

Due to Miracle League's position as the lead funder and overall project manager, it is necessary that Memphis Parks enter an agreement with Miracle League to manage this construction project under the supervision of Memphis Parks.

2. Executive Summary of Agreement Terms

- Use Agreement- covering both construction management period and non-exclusive use following completion of construction
- Term Length - 5 year agreement with 2 options to extend 5 years
- Miracle League funds and manages construction with approval of every step by Memphis Parks
- City maintains ownership and all operations
- Upon completion of construction, Miracle League will not be charged permit fees for programs which are hosted by Miracle League; Memphis Parks will permit field to all other users and retain all revenue
- Current construction timeline completes in Spring 2025

P002



Memphis City Council Summary Sheet

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

Resolution is an additional funds request for an existing three year contract to transfer and appropriate additional construction funds for Storm Water CIPP 2022, project number ST03222. This is for the third year.

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

Public Works

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

This resolution does not change any existing ordinance or resolution.

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

The project is a work order based contract for installation of CIPP at various locations throughout the City.

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

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

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

Yes, this requires an expenditure of funds.

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

The MBE goal is 4% and the WBE goal is 1%. The MBE goal will be met by Southland Enterprises. The WBE goal will be met by H&K Plumbing & Heating.

POD



This Resolution is an additional funds request for the third year of an existing three-year contract to transfer and appropriate additional construction funds for Storm Water CIPP 2022, project number ST03222, to repair/rehab existing damaged storm drainpipes using CIPP process at various locations. All Council and Super Districts 8 and 9.

WHEREAS, the Council of the City of Memphis approved Drainage – ST Coverline, project number ST03205 and Storm Water CIPP 2022, project number ST03222, as part of the Public Works Fiscal Year 2025 Capital Improvement Budget; and

WHEREAS, there currently exists a three-year contract (estimated contract amount \$3,000,000.00/year). Council approved an appropriation via a Resolution (*CIP #ST03222*) awarding a construction contract to Moore Construction Services (*Contract #39296*) on March 1, 2022, for the installation of Cured In Place Pipe at various locations; and

WHEREAS, this is the third year of a three-year contract (# 39296) awarded to Moore Construction Services and it is necessary for additional construction funds in the amount of \$500,000 for Storm Water CIPP 2022, project number ST03222 to repair/rehab Storm drainpipes as stated above; and

WHEREAS, it is necessary to transfer a construction allocation of \$500,000.00 funded by Storm Water Revenue Bonds in Drainage – ST Coverline, project number ST03205 to Storm Water CIPP 2022, project number ST03222 to repair/rehab Storm drainpipes as stated above; and

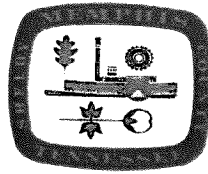
WHEREAS, it is necessary to appropriate \$500,000.00 funded by Storm Water Revenue Bonds in Storm Water CIPP 2022, project number ST03222 to repair/rehab Storm drainpipes as stated above; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2025 Capital Improvement Budget be and is hereby amended by transferring a construction allocation of \$500,000.00 funded by Storm Water Revenue Bonds in Drainage – ST Coverline, project number ST03205 to Storm Water CIPP 2022, project number ST03222 to repair/rehab Storm drainpipes as stated above.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$500,000.00 funded by Storm Water Revenue Bonds chargeable to the FY 2025 Capital Improvement Budget and credited as follows:

Project Title	Storm Water CIPP 2022
Project Number	ST03222
Total Amount	\$500,000.00

Pool



Memphis City Council Summary Sheet

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

This Resolution is an additional funds request for an existing three year contract to transfer and appropriate additional construction funds for project number SW22201-Install CIPP Annual 2022. This is for the third year.

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

Public Works

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

This resolution does not change any existing ordinance or resolution.

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

The project is a work order based contract for installation of CIPP at various locations throughout the City.

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

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

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

Yes, this requires an expenditure of funds.

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

The MBE goal is 4% and the WBE goal is 1%. The MBE goal will be met by Southland Enterprises. The WBE goal will be met by H&K Plumbing & Heating.

POOL



This Resolution is an additional funds request for the third year of an existing three-year contract to transfer and appropriate additional construction funds for project number SW22201-Install CIPP Annual 2022 to repair/rehab existing damaged sanitary sewer pipes using CIPP process at various locations. All Council and Super Districts 8 and 9.

WHEREAS, the Council of the City of Memphis approved Rehab Exist System Coverline, project number SW24200 and Install CIPP Annual 2022, project number SW22201, as part of the Public Works Fiscal Year 2025 Capital Improvement Budget; and

WHEREAS, there currently exists a three-year contract (estimated contract amount \$3,000,000.00/year). Council approved an appropriation via a Resolution (CIP #SW22201) awarding a construction contract to Moore Construction Services (Contract #39296) on March 1, 2022, for the installation of Cured In Place Pipe at various locations; and

WHEREAS, this is the third year of a three-year contract (# 39296) awarded to Moore Construction Services and it is necessary for additional construction funds in the amount of \$2,750,000.00 for Install CIPP Annual 2022, project number SW22201 to repair/rehab sanitary sewer pipes as stated above; and

WHEREAS, it is necessary to transfer a construction allocation of \$2,750,000.00 funded by Capital Pay Go-Sewer in Rehab Exist System Coverline, project number SW24200 to Install CIPP Annual 2022, project number SW22201 to repair/rehab sanitary sewer pipes as stated above; and

WHEREAS, it is necessary to appropriate \$2,750,000.00 funded by Capital Pay Go-Sewer in Install CIPP Annual 2022, project number SW22201 to repair/rehab sanitary sewer pipes as stated above; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2025 Capital Improvement Budget be and is hereby amended by transferring a construction allocation of \$2,750,000.00 funded by Capital Pay Go-Sewer in Rehab Exist System Coverline, project number SW24200 to Install CIPP Annual 2022, project number SW22201 to repair/rehab sanitary sewer pipes as stated above.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$2,750,000.00 funded by Capital Pay Go-Sewer chargeable to the FY 2025 Capital Improvement Budget and credited as follows:

Project Title	Install CIPP Annual 2022
Project Number	SW22201
Total Amount	\$2,750,000.00