

WHEREAS, Women's History Month is a time to recognize and celebrate the achievements and contributions of women throughout history, both past and present; and

WHEREAS, the women elected to serve at the local level on the **Memphis City Council**, **Shelby County Board of Commissioners**, and **Memphis Shelby County School Board** exemplify dedication, leadership, and service to their community, helping to shape the future of Memphis; and

WHEREAS, despite the challenges that elected office can hold, these elected officials serve the community each and every day; and

WHEREAS, Councilwomen **Rhonda Logan**, **Jerri Green**, **Pearl Eva Walker**, **Jana Swearngen-Washington**, **Dr. Michalyn Easter-Thomas**, **Janika White**, and **Yolanda Cooper-Sutton** serve their districts and the City of Memphis on the Memphis City Council with genuine care and advocacy for the constituents that they represent; they are part of a historic women-majority Council that was sworn in on January 1, 2024; and

WHEREAS, Shelby County Commissioners **Shante K. Avant**, **Amber Mills**, **Brandon Morrison**, **Henri E. Brooks**, **Britney Thornton**, **Miska Clay Bibbs**, and **Erika Sugarmon** actively serve their single-member districts across Memphis and Shelby County with distinction and grace, advocating for the needs of citizens across the county; and

WHEREAS, Memphis Shelby County School Board Members **Michelle Robinson McKissack**, **Natalie McKinney**, **Stephanie P. Love**, **Sable Otey**, **Towanna Murphy**, **Amber Huett-Garcia**, and **Joyce Dorse Coleman** serve the students, parents, teachers, and staff for Memphis Shelby County Schools, which has the distinction of being Tennessee's largest school district, serving over 106,000 students; and

WHEREAS, each local elected body is strengthened by the diverse perspectives and voices these amazing women bring as they serve the citizens of Memphis and Shelby County; and

WHEREAS, this resolution serves as a testament to the remarkable leadership of these women, whose contributions deserve recognition during Women's History Month and beyond.

NOW, THEREFORE, BE IT RESOLVED that in celebration of Women's History Month, the Memphis City Council hereby recognizes the women serving on the

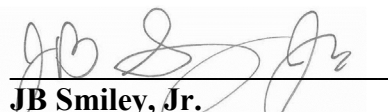
Memphis City Council

Shelby County Board of Commissioners

Memphis Shelby County School Board

for their outstanding leadership, service, and dedication to the citizens of Memphis and Shelby County.

Given by my hand and under the
great seal of the City of Memphis, this
18th day of March, 2025.



JB Smiley, Jr.
Memphis City Councilmember
Super District 8-1

WHEREAS, on occasion, the Memphis City Council seeks to recognize outstanding individuals who have made significant contributions to the community through their work, philanthropy, and commitment to improving the lives of Memphis residents, and in doing so, the Council honors such individuals by naming streets in their recognition; **Mario “Grove Hero” Bradley**, is one such individual more than worthy of recognition; and

WHEREAS, **Mario Bradley**, widely known as "Grovehero," is a comedian, entrepreneur, and philanthropist from Memphis, Tennessee, who has gained widespread recognition not only for his comedic talent but also for his deep commitment to community development and charitable giving; and

WHEREAS, **Mario Bradley** has dedicated himself to revitalizing his hometown, particularly the Frayser neighborhood, by purchasing and restoring properties to transform abandoned homes into valuable assets for the community, demonstrating his unwavering commitment to neighborhood improvement; and

WHEREAS, in recognition of his contributions to Memphis, **Mario Bradley** was honored with the key to Shelby County in 2021 for his dedication to community service, particularly his efforts to improve local housing, support neighborhood revitalization, and provide opportunities for those in need; and

WHEREAS, **Mario Bradley** is well known for his generosity, having given away high-value items such as a Lamborghini and several other cars, as well as providing rent-free housing to individuals facing hardship, offering them the opportunity to regain stability and security; and

WHEREAS, **Mario Bradley's** philanthropic spirit extends beyond housing initiatives, as he has recently developed a vibrant, state-of-the-art playground designed to foster creativity, physical activity, and social interaction among children, featuring colorful play structures, swings, slides, and sensory areas to engage young minds in a safe, welcoming environment; and

WHEREAS, **Mario Bradley** has further demonstrated his commitment to fostering community engagement and wellness by spearheading the creation of a brand-new basketball court in his neighborhood, providing a safe space for youth and adults to enjoy friendly competition, teamwork, and physical fitness; and

WHEREAS, through his humor, acts of kindness, and dedication to improving the lives of those around him, **Mario Bradley** has made a lasting impact on the Memphis community, inspiring others to use their success to uplift and empower those in need; and

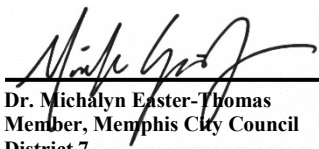
WHEREAS, the Memphis City Council seeks to honor **Mario Bradley's** dedication and positive influence by designating a portion of Beacon Hill Drive in his name, ensuring that his legacy of generosity and community investment is forever remembered.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council hereby renames Beacon Hill Drive between Smith Ridge Road and Mirror Avenue as

Mario “Grove Hero” Bradley Way

in honor of **Mario Bradley's** outstanding contributions to the City of Memphis and his unwavering commitment to uplifting the community.

Adopted on the 18th of February 2025


 Dr. Michalyn Easter-Thomas
 Member, Memphis City Council
 District 7

**A JOINT ORDINANCE OF THE CITY OF MEMPHIS AND COUNTY OF
SHELBY COUNTY, TENNESSEE ENACTED PURSUANT TO THE
COMMUNITY REDEVELOPMENT ACT OF 1998 AND THE
UNIFORMITY IN TAX INCREMENT FINANCING ACT OF 2012;
PROVIDING FOR THE ESTABLISHMENT OF THE CLEVELAND
STREET CORRIDOR REDEVELOPMENT TRUST FUND**

WHEREAS, pursuant to the Community Redevelopment Act of 1998 (the “Act”) Shelby County, Tennessee (the "County") and the City of Memphis, Tennessee (the "City") established a joint Community Redevelopment Agency ("CRA") to ameliorate the slum and blight conditions within the City of Memphis and the unincorporated areas of Shelby County; and

WHEREAS, on January 9, 2025, pursuant to Section 11 of the Act and the provisions of the Uniformity in Tax Increment Financing Act of 2012 (the “TIF Uniformity Act”), the CRA approved a proposal to establish the Cleveland Street Corridor Tax Increment Financing District (the “Cleveland Street Corridor TIF”) pursuant to the Cleveland Street Corridor Redevelopment Area (the “Plan);

WHEREAS, the City Council (the “Council”) of the City of Memphis, Tennessee considered the adoption of the Cleveland Street Corridor Community Redevelopment Plan pursuant to the requirements of the Act; and

WHEREAS, the Board of County Commissioners of Shelby County, Tennessee (the "Board") considered the adoption of the Cleveland Street Corridor Community Redevelopment Plan pursuant to the requirements of the Act; and

WHEREAS, this Ordinance shall not become effective until after the adoption of the Plan by the Board and the Council; and

NOW, THEREFORE, BE IT RESOLVED by The Council Of The City Of Memphis And The Board Of County Commissioners Of Shelby County, Tennessee that the Community Redevelopment Plan for Cleveland Street Corridor Area be established as follows:

SECTION 1. COMMUNITY REDEVELOPMENT AREA

The Cleveland Street Corridor Community Redevelopment Area shall be as shown in the Legal Description attached as Exhibit A.

SECTION 2. FUNDING OF THE REDEVELOPMENT TRUST FUND

Pursuant to the provisions of Section 21 of the Community Redevelopment Act of 1998 the hereby Redevelopment Trust Fund for the Cleveland Street Corridor Community Redevelopment Area shall include the increment in the income, proceeds, revenues, and funds of each taxing authority derived from or held in connection with the undertaking and carrying out of the community redevelopment under the Act.

Pursuant to the requirements of the Act, each taxing authority located within the Cleveland Street Corridor Community Redevelopment Area shall by January 1 of each year commencing January 1, 2025 appropriate to the Redevelopment Trust Fund for the Cleveland Street Corridor Area for so long as any indebtedness pledging increment revenue to the payment thereof is outstanding the earliest of thirty (30) years or January 1, 2055, a sum that is no less than the increment as defined and described in this Section accruing to such taxing authority.

SECTION 3. DISCRETION TO GRANT EXEMPTIONS

Subject to further proceedings of the Council and the Board pursuant to the requirements of Section 21(b)(4) of the Act, the City and the County reserve the discretion to grant an exemption to any special district that levies taxes within the Cleveland Street Corridor Community Redevelopment Area from the funding requirements of Section 5 of this Ordinance; provided such grant of an exemption shall not violate Article 1, Section 20 of the Tennessee Constitution or Article 1, Section 10 of the United States Constitution, relating to impairment of contracts.

SECTION 4. TERM OF THE REDEVELOPMENT TRUST FUND

The Redevelopment Trust Fund for the Cleveland Street Corridor Area shall remain in existence for thirty (30) years after the date of adoption of the original Plan. Notwithstanding anything in this Ordinance to contrary, the obligation to fund the Redevelopment Trust Fund annually shall continue until all loans, advances and indebtedness, if any, and interest thereon, of the CRA incurred as a result of redevelopment in a Community Redevelopment Area have been paid. Upon termination of the Redevelopment Trust Fund, subject to payment of all amounts required to be paid from such Redevelopment Trust Fund, any remaining moneys in the Redevelopment Trust Fund shall be returned to each taxing authority, which paid the increment in the proportion that the amount of the payment of such taxing authority bears to the total amount paid into the Redevelopment Trust Fund by all taxing authorities within the Cleveland Street Corridor Community Redevelopment Area during that year of the last appropriation.

SECTION 5. EXPENDITURE OF MONEYS IN THE REDEVELOPMENT TRUST FUND

A. Moneys in the Redevelopment Trust Fund may be expended from time to time for the

following purposes, when directly related to financing or refinancing of redevelopment in a Community Redevelopment Area pursuant to the Plan:

- (a) administrative and overhead expenses necessary or incidental to the implementation of Plan pursuant to the Uniformity in Tax Increment Financing Act of 2012 (the "TIF Uniformity Act").
- (b) expenses of redevelopment planning, surveys and financial analysis, including the reimbursement of the City or the County or the CRA for such expenses incurred before the Plan was approved and adopted.
- (c) the acquisition of real property in the Community Redevelopment Area.
- (d) The clearance and preparation of any portion of the Community Redevelopment Area for redevelopment and relocation of site occupants as provided in Section 17 of the Act.
- (e) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes and any other form of indebtedness.
- (f) All expenses incidental to or connected with the issuance, sale, redemption, retirement or purchase of CRA bonds, bond anticipation notes or other form of indebtedness, including fund or any reserve, redemption or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes or other form of indebtedness.
- (g) The development of affordable housing within the Community Redevelopment Area.

B. On the last day of each fiscal year of the CRA, any money which remains in the Cleveland Street Corridor Redevelopment Trust Fund after the payment of expenses pursuant to subsection "A" of this Section 5 for such year shall be:

- (a) returned to each taxing authority, which paid the increment in the proportion that the amount of the payment of such taxing authority bears to the total amount paid into the trust fund by all taxing authorities within the Cleveland Street Corridor Community Redevelopment Area for that year;
- (b) Used to reduce the amount of any indebtedness to which increment revenues are pledged;
- (c) deposited into an escrow account for the purpose of later reducing any indebtedness to which increment revenues are pledged; or
- (d) appropriated to a specific redevelopment project pursuant to the Plan which project will be completed within three (3) years from the date of such appropriation.

C. As allowed in Section 2 of the "Uniformity in Tax Increment Financing Act of 2012" a total of up to five percent (5%) of incremental tax revenues will be set aside for administrative expenses incurred by the CRA (Tennessee Code Annotated 9- 23-104).

D. As allowed in the "Uniformity in Tax Increment Financing Act of 2012" the tax increment base and dedicated taxes shall be calculated on the basis of each parcel within the area subject to the Community Redevelopment Plan for the Cleveland Street Corridor Area (Tennessee Code Annotated 9-23-102).

E. In accordance with the provisions of the Act and the TIF Uniformity Act, the City and the County shall cause the CRA to provide for an independent financial audit of the trust fund each fiscal year and a report of such audit. Such report shall describe the amount and source of deposits into, and the amount and purpose of withdrawals from, the Redevelopment Trust Fund during such fiscal year and the amount of principal and interest paid during such year on any indebtedness to which is pledged increment revenues and the remaining amount of such indebtedness. The CRA shall provide a copy of the report to each taxing authority.

BE IT FURTHER ORDAINED, that to the extent that the CRA shall approve developers to execute the redevelopment, said developers shall provide annual financial statements, including balance sheets and detailed income and expense statements to the CRA Board.

BE IT FURTHER ORDAINED, that this joint ordinance shall take effect from and after the date it shall have been enacted according to due process of law by virtue of the concurring and separate passage thereof by the Council of the City of Memphis and by the Board of Commissioners of Shelby County, Tennessee.

BE IT FURTHER ORDAINED, that the provisions of this Ordinance are severable and that any portion declared or found to be unlawful shall not affect the remaining portions.

Sponsor:
Dr. Michalyn Easter-Thomas

Chair:
J Ford Canale

Ordinance No: _____

AN ORDINANCE TO AMEND Title 9- Chapter 16 – Health and Sanitation OF THE CITY OF MEMPHIS CODE OF ORDINANCES RELATIVE TO THE ASSESSMENT OF FEES TO PROPERTY OWNERS WITH AN ABANDONED OR VACANT PROPERTY OR PROPERTIES WITHIN THE CITY OF MEMPHIS LIMITS

WHEREAS, the City of Memphis has ordinances in place and has adopted property maintenance codes to regulate building standards for the exterior of structures and conditions of properties as a whole; and

WHEREAS, the City observes the conditions of properties within the City limits and assesses fees for services rendered to properties for reasons such as weed cutting, grass mitigation, environmental billing, boarding and securing properties, demolition of properties due to condemnation, clearing sidewalk obstructions and sanitation including, but not limited to, cleanup of yard waste composting and household waste that may be hazardous; and

WHEREAS, the City of Memphis as the authority under Tennessee Code § 6-54-113 to assess fees for the removal of debris, trash, litter, or garbage from properties where such conditions endanger the health, safety, or welfare of citizens, and to recover the costs incurred through an assessment against the property owner, including placing a lien on the property for unpaid costs; and

WHEREAS, the City also incurs a cost and must employ multiple divisions to maintain or care for abandoned properties and vacant properties to include, but not limited to:

(1) Staff time, resources, monetary costs, and opportunity costs incurred by the City, including but not limited to public safety officers addressing unlawful occupancy, illegal activities, or hazards in abandoned buildings; receiving and addressing complaints; reviewing, investigating, documenting, and issuing warnings or citations; cleaning, clearing, and removing refuse or illegally dumped items; patrolling properties; addressing pest control or similar issues; and repairing City infrastructure and structures damaged due to vagrancy or other activities on such properties; and

(2) administrative costs

WHEREAS, the purpose of this ordinance is to address illegal or unwanted dumping and abandoned or vacant properties by assessing a fee to the owners of abandoned or vacant properties;

WHEREAS, another purpose of this ordinance is to hold out-of-state and absentee property owners accountable for neglecting properties that fall into disrepair, causing safety hazards, reduced property values, and other quality-of-life concerns for entire neighborhoods.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that:

SECTION 1. Title 9- Chapter~~000~~ 16 –Health and Sanitation– of the Code of Ordinances of Memphis, Tennessee is hereby amended to add sections 16-506 – 16-511 to read as follows:

Sec. 16-506 Purpose and Intent.

It is declared to be the purpose and intent of Chapter 16, Section 16-506 – 16-511 that all owners of abandoned or vacant properties within the limits of the City of Memphis are hereby assessed an annual deeper property in order to remediate the cost effects to the City of Memphis caused by illegal dumping at abandoned or vacant properties.

Sec. 16-507 Definitions.

The following words and terms shall have the meanings herein, except where otherwise specifically indicated.

- (a) Abandoned Real Property means any real property, commercial or residential, that is vacant, is subject to unauthorized occupancy and, has been determined abandoned by evidence of an affidavit by an agent or officer of the City of Memphis Housing Code Enforcement. Bulky Refuse means discarded appliances such as stoves, refrigerators, water tanks, washing machines, and discarded furniture or similar materials having a weight greater than 75 pounds and/or volume greater than 35 gallons.
- (b) Evidence of Vacancy means any condition that, on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to: overgrown and/or dead vegetation; electricity, water or other utilities turned off, stagnant swimming pool; or statement by neighbors, passers-by, delivery agents or government agents.
- (c) Garbage includes every accumulation of both animal and vegetable matter, liquid or otherwise, that attends the preparation, use of cooking, dealing in storage of meat, fish, fowl, fruits, or vegetables, cans or other containers originally used for foodstuffs.

- (d) Hazardous Waste means a hazardous waste as defined in T.C.A. § 68-46-104.
- (e) Industrial Waste means solid waste produced in, or generated by, industrial or manufacturing processes. The term does not include commercial or domestic waste as defined in T.C.A. § 68-211-802(a)(10)(E).
- (f) Owner means any person who alone, jointly, or severally with others:
 - i. Has legal title to the property, with or without accompanying actual possession thereof;
 - ii. Has charge, care or control of the property as owner or agent of the owner or an executor, administrator, trustee or guardian of the estate of the owner; or
 - iii. Is the agent or the owner for the purpose of managing, controlling the property or collecting rents, or is any other person managing or controlling the property or is any person entitled to the control or direction of the management or disposition of the property. This ordinance definition excludes Real Estate Listing Agents when acting exclusively in that capacity.
- (g) Property means any real, residential, commercial, industrial property, or portion thereof, located within the City of Memphis, including buildings or structures situated on the property.
- (h) Refuse is a comprehensive term meaning any worthless leaving to be discarded; including, but not limited to, garbage, bulky refuse, rubbish, and industrial and hazardous waste.
- (i) Rubbish/trash includes all non-putrescible solid waste except building material, bulky refuse, hazardous waste, and industrial waste.
- (j) Vacant means any building or structure that is not lawfully occupied or inhabited as evidenced by the conditions set forth in the definition of “Evidence of Vacancy” in Sec. 16-507(c) and as defined in § T.C.A. 13-21-202.

Sec. 16-508 Determination of Abandoned or Vacant Properties.

(a) Annual Compilation of the List -Each year, no later than January 31, the Division of Public Works shall compile a list of abandoned or vacant properties within the City of Memphis limits. The determination of whether a property is considered abandoned or vacant shall be in accordance with the definitions outlined in this section.

(b) Composition of the List- The list shall include properties identified as abandoned or vacant during the current calendar year. The list may also include properties from previous years that have retained their abandoned or vacant designation due to the property owner's failure to remediate the conditions. The final determination of whether a property is included on the list shall be made by the Division of Public Works.

(c) Estimated Cost of Remediation- The list shall include, for each property, an estimated cost to remediate the conditions that led to the property being identified as abandoned or vacant. The Division of Public Works may, at its discretion, maintain an itemized estimation of costs based on the types of services required, such as the removal and mitigation of refuse.

(d) Additions to the List- The Division of Public Works may make additions to the list of abandoned or vacant properties throughout the year. When such additions occur, the provisions of Section 16-509 – Notice to the Owners of Abandoned or Vacant Properties shall apply.

(e) Collaboration with Memphis Light, Gas and Water (MLGW)-The Division of Public Works may collaborate with Memphis Light, Gas, and Water (MLGW) to identify properties that have previously had utility service but have remained without electricity or water for over six (6) months, as this may indicate the property is vacant.

Sec. 16-509 Notice to the Owners of Abandoned or Vacant Properties.

- (a) Provision of Notice –** The Division of Public Works shall provide notice to the owner of an abandoned or vacant property or properties as defined herein to remedy the condition immediately if it is determined that the owner has created, maintained or permitted to be maintained on such property the accumulation of refuse, or any combination of the preceding elements, so as to endanger the health, safety or welfare of other citizens or to encourage the infestation of rats and other harmful animals.
- (b) Method of Notice –** The Division of Public Works shall publish the notice in a newspaper of general circulation in the City of Memphis where the property sits for no less than two (2) consecutive issues or personally deliver the notice to the owner of record when the required attempt at notification by United States mail addressed to the last known address of the owner fails or no valid last known address exists for the owner of record.
- (c) Content of Notice –** The notice shall state that the owner of the property is entitled to a hearing and shall also include, but not be limited to, the following:

- (1) A brief statement of this section, which shall contain the consequences of failing to remedy the noted condition; and
 - (2) The person, office, address, and telephone number of the Division of Public Works as the issuer of the notice; and
 - (3) The list of abandoned or vacant properties created by the Office of Neighborhood Improvement within the Division of Public Works; and
 - (4) A cost estimate for remedying the noted condition; and
 - (5) A place where the property owner may return a copy of the notice, within fourteen (14) business days of receipt, indicating the desire for a hearing/meeting of consideration regarding fees; and
 - (6) The rules for hearings/meetings of consideration regarding abandoned or vacant property fees, as determined by the Division of Public Works.
- (d) **Receipt of Notice** – Receipt of notice shall be considered effective on the date of the second consecutive publication of the notice in a newspaper of general circulation in the county where the property sits and immediately upon delivery when the notice is by personal delivery.

Sec. 16-510 Fee for Abandoned or Vacant Properties.

(a) Fee Assessment

- i. **Yearly Fee** - The City of Memphis shall assess a fee each year of \$300 per property to the owners of abandoned and vacant properties situated within the limits of the City of Memphis that are included on the list of abandoned and vacant properties for that year.
- ii. **Monthly Fee** - The City of Memphis may in its discretion, instead of a yearly fee of \$300, assess a fee each month of \$25 per property to the owners of abandoned and vacant properties situated within the limits of the City of Memphis if the property owner demonstrates hardship.
- iii. **Hearing/Meeting of Consideration Regarding Fees** - The Division of Public Works shall determine and provide rules for hearings/meetings of consideration regarding abandoned or vacant property fees. These rules shall be included within the notice sent to the property owner and shall also be made available to any person requesting a hearing/meeting of consideration regarding fees, either by providing a physical copy upon request at the Division of Public Works office, by mail, or electronically via email or a designated online portal.

(b) Billing of Fees

- i. The Division of Public Works shall create and provide to the Office of the City of Memphis Treasurer a bill outlining the fee assessed and the requirement to pay for the owner of each property on the abandoned or vacant property list. The bill shall be included as an insert with the City of Memphis tax bill but not included on the bill as a tax or fee associated with the collection of taxes for the year.
- ii. The Division of Public Works may, in lieu of providing the bill insert to the Office of the Treasurer, directly provide the bill to the owner of each property on the abandoned or vacant property list. The bill shall reflect the fee amount determined by the results of the hearing conducted by the Division of Public Works, which may be either a one-time payment of \$300 or a \$25 monthly payment for a period of twelve (12) months. Any changes to the structure or frequency of billing shall be included in the notice for abandoned or vacant properties for the subsequent year.

(c) Method of Receiving Payment – The owner of each property on the abandoned or vacant property list shall render payment of the fee directly to the Division of Public Works Office of Neighborhood Improvement. The funds shall be collected through the Finance Division and shall be accounted on the appropriations statement for Code Enforcement. Within thirty (30) days of collection, the funds shall then be placed in the City of Memphis General Fund.

(d) Failure of a Property Owner to Pay the Abandoned or Vacant Property Fee – The City of Memphis shall have the option to place a lien against any property owner who fails to pay the required abandoned or vacant property fee.

(e) Allocation of Collected Fees

- i. The first \$200,000 collected annually from the abandoned and vacant property fees shall be allocated exclusively to the Shelby County Environmental Court Foundation to assist senior citizens in addressing issues related to blighted properties. Assistance shall not exceed \$25,000 per property, and these funds may not be used for any purpose other than assisting senior citizens with blighted property remediation.
- ii. The Shelby County Environmental Court must submit an annual written report detailing the usage of these funds to the Memphis City Council no later than January 31st of each year. This report must include the total

amount distributed, the number of senior citizens assisted, and a record of the priority given to local Minority and Women-Owned Business Enterprises (MWBE) for these projects.

- iii. Additionally, the report must be accompanied by an in-person presentation delivered by the presiding judge or an appointed representative of the Environmental Court at the last Council meeting in January of each year. This ensures accountability and transparency regarding the allocation and usage of these funds.

Sec. 16-511 Standard Provisions for Fees Not Associated with the Abandoned or Vacant Property Fee.

- (a) The owners of properties who receive notice under this section, for which a City of Memphis division, office, or area renders or causes to be rendered services to a property on the abandoned or vacant properties list, shall be charged the single \$300 fee. This fee will be collected by the Division of Public Works or the Office of the Treasurer.
- (b) The \$300 fee covers the initial cost of services rendered under this section; however, if the total cost of services performed by the City exceeds this amount, the property owner may be billed for the full cost of services rendered at the discretion of the Division of Public Works. Additionally, if the property is later brought into compliance and subsequently falls back into non-compliance, the Division of Public Works may assess a new fee as deemed necessary.
- (c) If the property owner does not resolve the issues defined in Section 16-507, as outlined in the official notice, within ten (10) days of receiving it, the appropriate city department will arrange for the necessary remediation or removal of the condition at a cost that reflects fair and standard rates for such services.
- (d) Each City of Memphis Division rendering services to an abandoned or vacant property may provide a record of the services it provides to the properties on the abandoned or vacant properties list and the cost for such services to the Division of Public Works by the last day of each month. The Division of Public Works shall retain this information for its records.

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 as amended the remaining provisions of CHAPTER 16 remain in full force and effect.

SECTION 4. BE IT FURTHER ORDAINED, That this ordinance amends Chapter 16 of the Official City Code. The City has authorized the Municipal Code Corporation to provide a republication of the City's Ordinances in the Official City Code, as amended from time to time, for the convenience of the public. The Official City Code and the official version of all new, amending, repealing and clarifying ordinances adopted by the City Council are maintained by the City's Comptroller in the Office of Council Records.

SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect after having been passed by City Council, signed by the Chair of Council, certified and delivered to the office of the Mayor in writing by the Comptroller, and becomes effective as otherwise provided by law and shall remain effective and operative unless and until the City Council alters, amends clarifies or repeals it by a superseding, amending, clarifying or codifying ordinance.

SPONSOR:
Jerri Green

J. Ford Canale
CHAIRMAN

ORDINANCE NO. _____**ORDINANCE TO AMEND TITLE 5, CHAPTER 5-20 OF
THE MEMPHIS MUNICIPAL CODE TO INCREASE
THE EXISTING HOTEL/MOTEL OCCUPANCY TAX TO 4.0%**

WHEREAS, pursuant to and in accordance with the applicable legal provisions of Tennessee law, particularly including Section 67-4-1402 of the Tennessee Code Annotated, as amended, a municipality is authorized to impose a hotel/motel occupancy tax in an amount up to four percent (4%) of the consideration charged to a transient by each hotel operator; and

WHEREAS, for the express purpose of establishing a hotel/motel occupancy tax for the City of Memphis, Tennessee (the “**City**”), Ordinance No. 4824 was duly adopted and enacted by the Council of the City of Memphis, Tennessee (the “**City Council**”), on November 7, 2000; and

WHEREAS, pursuant to and in accordance with Ordinance No. 4824, the City initially imposed a hotel/motel occupancy tax in the amount of one and seven-tenths percent (1.7%) of the consideration charged by the hotel operator against each transient occupying a hotel room within the municipal limits of the City; and

WHEREAS, pursuant to and in accordance with the applicable legal provisions of Tennessee law, Ordinance No. 4824 was amended by Ordinance No. 4939 and was duly adopted and enacted by the City Council on May 21, 2002, which specified, among other things, the distribution of all proceeds of the City’s hotel/motel occupancy tax and eliminated the sunset provision set forth in Ordinance No. 4824; and

WHEREAS, pursuant to and in accordance with the applicable legal provisions of Tennessee law, Ordinance No. 4939 was amended by Ordinance No. 5596 and was duly adopted and enacted by the City Council on September 1, 2015, which specified, among other things, that the then-existing hotel/motel tax set at one and seven-tenths percent (1.7%) shall be increased by one and eight-tenths percent (1.8%) to a total of three and one-half percent (3.5%); and

WHEREAS, pursuant to and in accordance with the applicable legal provisions of Tennessee law, Ordinance No. 5596 was amended by Ordinance No. 5619 and was duly adopted and enacted by the City Council on July 5, 2016, which specified, among other things, that the City could apply the additional revenues received from the one and eight-tenths percent (1.8%) portion of the total three and one-half percent (3.5%) towards funding immediate repairs required for the convention center, for the period from December 1, 2015 through June 30, 2016, and thereafter, on and after July 1, 2016, to permit City to apply the same additional revenues to fund additional construction or renovation of convention or meeting facilities in conformity with the terms and provisions of the Amended And Restated Interlocal Agreement Relating To The Financing Of The Proposed Sports And Basketball Arena To Be Financed By The Memphis And Shelby County Sports Authority, Inc., dated May 15, 2002, as heretofore amended and supplemented; and

WHEREAS, the City Council believes that it is appropriate and in the best interests of the citizens of the City that the existing hotel/motel tax be increased by one-half of one percent (0.5%) to a total of four percent (4.0%); and

WHEREAS, pursuant to and in accordance with the applicable legal provisions of Tennessee law, Ordinance No. 5619 is proposed to be adopted and enacted by the City Council to increase the existing hotel/motel tax to the maximum amount of four percent (4%).

NOW THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that Part 1, Section 2 of Ordinance No. 4824, as amended, codified as Section 5-20-2 of the Memphis Municipal Code is hereby amended to read as follows:

Section 2. Levy of Occupancy Tax.

The City levies a privilege tax upon the privilege of occupancy in a hotel of each transient. Except as provided below, such tax shall be in the amount of four percent (4%) of the consideration charged by the operator for such occupancy. Such tax is a privilege tax upon the transient occupying such room and is to be collected as provided in this chapter.

Notwithstanding the foregoing, the City levies a privilege tax upon the privilege of occupancy in a hotel of each transient in a hotel which is in: (i) a Tourism Development Zone and subject to the maximum privilege tax; and (ii) a Tourism Surcharge District as described in Ordinance No. 5583 existing on July 1, 2015. Such tax shall be in the amount of one and seven-tenths percent (1.7%) of the consideration charged by the operator for such occupancy. Such tax is a privilege tax upon the transient occupying such room and is to be collected as provided in this chapter.

SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that Part 1, Section 9 of Ordinance No. 4824, as amended, and codified as Section 5-20-9 of the Memphis Municipal Code is hereby amended to read as follows:

Section 9. Allocation of Funds.

The proceeds of the four percent (4%) tax levied under this section shall be collected by the City and distributed as follows:

(a) From July 1, 2016, and thereafter, the first one and seven-tenths percent (1.7%) tax of the total four percent (4%) tax levied hereunder shall be collected by the City and applied to payment of bonded indebtedness, principal and interest, of the bond sale or sales by The Memphis and Shelby County Sports Authority, Inc. (the "Sports Authority Bonds") for the purpose of development and construction costs of a new Memphis Sports Arena, built by the New Memphis Arena Public Building

Authority, to fund the construction of the National Basketball Association Arena, until paid in full, and thereafter to such other projects and purposes as the City Council shall determine.

(b) From July 1, 2016, and thereafter, the second one and eight-tenths percent (1.8%) tax of the total four percent (4%) tax levied hereunder shall be used for the purpose of funding the following:

1. To make up any deficiencies in the payment of administrative expenses of The Memphis and Shelby County Sports Authority, Inc.'s payments to the Bond Fund, Rebate Fund, or Debt Service Reserve Fund for the Sports Authority Bonds;

2. To reimburse, on a pro rata basis, monies paid by the City or by Shelby County, Tennessee, to replenish the Debt Service Reserve Fund for the Sports Authority Bonds; and

3. For deposit to the Capital Improvement Reserve Fund to make capital improvements, to pay administrative costs, and/or to purchase or redeem the Sports Authority Bonds, as directed by The Memphis and Shelby County Sports Authority, Inc.

(c) Notwithstanding any of the provisions contained herein to the contrary, any revenues produced from the taxes levied under this chapter over and above the sum of (i) that amount which satisfies subsections (b)1, (b)2, and (b)3 of this section, and (ii) the greater of: (x) the amount of such tax revenue projected for the current fiscal year at the time of the original issuance of the Sports Authority Bonds and (y) the amount the one and seven-tenths percent (1.7%) tax rate would have provided for such fiscal year, shall be applied to the payment of principal of and interest on additional bonded indebtedness, and non-capitalized expenses of the bond sale or sales and bond-related continuing costs, to fund additional construction or renovation of convention or meeting facilities.

(d) Upon the effective date of this Ordinance, the remaining one-half of one percent (0.5%) tax of the total four percent (4%) tax levied hereunder shall be used by the City for the use and purpose of funding the following:

1. To fund ongoing obligations pertaining to the National Basketball Association Arena including, but not limited to, the payment of bonded indebtedness, capital repairs, improvements, replacements, and ongoing maintenance, including the professional services rendered for the design, architectural, engineering, management and oversight associated therewith; and

2. To fund such other projects and purposes as the City shall determine.

SECTION 3. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that the provisions of this Ordinance shall not be effective unless and until the execution and delivery, hereby authorized on behalf of the City, of an agreement or agreements by and among the City, Shelby County, Tennessee, and The Memphis and Shelby County Sports Authority, Inc. consistent with the provisions hereof, either in addition to or by amendment of the Amended And Restated Interlocal Agreement Relating To The Financing Of The Proposed Sports And Basketball Arena To Be Financed By The Memphis And Shelby County Sports Authority, Inc., dated May 15, 2002, as heretofore amended and supplemented, or both.

SECTION 4. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, 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 5. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that all parts of Ordinance No. 4824, Ordinance No. 4939, Ordinance No. 5596, and Ordinance No. 5619, except as amended herein, shall remain in full force and effect.

SECTION 6. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that this Ordinance shall take effect from and after the date it shall have been passed by the City Council, signed by the Chairman of the City Council, certified and delivered to the Office of the Mayor in writing by the City Comptroller, and become effective as otherwise provided by law.

Ordinance No. _____

Ordinance Establishing an Elective Neighborhood Parking Permit Program

WHEREAS, in 2014, the City Council passed Ordinance No. 5550 that provided a pilot permit parking program near Overton Square for a one-year period; and

WHEREAS, this pilot permit parking program ordinance outlined an expiration date of 365 calendar days from the effective start date of said ordinance; and

WHEREAS, it has come to the attention of the City Council that citizens have identified issues with vehicles parked in front of owner-occupied residences, causing obstructed driveways and mailboxes, which is against existing ordinance provisions outlined in City of Memphis Code of Ordinances Sec. 21-136; and

WHEREAS, this issue has been exacerbated by adjacent multifamily residences that utilize street parking for residents and their guests due to the lack of sufficient designated parking lots or structures; and

WHEREAS, the Council desires to establish an elective neighborhood parking permit program that neighborhood residents can pursue through the process outlined in this ordinance.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Memphis that the Code of Ordinances shall be amended to add the following language in Section 21-136.1 to replace expired Ordinance No. 5550:

SECTION 1: Parking permit program for neighborhoods.

a) Definitions: For the purpose of this section, the following words and phrases are defined and shall be construed as hereinafter set out, unless it shall be apparent from the context that they have a different meaning:

1. A non-resident vehicle shall mean a motor vehicle parked in a residential area which is not owned, leased or otherwise controlled by:

a. A resident who lives in the area designated as a permit parking district.

b. A guest visiting residents living in the area designated as a permit parking district.

2. Resident shall mean person who lives in a dwelling unit located in a permit parking district.

3. Absentee landlord shall mean an owner of residential property who does not live on the property. Such property shall be located in a permit parking district.

4. Guest shall mean a person who is visiting in a dwelling located in a permit parking district.

5. Permit parking district shall mean a residential area with streets and boundaries designated by a City Council resolution wherein vehicles displaying a valid permit shall be exempt from parking restrictions established pursuant to this section.

b) Designation of Permit Parking District: Permit parking districts may be designated or dissolved, including those created by ordinance, by a City Council resolution.

The City Council shall, upon recommendation of the City Engineer, consider for designation as permit parking districts those areas satisfying the criteria established in this section for said districts.

If the City Council determines that the criteria, rules and procedures required in this section have been met, it may establish, by resolution, permit parking districts with appropriate boundaries and parking restrictions. Motor vehicles displaying a valid parking permit may be parked exempt from the parking restrictions established pursuant to the authority of this section in the permit parking district for which the permit is issued.

c) Designation Process and Criteria: The City Engineer shall prepare Rules and Procedures for the designation of Permit Parking Districts setting forth the petition process (requiring approval by 75% of property owners), the hearing and notification processes, reporting requirements, criteria for designation of a permit parking district and for the implementation and administration of this section.

d) Issuance of Permits: Parking permits for Permit Parking Districts shall be issued by the City Engineer.

1. Each annual parking permit shall be designated to state or reflect thereon the particular Permit Parking District, the license number of the vehicle for which the permit is issued and the date on which the permit shall expire.

2. No more than two annual parking permits shall be issued to any one dwelling unit.

3. Parking permits may be issued only to residents of the permit parking district.

4. Year-long visitor permits shall be issued as provided in subsection (l).

5. Applicants for any parking permits are required to clear all unpaid parking citations prior to the issuance of new permits or renewals for annual or visitor permits.

e) Posting of Permit Parking Area: Upon designation of a Permit Parking District, the City Engineer shall cause appropriate signs to be erected in the district, indicating prominently thereon the parking limitation, period of the day for its application, and the fact that motor vehicles with valid permits shall be exempt therefrom. Parking restriction signs may be posted on school and church frontages located within the district.

f) Permit Parking Exemption:

1. A motor vehicle on which is displayed a valid Annual or Visitor parking permit, as provided for herein, shall be permitted to be parked on any block within the Permit Parking District for which it is issued without being limited by parking restrictions

established pursuant to this section. Except as provided below, all other motor vehicles parked within a Permit Parking District shall be subject to the parking restrictions adopted as provided in this section as well as the penalties provided for herein.

2. A parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated Permit Parking District.

3. The following vehicles shall be exempt from parking restrictions established pursuant to this section:

a. A motor vehicle, identified as owned by or operated under contract to a utility, whether privately, municipally or publicly owned and when used in the construction, operation, removal, or repair of utility property or facilities or engaged in authorized work in the designated Permit Parking District.

b. A motor vehicle when identified as owned by or operated under contract to a governmental agency, when used in the course of official government business.

c. Vehicles parked directly adjacent to a property which has a primarily commercial use.

g) Exemption of Commercial Vehicles: No person shall without a permit therefore park or leave standing any commercial vehicle or trailer in a Permit parking district in excess of the parking restrictions authorized pursuant to this section, except

a) While loading or unloading property; or

b) When such vehicle is parked in connection with, or in aid of, the performance of a service to or on a property in the block in which such vehicle is parked.

h) Application for and Duration of Permit: Except as otherwise provided, each parking permit shall be valid for a period not to exceed one year. Permits may be renewed annually upon reapplication in the manner required by the City Engineer. Each application for a parking permit shall contain information sufficient to identify the applicant, his residence address or address of real property owned or leased within a Permit Parking District, the license number(s) of the motor vehicle(s) for which application is made, and such other information as may be deemed relevant by the City Engineer. Permits may be issued only for vehicles registered in the City of Memphis.

i) Annual Permit Fees: The fee for an Annual parking permit shall be fifty dollars. The fee for an Annual Parking Permit shall be prorated by the month for the unexpired period of the district, but in no case less than fifteen dollars. Upon the permittee's change of place of residence, change of vehicle or damaged permit, the permittee shall surrender the permit to the City Engineer before a replacement permit can be issued. If the permit is lost or stolen, the City Engineer shall be notified immediately. The City Engineer shall collect a fee of fifteen dollars for replacement of lost, stolen or transferred permits and the replacement permit shall expire on the same day as the original permit. In the event a permittee moves from one of the permit parking districts to another permit parking district, the City Engineer shall collect a fee of fifteen dollars for the transfer of the permit. The permits so transferred shall expire on the same day as do all permits in the new district. No refund shall be made for any unused portion of the permit's duration.

j) Rules and Regulations: The City Engineer shall have authority to promulgate and administer rules to implement and enforce the program and to implement the issuance of Permit Parking Districts and the collection of fees for these permits.

k) Penalty Provisions:

1. Unless exempted pursuant to this section, no person shall stand or park a motor vehicle in violation of any parking restrictions established pursuant to this section.

2. No person shall falsely represent himself or herself as eligible for a parking permit or furnish false information in an application for a parking permit to the City Engineer.

3. No permit issued pursuant to this section shall thereafter be assigned, transferred or used for any consideration, monetary or otherwise.

4. No person shall copy, produce or create a facsimile or counterfeit parking permit; nor shall any person use or display a facsimile or counterfeit Permit Parking District Permit.

5. The permit or permits of any person who after a hearing has been found by the City Engineer to have violated any of the provisions of this ordinance shall be revoked by the City Engineer and no new permit shall be issued to that person or household for a period of one year. Such person upon written notification of such revocation, shall surrender the permit or permits to the Department within fifteen days. Use of a revoked parking permit shall be subject to the penalty provisions of Subsection k(l).

l) Visitor Permits: Any resident eligible for an Annual parking permit and whose residence has frontage or side frontage on a block posted within the Permit Parking District may apply to the City Engineer for an annual Visitor Parking Permit for the use of visitors to the person's residence. The owners of a residence under construction and absentee landlords may purchase a maximum of four Visitor Permits for their personal use or for the use of construction service personnel. The City Engineer shall collect a fee of twenty-five dollars for each Visitor permit issued. No more than four Visitor permits shall be issued for any one dwelling at any one time. These permits shall be valid only on the block or blocks for which they are issued and for a period not to exceed one year. Visitor permits can be replaced at a prorated cost when lost or stolen if the applicant submits written documentation of actual loss to the City Engineer.

m) Budget Neutral Program Provisions: Fees will be revisited each year by the City Engineer and a recommendation for fee adjustment brought before City Council that will allow for the Permit Parking Program to be self-supporting and continue to operate without a shortfall.

SECTION 2. Severability. 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. Effective Date. This Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

SPONSOR:

CHAIRMAN

JB Smiley, Jr.

J. Ford Canale



RESOLUTION approving the engineering plans for:
TCAT Memphis
and accepting Bond as security

WHEREAS, **Tennessee College of Applied Technology** (*a public institution of higher education, with the intentions of making improvements at its campus*), is the Developer of a certain property within the present limits of the City of Memphis, as shown on the plans, located at 550 Alabama Avenue, in Memphis, Tennessee.

and

WHEREAS, the developer desires to develop the property reflected on the engineering plans;

and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Tennessee College of Applied Technology**, and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **TCAT Memphis** are hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and accept **Liberty Mutual Insurance Company Performance Bond No. 015225963** in the amount of \$ **151,200.00** as project security



RESOLUTION approving the engineering plans for:
C-Store New Frayser Blvd at New Allen Road [ASPR 2024-026]
and accepting Bond as security

WHEREAS, **Trinity Investment Properties, Inc.**, is the Developer of a certain property within the present limits of the City of Memphis, as shown on the plans, located at 3181 Frayser Blvd., in Memphis, Tennessee.

and

WHEREAS, the developer desires to develop the property reflected on the engineering plans;

and

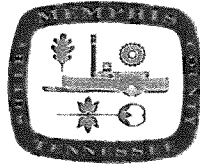
WHEREAS, attached hereto is a standard improvement contract entered into by and between **Trinity Investment Properties, Inc.**, and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **C-Store New Frayser Blvd at New Allen Road [ASPR 2024-026]** are hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and accept **Travelers Casualty and Surety Company Performance Bond No. 108226484**, in the amount of **\$ 88,400.00** as project security

T-209



Memphis City Council Summary Sheet

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

A Resolution approving the sale of a city owned parcel known as 0 Dexter Road, Memphis, TN 38016, Parcel ID# D0209 00531

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

Fire Services Division

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

No change to existing ordinance or resolution

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

N/A - located in unincorporated Shelby County

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

No new contract or amendment of existing contract

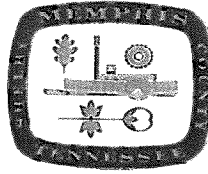
6. State whether this requires an expenditure of funds/requires a budget amendment

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

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

N/A

T-224



Memphis City Council Summary Sheet

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

This is a resolution requesting the approval for the sale of a portion of a City owned parcel located at 2685 Plant Road and further described as Parcel ID# 050101 00054.

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 located in Council District 6 and Super District 8. The project provides services to Districts or portions of Districts 2, 3, 4, 5, 6, 8 and 9.

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

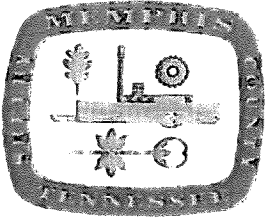
This resolution will not require a new or amended construction contract.

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

This resolution does not require an expenditure of funds.

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

NA



City Council Resolution

T-224

A Resolution requesting the approval for the sale of a portion of a City owned parcel located at 2685 Plant Road and further described as Parcel ID# 050101 00054, Memphis, Shelby County, Tennessee

Whereas the City of Memphis is the owner of parcel of land known as 2685 Plant Road, described as Parcel ID: 050101 00054; and

Whereas The City currently operates the T.E. Maxson Water Treatment Facility on the subject parcel; and

Whereas Colossus/xAI would like to acquire approximately 13 acres of an unused portion of the parcel to use as the location for the proposed Colossus Water Recycle Facility owned and operated by Colossus/xAI; and

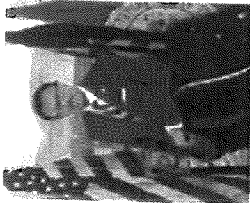
Whereas Colossus/xAI submitted an offer of Eight Hundred Twenty Thousand Dollars (\$820,000) for a portion of the Parcel along with an Eighty-Two Thousand Dollars (\$82,000.00) Earnest Money deposit to the City of Memphis Real Estate Service Center with all proceeds from the sale being transferred to the Sewer Enterprise Fund; and

Whereas there are currently no anticipated uses for the subject parcel; and

Whereas the City of Memphis hereby retains easements for any other existing utilities, sanitary sewer and drainage facilities, recorded and unrecorded, located in the above-described parcel of real property.

Now, therefore be it resolved that the City of Memphis has the authority to sale City owned property in accordance with Ordinance No. 2-16-1(G).

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



Willie F. Brooks, Jr.
Shelby County Register of Deeds

CITY OF MEMPHIS

Owner: CITY OF MEMPHIS
Parcel Address: 2685 PLANT RDGS

Parcel ID: 050101 00054

2025 Appraisal: \$2,896,100

Tax District: MEMPHIS

Year Built:

Lot Number: 9 THRU 16

Subdivision: ENSLEY

Plat BK & PG: UNKNOWN

Dimensions:

Total Acres: 158.138

Owner Address: 125 N MAIN ST

MEMPHIS TN

38103 2026

Map prepared on 1/22/2025



PROPERTY OWNER: CITY OF MEMPHIS
PARCEL ID: _____
INSTRUMENT NUMBER: _____

PURCHASE AREA DESCRIPTION

LAND SITUATED IN THE 6TH COUNCIL DISTRICT OF THE CITY OF MEMPHIS, SHELBY COUNTY, TENNESSEE, BEING A PORTION OF THE LAND PREVIOUSLY CONVEYED TO THE CITY OF MEMPHIS, OF RECORD IN BOOK 3937, PAGE 205, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE (R.O.S.C., TN), SAID LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF PLANT ROAD AND RIVERPORT ROAD, SAID POINT HAVING A GROUND SCALED TENNESSEE STATE PLANE COORDINATE VALUE OF N:293504.09, E:730556.04, THENCE SOUTH 88 DEGREES 28 MINUTES 08 SECONDS WEST, A DISTANCE OF 3972 FEET TO A ½" IRON REBAR FOUND ALONG THE WESTERLY MARGIN OF PAUL R. LOWRY ROAD, SAID REBAR HAVING A GROUND SCALED TENNESSEE STATE PLANE COORDINATE VALUE OF N:293397.96, E:726585.46 AND BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LAND;

THENCE WITH SAID MARGIN AND ALONG A CURVE TURNING TO THE LEFT, WITH A RADIUS OF 1442.00 FEET, A CHORD BEARING OF SOUTH 29 DEGREES 20 MINUTES 41 SECONDS WEST, A CHORD DISTANCE OF 493.23 FEET, FOR AN ARC DISTANCE OF 495.66 FEET TO AN UNCAPPED AND BENT ½" REBAR FOUND ALONG SAID MARGIN;

THENCE LEAVING SAID MARGIN AND WITH THE LINE OF THE ECONOMIC DEVELOPMENT GROWTH ENGINE OF MEMPHIS AND SHELBY COUNTY TENNESSEE, OF RECORD IN INSTRUMENT NUMBER 15031861, R.O.S.C., TN, NORTH 82 DEGREES 05 MINUTES 44 SECONDS WEST, A DISTANCE OF 965.53 FEET TO A ½" CAPPED IRON REBAR SET WITH A GRESHAM SMITH CAP;

THENCE LEAVING SAID LINE AND ALONG A NEW PARTITION FOR THE REMAINING CALLS, NORTH 07 DEGREES 51 MINUTES 48 SECONDS EAST, A DISTANCE OF 595.83 FEET TO A ½" CAPPED IRON REBAR SET WITH A GRESHAM SMITH CAP;

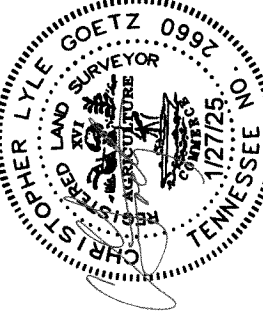
THENCE SOUTH 82 DEGREES 08 MINUTES 12 SECONDS EAST, A DISTANCE OF 649.53 FEET TO A ½" CAPPED IRON REBAR SET WITH A GRESHAM SMITH ALONG AN EASEMENT LINE CALLED FOR INSTRUMENT NUMBER U26159, R.O.S.C., TN;

THENCE ALONG SAID EASEMENT LINE, SOUTH 07 DEGREES 55 MINUTES 44 SECONDS WEST, A DISTANCE OF 141.52 FEET TO A ½" CAPPED IRON REBAR SET WITH A GRESHAM SMITH CAP;

THENCE CONTINUING WITH SAID EASEMENT, SOUTH 82 DEGREES 35 MINUTES 39 SECONDS EAST, A DISTANCE OF 496.80 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LAND, CONTAINING 565.615.69 SQUARE FEET OR 12.98 ACRES OF LAND.

THIS DESCRIPTION WAS PREPARED BY CHRISTOPHER LYLE GOETZ, TENNESSEE REGISTERED LAND SURVEYOR NUMBER 2660 ON JANUARY 24, 2025 UNDER GRESHAM SMITH PROJECT NUMBER 49272.00.

PLAT NO. 1



THIS PLAT HAS BEEN SIGNED,
SEALED, AND DATED DIGITALLY.



**DIVISION OF ENGINEERING
CITY OF MEMPHIS**

BEING A PORTION OF
TAX MAP 162 PARCEL ID 050101 00054
SHELBY COUNTY
MEMPHIS, TENNESSEE

FIELD SURVEY BY: GS DATE: 9/30/24-10/03/24
DRAWN BY: CG DATE: 1/27/25

T224

PROPERTY OWNER: CITY OF MEMPHIS
PARCEL ID: _____
INSTRUMENT NUMBER: _____

DESCRIPTION PER TITLE COMMITMENT

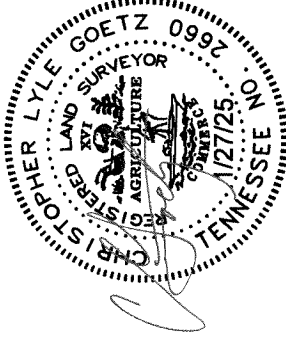
BEING A PORTION OF THE SAME PROPERTY CONVEYED TO CITY OF MEMPHIS, A MUNICIPAL CORPORATION IN THE COUNTY OF SHELBY, STATE OF TENNESSEE AND COUNTY OF SHELBY, ONE OF THE COUNTIES OF THE STATE OF TENNESSEE BY WARRANTY DEED FROM JOSEPH C. GALLINA AND WIFE, FRANCES FACELLI GALLINA AND JOHN GALLINA AND WIFE, AGATHA MENAI GALLINA OF RECORD IN BOOK 3937, PAGE 205, REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE, DATED DECEMBER 27, 1957 AND RECORDED ON DECEMBER 27, 1957.

BEING A PORTION OF THE SAME PROPERTY CONVEYED TO CITY OF MEMPHIS, A MUNICIPAL CORPORATION BY QUITCLAIM DEED FROM THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION, AN ORGANIZATION CREATED BY CHAPTERS 500 AND 529 OF THE PRIVATE ACTS OF TENNESSEE OF 1947, AS AMENDED, THE CITY OF MEMPHIS, A MUNICIPAL CORPORATION AND THE COUNTY OF SHELBY, ONE OF THE COUNTIES OF THE STATE OF TENNESSEE OF RECORD IN INSTRUMENT NO. 03180949,

BEING A PORTION OF THE SAME PROPERTY CONVEYED TO CITY OF MEMPHIS, A MUNICIPAL CORPORATION BY SPECIAL WARRANTY DEED FROM CITY OF MEMPHIS, A MUNICIPAL CORPORATION, SHELBY COUNTY, TENNESSEE, ONE OF THE COUNTIES OF THE STATE OF TENNESSEE, AND MEMPHIS AND SHELBY COUNTY PORT COMMISSION, AN ORGANIZATION CREATED BY CHAPTERS 500 AND 529 OF THE PRIVATE ACTS OF TENNESSEE FOR 1947, AS AMENDED OF RECORD IN INSTRUMENT NUMBER S3 7519, REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE, DATED APRIL 01, 1981 AND RECORDED ON APRIL 02, 1981.

BEING A PORTION OF THE SAME PROPERTY CONVEYED TO CITY OF MEMPHIS, A MUNICIPAL CORPORATION BY SPECIAL WARRANTY DEED FROM SHELBY COUNTY TENNESSEE OF RECORD IN INSTRUMENT NUMBER H4 3568, REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE, DATED MARCH 02, 1972 AND RECORDED ON DECEMBER 04, 1972.

I HERBY CERTIFY THAT THIS IS A CATEGORY I SURVEY, WITH A RELATIVE POSITIONAL ACCURACY OF LESS THAN 0.07' BETWEEN BOUNDARY CORNERS, AND WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE.



CHRISTOPHER LYLE GOETZ, TN RLS 2660
SURVEY MANAGER
GRESHAM SMITH

THIS PLAT HAS BEEN SIGNED,
SEALED, AND DATED DIGITALLY.

**DIVISION OF ENGINEERING
CITY OF MEMPHIS**

BEING A PORTION OF
TAX MAP 162 PARCEL ID 050101 00054
SHELBY COUNTY
MEMPHIS, TENNESSEE

FIELD SURVEY BY: GS DATE: 9/30/24-10/03/24
DRAWN BY: CG DATE: 1/27/25

T224

TABLE A - ITEM NOTES***

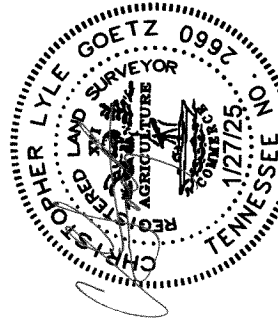
- ITEM 1- FOUND OR SET, AS SHOWN ON SURVEY.
- ITEM 2- SUBJECT PROPERTY IS A PORTION OF PARCEL 54, WHOSE ADDRESS IS 2685 PLANT ROAD, MEMPHIS, TN 381098 PER THE SHELBY COUNTY ASSESSOR OF PROPERTY
- ITEM 3- FLOOD ZONE CLASSIFICATION. REFER TO GENERAL NOTE 6 (EXHIBIT 2A).
- ITEM 4- GROSS LAND AREA-565,615.69 SQUARE FEET / 12.98 ACRES
- ITEM 6(a) - EXISTING ZONING DESIGNATION-"IH" HEAVY INDUSTRIAL
REQUIRED FRONT SETBACK-30 FEET
REQUIRED STREET SIDE-20 FEET
REQUIRED SIDE / REAR-10 FEET ABUTTING SINGLE FAMILY
-5 FEET ABUTTING MULTIFAMILY, NONRESIDENTIAL
OR ALLEY
- MAXIMUM BUILDING HEIGHT OR STORIES-60 FEET / 100 FEET IF MORE THAN 100 FEET FROM RESIDENTIAL DISTRICT.
- AREA REQUIREMENTS-MINIMUM LOT AREA: 20,000 SQ.FT.
MINIMUM LOT WIDTH 50 FT.
- ITEM 6(b) - INTERPRETATION REQUIRED. SETBACKS NOT DISPLAYED GRAPHICALLY
- ITEM 8 - SUBSTANTIAL FEATURES AS SHOWN HEREON (SEE PLAT 1)
- ITEM 11A- SEE UTILITY DISCLAIMER (SHEET 1). SURVEYOR UTILIZED TENNESSEE 811 BUT LITTLE FIELD MARKING WAS OBSERVED AT TIME OF SURVEY.
- ITEM 13- ADJOINING OWNERS AS SHOWN WITHIN GRAPHIC PORTION OF THIS WORK. INFORMATION TAKEN FROM SHELBY COUNTY ASSESSOR OF PROPERTY.
- ITEM 14- ADJOINER LINES WERE NOT SURVEYED AS A PART OF THIS WORK.
- ITEM 16- DISTANCE TO THE NEAREST INTERSECTING STREET(SEE P.O.C.)
NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WERE OBSERVED IN THE PROCESS OF CONDUCTING FIELDWORK.
- ITEM 17- NO INFORMATION WAS PROVIDED TO THIS SURVEYOR CONCERNING PROPOSED CHANGES IN STREET RIGHT OF WAY LINES. NO CHANGED KNOWN TO SURVEYOR
- ITEM 18 - PLOTTABLE OFFSITE EASEMENTS ARE AS SHOWN HEREON. ADDITIONAL EASEMENTS MAY EXIST.
- *** LISTED TABLE A ITEMS TAKEN FROM ALTA / NSPS LAND TITLE SURVEY ISSUED ON DECEMBER 13, 2024, GRESHAM SMITH PROJECT NO. 49272.00



PROJECT NO..49272.00

LEGEND	
● (Set) 1/2" Diameter Rebar with GS Cap	⑦ Telephone Manhole
○ (Found) Property Corner	⑤ Sewer Manhole
— — — — — Property Line	② Water Manhole
— — — — — Adjacent Property Line	① Storm Drain Manhole
— — — — — Easement Line	④ Miscellaneous Utility Manhole
— OVE — — — Overhead Electric Line	② Power/Communications Manhole
— W — — — Water Line	Catch Basin
— SAN — — — Sewer Line	Double Catch Basin
— ST — — — Storm Drainage Pipe	Triple Catch Basin
— G — — — Gas Line	Round Drop Inlet
— UG-C — — Underground Communication Line	Power Pole
— UG-T — — Underground Telephone Line	Guy Wire
— FO — — — Fiber Optic Line	Double Light Pole
— X — — — Fence	Electric Pull Box / Telephone Pedestal
⊗ Gas Valve	Electric Meter
⊗ Gas Line Marker	Water Meter
⊗ Single Light Pole	Water Valve
R.O.S.C., TN Register Office of Shelby County Tennessee	Fire Hydrant
⊕ Single Post Sign	Monitoring Well
⊕ Double Post Sign	Sewer Clean-Out
	Sewer Valve

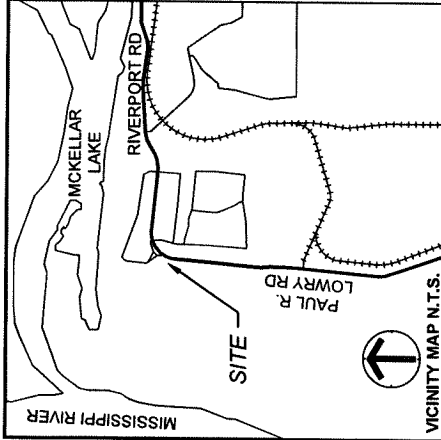
EXHIBIT 1A



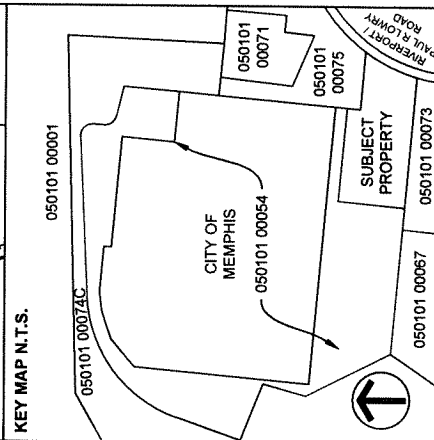
DIVISION OF ENGINEERING
CITY OF MEMPHIS

BEING A PORTION OF
TAX MAP 162 PARCEL ID 050101 00054
SHELBY COUNTY
MEMPHIS, TENNESSEE
FIELD SURVEY BY: GS DATE: 9/30/24-10/03/24
DRAWN BY: CG DATE: 1/27/25

THIS PLAT HAS BEEN SIGNED,
SEALED, AND DATED DIGITALLY.



VICINITY MAP N.T.S.
KEY MAP N.T.S.



Gresham Smith PROJECT NO. 49272.00
CHRISTOPHER LYLE GOETZ, TN RLS 2660
SURVEY MANAGER
GRESHAM SMITH
222 SECOND AVENUE SOUTH, SUITE 1400
NASHVILLE, TN 37201
[P] 615.770.8667
[E] CHRIS.GOETZ@GRESHAMSMITH.COM

GENERAL NOTES

1. BEARINGS SHOWN HEREON ARE RELATIVE TO THE TENNESSEE STATE PLANE COORDINATE SYSTEM (4100) NAD83 (2011). SEE GPS NOTE FOR ADDITIONAL INFORMATION.
2. NO TITLE OPINION IS EXPRESSED OR IMPLIED. ADDITIONAL EASEMENTS BEYOND THOSE SHOWN ON THIS WORK MAY EXIST.
3. THIS PROPERTY SHOWN HEREON HAS VEHICULAR ACCESS TO PUBLIC RIGHT-OF-WAY.
4. THE LINES OF THE ADJOINERS INDICATED HEREON HAVE NOT BEEN SURVEYED AND HAVE BEEN GRAPHICALLY DEPICTED FROM GIS & RECORD DATA.
5. THIS SURVEY HAS BEEN SIGNED, SEALED AND DATED DIGITALLY.
6. THE SUBJECT PROPERTY IS WITHIN ZONE X (SHADED) ON FLOOD INSURANCE RATE MAP NO. 47157C0385F, MAP REVISED SEPTEMBER 28, 2007.
7. SUBJECT PROPERTY IS A PORTION OF THE PROPERTY CALLED FOR IN THE FIDELITY NATIONAL TITLE INSURANCE COMPANY'S ORDER NO.: 12080868. SEE SHEETS 3 & 4 FOR SCHEDULE B.
8. ZONING INFORMATION SHOWN ON SHEET EXHIBIT 1A WAS TAKEN FROM A ZONING AND SITE REQUIREMENTS SUMMARY FROM THE NATIONAL PLANNING AND ZONING CONSULTING SERVICE, PZR SITE NUMBER: 176089-1, DATED 12/06/2024.

UTILITY DISCLAIMER: GRESHAM SMITH/LAND SURVEYOR DOES NOT GUARANTEE ACCURACY OF MARKED UNDERGROUND UTILITY LOCATIONS ON SURFACE AND LOCATION OF ALL UNDERGROUND UTILITIES NOT VISIBLE INCLUDING UNDERGROUND SERVICES LINES SHALL NOT BE RELIED UPON WITHOUT VERIFICATION FROM PROPER UTILITY AUTHORITY HAVING JURISDICTION. GRESHAM SMITH HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES, ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE. PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. GRESHAM SMITH MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. GRESHAM SMITH FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED. THEREFORE RELIANCE UPON SIZE AND LOCATION OF UTILITIES SHOWN SHALL BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH MUST BE MADE PRIOR TO ANY DECISIONS RELATIVE THERETO ARE MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY AUTHORITY. IN TENNESSEE, IT IS A REQUIREMENT, PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNER(S), NO LESS THAN THREE (3) NO MORE THAN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. TENNESSEE ONE CALL 811.

GPS NOTE

1. GPS FIELD PROCEDURE-REAL-TIME KINEMATIC WITH ONLINE POSITION USER SERVICE
2. RELATIVE POSITIONAL PRECISION= <0.07 FEET BETWEEN TESTED PAIRS
3. DATES OF SURVEY-09/30/24 THRU 10/03/24
4. HORIZONTAL DATUM-NAD-83 (2011), EPOCH-2010
5. VERTICAL DATUM-NAVD 88 (GEOID COMPUTED)
6. FIXED CONTROL STATIONS- DF8976 ZME1 MEMPHIS WAAS 1 CORS ARP
DLG306 TN49 TDOT DISTRICT 49 CORS ARP
DJ9572 TN45 TDOT DISTRICT 45 CORS ARP
7. GEOID MODEL-GEOID 18
8. COMBINED GRID FACTOR- 1.0000335417 (FIELD DATA WAS SCALED BY THE INVERSE FACTOR OF 0.9999664583 FROM 291024.301, 725687.518). GROUND DISTANCES SHOWN.

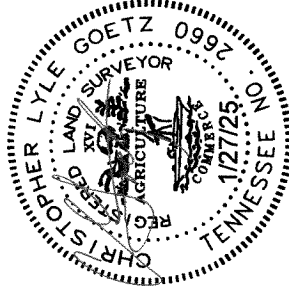


EXHIBIT 2A

DIVISION OF ENGINEERING CITY OF MEMPHIS

BEING A PORTION OF
TAX MAP 162 PARCEL ID 050101 00054
SHELBY COUNTY
MEMPHIS, TENNESSEE

FIELD SURVEY BY: GS DATE: 9/30/24-10/03/24
DRAWN BY: CG DATE: 1/27/25

FIDELITY NATIONAL TITLE INSURANCE COMPANY ***
COMMITMENT DATE: 11/08/2024 AT 8:00
ORDER NO.: 12080868

10. SUBJECT TO ALL MATTERS SHOWN ON THE PLAN OF RECORD IN PLAT BOOK 3, PAGE 59 & 60, REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **AFFECTS SUBJECT PROPERTY. NO EASEMENTS SHOWN ON PLAT.**
11. EASEMENT OF RECORD IN BOOK 2880, PAGE 598, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **EASEMENT IS NOT LOCATED ON SUBJECT PROPERTY.**
12. CLEARANCE PERMIT OF RECORD IN BOOK 3242, PAGE 370, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **UNABLE TO DETERMINE LOCATION OF PERMIT, MAY AFFECT.**
13. EASEMENT CONTRACT(S) OF RECORD IN INSTRUMENT NUMBER S7 3054(NOT LOCATED ON SUBJECT PROPERTY), INSTRUMENT NUMBER U2 6159 (ABUTS SUBJECT PROPERTY ALONG L1 & L2), BOOK 3699, PAGE 260 (NOT LOCATED ON SUBJECT PROPERTY), BOOK 3795, PAGE 147(NOT LOCATED ON SUBJECT PROPERTY-FINAL PAGE ILLEGIBLE) AND BOOK 3802, PAGE 471 (NOT LOCATED ON SUBJECT PROPERTY), IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.**
14. GRANT OF UNDERGROUND PIPELINE EASEMENT OF RECORD IN INSTRUMENT NUMBER 03024801, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **EASEMENT NOT LOCATED ON SUBJECT PROPERTY.**
15. EASEMENT (DRAINAGE) OF RECORD IN INSTRUMENT NUMBER 03180948, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.**
16. SUBJECT TO ALL MATTERS SHOWN ON THE PLAN OF RECORD AS INSTRUMENT NUMBER J1 3646 AND 11 3647, REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE. **AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.**
17. RIGHT OF WAY OF RECORD IN BOOK 150, PAGE 38, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **DOCUMENT DIFFICULT TO READ, SURVEYOR BELIEVES RIGHT-OF-WAY NOT LOCATED ON SUBJECT PROPERTY.**
18. SUBJECT TO ALL MATTERS AS SET FORTH IN DEED(S) OF RECORD IN BOOK 3699, PAGE 450 AND BOOK 3699, PAGE 459, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.**
19. EASEMENT OF RECORD IN INSTRUMENT NUMBER K3 4536, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.**
20. UTILITY EASEMENT AGREEMENT OF RECORD IN INSTRUMENT NUMBER 08100467, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **EASEMENT IS NOT LOCATED ON SUBJECT PROPERTY. DOES NOT AFFECT.**
21. EASEMENT CONTRACT OF RECORD IN INSTRUMENT NUMBER GW 0415, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **EASEMENT IS NOT LOCATED ON SUBJECT PROPERTY. DOES NOT AFFECT.**
22. GRANT OF TRANSMISSION LINE EASEMENT OF RECORD IN INSTRUMENT NUMBER GN 6890, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **EASEMENT IS NOT LOCATED ON SUBJECT PROPERTY. DOES NOT AFFECT.**
23. RESOLUTION AND AGREEMENT ESTABLISHING CONSERVATION COVENANTS AND RESTRICTIONS OF RECORD IN INSTRUMENT NUMBER JU 0876, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **DOES NOT AFFECT SUBJECT PROPERTY.**
24. EASEMENT OF RECORD IN BOOK 5279, PAGE 199, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **EASEMENT IS NOT LOCATED ON SUBJECT PROPERTY. DOES NOT AFFECT.**
25. SUBJECT TO ALL MATTERS AS SET FORTH IN SPECIAL WARRANTY DEED OF RECORD IN INSTRUMENT NUMBER G5 2092, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **EASEMENT IS NOT LOCATED ON SUBJECT PROPERTY. DOES NOT AFFECT.**
26. GRANT OF TRANSMISSION LINE EASEMENT OF RECORD IN INSTRUMENT NUMBER FN 7145, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **EASEMENTS ARE NOT LOCATED ON SUBJECT PROPERTY. DOES NOT AFFECT.**
27. EASEMENT CONTRACT OF RECORD IN INSTRUMENT NUMBER GJ 5326, IN THE REGISTER'S OFFICE FOR SHELBY COUNTY, TENNESSEE. **CREATES ANCHOR EASEMENTS, AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.**

Gresham Smith
PROJECT NO.: 49272.00

*** EXCEPTIONS TO TITLE TAKEN FROM ALTA / NSPS LAND TITLE SURVEY ISSUED
ON DECEMBER 13, 2024, GRESHAM SMITH PROJECT NO. 49272.00



THIS PLAT HAS BEEN SIGNED,
SEALED, AND DATED DIGITALLY.

EXHIBIT 3A

**DIVISION OF ENGINEERING
CITY OF MEMPHIS**

BEING A PORTION OF
TAX MAP 162 PARCEL ID 050101 00054
SHELBY COUNTY
MEMPHIS, TENNESSEE

FIELD SURVEY BY: GS DATE: 9/30/24-10/03/24
DRAWN BY: CG DATE: 1/27/25

T224

FIDELITY NATIONAL TITLE INSURANCE COMPANY ***
COMMITMENT DATE: 11/08/2024 AT 8:00
ORDER NO.: 12080868

28. SUBJECT TO ALL MATTERS AS SET FORTH AND SHOWN ON THE UNRECORDED PLAN ENTITLED SITE IMPROVEMENT PLAN, PHASE I, 2761 STEAM PLANT ROAD, SOUTHWEST CORNER STEAM PLANT RD @ RIVERPORT ROAD DATED MAY OF 2018 BY WESLEY WOOLRIDGE, REGISTERED ENGINEER NO. 104878. **DOES NOT AFFECT SUBJECT PROPERTY.**
29. ACREAGE CONTENT OF THE SUBJECT PROPERTY IS NOT HEREBY INSURED. REFERENCE TO ACREAGE IS LEFT IN THE DESCRIPTION MERELY FOR CONVENIENCE IN IDENTIFYING THE TRACT. **ACREAGE AS SHOWN HEREON.**
30. NO INSURANCE IS OFFERED TO TITLE TO THAT PORTION OF THE PREMISES EMBRACED WITHIN THE BOUNDS OF ANY ROADS, STREETS, OR HIGHWAYS. **SUBJECT PROPERTY'S FRONTAGE ABUTS PUBLIC RIGHT-OF-WAY. DOES NOT AFFECT SUBJECT PROPERTY.**
31. SUBJECT TO EASEMENTS OR RIGHTS ASSOCIATED WITH ANY RAILROAD ADJOINING THE PROPERTY, INCLUDING ANY RIGHT TO EXPAND THE RIGHT-OF-WAY TO THE FULL EXTENT OF ANY CHARTER OR AS SET OUT IN T.C.A. 65-6-109 OR SIMILAR STATUTE. **SUBJECT PROPERTY DOES NOT CONTAIN RAIL INFRASTRUCTURE OR EASEMENTS THAT ARE KNOWN TO SURVEYOR. DOES NOT AFFECT SUBJECT PROPERTY..**
32. RIGHTS OF TENANTS, AS TENANTS ONLY, UNDER RECORDED OR UNRECORDED LEASES. **RIGHTS NOT A SURVEY MATTER.**

*** EXCEPTIONS TO TITLE TAKEN FROM ALTA / NSPS LAND TITLE SURVEY ISSUED
ON DECEMBER 13, 2024, GRESHAM SMITH PROJECT NO. 49272.00

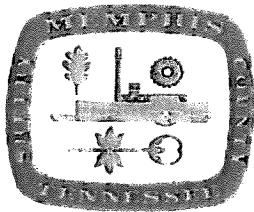
 **Gresham
Smith** PROJECT NO.: 49272.00

EXHIBIT 4A



DIVISION OF ENGINEERING
CITY OF MEMPHIS
BEING A PORTION OF
TAX MAP 162 PARCEL ID 050101 00054
SHELBY COUNTY
MEMPHIS, TENNESSEE
FIELD SURVEY BY: GS. DATE: 9/30/24-10/03/24
DRAWN BY: CG DATE: 1/27/25

THIS PLAT HAS BEEN SIGNED,
SEALED, AND DATED DIGITALLY.



T- 209

A Resolution approving the sale of a city owned parcel known as 0 Dexter Road, Memphis, TN 38016, Parcel ID# D0209 00531

WHEREAS, the City of Memphis owns the property located at 0 Dexter Road, Memphis, TN 38016 ("The Property") and is further identified by Shelby County Tax Assessor as Parcel ID# D0209 00531 containing 5.05 acres, more or less;

WHEREAS, 0 Dexter Road was purchased in 2010, for the use and benefit of Fire Services, as part of the City's annexation and expansion plan. As the city revised the growth plan, the land no longer fit with the City's future planning goals. The proceeds from the sale of the subject parcel will go into Project # FS18102, Award 11288; generate tax revenue; and eliminate blight and maintenance costs for the City of Memphis;

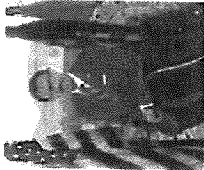
WHEREAS, Rockwood LLC, submitted an offer of Two Hundred Eighty Thousand Dollars (\$280,000.00) along with a Twenty-Five Hundred Dollar (\$2,500.00) Earnest Money deposit to the City of Memphis Real Estate Office; and

WHEREAS, it is deemed to be in the best interest of the citizens of the City of Memphis and County of Shelby that this request be considered subject to the terms and conditions set forth in the Offer to Purchase and in City Ordinance 5637 section 2-291(A).

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that the offer made by Rockwood LLC for the above-described property is hereby accepted subject to the City Ordinance 5637, section 2-291(A) which states in part, "For any property having a designated value of \$20,000 or more, the Real Estate Manager shall advertise for bids to purchase said property, which advertisement shall specify the purchase price, terms of the sale and potential uses of said property consistent with uses of surrounding properties."

BE IT FURTHER RESOLVED, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the conveyance, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.

7-209

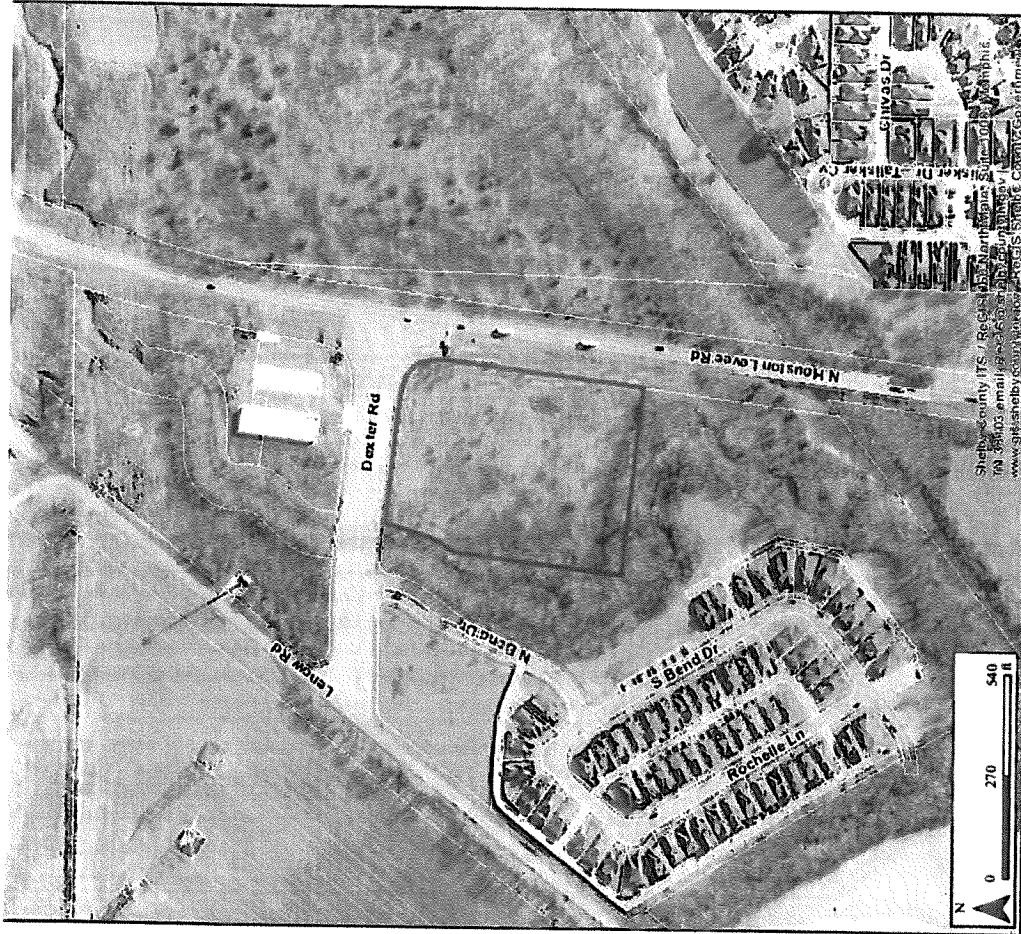


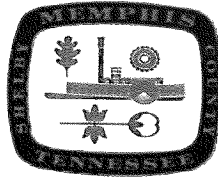
Willie F. Brooks, Jr.
Shelby County Register of Deeds

CITY OF MEMPHIS

Owner:
Parcel Address: 0 DEXTER RD
Parcel ID: D0209 00531
2025 Appraisal: \$995,300
Tax District: UNINCORP
Year Built:
Lot Number:
Subdivision: GARDENS OF GRAY'S CREEK PD
OUTLINE PLAN
Plat BK & PG: 283-031
Dimensions: 351.90 X 533.22 IRR
Total Acres: 5.05
Owner Address: 125 N MAIN ST RM 568
MEMPHIS TN
38103

Map prepared on 1/13/2025





Memphis City Council Summary Sheet

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

This is a resolution to receive and appropriate a grant from Bloomberg Center for Public Innovation in the amount of \$120,000.000

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

Executive

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

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

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

All Districts

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

This item does not require a new contract

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

This item will amend the budget to include this additional funding allocation.

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

N/A

G077

RESOLUTION

WHEREAS, the City of Memphis has been selected as one of 25 U.S. cities to participate in the Bloomberg American Sustainable Cities initiative, a three-year program designed to leverage historic levels of federal funding to incubate and implement transformative local solutions that build low-carbon, resilient, and economically thriving communities; and

WHEREAS, the Bloomberg American Sustainable Cities initiative, backed by a \$200 million investment from Bloomberg Philanthropies, aims to advance transformational local, regional, and statewide solutions to address climate change and racial wealth inequity by providing deep support to selected cities; and

WHEREAS, this initiative builds upon the longstanding leadership of U.S. cities in confronting the overlapping crises of climate change and racial wealth inequity by pursuing transformative solutions in the buildings and transportation sectors through strategic partnerships with PolicyLink, Bloomberg Center for Public Innovation at Johns Hopkins University, and the Natural Resources Defense Council; and

WHEREAS, Innovation Teams (i-teams) play a crucial role in unlocking creativity from within city governments and the communities they serve by facilitating an evidence-based process to tackle complex challenges, generate ambitious responses, and test and adapt interventions to maximize impact; and

WHEREAS, Memphis' i-team will work closely with the Mayor, City leadership, and municipal departments to enhance the culture of city government, strengthen city-community partnerships, leverage federal funding, and develop sustainable resourcing models; and

WHEREAS, participation in the Bloomberg American Sustainable Cities initiative provides an opportunity for the City of Memphis to create a clear and compelling narrative that connects climate resilience, racial wealth equity, and economic growth while ensuring the long-term sustainability of these efforts; and

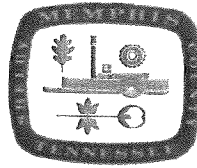
WHEREAS, the City of Memphis will receive One Hundred Twenty Thousand Dollars (\$120,000.00) in grant funds from Bloomberg Philanthropies to support the efforts and all necessary expenses of the i-team.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the City formally accepts participation in the Bloomberg American Sustainable Cities initiative and commits to advancing the goals and objectives set forth by this transformative program.

BE IT FURTHER RESOLVED that the City of Memphis will allocate the necessary resources and collaborate with key partners to implement innovative and sustainable strategies that address climate change, enhance racial wealth equity, and promote economic prosperity for all residents.

BE IT FURTHER RESOLVED that the Fiscal Year 2025 Operating Budget be and is hereby amended by allocating and appropriating the Revenues and Expenditures for the grant in the amount of One Hundred Twenty Thousand Dollars (\$120,000.00) as follows:

REVENUES	
Bloomberg Center for Public Innovation	\$120,000.00
Total	\$120,000.00
EXPENDITURES	
Bloomberg Center for Public Innovation Grant Funds	\$120,000.00
Total	\$120,000.00



Memphis City Council Summary Sheet

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

Resolution to accept forty (40) Emergency Child Restraints from the Memphis Fire Department Foundation for the Emergency Medical Services.

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.

There is no change to an existing ordinance or resolution.

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

This will impact all council and super districts.

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

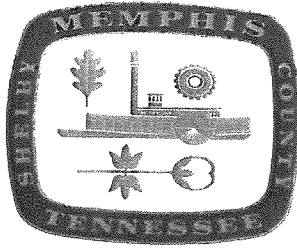
This will not require a new contract or an amendment to an existing contract.

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

This does not requires an expenditure or budget adjustment.

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

There is no WMBE goal.



RESOLUTION – FIRE SERVICES

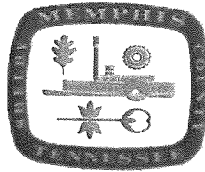
Resolution to accept forty (40) Emergency Child Restraints from the Memphis Fire Department Foundation for the Emergency Medical Services.

WHEREAS, the City of Memphis Division of Fire Services has been awarded a donation of forty (40) Emergency Child Restraints for the ambulances from Memphis Fire Department Foundation. All donations have an estimated value of Twenty-Seven Thousand Three Hundred Dollars and 00/100 (\$27,300.00); and

WHEREAS, the donation is designated to be used by Emergency Medical Services (EMS) for child restraints in the ambulances for pediatric transport. Acquiring the Emergency Child Restraints (ECRs) is crucial to ensure that each child is safely secured during EMS transport; and

WHEREAS, it is necessary to accept the donation; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the donation of forty (40) Emergency Child Restraints be accepted by the City of Memphis.



Memphis City Council Summary Sheet

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

Resolution to accept Fire Public Education material from the Memphis Shelby County Schools for the Fire Prevention and Public Education program.

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.

There is no change to an existing ordinance or resolution.

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

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.

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

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

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

N/A



RESOLUTION – FIRE SERVICES

Resolution to accept Fire Public Education material from the Memphis Shelby County Schools for the Fire Prevention and Public Education program.

WHEREAS, the City of Memphis Division of Fire Services has been awarded education material such as fire safety pamphlets, activity books and plastic helmets from Memphis Shelby County Schools via The Hartford Insurance Agency. All donations have an estimated value of Five Thousand Dollars and 00/100 (\$5,000.00); and

WHEREAS, the donation is designated to be used by Fire Prevention for the Public Education program to educate the community on fire safety prevention; and

WHEREAS, it is necessary to accept the donation; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the donation of Fire Public Education material be accepted by the City of Memphis.

RESOLUTION SUMMARY

1. **Short title description** – Contract No. 12262, HP-UX Support
2. **Funded Amount** - \$151,416.00
3. **Award Duration** – Twenty four months – February 3, 2025, through February 2, 2027
4. **Type of Bid** – Sealed Bid
5. **Awarded to** – Abtech Technologies, Inc.
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – The contract renewal helps MLGW continue to receive support for its HP Unix computer systems and storage equipment. The company provides 24/7 support and can fix problems within four hours; providing support for important systems like Customer Information Systems, Mobile Dispatch, and Development.
8. **Impact** – Without 24/7 help and quick repairs, fixing system issues would take longer.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of February 19, 2025 approved Change No. 4 to Contract No. 12262 (*formerly C2203*), HP-UX Support with Abtech Technologies, Inc. to ratify and extend the current contract in the funded amount of \$151,416.00 and is now recommending to the Council of the City of Memphis that it approves said ratification and extension as approved; and

WHEREAS, the project scope is to provide proactive and reactive remote support services for MLGW's Hewlett Packard-Unix (HP-UX) Systems which are the hosts server environment for the CIS (Customer Information System) system. Proactive remote services are monitoring the hardware usage such as CPU (Central Processing Unit), memory, network and hard drive space, system logs for the operating system, and services the hardware. Reactive services include tasks that are involved after a system failure has occurred, corrections for errors found in the logs, or services that need to be restarted. The Contract award was selected based on the lowest and best bid using the Sealed Bid process; and

WHEREAS, this change is to ratify and extend the current contract for the period covering February 3, 2025 through February 2, 2027 in the amount of \$151,416.00, which reflects a 1.3% increase in rates due to the addition of equipment cost and management. This ratification and extension is for a two (2) year period. This ratification and extension complies with all applicable laws and policies. The new contract value is \$694,220.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 4 to Contract No. 12262 (*formerly C2203*), HP-UX Support with Abtech Technologies, Inc. to ratify and extend the current contract in the funded amount of \$151,416.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 19, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 4 to Contract No. 12262 (*formerly C2203*), HP-UX Support with Abtech Technologies, Inc. to ratify and extend the current contract in the funded amount of \$151,416.00.

The project scope is to provide proactive and reactive remote support services for MLGW's Hewlett Packard-Unix (HP-UX) Systems which are the hosts server environment for the CIS (Customer Information System) system. Proactive remote services are monitoring the hardware usage such as CPU (Central Processing Unit), memory, network and hard drive space, system logs for the operating system, and services the hardware. Reactive services include tasks that are involved after a system failure has occurred, corrections for errors found in the logs, or services that need to be restarted. The contract award was selected based on the lowest and best bid using the Sealed Bid process.

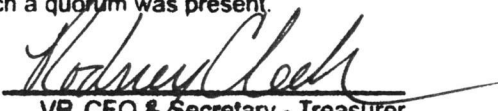
This change is to ratify and extend the current contract for the period covering February 3, 2025 through February 2, 2027 in the amount of \$151,416.00, which reflects a 1.3% increase in rates due to the addition of equipment cost and management. This ratification and extension is for a two (2) year period. This ratification and extension complies with all applicable laws and policies. The new contract value is \$694,220.00.

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. 4 to Contract No. 12262 (*formerly C2203*), HP-UX Support with Abtech Technologies, Inc. to ratify and extend the current contract in the funded amount of \$151,416.00, as outlined in the above preamble, is approved; and further

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

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 meeting
held on 19th day of Feb
2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Three-Phase Pad-Mounted Distribution Transformers – Secondary Contract
2. **Requested Funding** – \$15,058,859.18
3. **Award Duration** – 60 Months
4. **Type of Bid** – Sealed Bid
5. **Awarded To** – EssenG Solutions, LLC
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – To purchase up to 435 various size three-phase pad-mounted distribution transformers to manage the flow of electricity along the power grid.
8. **Impact** – The three-phase pad-mounted distribution transformers are critical to the electric system for supplying service to new customers and replacement of existing transformers.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of February 19, 2025 approved a sixty-month purchase order for three-phase pad-mounted distribution transformers and is now recommending to the Council of the City of Memphis that it approves said purchase; and

WHEREAS, the three-phase pad-mounted distribution transformers are used to manage the flow of electricity along the power grid. This is a secondary contract to serve as a back up to the original contract to ensure we have multiple manufacturers due to the critical nature of the transformers to the Division's infrastructure; and

WHEREAS, bids were opened October 2, 2024. Notice to Bidders was advertised. Ten bids were solicited, and five bids were received with the lowest and best complying bidder being the firm of EssenG Solutions LLC. 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 the purchase of three-phase pad-mounted distribution transformers to EssenG Solutions LLC in the amount of \$3,556,826.64 chargeable to the MLGW 2025 fiscal year budget and the remaining amount \$11,502,032.54 chargeable to subsequent budget years as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 19, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a sixty-month purchase order for three-phase pad-mounted distribution transformers to EssenG Solutions LLC in the amount of \$15,058,859.18.

The three-phase pad-mounted distribution transformers are used to manage the flow of electricity along the power grid. This is a secondary contract to serve as a back up to the original contract to ensure we have multiple manufacturers due to the critical nature of the transformers to the Division's infrastructure.

Bids were opened on October 2, 2024. Notice to Bidders was advertised. Ten bids were solicited, and five bids were received with the lowest and best complying bidder being the firm of EssenG Solutions LLC. This award complies with all applicable laws and policies.

The 2025 budgeted amount for Electric – Planned Maintenance is \$7,343,000.00; the amount spent to date is \$225,597.88; leaving a balance of \$7,117,402.12; of which \$3,556,826.64 will be spent on this purchase order in 2025; leaving a balance available of \$3,560,575.48 after award; the remaining balance of \$11,502,032.54 to be spent in subsequent budget years as approved; and

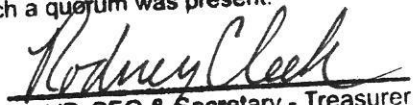
NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, awards a sixty-month purchase order to EssenG Solutions LLC is approved for furnishing:

Three-phase pad-mounted distribution transformers to be furnished as needed by MLGW. A copy of all unit prices to be placed on file in MLGW's Accounting Department; and further,

Totaling \$15,058,859.18; f.o.b. Memphis, Tennessee, our dock; transportation prepaid; said prices are subject to escalation / de-escalation for the sixty-month period; delivery in 20-22 weeks; terms net 30 days.

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 meeting
held on 19th day of Feb
2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Single-Phase Pole-Type Distribution Transformers – Secondary Contract
2. **Requested Funding** – \$4,542,818.72
3. **Award Duration** – 60 Months
4. **Type of Bid** – Sealed Bid
5. **Awarded To** – Cooper Power Systems
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – To purchase up to 1,890 various size single-phase pole-type distribution transformers (overhead transformers) to manage the flow of electricity along the power grid.
8. **Impact** – The single-phase pole-type distribution transformers are critical to the electric system for providing service to new customers and to replace transformers, as needed.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of February 19, 2025 approved a sixty-month purchase order for single-phase pole-type distribution transformers and is now recommending to the Council of the City of Memphis that it approves said purchase; and

WHEREAS, the single-phase pole-type distribution transformers are used to manage the flow of electricity along the power grid. This is a secondary contract that will serve as a back up to the original contract to ensure we have multiple manufacturers due to the critical nature of the transformers to the Division's infrastructure; and

WHEREAS, bids were opened October 2, 2024. Notice to Bidders was advertised. Ten bids were solicited, and four bids were received with the lowest and best complying bidder being the firm of Cooper Power Systems. 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 the purchase of single-phase pole-type distribution transformers from Cooper Power Systems in the amount of \$1,521,224.05 chargeable to the MLGW 2025 fiscal year budget and the remaining amount \$3,021,594.67 chargeable to subsequent budget years as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 19, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a sixty-month purchase order for single-phase pole-type distribution transformers to Cooper Power Systems in the amount of \$4,542,818.72.

The single-phase pole-type distribution transformers are used to manage the flow of electricity along the power grid. This is a secondary contract that will serve as a back up to the original contract to ensure we have multiple manufacturers due to the critical nature of the transformers to the Division's infrastructure.

Bids were opened on October 2, 2024. Notice to Bidders was advertised. Ten bids were solicited, and four bids were received with the lowest and best complying bidder being the firm of Cooper Power Systems. This award complies with all applicable laws and policies.

The 2025 budgeted amount for Electric – Planned Maintenance is \$7,343,000.00; the amount spent to date is \$74,433.19; leaving a balance of \$7,268,566.81; of which \$1,521,224.05 will be spent on this purchase order in 2025; leaving a balance available of \$5,747,342.76 after award; the remaining balance of \$3,021,594.67 to be spent in subsequent budget years as approved; and

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, awards a sixty-month purchase order to Cooper Power Systems is approved for furnishing:

415 – Transformers K-25KVA SB OH 1PH 12KV;

375 – Transformers K-25KVA SB OH 1PH 23KV;

625 – Transformers M-50KVA SB OH 1PH 12KV;

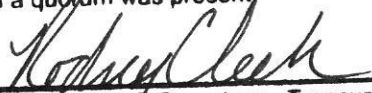
375 – Transformers M-50KVA SB OH 1PH 23KV;

75 – Transformers N-75KVA SB OH 1PH 12KV;

25 – Transformers N-75KVA SB OH 1PH 23KV;

Totaling \$4,542,818.72; f.o.b. Memphis, Tennessee, our dock; transportation prepaid; said prices are subject to escalation / de-escalation for the sixty-month period; delivery in 12 weeks; terms net 30 days.

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 meeting
held on 19th day of Feb
2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Meter 12-Inch Ultrasonic Run Assemblies
2. **Requested Funding** – \$352,666.66
3. **Award Duration** – One-Time Purchase
4. **Type of Bid** – Sealed Bid
5. **Awarded To** – Industrial Sales Company of Memphis, Inc.
6. **LSB/MWBE Goal Assigned/Committed** – LSB and MBE
7. **Plain Language Description** – To purchase two ultrasonic meter and “meter tube” flow conditioner assemblies. Ultrasonic Meters are extra high-capacity meters which are required for industrial customers.
8. **Impact** – The ultrasonic meters are highly sensitive gas measurement devices designed to accommodate the flow capacity required for the new Tennessee Valley Authority (TVA) - Combustion Turbine Plant which is located at 2404 W. Mitchell Road. The design for this project was created under Work Order Number 1426605. The cost of this meter station will be reimbursed 100% by TVA.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of February 19, 2025 approved a purchase order for meter 12-inch ultrasonic run assemblies and is now recommending to the Council of the City of Memphis that it approves said purchase; and

WHEREAS, the meter 12-inch ultrasonic run assemblies are highly sensitive gas measurement devices designed to accommodate the flow capacity that will be installed at the Tennessee Valley Authority Aero-Derivative Turbine Meter Station located at 2404 W. Mitchell Road; and

WHEREAS, bids were opened October 2, 2024. Notice to Bidders was advertised. Seventeen bids were solicited, and two bids were received with the best complying and most responsive bidder being the firm of Industrial Sales Company of Memphis, Inc. 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 the purchase of meter 12-inch ultrasonic run assemblies from Industrial Sales Company of Memphis, Inc. in the amount of \$352,666.66 chargeable to the MLGW 2025 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 19, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order for meter 12-inch ultrasonic run assemblies to Industrial Sales Company of Memphis, Inc. in the amount of \$352,666.66.

The meter 12-inch ultrasonic run assemblies are highly sensitive gas measurement devices designed to accommodate the flow capacity that will be installed at the Tennessee Valley Authority Aero-Derivative Turbine Meter Station located at 2404 W. Mitchell Road.

Bids were opened on October 2, 2024. Notice to Bidders was advertised. Seventeen bids were solicited, and two bids were received with the best complying and most responsive bidder being the firm of Industrial Sales Company of Memphis, Inc. This award complies with all applicable laws and policies.

The 2025 budgeted amount for Gas – General Power Service is \$4,600,000.00; of which \$352,666.66 will be spent on this purchase order in 2025; leaving a balance of \$4,247,333.34 after award; and

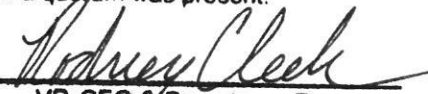
NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, awards a purchase order to Industrial Sales Company of Memphis, Inc. is approved for furnishing:

2 – Meter 12-inch ultrasonic run assemblies;

Totaling \$352,666.66; f.o.b. Memphis, Tennessee, our dock; transportation prepaid; prices being firm; delivery in 18-20 weeks; terms net 30 days.

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 meeting
held on 19th day of Feb.
2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

- 1. Short Title Description** – Slam Shut 8-Inch Fisher OSE ANSI 600 Regulators
- 2. Requested Funding** – \$238,590.00
- 3. Award Duration** – One-Time Purchase
- 4. Type of Bid** – Sealed Bid
- 5. Awarded To** – Brighter Days and Nites, Inc.
- 6. LSB/MWBE Goal Assigned/Committed** – LSB and MBE
- 7. Plain Language Description** – To purchase six slam shut 8-inch Fisher OSE ANSI 600 regulators. These are a type of valve designed to quickly and completely shut off when pressure in the gas line exceeds the setpoint, protecting downstream piping and equipment from over pressurization.
- 8. Impact** – These slam shut valves will be installed in the proposed HP meter station at the Valero Refinery located at 2385 Riverport Road. The work for the project was designed on Work Order Number 505851. Valero has created a unique situation by designing a tie-in within their plant that connects feeds from MLGW's XXHP and HP gas systems, 900psi and 99psi MAOP, respectively. The slam shut 8-inch Fisher OSE ANSI 600 regulators will provide protection from excess pressurization for MLGW's HP system in the event of a malfunction within the Valero Plant. The slam shut regulators are required to provide two-stage protection for the three-meter runs.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of February 19, 2025 approved a purchase order for six slam shut eight-inch Fisher OSE ANSI 600 regulators and is now recommending to the Council of the City of Memphis that it approves said purchase; and

WHEREAS, the slam shut eight-inch Fisher OSE ANSI 600 regulators will be installed at the Valero Refinery located at 2385 Riverport Road to prevent over-pressurization of MLGW's HP gas system equipment in the event of a malfunction at the Valero Plant;

WHEREAS, bids were opened November 20, 2024. Notice to Bidders was advertised. Fifteen bids were solicited, and seven bids were received with the lowest and best complying bidder being the firm of Brighter Days and Nites, Inc. 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 the purchase of six slam shut eight-inch Fisher OSE ANSI 600 regulators from Brighter Days and Nites, Inc. in the amount of \$238,590.00 chargeable to the MLGW 2026 fiscal year budget contingent upon approval.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 19, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order for slam shut eight-inch Fisher OSE ANSI 600 regulators to Brighter Days and Nites, Inc. in the amount of \$238,590.00.

The slam shut eight-inch Fisher OSE ANSI 600 regulators will be installed at the Valero Refinery located at 2385 Riverport Road to prevent over-pressurization of MLGW's HP gas system equipment in the event of a malfunction at the Valero Plant.

Bids were opened on November 20, 2024. Notice to Bidders was advertised. Fifteen bids were solicited, and seven bids were received with the lowest and best complying bidder being the firm of Brighter Days and Nites, Inc. This award complies with all applicable laws and policies.

The 2025 budgeted amount for Gas – General Power Service is \$4,600,000.00; the amount spent to date is \$1,319.58; leaving a balance available of \$4,598,680.42; of which \$238,590.00 will be spent in subsequent budget year as approved; and

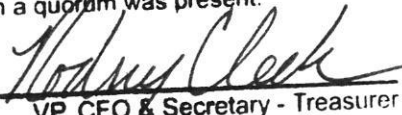
NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, awards a purchase order to Brighter Days and Nites, Inc. is approved for furnishing:

6 – Slam shut eight-inch Fisher OSE ANSI 600 regulators;

Totaling \$238,590.00; f.o.b. Memphis, Tennessee, our dock; transportation prepaid; said price being firm; delivery in 38-42 weeks; terms net 15 days.

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 meeting
held on 19th day of Feb
2025, at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. Description of the Item

Resolution approving the recommended annual salary in the amount of \$160,000.00 to fill the vacant new hire position of Attorney 4.

2. Additional Information

The President & CEO and the Chief People Officer has recommended to the Board of Light, Gas and Water Commissioners approving an annual salary in the amount of \$160,000.00 for a vacant new hire Attorney 4 position subject to the consent and approval of the City Council of the City of Memphis.

RESOLUTION

WHEREAS, MLGW desires to hire a candidate to fill the vacant position of Attorney 4; and

WHEREAS, the Board of Memphis Light, Gas, and Water Commissioners at their meeting on February 19, 2025, approved an annual salary in the amount of \$160,000.00 for the Vacant Attorney 4 position; and

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

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that the annual salary of \$160,000.00 is hereby approved for the Vacant Attorney 4 position.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
February 19, 2025

WHEREAS, MLGW desires to hire a candidate to fill the vacant position of Attorney 4 at an annual salary of \$160,000.00; and

WHEREAS, the President & CEO and the Chief People Officer recommend to the Board of Memphis Light, Gas & Water Commissioners an annual salary in the amount of \$160,000.00 for a candidate for the position of Attorney 4.

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 Attorney 4 in the amount of \$160,000.00 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 meeting held on 19th day of February, 2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Electric Smart Meters
2. **Requested Funding** – \$2,792,380.75
3. **Award Duration** – One-Time Purchase
4. **Type of Bid** – Sealed Bid
5. **Awarded To** – Engineered Sealing Components
6. **LSB/MWBE Goal Assigned/Committed** – LSB
7. **Plain Language Description** – To purchase 15,075 various size residential, commercial, and industrial electric smart meters.
8. **Impact** – The electric smart meters are needed to install new and replace defective meters and will be installed at various residential, commercial, and industrial locations.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of March 5, 2025 approved a purchase order for electric smart meters and is now recommending to the Council of the City of Memphis that it approves said purchase; and

WHEREAS, the electric smart meters are designed to measure electricity used in units of kilowatt hours. Kilowatt hours are visible at the meter and communicated to our mesh network by the communication board in the meter. The electric smart meters are needed to replace defective meters and to install new meters for residential, commercial, and industrial; and

WHEREAS, bids were opened on September 11, 2024. Notice to Bidders was advertised. Eighteen bids were solicited, and three bids were received with the lowest and best complying bidder being the firm of Engineered Sealing Components. 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 the purchase of electric smart meters from Engineered Sealing Components in the amount of \$2,792,380.75 chargeable to the MLGW 2025 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
March 5, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order for electric smart meters to Engineered Sealing Components in the amount of \$2,792,380.75.

The electric smart meters are designed to measure electricity used in units of kilowatt hours. Kilowatt hours are visible at the meter and communicated to our mesh network by the communication board in the meter. The electric smart meters are needed to replace defective meters and to install new meters for residential, commercial, and industrial.

Bids were opened on September 11, 2024. Notice to Bidders was advertised. Eighteen bids were solicited, and three bids were received with the lowest and best complying bidder being the firm of Engineered Sealing Components. This award complies with all applicable laws and policies.

The 2025 budgeted amount for Electric Meter Shop is \$1,542,000.00; of which \$2,792,380.75 will be spent on this purchase order in 2025; and the overage of \$1,250,380.75 will be absorbed within the 2025 Line Reconstruction budget; and

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, awards a purchase order to Engineered Sealing Components is approved for furnishing:

10,000 – Meter electric, Honeywell designation No. ZHCW4A00004, 1PH 240V 3W CL200 W/AMR 3W1PAMR, form 2S, 240-volt single-phase, 3 wire class 200 solid state demand meter REXU with EA-LAN; all in accordance with MLGW Specification dated

March 24, 2022;

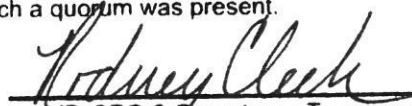
4800 – Meter electric, Honeywell designation No. ZH5W3A00004, 3PH 120V 3W CL200 24BKW, form 12S, 120-volt, 3 wire, class 200, single-phase solid-state meter REXU with EA-LAN; all in accordance with MLGW Specification dated March 30, 2022;

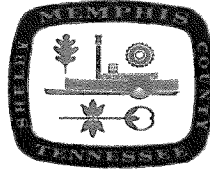
150 – Meter electric, Honeywell designation No. ZD3210PHOLM, 3PH 120V 4W CL20 31AMR, form 9S, 120-volt Class 20, 4 wire, polyphase solid state demand meter A3 with EA LAN A3RALNQ, 128K memory; all in accordance with MLGW Specification dated March 24, 2022;

125 – Meter electric, Honeywell designation No. ZD3310PHOLM, 3PH 120V 4W CL200 34AMR, form 16S, 120 Volt, Class 200, 4 Wire, polyphase solid state demand meter A3 with EA-LAN-A3RALNQ, 128K memory, in accordance with MLGW Specification dated March 24, 2022;

Totaling \$2,792,380.75; f.o.b. Memphis, Tennessee, our dock, transportation prepaid; said prices being firm; delivery in 30 weeks; terms net 30 days.

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 meeting
held on 5th day of March
2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer



Memphis City Council Summary Sheet

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

This resolution is to move appropriated funds from a completed project, IS01082, to IT Projects IT01003, Operational Infra. Enhancement; IT01004, Implementation Modernization; and IT01005, Treasury Tax System FY23.

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

Information Technology

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

This resolution re-appropriates funds previously appropriated to CIP Project IS01082 by the Memphis City Council.

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

N/A

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

N/A

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

This resolution requires a budget amendment.

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

N/A

P079



Resolution to Transfer Allocated and Appropriated Funding Between Information Technology CIP Projects

WHEREAS, the Finance Division monitors the City's actual spending performance relative to its budget for Capital Improvement Program (CIP) spending and execution and

WHEREAS, in collaboration with the Finance Division, each Division of City Government reviews its current spending performance and projected anticipated outcomes for their respective CIP projects; and

WHEREAS, as of December 2024, the Information Technology Division has determined that the project is complete and, as such, has identified a cost savings of \$1,219,143.00 in CIP Project IS01082 Treasury Tax System and, as such, the project currently retains unencumbered appropriations sufficiently available for other uses; and

WHEREAS, It would be beneficial for the City to reallocate cost savings from CIP Project IS01082 to CIP Projects IT01003 (\$399,143.00) for the replacement of aging wireless access point devices, enhance wireless coverage, replace key network switches, and continue network segmentation; also to CIP Project IT01004 (\$500,000.00), for Implementation and Modernization and upgrades for the enterprise application infrastructure development platform improvements; and the CIP Project IT01005 (\$320,000.00) for the Treasury Tax System FY23 and

WHEREAS, it is desired and necessary to amend the Fiscal Year 2025 (FY25) CIP budget by transferring, allocating, and appropriating identified funds to match program spending different from the FY25 adopted CIP budget.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Memphis, that the Fiscal Year 2025 Capital Improvement Program Budget be amended in accordance with Tennessee Constitution Article 2 § 24, TCA § 9-1-116, Municipal Budget Law of 1982 in the amount of \$1,219,143.00 by the approved transfer from CIP Project IS01082 and the approved allocation and appropriation of such funds to CIP Projects IT01003, IT01004, and IT01005 to the benefit of the City, its employees, and its Citizens requiring it.

Memphis City Council Summary Sheet

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

Resolution to transfer \$299,219 from Planning line and allocate funding into the Construction Line in Project LI01030 – New Frayser LI01030 Library Council District 7, Super District 8.

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

Library Services

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

Does not change an existing ordinance or resolution

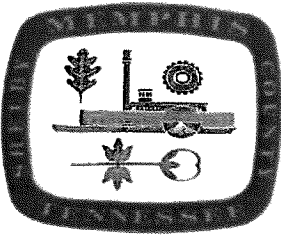
4. State whether this requires a new contract, or amends an existing contract, if applicable.

No new contract is required.

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

This resolution will amend the balance in the Planning Line of the Capital Project Report (MGR) transferring the amount of two hundred, ninety-nine thousand, two hundred, nineteen dollars (\$299,219) of the remaining unencumbered appropriated funds to the Construction Line of New Frayser Library LI01030. This Resolution authorizes the expenditure for Contract Construction Furniture Fixture Equipment funds for the New Frayser Library in District 7 (Super District 8).

P082



A Resolution to transfer \$299,219 from the Capital Project Report (MGR) Planning Line to the Construction Line of the New Frayser Library and appropriate funds for use in that line for the Library Services Division.

WHEREAS, the Council of the City of Memphis approved an allocation and appropriation of \$299,219 for Project LI01030, for the purpose of Planning A&E and Land Acquisition which now is completed; and

WHEREAS, Planning A&E and Land Acquisition has an unencumbered balance of \$299,219, and under the Construction Line FF&E has a shortage and needs additional funds; and

WHEREAS, it is necessary to transfer the sum of \$299,219 from Planning A&E and Land Acquisition to Construction Furniture Fixture Equipment, Project LI01030 – New Frayser Library to fund the increase cost of Construction FFE to complete furniture installation of the New Frayser Library Branch; and

BE IT RESOLVED by the Council of the City of Memphis that the sum of two hundred, ninety-nine thousand, two hundred, nineteen dollars (\$299,219) funded by General Obligation Bonds be transferred to the above named lines as follows:

Project Title:	New Frayser Library – LI01030
Contract Construction:	LI01030
Amount:	\$299,219

**A JOINT RESOLUTION FINDING OF CONDITIONS NECESSARY FOR COMMUNITY
REDEVELOPMENT IN THE CLEVELAND STREET CORRIDOR AREA AND
ADOPTION OF THE COMMUNITY REDEVELOPMENT PLAN FOR THE
CLEVELAND STREET CORRIDOR AREA.**

WHEREAS, pursuant to the Community Redevelopment Act of 1998 (the “Act”) Shelby County, Tennessee (the “County”), and the City of Memphis, Tennessee (the “City”), established a joint Community Redevelopment Agency (“CRA”) to ameliorate the slum and blight conditions within the City and the unincorporated areas of the County; and

WHEREAS, CRA received an application from the Cleveland Street Corridor Partnership (the “Applicant”) proposing a tax increment financing district (TIF) for the Cleveland Street Corridor Area. After review by CRA staff, the CRA Board, input from the Applicant, community meetings, and technical review and analysis by consultants, the CRA drafted a Community Redevelopment Plan, Qualifications Analysis, and Fiscal Impact Analysis for the Cleveland Street Corridor Area, included as **Attachment A**. The Community Redevelopment Plan includes, but does not limit, identified priority initiatives such as the following: redevelopment and new construction of affordable and market rate housing, acquisition of property to be assembled for development, support of mixed-use development, infrastructure improvements, public facility improvements, environmental improvements, streetscape improvements, and community development; and

WHEREAS, the City of Memphis and Shelby County Community Redevelopment Agency and Board of Directors reviewed information from the consultants and tax increment finance analysis, and after reviewing said documentation, determined that the information in **Attachment A**, submitted to the CRA meets the requirements of the Act; and

WHEREAS, the CRA has provided notice to the taxing authorities of the City and County and to the public and has provided notice of this public hearing.

NOW, BE IT RESOLVED, by the Board of County Commissioners of Shelby County, Tennessee and the City Council of the City of Memphis, Tennessee, adopt the Community Redevelopment Plan for the Cleveland Street Corridor Area.

BE IT FURTHER RESOLVED, that, not exceeding the total amount identified in **Attachment A**, \$127,000,000, may be disbursed as reimbursable projects and their costs are identified and approved by the CRA over the remaining duration of the Cleveland Street Corridor TIF.

BE IT FURTHER RESOLVED, that as allowed in Section 2 of the "Uniformity in Tax Increment Financing Act of 2012" a total of up to five percent (5%) of incremental tax revenues will be set aside for administrative expenses incurred by the CRA (Tennessee Code Annotated 9- 23-104).

BE IT FURTHER RESOLVED, that as allowed in the "Uniformity in Tax Increment Financing Act of 2012" the tax increment base and dedicated taxes shall be calculated on the basis of each parcel within the area subject to the Community Redevelopment Plan for the Cleveland Street Corridor Area (Tennessee Code Annotated 9-23-102).

BE IT FURTHER RESOLVED, that the Shelby County Board of Commissioners and the Memphis City Council hereby approve the final budget amount exhibited in **Attachment A** to this resolution as the funding cap, not be exceeded unless the Community Redevelopment Plan for the Cleveland Street Corridor Area is amended. The final budget amount exhibited does not create any enforceable contractual rights.

Sponsor: Councilwoman Dr. Michalyn Easter-Thomas

THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE

FUNDING RESOLUTION

RESOLUTION OF THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, APPROVING THE TRANSFER OF A PORTION OF CERTAIN GRANT FUNDS AWARDED FROM THE STATE OF TENNESSEE IN THE AGGREGATE AMOUNT OF EIGHTY MILLION DOLLARS (\$80,000,000) AND AUTHORIZING THE APPROPRIATION THEREOF TO THE MEMPHIS AND SHELBY COUNTY SPORTS AUTHORITY, INC. FOR THE PURPOSES OF, AMONG OTHER THINGS, FUNDING ALL OR A PORTION OF THE CAPITAL REPAIRS, IMPROVEMENTS, AND REPLACEMENTS TO THE FEDEXFORUM ARENA, INCLUDING THE PROPOSED ARCHITECTURAL, ENGINEERING AND DESIGN WORK ASSOCIATED THEREWITH; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE FUNDING AGREEMENTS IN CONNECTION THEREWITH; AUTHORIZING ALL LEGAL AND ADMINISTRATIVE ACTIONS AND OTHER NECESSARY MATTERS WITH RESPECT TO THE FOREGOING; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, The Memphis and Shelby County Sports Authority, Inc. (the “**Authority**”) is a public nonprofit corporation duly organized and validly existing under the laws of the State of Tennessee, and constitutes a public instrumentality of the City of Memphis, Tennessee (the “**City**”) and Shelby County, Tennessee (the “**County**”) in order to, among other things: (i) acquire, improve, repair, extend, equip, furnish, operate and maintain one or more projects; (ii) maintain, manage, and enter into certain agreements, in furtherance of its statutory and public purpose, for the maintenance, and management of any project, including a project with a public purpose to promote entertainment, performances and events that contribute to the educational, recreational, economic and cultural development of the community; and (iii) issue and sell its revenue bonds which are payable solely from the revenues and receipts from the applicable revenues of the bond-financed projects, or from other sources, as security for the payment of the principal of, premium, if any, and interest on, any bonds so issued and any agreements made in connection therewith; and

WHEREAS, the Authority pursuant to and in accordance with (i) the Constitution and the laws of the State of Tennessee, including, particularly Title 7, Chapter 67, Tennessee Code Annotated, as amended, and the applicable legal provisions of the Local Government Public Obligations Act, codified at Title 9, Chapter 21, Tennessee Code Annotated, as amended (together the “**Act**”), (ii) the applicable provisions of federal law, and (iii) that certain Trust Indenture, dated and effective as of May 1, 2002, as amended (the “**Indenture**”), executed and delivered by and between the Authority and Wachovia Bank, National Association (as replaced by U.S. Bank National Association, being the successor-in-interest), serving as the bond trustee therein, has previously issued its revenue bonds including, but not limited to: (a) The Memphis and Shelby County Sports Authority, Inc. Revenue Bonds, 2002 Series A (Memphis Arena Project) and Revenue Bonds, 2002 Series B (Memphis Arena Project); and (b) The Memphis and Shelby County Sports Authority, Inc. Revenue Refunding Bonds, 2019 Series A (Memphis Arena Project)

and Revenue Refunding Bonds, 2019 Series B (Memphis Arena Project) (collectively, the “**Bonds**”), to finance and refinance the costs of acquisition, construction, and equipping of a multipurpose arena, including related and ancillary facilities, to be used as the home venue of the National Basketball Association franchise currently known as the Memphis Grizzlies, and for other entertainment, cultural, sporting and civic events, and the costs of issuance related thereto (the “**FedExForum Arena**”); and

WHEREAS, the City, the County, HOOPS, L.P., a Delaware limited partnership (as replaced by Memphis Basketball, LLC, a Nevada limited liability company, being the successor-in-interest) (“**Memphis Basketball**”), and the Authority are parties to that certain Memphis Arena Use and Operating Agreement, dated and effective as of June 29, 2001, as amended by that certain First Amendment To Memphis Arena Use and Operating Agreement, dated and effective as of May 15, 2002, as amended by that certain Second Amendment To Memphis Arena Use and Operating Agreement, dated and effective as of February 7, 2011, and as amended by that certain Third Amendment To Memphis Arena Use and Operating Agreement, dated and effective as of May 15, 2022 (collectively, the “**Operating Agreement**”), which sets forth, among other things, the terms and conditions among the parties thereto pertaining to the funding and completion of the capital repairs, improvements, replacements and ongoing maintenance in connection with the FedExForum Arena; and

WHEREAS, pursuant to the Operating Agreement under Section 8, the City and the County are responsible for, among other things, funding the Capital Repairs (as defined in Exhibit B under the Operating Agreement) to the FedExForum Arena, and if the City, the County, and Memphis Basketball shall reasonably determine that making certain Capital Repairs to the FedExForum Arena are necessary because certain equipment, systems or a component thereof is in the condition where it: (i) is substantially worn out; (ii) has reached the end of its useful life and is either obsolete or uneconomical to maintain and fails to perform to original specifications; (iii) is not functioning and cannot be repaired or cannot be economically repaired or operated; (iv) is no longer in compliance with all applicable local, state and federal laws; or (v) is no longer deemed safe, then such Capital Repairs shall be approved, performed, and completed within a reasonable time frame; and

WHEREAS, pursuant to and in accordance with the customary requisition and procurement process established under the Indenture and the Operating Agreement for funding and completing Capital Repairs and related improvements, replacements, and maintenance at the FedExForum Arena, the City and the County each have regularly deposited money, on an equal basis (i.e. 50% each), into the Capital Improvement Reserve Fund (as defined in the Indenture) to be utilized for such purposes; and

WHEREAS, since the FedExForum Arena was placed in operation in 2004, the Authority has worked cooperatively with the City, the County and Memphis Basketball to facilitate the approvals, performance and completion of various Capital Repairs, improvements, replacements, and ongoing maintenance in connection with the FedExForum Arena including, from time to time, authorizing the voluntary expenditures of legally available moneys from the Authority’s Surplus Fund (as defined in the Indenture), in furtherance of its statutory and public purpose, to fund various Capital Repairs, improvements, replacements and ongoing maintenance necessary to

enhance the infrastructure and certain interior components of the FedExForum Arena to align the multipurpose arena with other major newly constructed and/or renovated arenas subsequently making it more attractive for bookings; and

WHEREAS, the City, the County, and the State of Tennessee (the “**State**”) understand and agree that the redevelopment, expansion and sustainment of major sports arenas and stadiums, specifically the FedExForum Arena, furthers its public purpose by fostering economic development and prosperity and provides an additional incentive for the existing major professional sports teams and franchises currently operating in the State to remain and to attract additional major professional sports teams and franchises to relocate to the State; and

WHEREAS, the City, the County, and the State also acknowledge and understand the necessity to further promote, develop and maintain recreational spaces in the State, specifically within the City and the County, through facilitating and providing additional economic development opportunities for the equipping, acquisition, construction and rehabilitation of new and existing sports complexes, stadiums, arenas and other recreational facilities for the purposes of promoting, hosting, and maintaining spaces for professional and amateur athletic events; and

WHEREAS, in April 2023, the Tennessee Governor’s annual appropriations budget was approved and duly adopted by the 113th General Assembly of the State and included the “Memphis Tourism - Sports Facilities – Grant”, a cash grant in the nonrecurring sum of \$350,000,000, to the City for tourism-related infrastructure improvements and construction at publicly-owned collegiate and professional sports facilities within the municipal limits of the City (the “**State Grant Funds**”); and

WHEREAS, in connection therewith, the City agreed to appropriate the full amount of the State Grant Funds in the following manner: (i) \$230 million shall be appropriated to the FedExForum Arena; and (ii) \$120 million shall be appropriated to the Simmons Bank Liberty Stadium; and

WHEREAS, currently no amount of State Grant Funds has been appropriated to the FedExForum Arena, and the Council of the City (the “**City Council**”) hereby desires to establish and duly adopt the process for the appropriation of the \$230 million portion of the State Grant Funds designated for the FedExForum Arena; and

WHEREAS, the City Council hereby declares that the \$230 million portion of the State Grant Funds shall be periodically appropriated pursuant to an amount determined for the purposes of, among other things, funding all or a portion of the Capital Repairs, improvements, and replacements pertaining to the FedExForum Arena, including the proposed architectural, engineering and design work associated therewith, in addition to, the reimbursement to Memphis Basketball for funds previously expended to complete the same (each a “**City Contribution**”); and

WHEREAS, the City Council hereby desires to establish and duly adopt the following process for the periodic appropriation of the \$230 million portion of the State Grant Funds designated for the FedExForum Arena, whereas the appropriation of each City Contribution shall:

(i) be approved and duly adopted through a City Council funding resolution authorizing the transfer of the specific amount of funds for appropriation and the necessary legal and administrative actions in connection therewith; (ii) be transferred to the Authority for deposit into the Capital Improvement Reserve Fund; (iii) be expended and administered pursuant to and in accordance with the terms and provisions of this Funding Resolution and one or more funding agreements to be executed and delivered by and between the City and the Authority, as necessary, and by and between the Authority and Memphis Basketball, whereby each funding agreement shall be approved as to the form and legality thereof by the City and the County; and (iv) be deemed to be separate and apart from the above-described process established under the Indenture and the Operating Agreement in connection with the existing City obligations and County obligations whereby the City and the County, on an equal basis (i.e. 50%), each contribute money for funding Capital Repairs, improvements, and replacements at the FedExForum Arena; and

WHEREAS, the City Council acknowledges that each City Contribution shall constitute a voluntary expenditure being appropriated for the purposes set forth herein, and shall not be reimbursable from the County, the Authority or Memphis Basketball; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE AS FOLLOWS:

SECTION 1. Recitals and Findings with Respect to the City Contribution. The Recitals set forth hereinabove are hereby approved and duly adopted by the City Council as the findings of the City Council and are incorporated herein. The City Council hereby finds and declares that the City Contribution authorized herein will promote the health, safety and welfare of the citizens of the State of Tennessee by: (i) enhancing and preserving the foundation of the FedExForum Arena; and (ii) fostering economic development and prosperity and assisting the City in providing an additional incentive for the Memphis Grizzlies to remain in the City, the County and the State of Tennessee.

SECTION 2. Approval and Authorization of Process for Appropriation of the State Grant Funds. The City Council hereby approves and duly adopts the above-described process for the appropriation of the \$230 million portion of the State Grant Funds designated for the FedExForum Arena.

SECTION 3. Approval and Authorization of Funding Resolution. The City Council hereby approves and duly adopts: (i) the prescribed form, the content and the provisions set forth herein; and (ii) the transfer and appropriation of the \$80 million City Contribution to the Authority for the funding of the Capital Repairs, improvements, and replacements in connection with the FedExForum Arena, including the proposed architectural, engineering and design work associated therewith, in addition to, the reimbursement to Memphis Basketball for funds previously expended to complete the same. The City Authorized Officers (as defined herein) are hereby authorized, empowered, and directed, from and after the execution and delivery of this Funding Resolution, to do all acts and things legally required, and execute all documents, as may be necessary or convenient to carry out, and to comply with, the provisions of this Funding Resolution, as approved and duly adopted by the City Council.

SECTION 4. Approval and Authorization of Funding Agreements. The City acknowledges and understands that each City Contribution shall be expended and administered pursuant to and in accordance with the terms and provisions of the applicable funding resolution and one or more funding agreements to be executed and delivered by and between the City and the Authority, as necessary, and by and between the Authority and Memphis Basketball, whereby each funding agreement shall be approved as to the form and legality thereof by the City and the County. The prescribed form, content and provisions to be set forth in the funding agreements shall include, among other things, the general descriptions of the proposed projects and the terms and conditions associated with the procurement of funding, performance and completion of the proposed projects pertaining to the Capital Repairs, improvements, and replacements at the FedExForum Arena, including the proposed architectural, engineering and design work associated therewith, in addition to, the reimbursement to Memphis Basketball for funds previously expended to complete the same (the “**Funding Agreements**”).

The City Authorized Officers are hereby authorized, empowered, and directed to execute, acknowledge, and deliver the Funding Agreements in the name, and on behalf, of the City. The Funding Agreements shall be in the prescribed form and include the content and provisions described above or with such insertions and revisions therein as shall be approved by the City Authorized Officers executing the same, their execution thereof to constitute conclusive evidence of their understanding and approval of any and all such insertions and revisions. The City Authorized Officers are hereby authorized, empowered, and directed, from and after the execution and delivery of the Funding Agreements, to do all acts and things legally required, and execute all documents, as may be necessary or convenient to carry out, and to comply with, the provisions of the Funding Agreements, as executed and delivered.

SECTION 5. City Council Authorizations. All actions heretofore undertaken by the Mayor, the Chief Financial Officer of the City, the Comptroller of the City, or any of them or their designees (individually or collectively, the “**City Authorized Officers**”) and other officials, employees, attorneys and agents of the City in furtherance of the intent of this Funding Resolution, the Funding Agreements, and of the agreements and documents authorized by this Funding Resolution and the Funding Agreements, are hereby ratified, confirmed and approved.

The City Authorized Officers, and other appropriate officials of the City, are hereby authorized to enter into such agreements set forth in this Funding Resolution and the Funding Agreements and are hereby authorized to execute such certificates or other documents and take such other actions, as may be necessary or appropriate to carry out the intent of this Funding Resolution and the Funding Agreements. Additionally, the City Authorized Officers, and other appropriate officials of the City, are hereby authorized to take all such actions to execute, deliver, and attest, as applicable (by manual, facsimile and/or electronic means), the Funding Agreements, all certificates, opinions, receipts, contracts, invoices, documents, and other written instruments as may be reasonably required to carry out, give effect to and consummate the transactions contemplated by this Funding Resolution and the associated Funding Agreements.

SECTION 6. Captions. The captions or headings in this Funding Resolution are for convenience only and shall in no way define, limit, or describe the scope or intent of any provision hereof.

SECTION 7. Severability. If any one or more of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements and provisions hereof.

SECTION 8. Repealer. All resolutions in conflict or inconsistent herewith are hereby repealed insofar as any conflict or inconsistency.

SECTION 9. Effective Date. This Funding Resolution shall become effective immediately upon its adoption by the City Council.