

Youth Services Division

**Presentation was
not provided a
presentation at
the time of
Document
Publication.**

MLGW Consent Agenda Committee Discussion



MLGW Committee

July 8, 2025

Fiscal Consent Totals:

- 1. Total Fiscal Consent Approved Amount Year-to-Date – \$257,069,983.46**
Items approved by Council through 6/24/2025.
- 2. Total Fiscal Consent Requested Amount – \$815,522.40**
Items requested for 7/8/2025 meeting.
- 3. Total Fiscal Consent Year-to-Date Amount - \$257,885,505.86**
Total of approvals and requests through 7/8/2025 meetings.

Items for July 8th Agenda

Items approved by BOC on June 18th

1. Resolution approving the ratification of Purchase Order Number 7066578 with Direct Connections, Inc. for 200 kW generators for an additional amount not to exceed \$38,060.00.
2. Resolution approving Change No. 1 to Contract No. 12556, 2 - 18" XHP Replacements, Weaver to Gill Inspection with Mid-South Engineering Consultants, LLC to expand the scope and increase the current contract value in the funded amount of \$553,250.00.
3. Resolution approving Change No. 2 to Contract No. 12390, Project Portfolio Management Software Tool Acquisition with WorkOtter, Inc. to renew the current contract in the funded amount of \$159,539.40.
4. Resolution approving Change No. 4 to Contract No. 12529 (formerly C2359), MLGW Employee App with Engagedly Inc. dba theEmployeeApp, LLC (formerly theEmployeeApp) to renew the current contract in the funded amount of \$64,673.00.

Davis and Shaw Well 200 kW Generators

- Funded amount: An Additional Amount Not to Exceed \$38,060.00
- Award Duration: One-Time Purchase
- Type of Bid: To Ratify Purchase Order #7066578
- Awarded to: Direct Connections, Inc.
- Plain Language Description: ARP Grant Reimbursable Project. To purchase ten generators to be used at Shaw and Davis well fields for redundant power supply to the wells. This purchase is part of the ARP Grant Reimbursable Project program which is 90% reimbursable. Five generators will be installed at Shaw well field and five generators will be installed at Davis well field.
- Impact: The purchase order was modified to accept the increase of \$38,060.00 due to projected tariffs imposed on imported goods. The decision was made to accept the increase to ensure the grant deadlines are met. The new purchase order amount is \$887,660.00.



2-18" XHP Replacements, Weaver to Gill Inspection



- Funded amount: \$553,250.00
- Award Duration: One (1) year (March 6, 2025 through March 5, 2026)
- Type of Bid: Professional Services
- Awarded to: Mid-South Engineering Consultants, LLC
- Plain Language Description: This contract is to provide inspection of construction for the new Weaver to Gill pipeline for Contract No. 12500. This increase will cover the additional time inspectors are needed and will expand the responsibility of Mid-South Consultants to provide “as-built” mapping. Additionally, this increase includes a 10% contingency.
- Impact: This is a major infrastructure upgrade for the MLGW Gas Division. The Mid-South Consultant’s inspectors are performing a vital service to ensure that the new 30”/24” steel gas main will be built to all MLGW and Federal Standards. MLGW does not have the workforce to inspect this job and still perform all other regular duties as required.

Project Portfolio Management Software Tool Acquisition

- Funded amount: \$159,539.40
- Award Duration: Second of four (4) annual renewals (August 1, 2025 through July 31, 2026)
- Type of Bid: RFP
- Awarded to: WorkOtter, Inc.
- Plain Language Description: A project portfolio management tool was purchased to track and measure project performance and strategic alignment with company goals.
- Impact: The tool assures compliance and prioritization of the company's projects.

MLGW Employee App

- Funded amount: \$64,673.00
- Award Duration: Fourth and final renewal (July 19, 2025 through July 18, 2026)
- Type of Bid: Sealed Bid
- Awarded to: Engagedly Inc. dba theEmployee App, LLC (formerly theEmployeeApp)
- Plain Language Description: The MLGW Employee App serves the purpose of being an additional communication method to MLGW employees.
- Impact: This application provides access to MLGW information and the latest news. The application has the ability to push notifications for urgent and emergency announcements.

Questions



City Smart Fiber- Optic Contract and Installation

City of Memphis- Division of
Engineering

Presented July 8, 2025



Requested Questions from Council

City Engineering has been asked to answer the below questions:

1. What are the protocols and procedures for installation?
2. Who do constituents contact when there are problems, questions, or concerns with contractors?
3. What are constituents' rights regarding installations (disrupting the property and yards of constituents)?
4. How do residents know if contractors have been authorized?
5. How are citizens notified about the installations and when they will occur?

Q1: What are the protocols and procedures for installation?

- Applicant submits permit documents that are reviewed and approved in Engineering
- Applicant will call in 811 for locates at permit site and begin the 'start work' notification process
- Applicant must meet City reporting requirements at:
 - Start Work – citizen notification method
 - Occupying the ROW – process and installation method used
 - Permit Completion – Restoration and repair of ROW to original or better condition
- Installers that do not adhere to City requirements are issued Stop Work orders and complete corrective action before resuming work

Engineering Protocol for Constituents Documentation

Installers are required to provide door hangers with contact information

Permits are required to be onsite and available, as requested

- *All vehicles in use (trucks, digging machines, saw machines) are required to have company insignia*
- *CURRENTLY - Working and coordinating with contractors to incorporate QR codes on vehicles*



From: City of Memphis Engineering - Land Development Office
To: Smart Fiber Inspection Group, Cannon & Cannon, Inc.
Date: 5/27/2025
Re: BSN, Fiber Optic Cable in City of Memphis Right of Way Franchise
Route Name: MEM_H001_DA088
Expiration Date: 8/19/2025
Permit Number: **SMIFIB-25-000142**
Application Name: H001-DA088
Description:

Description of Entire Route:

DA088 SPANS THROUGH THE INTERSECTION OF NEW ALLEN ROAD & OLD ALLEN ROAD AND FEEDS THE FEEDER THROUGH AERIAL STRAND AND UG CONDUIT AND CONTINUING TO OLD ALLEN ROAD, NEW ALLEN ROAD, WHITNEY AVENUE, DUMBARTON ROAD, SCENIC HIGHWAY, WALNUT ROAD, STAGE JAMES ROAD, THE WHOLE DA BRANCHES FROM THE HUT PLACED TO THE NORTH ON OLD ALLEN RD.



Continued: What are the protocols and procedures for installation?

- Protocol and Procedures for installation are primarily based off Ordinance 5551, which outlines the conditions for accessing City of Memphis Right-of-Way (ROW)
- City Engineering has also developed General Requirements that set additional requirements for accessing the ROW that are included on each approved permit and available online as well:
- <https://engineering.memphistn.gov/download/9/land-development/920/2025-procedures-for-fiber-optic-cable-permits-june>

Installation Methods/Equipment



Figure 1. Aerial Installations



Figure 2. Bore machinery



Figure 3. Microtrench sawcut



Figure 4. Open Handhole



Figure 4. Handhole Restoration



Figure 6. Mastic Restoration

Engineering Protocol for Constituents *Safety and Restoration*

Acceptable forms of fencing off hazardous sites are with orange fencing



Acceptable
Orange Fencing

- A single cone or small yellow tape is unacceptable for safety hazards.

Grass Strips are required to restored before a permit inspection passes



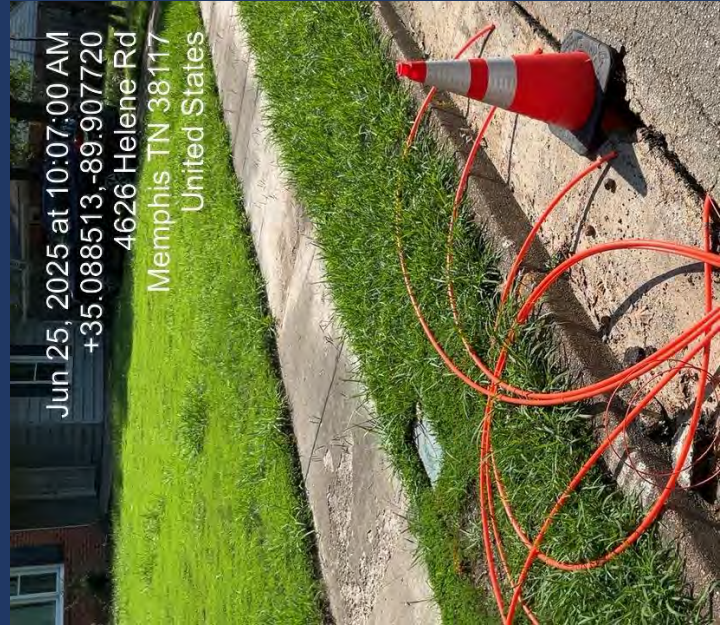
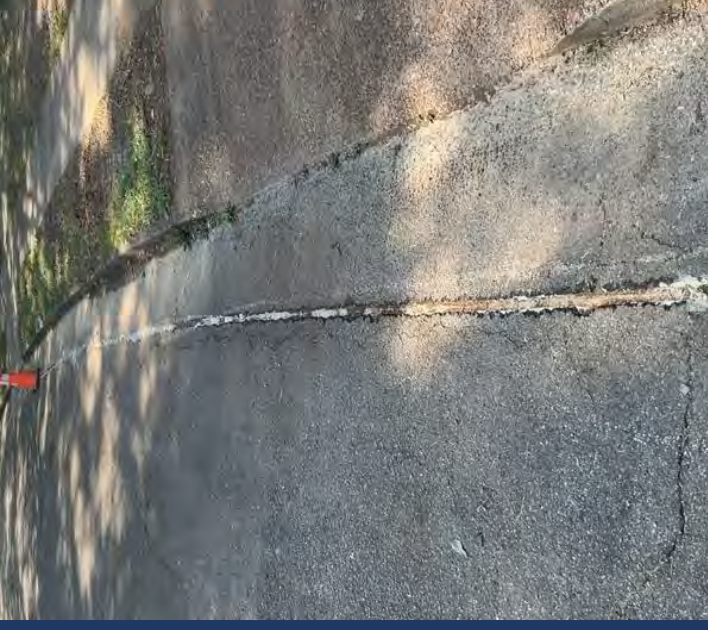
Unacceptable Yellow
Tape and Cone



Sodd Restoration
Required



Sodd Restoration
Completed



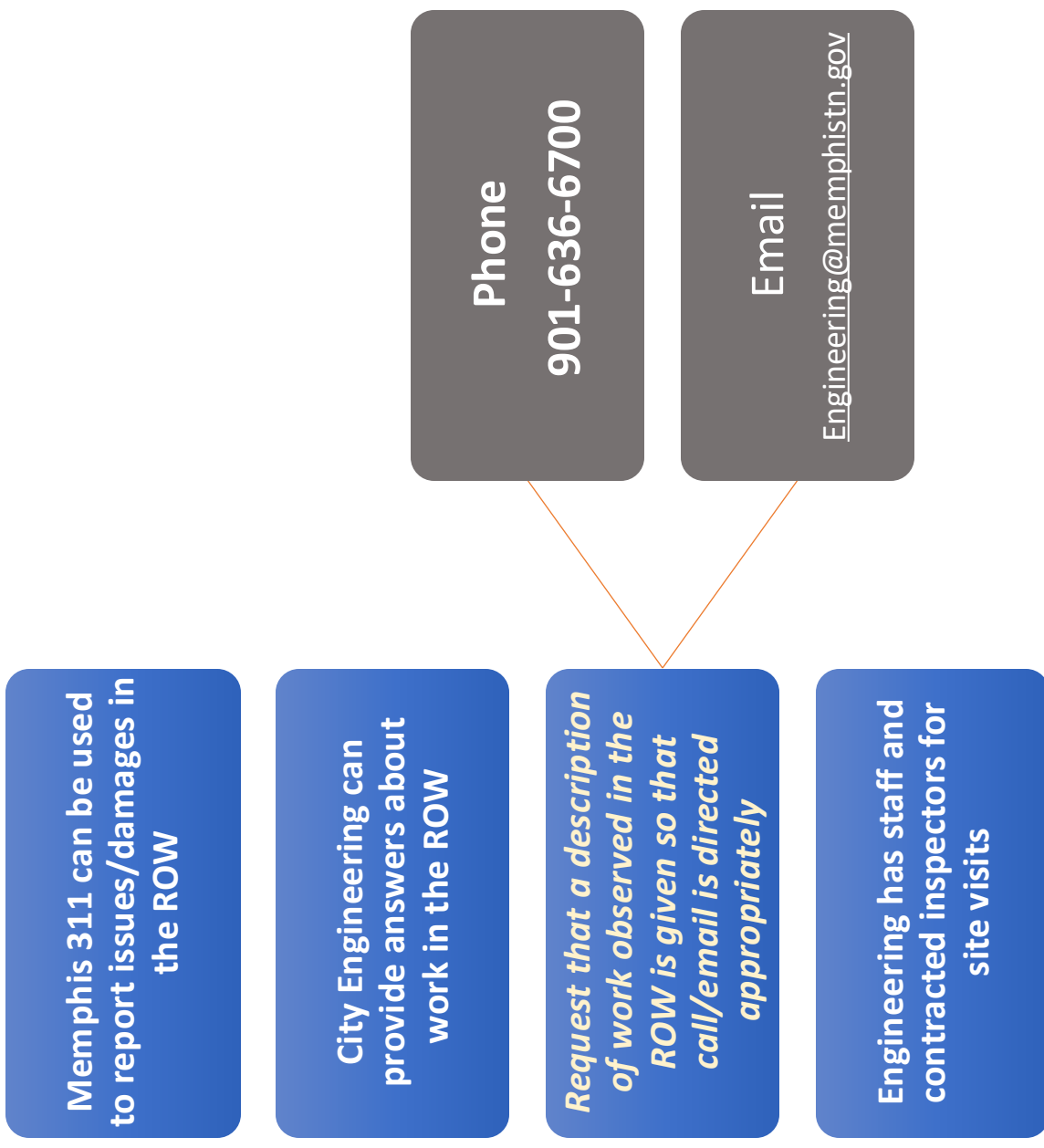
Engineering Protocol for Acceptable Work *Micro-trenching Work in Streets*

The process for restoration of Micro-trenching requires the following steps:

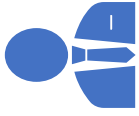
- Backfilling cuts with self compacting materials (white colored)
- After the trench cut dries for 3 days., backfill is coated with mastic (black colored)
- Weather issues reset the 3-day period

Jun 25, 2025 at 10:07:00 AM
+35.088513,-89.907720
4626 Helene Rd
Memphis TN 38117
United States

Q2: Who do constituents contact when there are problems, questions, or concerns with contractors?



Q3: What are constituents' rights regarding installations (disrupting the property and yards of constituents)?



Constituents are entitled to safe working environments and full restoration to previous conditions at work completion



City fiber permits allow access into the ROW or established utility easements for installation work



Engineering's explanation of Easements is available on our website

English: [city-of-memphis-easements-explained](#)

Spanish: [spanish-city-of-memphis-servidumbres-y-derechos-de-paso](#)



Access into the ROW/ Established Utility Easements

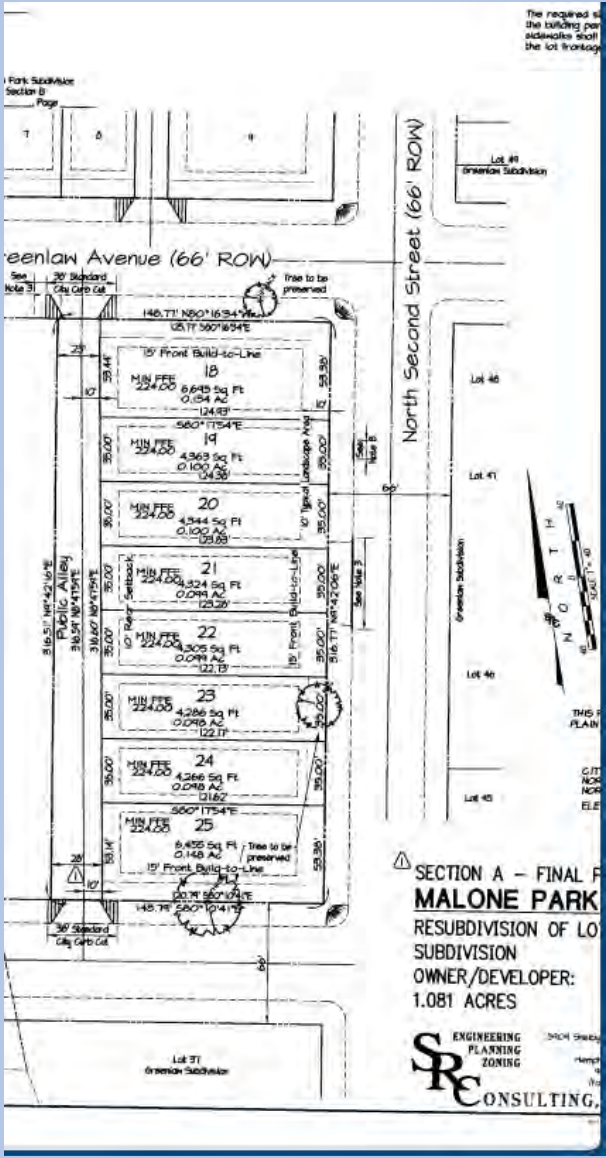
Example of Varying ROW: N 2nd St and Greenlaw Ave



ROW boundaries for N Second St and Greenlaw Ave are both 66 feet as shown in Plat Book 217-009



The ROW also would cover the grassy strip between the sidewalk and edge of pavement



Parcel ID:	001062 A00008
Appraisal:	\$202,800
Tax District:	MEMPHIS
Tax Map:	113N
Year Built:	2005
Lot Number:	25
Subdivision:	MALONE PARK RESUB OF LOTS 33-36 GREENLAW
Plat Book & Page:	217-009
Dimensions:	53.38 X 121.62
Total Acres:	0.148
Owner Address:	537 N 2ND ST MEMPHIS TN 38105 1631
Class:	RESIDENTIAL

Access into the ROW/ Established Utility Easements

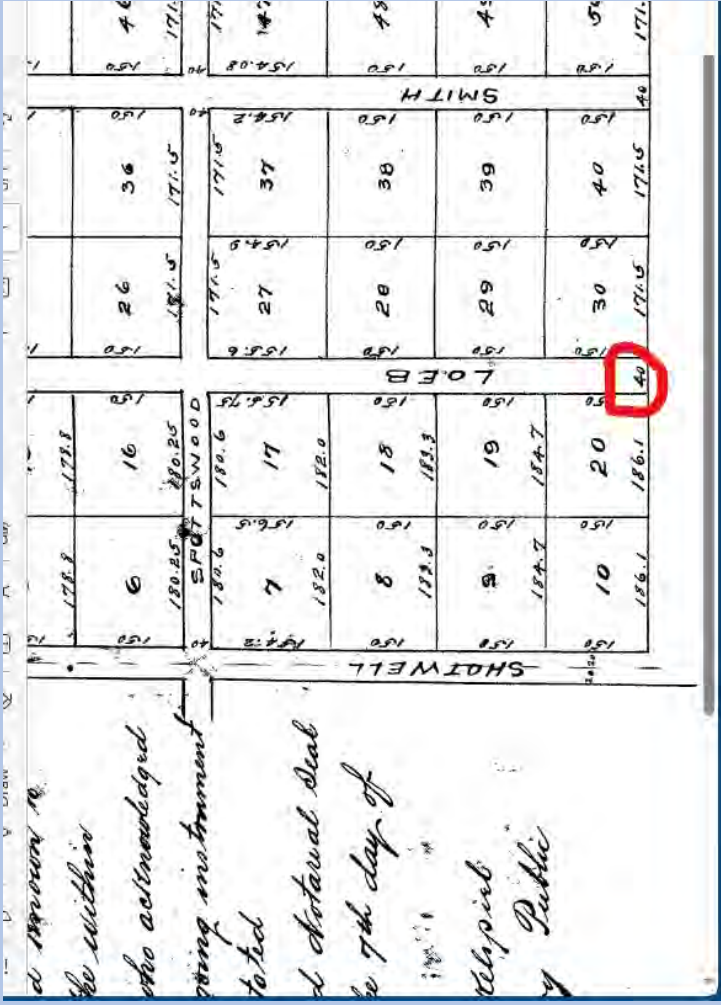
Example of Varying ROW: Spottswood Ave & Loeb St



Some older subdivisions may not have plat book pages online or they may be scans of hand drawn schematics. We can still find ROW boundaries as shown here for 40 ft.



The difference here is that at some residences along Loeb St such as 589 Loeb St there is no grassy strip and using the measure tool we can see where the 40 ft ROW boundary ends.



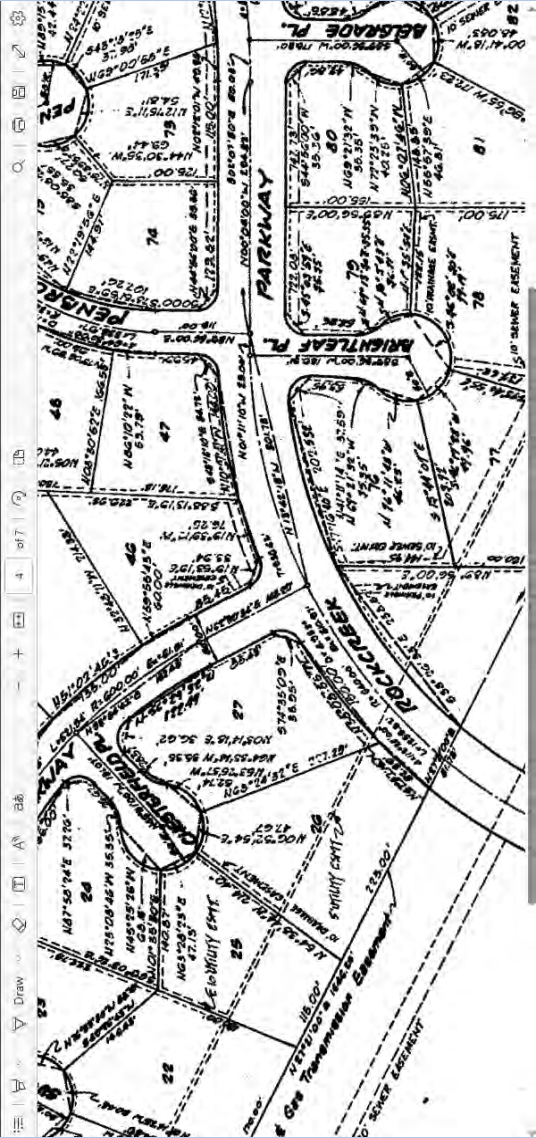
Access into the ROW/ Established Utility Easements

Examples of Utility Easements: Rock Creek and Country wood Pkways

Most properties have utility easements that are established so utilities can access your residence - the location of these easements can vary, but will be in the front, back or sides. An example of this is shown in Platbook 280 Page 2 for the Countrywood Subdivision (SD).

The homes in Country Wood SD around Rockcreek Pkwy and Countrywood Pkwy have easements shown by dotted lines that vary from 5’ to 10’ for utility easements.

The Register of Deeds does not have line boundaries showing easements, but these can be verified by contacting the Register of Deeds or the Division of Planning and Development (DPD).



Parcel ID: 096521 D00009

Appraisal: \$269,900

Tax District: MEMPHIS

Tax Map: 104E

Year Built: 1981

Lot Number: 66

Subdivision: COUNTRYWOOD COLONIAL-FAIRWAYS SEC H

Plat Book & Page : 74-73

Dimensions: 91.13/87.19 X 140.26/139.43

Total Acres: 0.286

Owner Address: 4303 CHUCK AVE
MEMPHIS TN 38108 4006

Class: RESIDENTIAL

Use: - SINGLE FAMILY

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Rockcreek Pkwy

Countrywood Pkwy

Measurement Result

80.3 Feet

-89.787, 35.191

© 2025 WILLIE F. BROOKS, JR., SHELBY COUNTY REGISTER OF DEEDS

Q4: How do residents know if contractors have been authorized?



All contractors are required to keep a **DIGITAL** or **PHYSICAL** copy of an **APPROVED PERMIT** on site



Any contractor that cannot produce an **APPROVED PERMIT** is issued a **STOP WORK ORDER**



Should a contractor **deny access** to view the City permit *Request for resident to contact*

CITY ENGINEERING

Phone - 901-636-6700

Email

Engineering@memphistn.gov



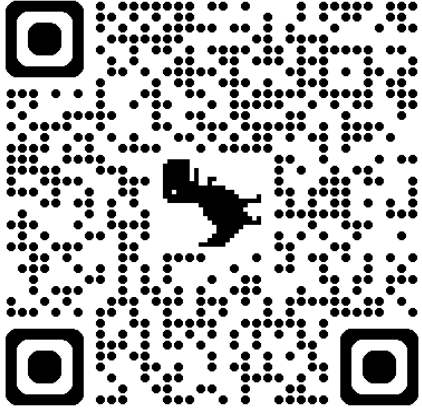
Engineering has staff and contracted inspectors for site visits

Q5: How are citizens notified about the installations and when they will occur?

- Contractors are responsible for notifying residents with door hangers as part of the Requirements on their approved permit.
- *Some contractors will also use “Real Estate” signs in an area where extensive work is happening.*
- The timeline for when work will commence varies with the weather, but all contractors should provide a copy of the issued PERMIT upon request.



City Smart Fiber- Optic Contract and Installation



www.smartmemphisfiber.com

Questions?

July 1, 2025

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

Dear Chairwoman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

Suzanne Hollenbach

be appointed as Memphis Animal Services Director with a salary of \$128,750.21.

I have attached biographical information.

In partnership and progress,



Paul A. Young
Mayor

July 1, 2025

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

Dear Chairwoman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

Melanie Neal

be appointed as Community Enhancement Director with a salary of \$149,350.19.

I have attached biographical information.

In partnership and progress,



Paul A. Young
Mayor

July 1, 2025

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

Dear Chairwoman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

Justice Bolden

be appointed as Memphis Parks Director with a salary of \$149,350.19.

I have attached biographical information.

In partnership and progress,



Paul A. Young
Mayor

May 23, 2025

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

Dear Chairwoman Easter-Thomas:

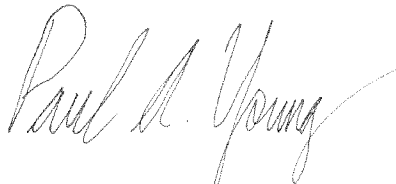
Subject to Council approval, I hereby recommend that:

Shayla N. Purifoy

be appointed to the Memphis Civil Service Commission with a term expiration date of November 30, 2027.

I have attached biographical information.

In partnership and progress,



Mayor Paul A. Young
City of Memphis

CIVIL SERVICE COMMISSION
14 Member Board
3 Year Staggered Terms
Oath of Office Required

The Civil Service Commission conducts hearings to review disciplinary actions, limited to suspensions, dismissals, or demotions of any employees not exempted from the provisions of the Charter and Code.

At least seven (7) of Commissioners shall be licensed attorneys, current or former judges and/or individuals with prior experience as an administrative law judge for any local, state or federal agency.

Chris Williams	11-30-2025	Chair
Jayniece Harris	11-30-2026	
Sarah Johnson Carter	11-30-2021	
Vacancy	11-30-2022	
Vacancy	11-30-2021	
Laurie Hall	11-30-2026	
Brandon Ingram	11-30-2020	
Robert Mebane	11-30-2022	
Jeffrey Land	11-30-2022	
Mark Allen	11-30-2022	
Vacancy	11-30-2021	
Laurice Smith	11-30-2022	
Stacy Clinton	11-30-2026	
Edward L. Vaughn	11-30-2020	

Memphis City Council Summary Sheet

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

Consideration of a resolution to approve a one-time bonus equal to \$2,950.00 for City retirees currently receiving pension payments or eligible to receive pension payments on or before *August 30, 2025*.

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

Administration/Human Resources Division

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

No

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

This will impact City retirees currently receiving pension payments or eligible to receive pension payments on or before *August 30, 2025*.

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

Not Applicable

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

Yes. This will require an expenditure from the Pension Fund in Fiscal Year 2026 in the amount of \$16,797,000.00.

**RESOLUTION APPROVING A ONE-TIME BONUS OF \$2,950.00
TO CITY OF MEMPHIS RETIREES CURRENTLY RECEIVING PENSION PAYMENTS OR ELIGIBLE TO
RECEIVE PENSION.**

WHEREAS, the cost of living is increasing year to year, and City retirees will be impacted by levels of inflation unseen before in the United States; and

WHEREAS, the Administration and Council have previously noted and affirmed that City of Memphis retirees have served the City and its citizens for many years before their retirement and deserve to receive compensation commensurate with the increased cost of living;

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council does hereby approve a one-time bonus equal to \$2,950.00 for City retirees currently receiving pension payments or eligible to receive pension payments on or before August 30, 2025. The estimated cost to the Pension Fund in Fiscal Year 2026 will be \$16,797,000.00.

Sponsors: Administration – Human Resources Division

Chairman: J. Ford Canale



Memphis City Council Summary Sheet

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

Consideration for adoption of the following amendments to the Pension System:

- A provision to permit a cash out to terminated participants of amounts not withdrawn by terminated participants that total \$200 or less.
- A provision to permit a cash out to terminated participants after notice and an opportunity to withdraw or rollover amounts not withdrawn by terminated participants of between \$200 and \$1,000.
- A provision to provide in lieu of COLAs City Council by resolution may declare from time to time in its discretion one-time bonuses to retirees.
- Provision where applicable to the Pension System to change the title "Benefits Manager" to "an authorized member of the city retirement team.
- Provisions where applicable to the Pension System to change the term "Deferred Retirement" to "Deferred Vested".

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

Human Resources

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

Yes, change the existing ordinance.

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

This will affect all employees and retirees.

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

Not Applicable

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

This ordinance does not require any expenditures.

**An Ordinance to Amend
Chapter 25—Pension and Retirement System
of the City of Memphis, Tennessee**

WHEREAS, the City of Memphis, Tennessee (the “Employer”) has adopted a defined benefit retirement plan known as City of Memphis Retirement System for General Employees, including police officers and firefighters, as subsequently amended and restated from time to time, and consisting of a 1948 plan (that part of the plan benefiting employees participating under the provisions of sections 4-25-60 through 4-25-99) and a 1978 plan (that part of the plan benefiting employees participating under the provisions of sections 4-25-160 through 4-25-199), as amended in 2012, and a 2016 plan (that part of the plan benefiting employees participating under the provisions of sections through 4-25-210 through 4-25-274), currently codified and established under City Ordinance Chapter 25, Articles I through VII, Division 1 and Division 2 and Division 3 (collectively, “the Pension System”); and

WHEREAS, the Employer desires to amend the Pension System as provided herein,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEMPHIS that the Pension and Retirement System of the City of Memphis be amended as follows:

1. Sec.4-25-86 shall be added and shall provide as follows:
 - A. Effective January 1, 2025, nonforfeitable benefits payable to a participant who terminates service or has terminated service the Actuarial Equivalent of which is less than two hundred and no/100ths dollars (\$200) may be paid in one lump sum cash payment to the participant without the participant’s consent. If the Actuarial Equivalent of any nonforfeitable benefit payable to a participant who terminates service or has terminated service exceeds two hundred and no/100ths dollars (\$200) but is equal to or less than One Thousand and no/100ths dollars (\$1,000) such benefit may be paid in one lump sum cash payment to the participant without the participant’s consent upon not less than thirty (30) days and not more than one hundred eighty (180) days after the Special Tax Notice pursuant to Code §402(f) notice is provided to the participant.
2. Sec. 4-25-186 shall be added and shall provide as follows:
 - A. Effective January 1, 2025, nonforfeitable benefits payable to a participant who terminates service or has terminated service the Actuarial Equivalent of which is less than two hundred and no/100ths dollars (\$200) may be paid in one lump sum cash payment to the participant without the participants consent. If the Actuarial Equivalent of any nonforfeitable benefit payable to a participant who terminates service or has terminated service exceeds two hundred and no/100ths dollars (\$200) but is equal to or less than One Thousand and no/100ths dollars

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(\$1,000) such benefit may be paid in one lump sum cash payment to the participant without the participant's consent upon not less than thirty (30) days and not more than one hundred eighty (180) days after the Special Tax Notice pursuant to Code §402(f) notice is provided to the participant.

3. Section 4-25-95 shall be amended by adding as Paragraph "Y" the following:

Y. The mayor, chief financial officer, and chief of human resources, subject to the approval of council, may from time to time, and in such amounts as approved by council resolution, authorize from the trust fund a one-time payment in a plan year to retirees and/or survivors who are receiving a monthly retirement benefit from the trust fund. Such payment shall be in addition to the monthly retirement pension being received by the retiree or survivors for such plan year, shall only be paid in the plan year in which it is authorized, and shall not be deemed an increase in the monthly retirement allowance otherwise payable to the retiree or survivor.

4. Section 4-25-195 shall be amended by adding as Paragraph "Y" the following:

Y. The mayor, chief financial officer, and chief of human resources, subject to the approval of council, may from time to time, and in such amounts as approved by council resolution, authorize from the trust fund a one-time payment in a plan year to retirees and/or survivors who are receiving a monthly retirement benefit from the trust fund. Such payment shall be in addition to the monthly retirement pension being received by the retiree or survivors for such plan year, shall only be paid in the plan year in which it is authorized, and shall not be deemed an increase in the monthly retirement allowance otherwise payable to the retiree or survivor.

5. Section 4-25-94(b)(i) shall be amended to read as follows:

- (i) the beneficiary or beneficiaries designated by the participant (in accordance with procedures established by the Board). Notwithstanding the foregoing to the contrary, if the participant is married at the time of such designation, if the beneficiary or beneficiaries designated by the participant is not the participant's spouse, the participant's spouse's written consent to such specific beneficiary or beneficiaries shall be required for such designation to be effective, and such consent shall be witnessed by a notary public or by the an authorized member of the city human resources team, or such other person representing the Board as duly designated by the Board. A participant's spouse may give a general consent acknowledging the spouse's right to consent to any beneficiary or beneficiaries and relinquishing such right, in which event any future revocation and/or redesignation of beneficiary(ies) by the participant shall not require further spousal consent. The consent of the spouse must acknowledge the effect of such election and,

once given, cannot be revoked by such spouse. Any spousal consent shall only be applicable to the spouse granting such consent, or

6. Section 4-25-194(b)(i) shall be amended to read as follows:

- (i) the beneficiary or beneficiaries designated by the participant (in accordance with procedures established by the Board). Notwithstanding the foregoing to the contrary, if the participant is married at the time of such designation, if the beneficiary or beneficiaries designated by the participant is not the participant's spouse, the participant's spouse's written consent to such specific beneficiary or beneficiaries shall be required for such designation to be effective, and such consent shall be witnessed by a notary public or by an authorized member of the city human resources team, or such other person representing the Board as duly designated by the Board. A participant's spouse may give a general consent acknowledging the spouse's right to consent to any beneficiary or beneficiaries and relinquishing such right, in which event any future revocation and/or redesignation of beneficiary(ies) by the participant shall not require further spousal consent. The consent of the spouse must acknowledge the effect of such election and, once given, cannot be revoked by such spouse. Any spousal consent shall only be applicable to the spouse granting such consent, or

7. Section 4-25-254(i) shall be amended to read as follows:

- (i) the beneficiary or beneficiaries designated by the participant (in accordance with procedures established by the Board). Notwithstanding the foregoing to the contrary, if the participant is married at the time of such designation, if the beneficiary or beneficiaries designated by the participant is not the participant's spouse, the participant's spouse's written consent to such specific beneficiary or beneficiaries shall be required for such designation to be effective, and such consent shall be witnessed by a notary public or by the an authorized member of the city human resources team, or such other person representing the Board as duly designated by the Board. A participant's spouse may give a general consent acknowledging the spouse's right to consent to any beneficiary or beneficiaries and relinquishing such right, in which event any future revocation and/or redesignation of beneficiary(ies) by the participant shall not require further spousal consent. The consent of the spouse must acknowledge the effect of such election and, once given, cannot be revoked by such spouse. Any spousal consent shall only be applicable to the spouse granting such consent, or

8. Section 4-25-83 shall be amended to read as follows:

Sec. 4-25-83 –Deferred vested benefit.

- A. Any participant meeting the requirements of subsection C of this section may elect to receive a deferred vested benefit under this 1948 plan equal to his or her accrued benefit and payable in the form of a single life annuity.
- B. The annuity commencement date of any participant who is to receive his or her benefit pursuant to subsection A of this section shall be the date he or she reaches age 65, or 60 if he or she is a police officer or firefighter.
- C. To be eligible for electing a deferred vested benefit under this section, a participant:
 - i. Must be credited with ten or more years of service as of his or her severance date;
 - ii. Must not be entitled to any benefits under section 25-78, 25-81 or 25-82; and
 - iii. Must not have engaged in an act determined harmful to the city by the board and resulting in the participant's conviction of a felony, illegal manipulation of the books and records of the city, larceny, theft or embezzlement of assets.

9. Section 4-25-91(A) shall be amended to read as follows:

Sec. 4-25-91 – Other death benefit.

- A. The beneficiaries described in section B of this section of a participant who dies other than as described in section 4-24-16(A), and who has not elected deferred vested benefit under section 4-25-83, shall receive a death benefit in accordance with section 4-25-93 equal to:
 - 1. The retirement benefit, if any, the participant was receiving as of his or her date of death; or
 - 2. If the participant died before his or her annuity commencement date, but after he or she was credited with five or more years of service or suffered an ordinary disability, the retirement benefit to which he or she was entitled under sections 4-25-78, 4-25-81 or 4-25-82.

10. Section 4-25-95(K) shall be amended to read as follows:

K. Effective September 16, 1998, the following additional increases shall take effect:

- 1. Members who retired with at least 25 years of city service and retired with a normal retirement, involuntary retirement, or deferred vested benefit prior to September 16, 1998, shall receive a minimum allowance of \$1,000.00 per month.

Members who died or became disabled in the line of duty prior to September 16, 1998, shall receive a minimum allowance of \$1,000.00 per month.

11. Section 4-25-183 shall be amended to read as follows:

Sec. 4-25-183 – Deferred vested benefit.

- A. Any participant meeting the requirements of subsection D of this section may elect to receive a deferred vested benefit under this 1978 plan equal to his or her accrued benefit and payable in the form of a single life annuity.
- B. The annuity commencement date of any participant hired on or after July 1, 2012, who is to receive his benefit pursuant to subsection 4-25-183(A) shall be the date he reaches age 62.
- C. A participant may revoke his or her election under subsection A of this section at any time before his or her annuity commencement date. Any participant timely revoking his or her subsection A of this section election shall receive a refund in accordance with section 4-25-184 of all employee contributions made by him or her or on his or her behalf under this 1978 plan.
- D. To be eligible for electing a deferred vested benefit under this section, a participant:
 - i. Must be credited with ten or more years of service as of his or her severance date;
 - ii. Must not be entitled to any benefits under section 4-25-178, 4-25-181 or 4-25-182; and
 - iii. Must not have engaged in an act determined harmful to the city by the board and resulting in the participant's conviction of a felony, illegal manipulation of the books and records of the city, larceny, theft or embezzlement of assets.

12. Section 4-25-191(A) shall be amended to read as follows:

- A. The beneficiaries described in section B of this section of a participant who dies other than as described in section 4-25-190(A), and who has not elected a deferred vested benefit under section 4-25-183, shall receive a death benefit in accordance with section 4-25-193 equal to 75 percent of:
 - 1. The retirement benefit, if any, the participant was receiving as of his or her date of death; or
 - 2. If the participant died before his or her annuity commencement date, but after he or she was credited with five or more years of service or suffered an ordinary disability, the retirement benefit to which he or she was entitled under sections 4-25-178, 4-25-181 or 4-25-182.

13. Sec. 4-25-192(A) shall be amended to read as follows:

- A. If any participant elects a deferred vested benefit under section 4-25-183 but dies before his or her annuity commencement date, his or her employee contributions shall be refunded in accordance with section 4-25-183(C) as if he or she had

revoked his or her section 4-25-183(A) election on the day before his or her date of death.

14. Section 4-25-242 shall be amended to read as follows:

Sec. 4-25-242 – Deferred vested benefits

- A. Any participant meeting the requirements of section 4-25-242(d) may elect to receive a deferred vested benefit under this 2016 Plan equal to his or her accrued benefit and payable in the form of a single life annuity.
- B. The annuity commencement date of any participant who is to receive his or her benefit pursuant to section 4-25-242(a) shall be the date he or she reaches age 60.
- C. A participant may revoke his or her election under section 4-25-242 at any time before his or her annuity commencement date. Any participant timely revoking his or her section 4-25-242 election shall receive a refund in accordance with section 4-25-243 of all employee contributions made by him or her or on his or her behalf under this 2016 plan.
- D. To be eligible for electing a deferred vested benefit under this section:
 - i. General Employees
 - 1. Must be credited with five (5) or more years of service as of his/her severance date;
 - 2. Must not be entitled to any benefits under any other section of this chapter; and
 - 3. Must not have engaged in an act determined harmful to the city by the board and resulting in the participant's conviction of a felony, illegal manipulation of the books and records of the city, larceny, theft or embezzlement of assets.
 - ii. Police officers and firefighters
 - 1. Must be credited with ten (10) or more years of service as of his/her severance date;
 - 2. Must not be entitled to any benefits under any other section of this chapter; and
 - 3. Must not have engaged in an act determined harmful to the city by the board and resulting in the participant's conviction of a felony, illegal manipulation of the books and records of the city, larceny, theft or embezzlement of assets.

15. Section 4-25-251(A) shall be amended to read as follows:

- A. The beneficiaries described in section 4-25-251(b) of a participant who dies other than as described in Sec. 4-25-250(a) or Sec. 4-25-250(b) and who has not elected a deferred vested benefit under section 4-25-242, shall receive a death benefit in accordance with Sec. 4-25-252 equal to seventy-five percent (75%) of:

1. The retirement benefit, if any, the participant was receiving as of his or her date of death; or

2. If the participant died before his or her annuity commencement date, but after he or she was credited with five or more years of service or suffered an ordinary disability, the retirement benefit to which the participant was entitled under sections 4-25-240, 4-25-241 or 4-25-242.

16. The changes above to reference a Deferred Vested Benefit will be made to the index as well.

The provisions of this Ordinance are hereby declared to be severable. If any of the sections, amendments, provisions, sentences, clauses, phrases, or parts hereof are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

The provisions of 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.

NOTE—IN THE ADOPTING ORDINANCE ADD THE FOLLOWING PROVISIONS

The additions and amendments herein repeal and replace the relevant titles, chapters and/or sections of the 2021 Code as so amended, repealed or replaced and the Comptroller is hereby directed to make the appropriate insertions and/or deletions in the official 2021 Code, so that reference to the 2021 Code shall be understood and intended to codify such additions and amendments as part of the 2021 Code.

All ordinances or parts of ordinances in the 2021 Code in conflict herewith are, to the extent of such conflict, hereby repealed.

SPONSOR

City Administration

CHAIRMAN

APPROVED:

Mayor



T-306

Memphis City Council Summary Sheet

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

- Consideration for adoption of the following amendment to the Resolution on Adjudication of Disability Claims
 - Changing the term "Benefits Manager" to "an authorized member of the city human resources team designated by the Chief of Human Resources"

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

Human Resources

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

Yes, amending the existing resolution, Resolution on Adjudication of Disability Claims.

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

This will affect all employees and retirees.

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

Not Applicable

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

This request does not require any expenditures.

**A RESOLUTION AUTHORIZING CHANGES TO
THE PROCEDURES FOR ADJUDICATION OF CLAIMS
BY THE PENSION BOARD OF ADMINISTRATION
AS AMENDED EFFECTIVE _____**

WHEREAS, the Board of Administration ("Pension Board") is empowered by the City of Memphis Code of Ordinances § 4-8-1, et seq. to administer the pension plan, including the power to "determine all questions relating to eligibility" and to "make a determination as to the right of any person to a benefit," and

WHEREAS, pursuant thereto, the Pension Board adjudicates claims by City of Memphis employees for disability and line-of-duty pension benefits; and

WHEREAS, the Tennessee Court of Appeals has recently held, in Marino v. Board of Administration of City of Memphis, that the City of Memphis's system for adjudication of such pension claims is subject to the contested case provisions of the Tennessee Uniform Administrative Procedures Act ("UAPA"), codified at T.C.A. § 4-5-301, et seq.; and

WHEREAS, the Marino court held that the present procedures of the Pension Board do not comply with the UAPA; and

WHEREAS, the Code of Ordinances empowers the Pension Board to "establish such rules and regulations as it deems proper for the administration of the plan and the trust fund," subject to approval by the City Council; and

WHEREAS, the Pension Board and City Council desire to ensure the compliance of the Pension Board and the City's disability pension claims procedures with Marino, the requirements of the UAPA, and any other applicable law, as amended from time to time; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Pension Board's disability pension claims adjudication system shall be modified so as to ensure compliance with all applicable statutory and case law, including the UAPA and Marino, as amended from time to time;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Pension Board is empowered to enact such rules, regulations, and procedures as may be necessary to ensure such compliance, consistent with the provisions set forth in the Pension Board resolution attached hereto as Exhibit 1 and hereby-incorporated by reference as if set forth verbatim herein;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Pension Board is empowered to retain and contract for the services of a suitably qualified person to serve as the administrative law judge for disability pension claims;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Pension Board is further empowered to take any and all such further actions as may be reasonably necessary or incidental to the creation and implementation of a procedure for the adjudication of disability pension claims compliant with the UAPA, Marino, and all other applicable law, as amended from time to time;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that any disability pension applications presently pending before the Pension Board shall be referred to the authorized member of the city human resources team designated by the Chief Human Resources Officer for preliminary determination, and, in such preliminary determination and any subsequent proceedings, the adjudication of such claims shall be controlled by and subject to the procedure set forth herein, including the process set forth in Exhibit 1; and

BE IT FURTHER RESOLVED by the Council of the City of Memphis that this Resolution shall take effect from and after the date it shall have been passed by the Council of the City of Memphis, signed by the Chairman of the Council, certified, and delivered to the Office of the Mayor in writing by the comptroller, and become effective as otherwise provided bylaw.

SPONSORED BY: _____

Exhibit 1

**CITY OF MEMPHIS BOARD OF
ADMINISTRATION RESOLUTION
AMENDING PROCEDURE FOR
ADJUDICATION OF DISABILITY PENSION
CLAIMS**

WHEREAS, the Tennessee Court of Appeals recently held in Marino v. Board of Administration City of Memphis Retirement System that the City's Board of Administration's ("Pension Board") procedure for adjudication of disability pension benefits is subject to the contested case provisions of the Uniform Administrative Procedures Act ("UAPA"), codified at Tennessee Code Annotated ("T.C.A.") § 4-5-301, et seq.; and

WHEREAS, the Court of Appeals in Marino held that the present Pension Board procedure does not comply with the UAPA; and

WHEREAS, the Board must comply with Marino by offering to applicants seeking Ordinary Disability or Line-of-Duty Disability benefits a system of adjudication that complies with all applicable state and local statutory and case law and regulations, including the UAPA; and

WHEREAS, the Board, pursuant to Code of Ordinances § 4-8-7(B), has the power to make decisions pertaining to eligibility under the plans and the right of any person to a disability pension under the plans; and

WHEREAS, the Board, pursuant to Code of Ordinances § 4-8-8, is empowered to establish such rules and regulations as it deems proper for the administration of the pension claim system, subject to the approval of the Council of the City of Memphis;

NOW THEREFORE BE IT RESOLVED that, subject to approval by the Council of the City of Memphis, the procedure for adjudication of an applicant's claim for Ordinary Disability and/or Line-of-Duty disability is supplemented as follows:

1. All applications for Ordinary Disability and Line-of-Duty Disability benefits and application materials, including the opinions of qualified physicians as set forth and defined in Title 4 of the City of Memphis Code of Ordinances, shall be submitted to the authorized member of the city human resources team designated by the Chief Human Resources Officer for a preliminary determination of eligibility. The authorized member of the city human resources team designated by the Chief Human Resources Officer shall review the application and application materials to determine if the applicant qualifies for Ordinary

Disability or Line-of-Duty Disability benefits under the requirements and definitions described in Title 4 of the City Code of Ordinances. The authorized member of the city human resources team designated by the Chief Human Resources Officer shall make the application materials, including the records from the reviewing physicians, available to the applicant for review to ensure that all factual information underlying the application and the physicians' opinions is correct. The applicant shall have fourteen (14) days from the date the application materials are made available to notify the authorized member of the city human resources team designated by the Chief Human Resources Officer in writing if any factual information contained therein is incorrect, obsolete, or materially incomplete. The authorized member of the city human resources team designated by the Chief Human Resources Officer shall consider any corrective notice provided by the applicant and, in his or her discretion, determine whether further review and/or consideration of the application by the reviewing physicians is necessary.

2. If the authorized member of the city human resources team designated by the Chief Human Resources Officer determines an applicant is eligible under the Ordinances for the benefits sought by the applicant, the authorized member of the city human resources team designated by the Chief Human Resources Officer shall submit his/her findings to the Board for review, with a full, written explanation of how the applicant meets the eligibility requirements. When presented with an application recommended for approval by the authorized member of the city human resources team designated by the Chief Human Resources Officer, the Board shall review the Benefit Manager's written explanation, as well as the underlying application and application materials, and it shall certify the Benefit Manager's decision to grant the recommended benefits, unless it finds there is a clear error in the Benefit Manager's review of the application and/or the preliminary determination. Such a decision to certify the report of the authorized member of the city human resources team designated by the Chief Human Resources Officer to grant the benefits sought by the applicant shall be deemed to be a final order of the Board.

3. If the Board determines a clear error has been made, it shall remand the application to the authorized member of the city human resources team designated by the Chief Human Resources Officer for reconsideration. A clear error shall be considered an objective misreading of the application, the application materials, the requested benefit, the opinion of any qualified physicians, the requirements listed in the Ordinances, or an affirmative misinterpretation or misapplication of any other applicable law or regulation.

4. If the Benefits Manager determines, in his or her preliminary determination, that an applicant is not eligible for the benefits requested in the application, the authorized member of the city human resources team designated by the Chief Human Resources Officer shall submit a full written explanation of how the applicant fails to meet the eligibility requirements to both the Board and the applicant, which shall state that the application is being denied. The Board

shall not review a determination of ineligibility on the merits until the applicant has had the opportunity to appeal the denial.

5. If the authorized member of the city human resources team designated by the Chief Human Resources Officer determines an application for Line-of-Duty Disability benefits should be denied, but that the applicant should be granted Ordinary Disability benefits, the granting of Ordinary Disability benefits shall be certified, and the denial of Line-of-Duty benefits shall be subject to the procedures as set forth herein.

6. After an applicant receives notice from the Benefits Manager that his/her application has been denied) the applicant shall have thirty (30) calendar days to request in writing that he/she wishes to appeal the denial. If the applicant does not respond in writing within the thirty (30) day period, the applicant shall be foreclosed from appealing, and the denial shall be submitted to the Board for final review and disposition.

7. Upon receipt of an applicant's request for appeal, the authorized member of the city human resources team designated by the Chief Human Resources Officer will forward written notice of the date that an administrative hearing is to be held before an Administrative Law Judge. The notice shall be sent within thirty (30) days of the request for appeal and shall inform the applicant of his/her right to an attorney at the administrative hearing. The City Attorney or designee will designate the Administrative Law Judge, who shall be wholly impartial and may not be an employee of the City of Memphis or have been an employee of the City of Memphis at any time in the five (5) years preceding his or her designation. The Administrative Law Judge shall be empowered to take all pre-hearing actions authorized under the contested case procedures of the UAPA, codified at T.C.A. §§ 4-5-304 through 311.

8. The Administrative Law Judge shall conduct the administrative hearing on the applicant's appeal in conformity with the contested case provisions of the UAPA, including but not limited to T.C.A. § 4-5-312. The Administrative Law Judge shall issue a final order on the applicant's appeal in conformity with T.C.A. § 4-5-314. Unless, as provided by T.C.A. § 4-5-314(f) and (g), the parties submit proposed findings to the Administrative Law Judge, the Administrative Law Judge shall issue such final order within ninety (90) days of the administrative hearing.

9. If an application for benefits is denied by the authorized member of the city human resources team designated by the Chief Human Resources Officer and that decision is appealed and an administrative hearing is held, the Board shall not review the decision of the Administrative Law Judge on the merits; rather, it shall simply affirm the decision and direct the authorized member of the city human resources team designated by the Chief Human Resources Officer to comply with it.

10. Any party aggrieved of the decision of the Administrative Law Judge shall have the right to appeal by filing a Petition for Judicial Review with the Shelby County Chancery Court, in accordance with the judicial review provisions of the UAPA, codified at T.C.A. § 4-5-322. The Board shall not hear appeals from the administrative hearings.

11. If an application for benefits is denied by the authorized member of the city human resources team designated by the Chief Human Resources Officer and the applicant fails to initiate an appeal of that decision, or withdraws the appeal before a hearing can be held, the application and the application materials shall be submitted to the Board with a written explanation for the denial. The Board shall review the Benefit Manager's written explanation, as well as the underlying application and application materials, and it shall certify the Benefit Manager's decision to deny the recommended benefits, unless it finds there is a clear error in the Benefit Manager's review of the application. If the Board determines a clear error has been made, it shall remand the application back to the authorized member of the city human resources team designated by the Chief Human Resources Officer for reconsideration.

12. The rules, procedures, and practice for applicants requesting Ordinary Disability or Line-of-Duty Disability benefits shall not be altered, except for what has been addressed in this Resolution. The timeline for submitting applications and the documents required for applications to be complete shall remain unchanged, as shall all other procedural and documentation requirements not directly addressed herein.

BE IT FURTHER RESOLVED that the Pension Board hereby directs the Human Resources Director and the authorized member of the city human resources team designated by the Chief Human Resources Officer to take all steps necessary to effectively and efficiently implement the procedure set forth in this Resolution, including any and all actions necessary or incidental thereto; and

BE IT FURTHER RESOLVED by the Council of the City of Memphis that any disability pension applications presently pending before the Pension Board shall be referred to the authorized member of the city human resources team designated by the Chief Human Resources Officer for preliminary determination, and, in such preliminary determination and any subsequent proceedings, the adjudication of such claims shall be controlled by and subject to the procedure set forth herein.

A Resolution Outlining Procedures for Monthly Reporting Related to Transit to the Memphis City Council Transportation Committee

WHEREAS, the Memphis City Council is committed to upholding principles of transparency and accountability in all City divisions, as well as Grants and Agencies; and

WHEREAS, the Memphis Area Transit Authority, a Grantee of the City of Memphis (hereinafter, “Grantee”), has a responsibility to provide ethical oversight of transportation services and exercise its fiduciary duties; and

WHEREAS, establishing a formal and consistent reporting structure will help the City monitor progress on key initiatives, budget execution, and service delivery.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council Transportation Committee hereby adopts the following procedures for monthly reporting by the Grantee:

- 1) The Grantee shall submit a digital and physical report to the Memphis City Council, Council Attorney, and the Chief Legal Officer no later than the second Monday of the following month, beginning July 2025 and continuing until such time that the Council votes to amend this resolution. Reports shall start at the second Council meeting in July 2025 to cover the June 2025 reports.
 - a) Example: The June 2025 report shall be submitted by the second Monday of July 2025. 2)
- Each monthly report shall include, but not be limited to:
- a) Financial documentation to support the Grantee's requested allocation for each month. Documentation must include receipts, invoices, and all purchase requests.
 - b) Proof of payment made to vendors by the Grantee for the prior month's requested allocation.
 - c) A high-level overview of key developments, challenges, and achievements in the past month, along with major priorities for the coming month.
 - d) A report from Human Resources to include salary information, hiring and termination data, and status of employee bargaining unit agreements.
 - e) A summary of route changes, service interruptions, fleet status - to include the trolley system, maintenance activities, and staffing updates.
 - f) A financial overview summarizing operating expenditures versus the approved budget, capital project spending to date, revenues, and the status of active grants (including amounts awarded, drawn down, and remaining).
 - g) Updates on all active capital projects. For each project, the report shall include the project name and scope, its current phase (planning, design, or construction), projected versus actual timeline for completion, the percentage of budget spent to date, and any known risks or delays that may affect delivery or service.
 - h) Information on safety incidents, accident reports, and steps taken to improve safety across the transportation system.

- 3) A representative from the Grantee shall appear, as well as the Grantee's Chief Financial Officer or the Chief Financial Officer's designee, before the Transportation Committee at the second Council meeting each month to present the report and respond to questions from Council Members.
- 4) During the Transportation Committee at the second Council meeting of each month, the Chief Legal Officer, in partnership with the Council Attorney, shall submit a resolution, with a recommendation for each month's allocation based upon a review of the Grantee's requested allocation.
- 5) In the event that the Grantee does not meet the reporting requirements outlined in this resolution, the Transportation Committee Chair may delay consideration of the Grantee's funding requests, project approvals, or other related matters until the necessary reports are submitted and reviewed.

BE IT FURTHER RESOLVED, that these procedures shall remain in effect until formal action by the Memphis City Council to amend this resolution.

Sponsor:
Chase Carlisle

Chairman:
J. Ford Canale

ORDINANCE NO: _____
ORDINANCE TO AMEND ORDINANCE 5830

WHEREAS, quality transportation and mobility are essential to the City of Memphis and its residents;

WHEREAS, in 2022, the City of Memphis adopted the Transit Vision plan as the roadmap for improving public transportation and mobility infrastructure;

WHEREAS, Ordinance No. 5830 established the “Transit and Mobility Special Revenue Fund” to dedicate resources specifically for implementing Transit Vision and supporting transit operations beyond annual general fund contributions;

WHEREAS, under the City Charter and Tennessee state law, the Memphis City Council has a legal responsibility to ensure public funds are properly appropriated, transparently managed, and spent efficiently in alignment with the City’s priorities and fiscal obligations;

WHEREAS, affirming the Council’s exclusive authority over appropriations from the special revenue fund established for transportation and mobility is necessary to maintain strong financial oversight and public accountability

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Memphis that ORDINANCE 5830, be amended as follows:

1. The Chief Financial Officer and/or Comptroller are hereby authorized and directed to establish a special revenue fund for transportation and mobility;
2. **The Memphis City Council shall retain full authority over the allocation, reallocation, and oversight of financial resources within the scope of its jurisdiction as it relates to such fund. No funds shall be dispersed from the special revenue fund established for transportation and mobility without prior approval from the Memphis City Council.**
3. This fund shall be known as the "Transit and Mobility Special Revenue Fund" and the proceeds in the restricted special revenue fund may only be used for funding transportation and mobility operations and related capital purchases. Such funds are preserved for those purposes and shall not revert to the general fund at the end of a budget year, if unexpended.
4. The proceeds in the Transit and Mobility Special Revenue Fund are restricted and shall only be used for funding transportation and mobility operations and related capital purchases, pursuant to the Transit Vision Plan adopted by City of Memphis. Such funds are preserved for funding transportation and mobility operations and related capital purchases, pursuant to the Transit Vision Plan adopted by City of Memphis. Proceeds in the Transit and Mobility Fund shall not revert to the general fund at the end of a

budget year, if unexpended.

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.

BE IT FURTHER ORDAINED, That as amended hereby the remaining provisions of ORDINANCE 5830, remains in full force and effect.

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:

Chase Carlisle

Chairman:

J. Ford Canale

ORDINANCE NO. ____

ORDINANCE PROVIDING FOR THE ALLOCATION OF LAWFULLY AVAILABLE FUNDS OF THE CITY, IN AN AMOUNT EQUAL TO A PORTION OF PROPERTY TAX REVENUES COLLECTED BY THE CITY ON CERTAIN ARTIFICIAL INTELLIGENCE PROPERTY, TO CERTAIN PUBLIC PURPOSES WITHIN THOSE AREAS OF THE CITY AFFECTED BY THE DEVELOPMENT, USE AND OPERATION OF SUCH PROPERTY

WHEREAS, certain real and personal property are located in the City of Memphis, Tennessee (the “City”), and are used for, or planned for use for, artificial intelligence infrastructure, including but not limited to supercomputers, facilities and equipment needed to operate supercomputers and other related facilities and equipment (as such real and personal property is further identified and defined herein, the “AI Real Property” and “AI Personal Property,” respectively, and collectively defined herein as the “AI Property”); and

WHEREAS, as a way to address any impacts to those areas of the City located close in proximity to the AI Property (as further described herein, the “Surrounding Area”), the City hereby determines to allocate an amount of lawfully available funds of the City equal to a portion of those property tax revenues collected by the City on the AI Property each year (as further described and defined herein, the “Public Purpose Amount”), to fund certain public purposes benefitting the Surrounding Area; and

WHEREAS, the City Council of the City (the “Council”) hereby determines it is in the best interests of the City to use the Public Purpose Amount to fund those public purposes consisting of public projects and programs in the Surrounding Area and grants or other forms of financial aid to governmental and/or nonprofit organizations serving the City, including the Surrounding Area; and

WHEREAS, pursuant to applicable law, the City may contribute its funds for public projects and programs benefitting its residents; and

WHEREAS, pursuant to Section 824.1 of the Charter of the City, the City is authorized to contribute amounts from its general funds to any charity, charitable institution, or charitable organization, the object of which is to care for the poor and afflicted residents of the City, and the City is further authorized by Section 6-54-111, Tennessee Code Annotated, as amended, to make appropriations to nonprofit organizations to benefit City residents in accordance with the terms of said statute; and

WHEREAS, the Council hereby determines that allocating the Public Purpose Amount to support the Surrounding Area in the manner so described herein is in the best interests of the City and promotes both economic development and the general welfare of residents of the City; and

WHEREAS, for the reasons and purposes hereinabove described, it is the intent of the Council to budget and appropriate annually so much of the Public Purpose Amount as it deems necessary and appropriate to support the Surrounding Area, as the Council may in its discretion approve in an annual operating budget ordinance, and to adopt this Ordinance to provide guidelines for accomplishing the foregoing purposes; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Memphis, Tennessee, as follows:

Section 1. Definitions. The following terms shall have the following meanings in this Ordinance unless the text expressly or by necessary implication requires otherwise:

(a) “Artificial Intelligence Infrastructure” means those facilities and equipment needed to power artificial intelligence processes and technologies, and includes but is not limited to supercomputers, facilities and equipment needed to operate supercomputers and other related facilities and equipment.

(b) “City” has that meaning ascribed in the above preamble.

(c) “Council” has that meaning ascribed in the above preamble.

(d) “Public Purposes” means (i) capital and operating costs related to public projects and programs in the Surrounding Area, including but not limited to costs to improve, acquire, operate, maintain, staff and/or repair public buildings, facilities, infrastructure and equipment or other public projects or initiatives related thereto or public programs for the economic development and/or general welfare of City residents in the Surrounding Area, and (ii) grants or other forms of financial aid to governmental and/or nonprofit agencies, departments, commissions, authorities, entities and/or other organizations that serve the City, including the Surrounding Area, and such agencies, departments, commissions, authorities, entities and/or other organizations shall include but not be limited to those providing or otherwise supporting affordable housing in the City, including the Surrounding Area, all to the extent provided by and in accordance with applicable law.

(e) “Public Purpose Amount” has that meaning provided in Section 2(b) of this Ordinance.

(f) “Surrounding Area” means those parcels of land in the City, or portions thereof, that are located within a five (5) mile radius of the AI Property.

(g) “AI Personal Property” means personal property comprising Artificial Intelligence Infrastructure in the City.

(h) “AI Real Property” means those parcels of real property within the City described on Exhibit A attached hereto, to the extent Artificial Intelligence Infrastructure is located, wholly or partially, on such property. To the extent that any parcels of real property described on

Exhibit A no longer have Artificial Intelligence Infrastructure located, wholly or partially, on such property, such parcels shall no longer constitute AI Real Property.

(i) “AI Property” means, collectively, AI Personal Property and AI Real Property.

Section 2. Allocation of Public Purpose Amount.

(a) Subject to annual budgeting and appropriation by Council, the City hereby determines to allocate annually the Public Purpose Amount for Public Purposes, and the Council is hereby authorized to pass such operating budget ordinance, budget amendment or other legislation as necessary to effectuate such appropriation. To the extent so budgeted and appropriated, the Public Purpose Amount shall be used for Public Purposes upon the terms and in the manner provided herein.

(b) The Public Purpose Amount shall be lawfully available funds of the City equal in amount to 25% of the real and personal property tax revenues collected by the City on the AI Property in the most recent year, which year may be a tax year, fiscal year or calendar year, as determined by the Chief Financial Officer of the City. Notwithstanding the foregoing, the Public Purpose Amount, as calculated above, to be allocated by the City to Public Purposes in any year shall decrease by that amount of money allocated by other public entities during such year specifically to benefit those areas of the City surrounding the Artificial Intelligence Infrastructure. The Public Purpose Amount, to the extent so budgeted and appropriated, shall be an appropriation from the General Fund of the City or any other lawfully available funds of the City.

(c) It is the intent of the City that there be \$100 million allocated in the aggregate, inclusive of the Public Purpose Amount allocated by the City and monies allocated by other public entities, to benefit those areas of the City surrounding the Artificial Intelligence Infrastructure, and once \$100 million in the aggregate has been so allocated, as determined by the Chief Financial Officer of the City, the Council is hereby directed to review the terms of this Ordinance to determine whether further allocation by the City of the Public Purpose Amount for Public Purposes pursuant to the terms herein is necessary or desirable.

(d) The Council hereby confirms that the provisions of this Ordinance comprise the guidelines directing for what purposes the Public Purpose Amount may be spent, and the Public Purpose Amount, as applied pursuant to the terms herein, promotes the general welfare of the residents of the City. The Public Purpose Amount so appropriated in any year shall be used and expended under the direction and control of Council, as provided herein and pursuant to the terms herein, in conjunction with the guidelines set forth in this Ordinance and, if applicable, Section 6-54-111, Tennessee Code Annotated, as amended, and any related required procedures of the comptroller of the treasury of the State of Tennessee, to the extent so applicable.

Section 3. Miscellaneous Authorizations.

All prior actions undertaken by the Mayor of the City (the “Mayor”) or his designee and other officials, employees, attorneys and agents of the City preliminary to and in preparation for the adoption of this Ordinance are hereby ratified, confirmed and approved.

The Mayor or his designee and other appropriate officials of the City are hereby authorized to enter into such agreements, and they and other appropriate officials of the City 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 Ordinance.

Section 4. 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 5. 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, and certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

SPONSOR: City Administration

J. FORD CANALE
CHAIRMAN

Exhibit A

Description of AI Real Property, (1 of 2)

LEGAL DESCRIPTION OF THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION PROPERTY AS RECORDED PER QUIT CLAW DEED INSTRUMENT NUMBER 11090258 IN THE SHELBY COUNTY REGISTER'S OFFICE (SCRO), LESS THAT PART FOR THE WIDENING OF PAUL R. LOWRY ROAD AS RECORDED PER INSTRUMENT NUMBER 12076866 (SCRO), BEING PART OF LOTS 11, 13, AND 14 AS SHOWN ON THE PLAT OF THE ENSLEY PLANTATION OF RECORD IN PLAT BOOK 3-PAGES 59 AND 60 (SCRO), ALL LYING IN THE CITY OF MEMPHIS, SHELBY COUNTY, TENNESSEE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SET 1/2 INCH REBAR IN THE WESTERLY RIGHT-OF-WAY OF PAUL R. LOWRY ROAD (PUBLIC PAVED ROAD, R.O.W. VARIES, 54 FEET WEST OF CENTERLINE) AS DEDICATED PER INSTRUMENT NUMBER 12076866 (SCRO), SAID POINT BEING LOCATED 2,391.85 FEET SOUTH OF THE TANGENT INTERSECTION OF THE NORTHWARD EXTENSION OF THE WEST RIGHT-OF-WAY OF PAUL R. LOWRY ROAD WITH THE WESTWARD EXTENSION OF THE CENTERLINE OF RIVERPORT ROAD, SAID POINT OF BEGINNING BEING FURTHER LOCATED AT TENNESSEE STATE PLANE COORDINATES OF 291700.72 FEET NORTH AND 726126.01 FEET EAST (NAD 83) AND SAID POINT OF BEGINNING ALSO BEING IN THE SOUTHERLY LINE OF THE MEMPHIS, LIGHT, GAS, AND WATER PROPERTY AS RECORDED PER SPECIAL WARRANTY DEED NO. HB2558 {SCRO};

THENCE FOLLOWING PARALLEL TO AND 54.00 FEET WEST OF THE CENTERLINE OF PAUL R. LOWRY ROAD AS FOLLOWS: SOUTH 07 DEGREES 54 MINUTES 21 SECONDS WEST - 2,984.67 FEET ALONG THE WESTERLY RIGHT-OF-WAY OF PAUL R. LOWRY ROAD TO A SET 1/2 INCH REBAR ON A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 1,454.00 FEET AND A CENTRAL ANGLE OF 10 DEGREES 08 MINUTES 30 SECONDS; THENCE SOUTHWESTWARDLY ALONG THE ARC A DISTANCE OF 257.37 FEET (CHORD BEARING AND DISTANCE OF SOUTH 02 DEGREES 50 MINUTES 06 SECONDS WEST - 257.03 FEET) TO A SET 1/2 INCH REBAR; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY OF PAUL R. LOWRY ROAD, NORTH 64 DEGREES 53 MINUTES 58 SECONDS WEST - 1,297.18 FEET TO A FOUND 1/2 INCH REBAR; THENCE NORTH 54 DEGREES 21 MINUTES 03 SECONDS WEST - 1,224.94 FEET TO A FOUND 1/2 INCH REBAR ON THE NORTH LINE OF A FORMER 400 FOOT TVA EASEMENT NOW OWNED BY THE CITY OF MEMPHIS, TENNESSEE AND SHELBY COUNTY, TENNESSEE PER INSTRUMENT G52092 (SCRO); THENCE NORTH 64 DEGREES 47 MINUTES 32 SECONDS WEST, A DISTANCE OF 174.75 FEET ALONG THE NORTHERLY LINE OF SAID FORMER TVA EASEMENT TO A FOUND 1/2" REBAR; THENCE LEAVING THE NORTHERLY LINE OF SAID

FORMER TVA EASEMENT, NORTH 34 DEGREES 20 MINUTES 39 SECONDS WEST, A DISTANCE OF 708.25 FEET TO A FOUND 1/2" REBAR; THENCE NORTH 11 DEGREES 45 MINUTES 28 SECONDS EAST, A DISTANCE OF 639.44 FEET TO A FOUND 1/2¹¹ REBAR; THENCE NORTH 22 DEGREES 50 MINUTES 12 SECONDS EAST, A DISTANCE OF 1,475.47 FEET TO A FOUND 1/2" REBAR; THENCE NORTH 14 DEGREES 31 MINUTES 04 SECONDS EAST, A DISTANCE OF, 314.63 FEET TO A FOUND 1/2" REBAR; THENCE NORTH 22 DEGREES 58 MINUTES 07 SECONDS EAST, A DISTANCE OF 186.15 FEET TO A FOUND 1/2" REBAR; THENCE NORTH 21 DEGREES 00 MINUTES 58 SECONDS EAST, A DISTANCE OF 451.90 FEET TO A FOUND 1/2" REBAR IN THE SOUTH LINE OF THE CITY OF MEMPHIS AND COUNTY OF SHELBY PROPERTY AS RECORDED PER DEED IN BOOK 3937-PAGE 205 (PART OF PARCEL 3)(SCRO); THENCE SOUTH 82 DEGREES 05 MINUTES 39 SECONDS EAST, A DISTANCE OF 1,076.48 FEET ALONG THE SOUTHERLY LINE.

EXHIBIT A

Description of AI Real Property, (2 of 2)

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.

EXHIBIT A
LEGAL 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:

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City of Memphis Deferred Maintenance Plan

City of Memphis Deferred Maintenance Plan
Community Centers • Golf Courses • Senior Centers • Museums •
Aquatic Centers

July 2025

Background & Funding Context

- **Accelerate Memphis:** \$200M citywide investment, including \$42M specifically for parks and recreation assets
- **Annual CIP Deferred Maint. Allocation:**

Parks –primarily projects w/ a few coverlines

FY22: \$9.0M

FY23: \$21.8M (Accelerate Memphis)

FY24: \$18.5M (Accelerate Memphis & RedZone Opportunity Zone-one-time allocation \$1.1M)

FY25: \$12.5M (First year MRPP CIP allocation included in Park’s budget line

General Services Major Mod

FY22: \$1.5

FY23: \$1.7

FY24: \$1.7

FY25: \$651k

- **Deferred maintenance backlog:** Exceeds \$100M; current annual maintenance ~\$35M

Deferred Maintenance Cost Overview by Parks Facility

Facility Type	Facility Name	Work Completed Since 2022	Ongoing Work	Future Work Priority 1	Future Work Priority 2	Future Work Priority 3	Notes
Community Centers	Bert Ferguson Community Center	\$	\$	\$26,900.00	\$	\$124,240.00	
	Bickford Community Center	\$ 291,525.75	\$	\$	\$	\$	
	Charles Davis Community Center	\$1,557,297.50	\$ 82,295.82	\$18,650.00	\$217,100.00	\$162,500.00	
	Charles Powell Community Center (Westwood)	\$521,860.70	\$	\$166,796.00	\$18,900.00	\$98,000.00	
	Cunningham Community Center	\$434,874.24	\$	\$	\$9,700.00	\$48,000.00	
	Dave Wells Community Center	\$334,358.60	\$	\$391,500.00	\$122,450.00	\$117,000.00	
	Douglass Community Center	\$795,280.19	\$	\$110,000.00	\$138,500.00	\$	
	Ed Rice Community Center	\$	\$	\$	\$	\$	New Center Opened in 2022
	Frayser Raleigh Community Center	\$492,867.40	\$	\$9,750.00	\$9,750.00	\$	
	Gaisman Community Center	\$	\$	\$	\$	\$	New Center Opened in 2023
	Gaston Community Center	\$290,775.75	\$	\$143,750.00	\$	\$	Newly Renovated Center Opened in 2022
	Glenview Community Center	\$1,226,315.30	\$	\$175,632.50	\$261,250.00	\$107,250.00	
	Greenlaw Community Center	\$	\$	\$	\$460,500.00	\$	Re-opened in 2024
	Hickory Hill Community Center	\$908,010.59	\$633,340.00	\$30,610.00	\$19,500.00	\$	
	Hollywood Community Center	\$314,014.91	\$	\$	\$	\$	
	Katie Sexton Community Center	\$362,840.23	\$	\$150,468.00	\$143,600.00	\$126,000.00	
	Lester Community Center	\$	\$	\$	\$	\$	New Center Opened in 2025
	Marion Hale Community Center	\$805,430.05	\$	\$141,400.00	\$	\$126,000.00	
	McFarland Community Center	\$552,012.84	\$	\$678,520.00	\$73,650.00	\$154,000.00	
	Mitchell Community Center	\$592,670.32	\$	\$171,730.00	\$166,550.00	\$105,000.00	
	North Frayser Community Center	\$593,272.89	\$	\$	\$7,500.00	\$75,000.00	
	Orange Mound Community Center	\$1,168,472.10	\$	\$102,375.00	\$270,000.00	\$87,500.00	
	Pine Hill Community Center	\$104,955.63	\$	\$1,075,500.00	\$280,750.00	\$266,000.00	
	Raleigh Community Center	\$158,075.99	\$	\$20,000.00	\$7,500.00	\$90,000.00	
	Riverview Community Center	\$	\$	\$	\$	\$	Newly Renovated Center Opened in 2024
	Whitehaven Community Center	\$	\$	\$299,880.00	\$ 241,500.00	\$126,000.00	

Deferred Maintenance Cost Overview by Parks Facility

Facility Type	Facility Name	Work Completed Since-22		Ongoing Work	Future Work Priority 1	Future Work Priority 2	Future Work Priority 3	(\$) Notes
Senior Centers	Goodwill Senior Center	\$	\$		\$	\$	\$	
	J.K. Lewis Senior Center	\$	\$		\$432,000.00	\$933,530.00	\$130,000.00	
	Lucille McWherter Senior Center	\$564,473.87	\$		\$		\$	
	Orange Mound Senior Center	\$	\$		\$		\$	
	Ruth E. Tate Senior Center	\$479,101.75	\$2,000.00		\$	\$56,809.00	\$94,500.00	

Deferred Maintenance Cost Overview by Parks Facility

Facility Type	Facility Name	Work Completed Since-22	Ongoing Work	Future Work Priority 1	Future Work Priority 2	Future Work Priority 3	(\$) Notes
Aquatic Facilities	Bickford Aquatic Center	\$1,530,887.43	\$585,991.30	\$1,000,000.00	\$	\$	
	Ed Rice Aquatic Center	\$	\$2,500.00	\$	\$	\$	
	Hickory Hill Aquatic Center	\$	\$	\$	\$	\$	
	Orange Mound Aquatic Center	\$	\$	\$	\$	\$	
	Raymond Skinner Aquatic Center	\$291,525.75	\$	\$	\$	\$	
	Charlie Morris Pool	\$1,096,398.60	\$	\$	\$	\$	
	Douglass Pool	\$477,588.63	\$	\$	\$	\$	
	Gaisman Pool	\$365,426.08	\$	\$	\$	\$	
	Lester Pool	\$	\$	\$115,000.00	\$	\$	
	Pine Hill Pool	\$1,126,103.40	\$20,728.10	\$	\$	\$	
	Raleigh Pool	\$487,910.06	\$	\$	\$	\$	
	Riverview Pool	\$566,102.98	\$	\$	\$	\$	
	Westwood Pool	\$88,461.63	\$	\$	\$	\$	
	Willow Pool	\$420,345.77	\$	\$	\$	\$	

Deferred Maintenance Cost Overview by Parks Facility

Facility Type	Facility Name	Work Completed Since-22	Ongoing Work	Future Work Priority 1	Future Work Priority 2	Future Work Priority 3	(\$) Notes
Golf Courses	The Links at Audubon	\$	\$	\$	\$61,068.00	\$99,380.00	
	The Links at Fox Meadows	\$ 407,633.28	\$	\$172,500.00	\$	\$	
	The Links at Galloway	\$24,651.00	\$	\$9,800.00	\$18,788.00	\$7,280.00	
	The Links at Pine Hill	\$	\$	\$	\$	\$	
	The Links at Riverside	\$	\$	\$	\$610,934.00	\$	
	Overton Park 9	\$	\$	\$	\$	\$	
	The Links at Whitehaven	\$	\$	\$	\$	\$	
Misc. Properties	Gym Lighting Upgrades Across Multiple Centers	\$546,972.00	\$135,990.00	\$450,000.00	\$	\$	
	Bottle Filler Water Fountain Installs Multiple Facilities	\$546,972.00	\$135,990.00				
	Lichterman	\$	\$	\$287,500.00	\$	\$	
	Pink Palace	\$	\$	\$1,587,500.00	\$1,437,500.00	\$1,350,000.00	

Strategic Priorities *(Immediate and Long Term)*

1. **Fix critical systems** across facilities (HVAC, roofing, plumbing).
2. **Modernize community hubs:** clubhouses, aquatic centers, golf courses, splash pads, accessible features.
3. **Enhance equitable access:** focus on underserved neighborhoods
4. **Long-term maintenance planning,** lifecycle budgeting by Parks & GS Property Maintenance.

Current Challenges and Risks

- Large backlog remains: current efforts are initial-phase; long-term funding required .
- Operational deficit: golf courses and centers require ongoing subsidies .
- Community skepticism: concern over prioritization—'shiny vs. systemic' projects .
- *Playgrounds not included*

Next Steps.....

- **Comprehensive asset assessment:** quantify backlog; integrate lifecycle costs.
- **Dedicated maintenance funding stream** to avoid future deferrals.
- **Community engagement** for project prioritization and transparency.
- **Public-private funding:** explore grants, partnerships for cultural assets and golf courses.

July 8, 2025

FISCAL CONSENT ITEMS

DIVISIONS/DEPARTMENTS:

Police Services

FISCAL CONSENT AGENDA

1. RESOLUTION to accept additional grant funds in the amount of \$26,839.66 from Shelby County Government through the Tennessee Office of Justice Programs. All Districts and All Super Districts. This resolution is sponsored by Memphis Police Services. **(Request for Same Night Minutes)**

1. **RESOLUTION to accept additional grant funds in the amount of \$26,839.66 from Shelby County Government through the Tennessee Office of Justice Programs. All Districts and All Super Districts. Thes resolution is sponsored by Memphis Police Services. (Request for Same Night Minutes)**

- Division/Department: Police Services
- Division/Department Contact: Janille Townsel
- Name of Grantor: Shelby County Government
- Funding Amount: \$26,839.66
- Award Duration: 07/1/2023-9/30/2025
- Awarded Type: Local Grant
- Plain Language Description: Increased police overtime and supplies budget of Project Safe Neighborhoods initiative
- Impact: Reduction of robberies and vehicle related violent crime in Memphis, TN



A Resolution approving a Lease for the Historic Old Daisy Theater and Offices located at 323 and 329 Beale Street, respectively, in Memphis, Tennessee 38103 to Beale Street Development Corporation (“BSDC”).

WHEREAS, BSDC through its Board and Chair, Randle Catron, Lucille Catron, and the City of Memphis (City), working together for the public good to rebuild Beale Street into an entertainment district, were instrumental in the redevelopment of the Beale Street Historic District (“BSHD”) beginning in the late 1970s; and

WHEREAS, Beale Street was a center of African American commerce and culture, and its 170-year history is a community treasure that City and BSDC strongly believe should be preserved and presented to Memphians and visitors alike; and

WHEREAS, the City owns the BSHD, and, effective November 29, 1982, the City, by a master lease, leased the BSHD to BSDC (the “Master Lease”); and

WHEREAS, BSDC will surrender its interest in the Master Lease upon approval of this Resolution; and

WHEREAS, the City owns the property located at 329 Beale Street known as the Historic Old Daisy Theater as well as property used as offices located at 323 Beale Street (“the Premises”); and

WHEREAS, BDSC desires and has agreed to continue its valued and historic role on Beale Street through its operation of the Premises; and

WHEREAS, in support of this commitment, City and BSDC are seeking the City Council’s approval to enter into a fifty (50) year lease for the purpose of continued operations of the Premises within the Beale Street Historic District, with such lease to commence July 1, 2025, and terminate on June 30, 2075, pursuant to Code of Ordinance 2-16-1 (J), which states in part “any lease or license agreement 2 years or more shall be considered a conveyance and shall be submitted to City Council for approval...”; and

Now therefore, be it resolved by the Council of the City of Memphis that the fifty-year lease with the BSDC on the above-described property is hereby approved.

Be it further resolved, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the lease and the Mayor of the City of Memphis is hereby authorized to execute said lease or any other documents necessary to complete the lease.