The items sponsored by the Administration were not available at the time of Document Publication.

MLGW Agenda Committee Discussion



MLGW Committee

February 24, 2026

Fiscal Consent Totals:

1. **Total Fiscal Consent Approved Amount Year-to-Date** – $17,502,810.69

   Items approved by Council through 02/03/2026.

2. **Total Regular/Fiscal Consent Requested Amount** – $3,946,221.48

   Items requested for 02/24/2026 meeting.

3. **Total Regular/Fiscal Consent Year-to-Date Amount** – $21,449,032.17

   Total of approvals and requests through 02/24/2026 meetings.

Items for Feb. 24th Agenda

Items approved by BOC on February 4th

1. Resolution ratifying and approving an invoice payment, scope change, and increase (Change No. 3) to Contract No. 12390, Project Portfolio Management Software Tool Acquisition with WorkOtter, Inc. to ratify, expand the scope, and increase the current contract value in the funded amount of $20,020.00.

2. Resolution awarding purchase order for horizontal luminaires LED 200W equivalent to Engineered Sealing Components LLC in the amount of $361,038.08.

3. Resolution awarding purchase order for standard concrete post tops to Engineered Sealing Components LLC in the amount of $190,838.60.

4. Resolution awarding Contract No. 12599, Heavy Duty/High Volume Utility Bill Insertion System to Bell and Howell, LLC and the associated lease agreement to Bell and Howell Capital Finance in the funded amount of $734,820.00.

5. Resolution approving a twelve-month extension of Purchase Order Number 7054390 in the amount of $1,643,300.00 with ATG Supply LLC for control cable.

6. Resolution approving Scope Change and Increase (Change No. 1) to Contract No. 12594, Revenue and Meter Services Support (Emergency) with Bridgewater Consulting Group, Inc. to expand the scope and increase the current contract value in the funded amount of $350,000.00.

7. Resolution awarding Contract No. 12596, Public and Employee Education Campaign to LEAP FIVE, LLC dba Matter in the funded amount of $475,000.00.

8. Request for approval of annual salary in the amount of $171,204.80 for the new hire position of Director, Internal Audit. (SAME NIGHT MINUTES REQUESTED)

Project Portfolio Management Software Tool Acquisition

- Requested Funding: $20,020.00
- Award Duration: Ratification of the approval of an invoice payment, after the fact, Vendor Scope Expansion and Increase (August 1, 2025 through July 31, 2026)
- Type of Bid: RFP
- Awarded to: WorkOtter, Inc.
- Plain Language Description: The WorkOtter software is used for Project Portfolio Management. The Vendor's integration of the Power BI reporting tool aligns with the solution used for the monthly management metrics reporting - 4M Metrics Reporting.
- Impact: The Vendor product direction change is required for continued full use of the WorkOtter Project Portfolio Management Software. The software will not work without the change.



Horizontal Luminaires LED 200W Equivalent



- Requested Funding: $361,038.08
- Award Duration: One-Time Purchase
- Type of Bid: Sealed Bid
- Awarded to: Engineered Sealing Components LLC
- Plain Language Description: The 200W luminaires deliver intense, widespread, clear white light for large demanding environments where visibility and energy savings are crucial. The luminaires are typically installed on highways and major arterials. Purchasing 1,352 will allow us to have enough inventory on hand to keep up with replacements due to knockdowns, light failures, and to add lights where necessary in the system.
- Impact: The luminaries are utilized to distribute and control artificial lighting across MLGW's service area. The luminaires are needed for upcoming projects and for infrastructure updates.

Standard Concrete Post Tops



- Requested Funding: $190,838.60
- Award Duration: One-Time Purchase
- Type of Bid: Sealed Bid
- Awarded to: Engineered Sealing Components LLC
- Plain Language Description: The standard post-tops are durable, precast concrete structures designed to support lighting fixtures on major and residential streets. A quantity of 85 standard concrete post tops will be procured to maintain an adequate inventory for replacements and emergency knock-downs.
- Impact: Investing in standard concrete post-tops is a strategic commitment to a resilient electrical infrastructure.

Heavy Duty/High Volume Utility Bill Insertion System

- Requested Funding: $734,820.00 ($725,220.00 proposal amount plus $9,600.00 in contingency)
- Award Duration: 60 months from the date of the Notice to Proceed
- Type of Bid: RFP
- Awarded to: Bell and Howell, LLC and the associated lease agreement to Bell and Howell Capital Finance
- Plain Language Description: The services rendered will be used to replace existing equipment that is over 15 years old. The equipment will be used to read, fold, insert, and apply proper postage to all MLGW residential and commercial customers' utility bills, account statements, and letters; including account cut offs and water leaks. The equipment will be used to process the 21 monthly cycles of the previously mentioned product lines which will be used to process approximately 600,000 cut sheets monthly.
- Impact: The work this equipment will process has been identified as a Critical Business Function – Level A, in the business continuity plan for MLGW's Corporate Communication area. MLGW customers that select and receive paper would be serviced by the equipment.

Control Cable



- Requested Funding: $1,643,300.00
- Award Duration: Twelve-Month Extension covering the period March 6, 2026 through March 6, 2027
- Type of Bid: Extension of Purchase Order Number 7054390
- Awarded to: ATG Supply LLC
- Plain Language Description: This request is to formally extend Purchase Order Number 7054390 with ATG Supply LLC. In substations and transformer banks, control cable acts as the "nervous system," connecting several types of low-voltage communications between high voltage protective equipment and remote-control centers.
  - Cable 5/C #9 CU 600V substation control cable Approximate Quantity: 100,000 Ft.
  - Cable 9/C #9 CU 600V substation control cable Approximate Quantity: 100,000 Ft.
  - Cable 19/C #9 CU 600V substation control cable Approximate Quantity: 100,000 Ft.
  - Cable 12/C #14 CU 600V substation control cable Approximate Quantity: 30,000 Ft.
- Impact: The control cable will be ordered as needed to ensure we have adequate inventory for new substations and transformer banks.

Revenue and Meter Services Support

- Requested Funding: $350,000.00 ($300,000.00 plus $50,000.00 in contingency)
- Award Duration: Scope Change and Increase (April 3, 2025 through April 2, 2026)
- Type of Bid: Emergency Award Ratification
- Awarded to: Bridgewater Consulting Group, Inc.
- Plain Language Description: This change is to expand the scope of the current contract for Bridgewater Consulting Group, Inc. services to support stabilization, improvement of the Customer Experience, and Energy Services (CEES) Business Unit.
- Impact: The Consultant will provide expertise in: 1) Organizational Planning; 2) Workforce Optimization; 3) Goal Setting Performance Management; 4) Cross-Function Coordination; and 5) Business Planning and Risk Mitigation.

Public and Employee Education Campaign

- Requested Funding: $475,000.00
- Award Duration: One (1) year from the date of the Notice to Proceed with an option of one (1) annual renewal
- Type of Bid: RFP
- Awarded to: LEAP FIVE, LLC dba Matter
- Plain Language Description: MLGW will work with a marketing firm to develop and implement a comprehensive education campaign aimed at improving MLGW's image amongst customers, by making sure our employees are excellent brand ambassadors. The selected agency will create a strategy that enhances customer perception and engages employees in adopting and fostering a positive brand reputation.
- Impact: This work with a marketing firm will help to define what employees and the public need most from MLGW. The firm will help determine the right messaging that resonates best with our customer base to help educate the public about MLGW's assistance programs such as payment assistance, and weatherization opportunities.

Request for salary approval for new hire to fill the position of Director, Internal Audit.

- Requested Funding: $171,204.80
- Award Duration: N/A
- Type of Bid: N/A
- Awarded to: N/A
- Plain Language Description: The President & CEO and the Interim Chief People Officer have recommended to the Board of Light, Gas, and Water Commissioners that they approve an annual salary of $171,204.80 for a new hire position: Director, Internal Audit, subject to the consent and approval of the City Council of the City of Memphis.

Questions





Jan 2026 Winter Weather Event

February 18, 2026

Bottom line up front:

- Winter storm Fern drove up prices that suppliers charge MLGW for the natural gas we use to serve our customers.
- Combined with increased customer demand for natural gas, customer bills for gas are higher than in other months this winter.
- This will also impact bills for electricity, since 44% of electric generation during the storm was powered by natural gas.
- This happened across the nation.
- Because MLGW purchases and stores natural gas in the summer when prices are lower, we were able to use that gas during this storm to help keep bills from being even higher
  - MLGW paid $46M for gas during the storm. Without storage, we would have paid $61M

MLGW

Winter Storm Fern

Winter Storm Fern was a large, multi-state winter storm that brought:

- Prolonged sub-freezing temperatures
- Ice accumulation
- Snow and hazardous travel conditions
- Sustained Arctic air across much of the central and southern United States



Winter Storm Fern caused extended periods of extreme cold, significantly increasing residential and commercial heating demand.

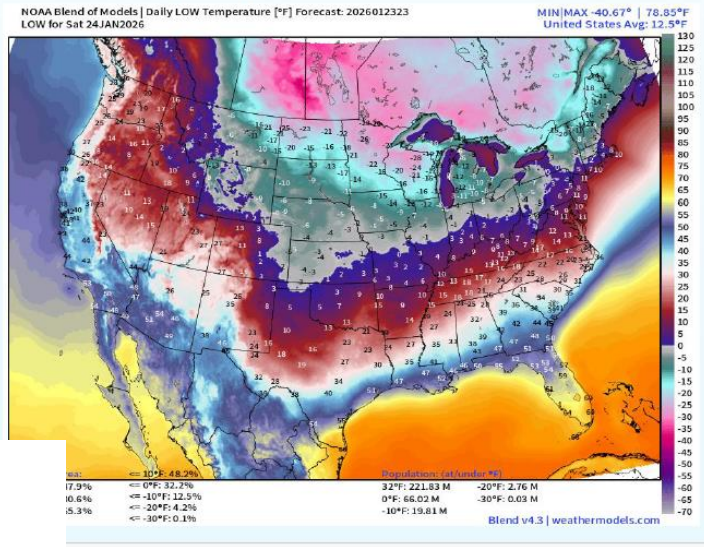
Winter Storm Fern brought prolonged extreme cold, driving national natural gas demand to elevated levels and causing wholesale price spikes and higher storage withdrawals.

These market conditions, combined with increased customer usage, led to higher utility bills nationwide, including Memphis.

MLGW

In The News

An arctic blast brought brutal cold and catastrophic snow and ice. More than 66 million people at or under 0°F on Saturday, Jan. 23





Winter Storm Fern shuts in 18.3 bcfd of US gas production at its peak

Cumulative freeze-offs projected to exceed 120 bcf, ranking among the most impactful winter events in recent memory

Wood Mackenzie

The geographic spread tells its own story of widespread vulnerability. The Permian Basin saw nearly half of all freeze-offs with 8.8 bcfd shut in. But perhaps more telling was the **record-breaking 5.1 bcfd of losses in Northern Louisiana and East Texas,** about 28% of production in the region, which outperformed estimates due to freezing rain and icy conditions.

Freeze-Offs Near Record, Setting Stage for Natural Gas 'Deliverability' Issues and Upside Volatility

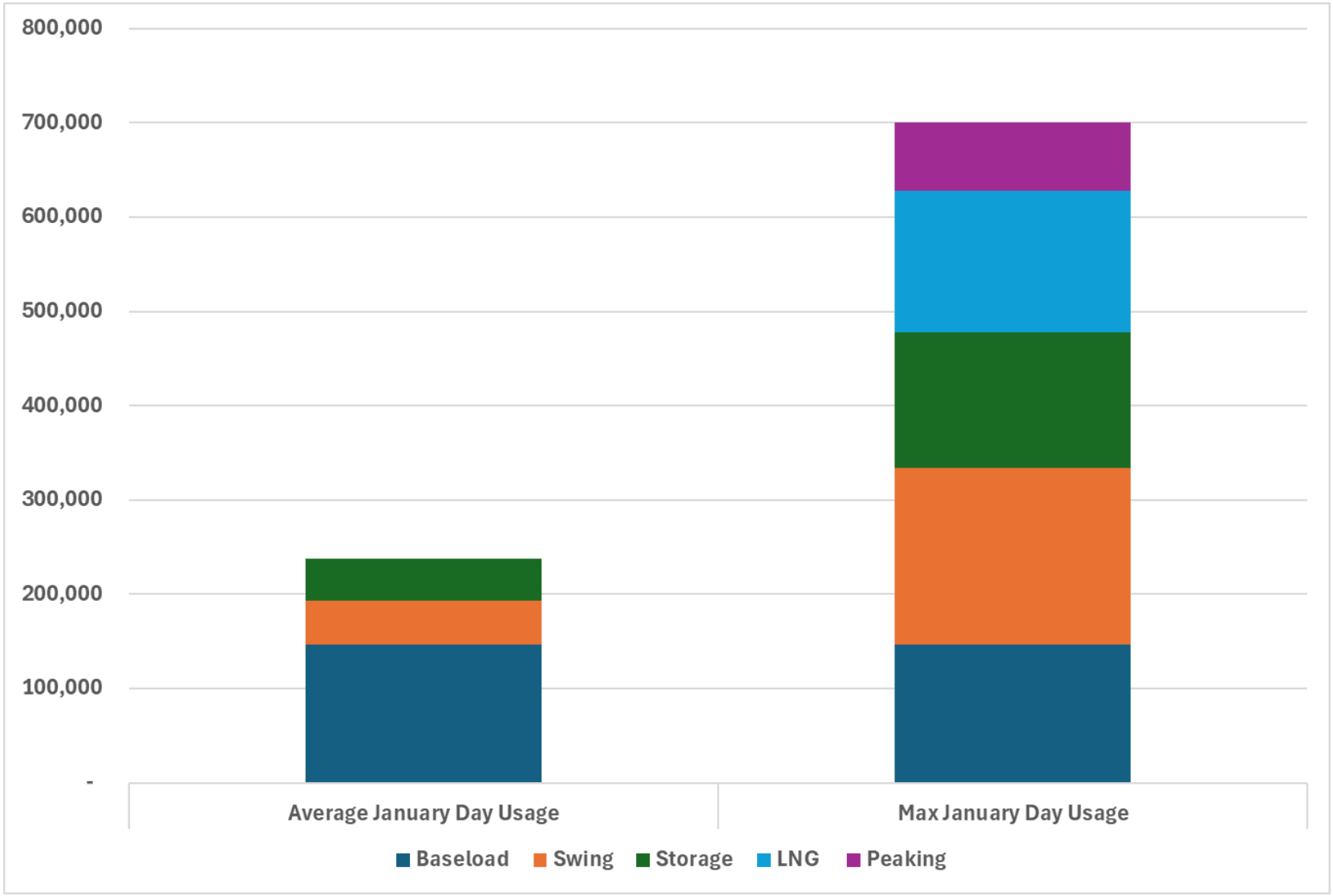
NGI NATURAL GAS INTELLIGENCE

Historic natural gas freeze-offs as arctic weather drives production losses to near-record levels

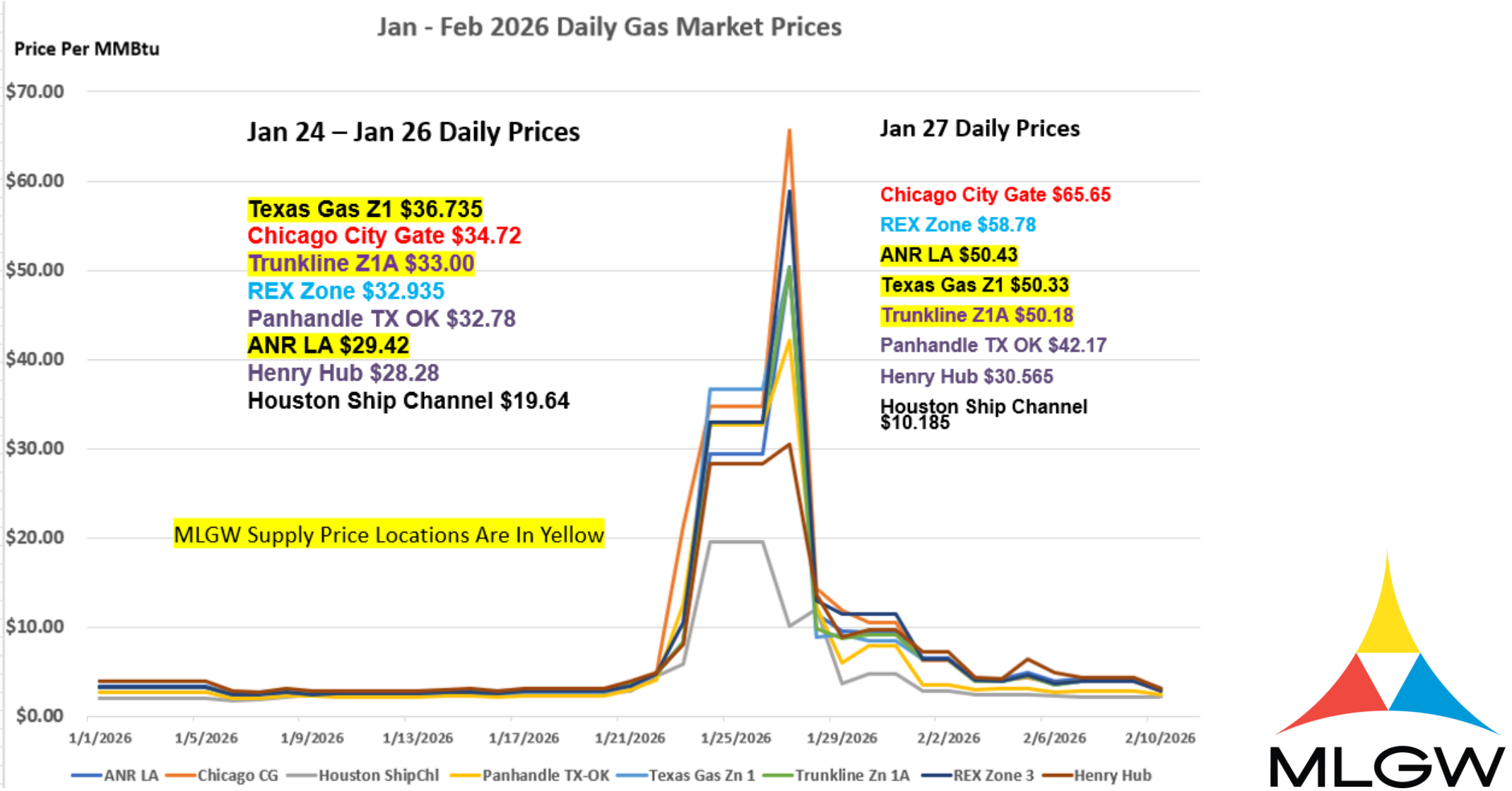
Single-day freeze-off reaches 17 BCF on January 25th, approaching Winter Storm Uri levels as intense cold drives historic price spike

MLGW

Gas Portfolio



MLGW


Jan - Feb 2026 Daily Gas Market Prices
Price Per MMBtu
$70.00
$60.00
$50.00
$40.00
$30.00
$20.00
$10.00
$0.00
Jan 24 – Jan 26 Daily Prices
Texas Gas Z1 $36.735
Chicago City Gate $34.72
Trunkline Z1A $33.00
REX Zone $32.935
Panhandle TX OK $32.78
ANR LA $29.42
Henry Hub $28.28
Houston Ship Channel $19.64
Jan 27 Daily Prices
Chicago City Gate $65.65
REX Zone $58.78
ANR LA $50.43
Texas Gas Z1 $50.33
Trunkline Z1A $50.18
Panhandle TX OK $42.17
Henry Hub $30.565
Houston Ship Channel $10.185
MLGW Supply Price Locations Are In Yellow
1/1/2026
1/5/2026
1/9/2026
1/13/2026
1/17/2026
1/21/2026
1/25/2026
1/29/2026
2/2/2026
2/6/2026
2/10/2026
ANR LA
Chicago CG
Houston ShipChl
Panhandle TX-OK
Texas Gas Zn 1
Trunkline Zn 1A
REX Zone 3
Henry Hub

MLGW

Gas Cost Per Supply Type

Period: Sat Jan 24 through Sat Jan 31, 2026

Actual Winter Storm Asset Distribution:

Deal	Price Method	Volume	$/MMBtu	Cost of Gas
Baseload	Monthly	1,170,400	$4.11	$4,810,344.00
Swing	Daily	1,467,900	$26.33	$38,642,836.52
LNG	Summer Refill	180,000	$4.00	$720,000.00
TGT Storage	Summer Refill	492,064	$4.00	$1,968,256.00
		3,310,364		$46,141,436.52

Winter Storm Asset Distribution Using Baseload and Daily Swing Purchases Only:

Deal	Price Method	Volume	$/MMBtu	Cost of Gas
Baseload	Monthly	1,170,400	$4.11	$4,810,344.00
Swing	Daily	2,139,964	$26.33	$56,335,090.27
LNG	Summer Refill	0	$4.00	$0.00
TGT Storage	Summer Refill	0	$4.00	$0.00
		3,310,364		$61,145,434.27
	Difference	0		$15,003,997.75

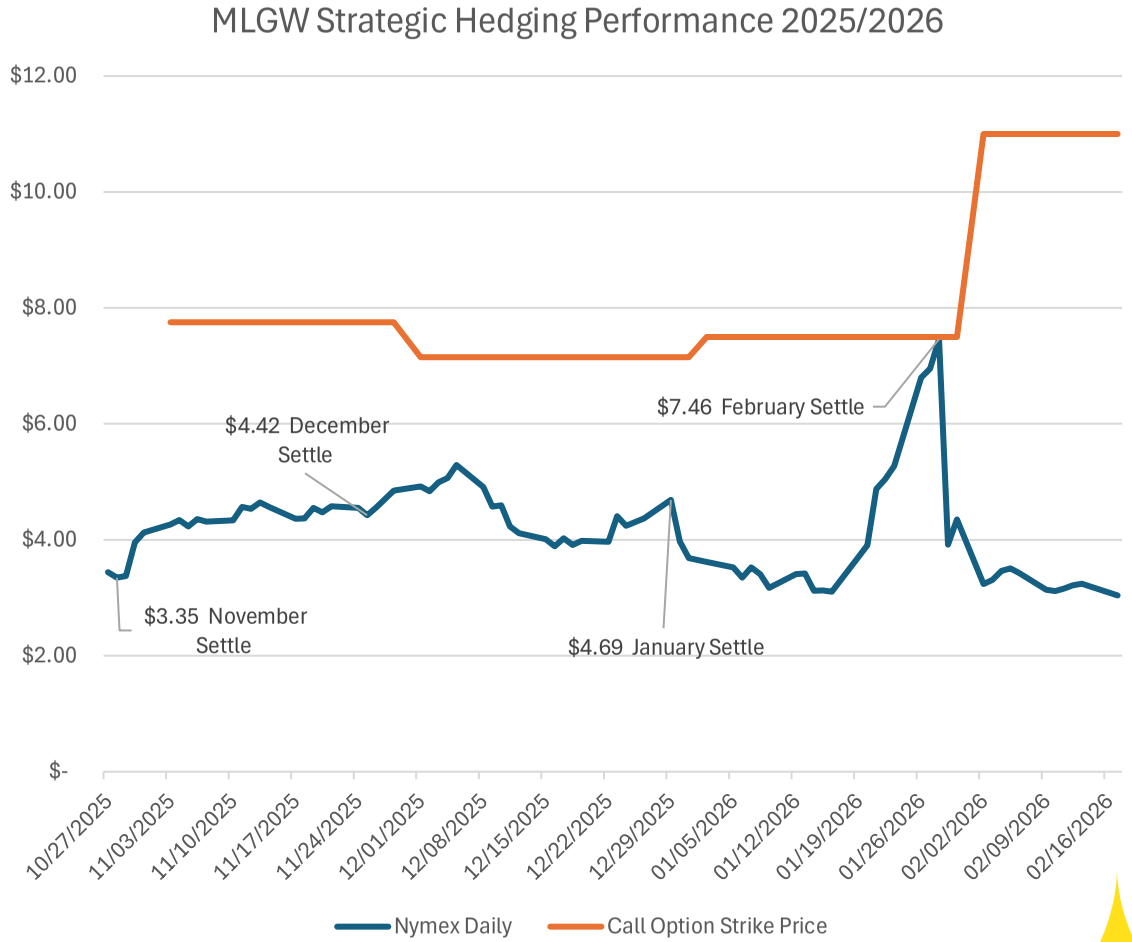
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MLGW Natural Gas Hedging Program

- Works like insurance if something crazy happens to gas prices for a prolonged period
- MLGW buys call options to set a price in case prices go way up
- Mostly used in winter months (Nov-Feb), when people use the most gas
- 2,644 contracts for plenty of coverage
- Around $2 million a year, less than 60 cents a month per customer
- Aims to keep the average customer’s gas bill at about $200 if prices get really bad for an extended period

Hedging Performance Charts





MLGW

Total Customer Bill Impacts

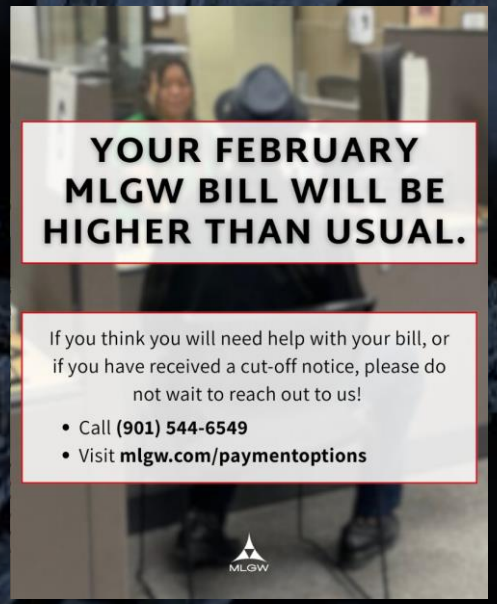
- Feb-26 data is through 9 billing cycles of 21 total billing cycles.
- Average bill amounts increased by $146.83
  - Consumption increased month-to-month in each division. This caused a $73.23 (50% of the change) increase in the average bill.
  - Natural gas prices increased over the period due to the winter storm and electric FCA rates increased causing a $73.60 (50% of the change) increase in the average bill.

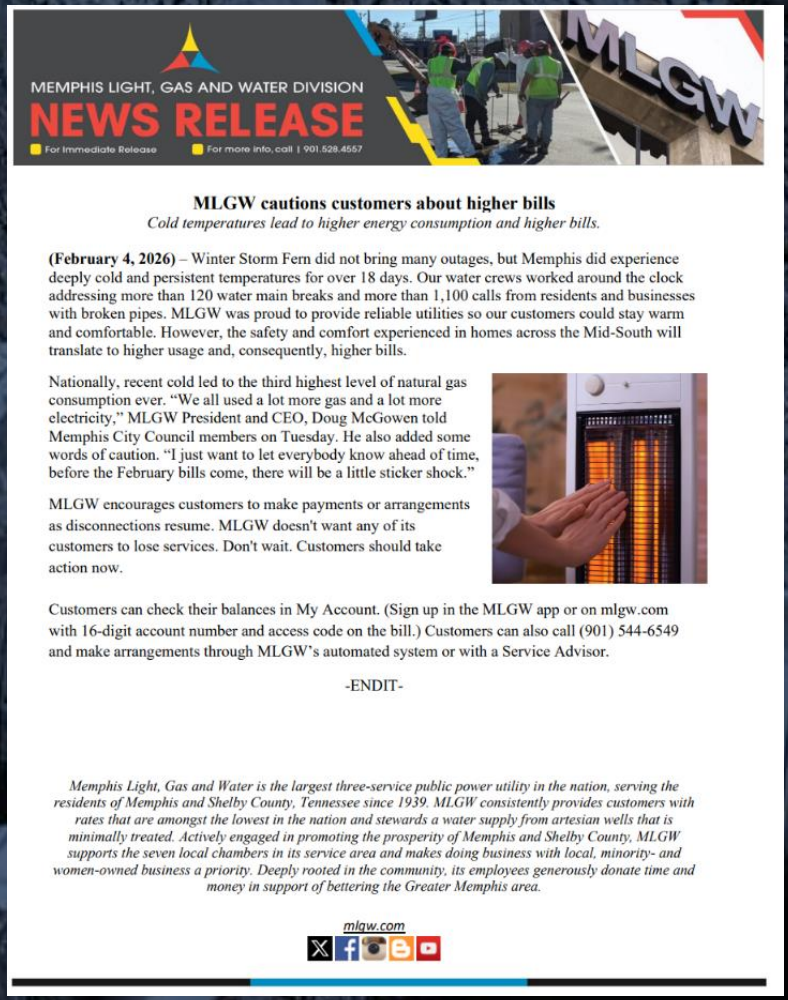
Service	Jan-26 Cons	Jan-26 $	Feb-26 Cons	Feb-26 $
Electric	1,027.7	$142.70	1,225.4	$168.86
Gas	113.2	$85.30	172.4	$204.27
Water	8.6	$20.15	9.0	$21.85
Total		$248.15		$394.98
Total Change in Revenue				$146.83
Change in Revenue Due to Consumption				$73.23
Change in Revenue Due to Prices				$73.60

Customer Impact Communication

Warning of Higher February Bills

- Alerted customers to expect higher utility bills following prolonged extreme cold
- Explained increased consumption and elevated natural gas commodity costs
- Encouraged conservation and bill monitoring
- Provided early warning prior to the February billing cycle





MEMPHIS LIGHT, GAS AND WATER DIVISION

NEWS RELEASE

For Immediate Release | For more info, call | 901.528.4557

MLGW cautions customers about higher bills

Cold temperatures lead to higher energy consumption and higher bills.

(February 4, 2026) – Winter Storm Fern did not bring many outages, but Memphis did experience deeply cold and persistent temperatures for over 18 days. Our water crews worked around the clock addressing more than 120 water main breaks and more than 1,100 calls from residents and businesses with broken pipes. MLGW was proud to provide reliable utilities so our customers could stay warm and comfortable. However, the safety and comfort experienced in homes across the Mid-South will translate to higher usage and, consequently, higher bills.

Nationally, recent cold led to the third highest level of natural gas consumption ever. "We all used a lot more gas and a lot more electricity," MLGW President and CEO, Doug McGowen told Memphis City Council members on Tuesday. He also added some words of caution. "I just want to let everybody know ahead of time, before the February bills come, there will be a little sticker shock."

MLGW encourages customers to make payments or arrangements as disconnections resume. MLGW doesn't want any of its customers to lose services. Don't wait. Customers should take action now.

Customers can check their balances in My Account. (Sign up in the MLGW app or on mlgw.com with 16-digit account number and access code on the bill.) Customers can also call (901) 544-6549 and make arrangements through MLGW's automated system or with a Service Advisor.

-ENDIT-

Memphis Light, Gas and Water is the largest three-service public power utility in the nation, serving the residents of Memphis and Shelby County, Tennessee since 1939. MLGW consistently provides customers with rates that are amongst the lowest in the nation and stewards a water supply from artesian wells that is minimally treated. Actively engaged in promoting the prosperity of Memphis and Shelby County, MLGW supports the seven local chambers in its service area and makes doing business with local, minority- and women-owned business a priority. Deeply rooted in the community, its employees generously donate time and money in support of bettering the Greater Memphis area.

mlgw.com

MLGW

Customer Impact Communication

Media Coverage

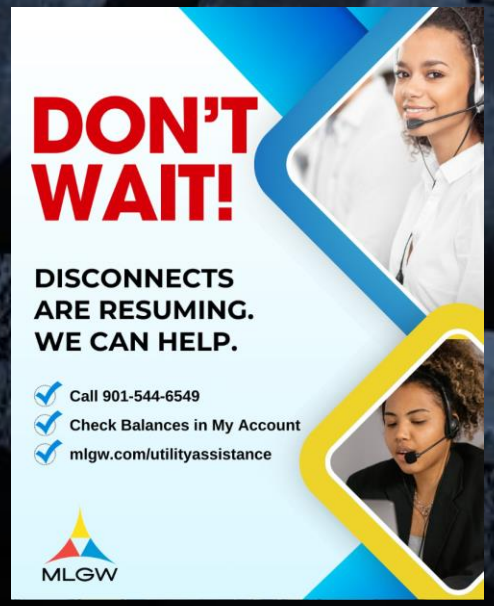
- FOX 13: MLGW warns customers of higher utility bills after winter storm
- ABC 24: MLGW warns of higher February bills following winter storm impact – Local Memphis
- WREG TV: MLGW bills will be high in February, utility warns
- WREG News Channel 3: MLGW offers payment plan for customers facing high utility bills
- Action News 5: Mayor Young warns residents of pricey MLGW bills after ice storm





Customer Support and Payment Assistance

- MLGW did not disconnect customers for non-payment for two weeks
- Payment arrangements available for qualifying customers
- Extended payment options to prevent service interruption
- Customers urged to contact MLGW before due dates
- Payment plans accessible via website, My Account portal or Customer Care



Reliable Today. Ready for Tomorrow.

During Winter Storm Fern, MLGW:

- Communicated early
- Explained national market conditions
- Provided customer support solutions
- Maintained leadership visibility





AN ORDINANCE TO AMEND TITLE 12 - STREETS, SIDEWALKS, AND PUBLIC PLACES – OF THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, TO ESTABLISH THE DOWNTOWN PARKING FACILITY REVITALIZATION AND SAFETY PROGRAM FOR THE CITY OF MEMPHIS

WHEREAS, the Memphis City Council acknowledges the essential role that publicly accessible downtown parking facilities—including surface lots and parking garages—play in supporting hospitality, enhancing accessibility, and meeting the needs of a growing and vibrant Downtown; and

WHEREAS, the Downtown Memphis Commission (DMC) and the Downtown Mobility Authority (DMA), through the adoption of the 2014 Advisory Guidelines for Downtown Memphis Parking Garages and Surface Parking Lots, have maintained high operational standards in cleanliness, lighting, security, signage, and maintenance within DMA-managed parking facilities; and

WHEREAS, according to the Downtown Memphis Parking Study, a study to evaluate the development of an implementable Parking Management Plan there are over 71,000 parking spaces across Downtown Memphis, of which approximately 59,000 are privately owned. The Downtown Mobility Authority owns just 8 percent of the total supply, but seeks to positively influence the broader parking ecosystem; and

WHEREAS, many other privately owned and operated parking garages and surface lots located in Downtown Memphis lack similar oversight, resulting in inconsistent standards that contribute to poor facility conditions, public safety concerns, and a diminished visitor experience; and

WHEREAS, the 2023 Downtown Safety Plan, published by the University of Memphis Public Safety Institute, identified specific deficiencies in parking facility operations, including inadequate lighting, insufficient surveillance, and poor maintenance—factors that increase the risk of crime and negatively impact public perception of safety in Downtown Memphis; and

WHEREAS, by Ordinance No. 5708, the City of Memphis adopted the 2015 International Property Maintenance Code ("IPMC"), as locally amended, which establishes minimum standards for the maintenance of existing residential and nonresidential structures and premises, including nonresidential structures such as parking garages and the exterior property areas associated with them; and

WHEREAS, Chapters 1–4 of the IPMC, as locally amended, including but not limited to Sections 101, 102, 103, 104, 106, 108, 109, 302 (Exterior Property Areas), 304 (Exterior Structure), 305 (Interior Structure), 308 (Rubbish and Garbage), 402 (Light), and 606 (Elevators, Escalators and Dumbwaiters), authorize the City's Code Enforcement division to inspect and enforce minimum standards for structural integrity, safety, lighting, sanitation, and maintenance of nonresidential structures and premises; and

WHEREAS, the Memphis City Council finds that uniform minimum standards for all publicly accessible parking facilities are necessary to ensure the health, safety, and general welfare of residents, workers, and visitors in Downtown Memphis; and

WHEREAS, it is the intent of this ordinance to support economic development, enhance public confidence in Downtown infrastructure, and promote equity in the experience and accessibility of parking facilities throughout the district.

NOW, THEREFORE, BE IT ORDAINED BY THE MEMPHIS CITY COUNCIL that Title 12 - Streets, Sidewalks, and Public Places—Chapter 7, relating to Center City Area, of the Code of Ordinances of Memphis, Tennessee is hereby amended to create Section 7-70 – Downtown Parking Facility Revitalization and Safety Program reads as follows:

Section 1.

Sec. 12-7-70. Downtown Parking Facility Revitalization and Safety Program

A Intent and Scope of the Ordinance.

This ordinance is intended to create a new section to establish the Downtown Parking Facility Revitalization and Safety Program. In addition, this ordinance designates Downtown parking facilities as a priority area for inspections and enforcement of existing minimum standards for property maintenance, safety, and sanitation; and provide a framework for coordination between the City's Code Enforcement division and other City divisions and partner entities in addressing conditions of Downtown parking facilities that may violate the IPMC or otherwise endanger public health, safety, and welfare.

B Definitions.

1. *Downtown* means the geographic area defined by the Memphis 3.0 Comprehensive Plan, bounded generally by the Mississippi River to the west, A.W. Willis/North Parkway to the north, East Parkway to the east, and Crump Boulevard to the south.
2. *Parking Facility* means any structure, surface lot, or combination thereof, open to the public for vehicular parking, whether for hourly, daily, monthly, or event-based use.
3. *Downtown Public Parking Facility* means any Parking Facility located within Downtown that is available for use by the general public, whether operated on a paid or unpaid basis.
4. *Parking Garage* means any multi-level parking facility privately owned and managed that is accessible to the general public located in Downtown Memphis.
5. *Code Official* has the same meaning as in the IPMC as locally adopted, and includes any duly authorized representative or deputy of the code official acting within the scope of authority granted by the IPMC and City ordinances.
6. *Subject IPMC Provisions* means, for purposes of Downtown Public Parking Facilities, the provisions of the IPMC as locally adopted that apply to nonresidential structures and

related premises, including but not limited to Sections 101, 102, 103, 104, 106, 107, 108, 109, 302, 304, 305, 308, 402, and 606, as they may be amended from time to time.

7. *Facility Operators* means any individual, company, contractor, or entity responsible for managing, maintaining, or overseeing the daily operations of a parking facility.
8. *Program* means the Downtown Parking Facility Revitalization and Safety Program as established in this ordinance.

C Program Objectives.

The Program shall aim to:

1. Identify Downtown Public Parking Facilities whose physical condition, structural elements, lighting, sanitation, or maintenance may constitute a violation of the Subject IPMC Provisions or otherwise render the facility unsafe, unfit for occupancy, or unlawful under the IPMC.

2. Encourage regular observation and, as resources allow, periodic inspections of Downtown Public Parking Facilities by Code Enforcement, consistent with the authority granted by IPMC Sections 103 and 104, to determine compliance with the Subject IPMC Provisions.

3. Promote timely correction of conditions that violate the Subject IPMC Provisions, including but not limited to:

   a. Unsafe structures or equipment, or structures unfit for human occupancy, as defined in IPMC Section 108;

   b. Exterior property and premises that are not maintained in a clean, safe, and sanitary condition as required by IPMC Section 302;

   c. Exterior and interior structural elements (including but not limited to walls, ceilings, stairways, railings, decks, ramps, roofs, and other structural components) that are not maintained in sound condition and good repair as required by IPMC Sections 304 and 305;

   d. Accumulations of rubbish and garbage, spills, fluids, or other hazards in violation of IPMC Section 308;

   e. Inadequate light and illumination of interior or enclosed areas, where such conditions render the structure unsafe or unfit for use under IPMC Section 402; and

   f. Elevators, escalators, and dumbwaiters that are not maintained in compliance with IPMC Section 606 or applicable referenced codes.

D Program Requirements.

1. Inspections.

a. The Code Official is authorized to make inspections of Downtown Public Parking Facilities pursuant to IPMC Sections 103 and 104 and the City's property maintenance program, in order to determine compliance with the Subject IPMC Provisions.
b. The Code Official may coordinate such inspections with other City divisions and with the Downtown Mobility Authority as appropriate, provided that Code Enforcement's actions are in accordance with the IPMC and any other applicable City ordinances.

2. Findings and Notices.

a. Where a Downtown Public Parking Facility is found to be in violation of the Subject IPMC Provisions, the Code Official shall issue notices of violation, orders, or other remedies consistent with IPMC Sections 106 and 107.
b. Notices shall describe the conditions observed, identify the specific IPMC sections alleged to be violated, and provide a reasonable time to abate or correct the violations as required by the IPMC.

3. Unsafe Structures and Emergency Measures.

a. Where the condition of a Parking Garage or other Downtown Public Parking Facility constitutes an unsafe structure, unsafe equipment, or a structure unfit for human occupancy under IPMC Section 108, the Code Official may condemn the structure or equipment and take such actions as are authorized by IPMC Section 108, including placarding and requiring the structure to be vacated or secured.
b. In cases of imminent danger, the Code Official may take emergency measures as authorized by IPMC Section 109, including ordering occupants to vacate, closing sidewalks or streets in coordination with the appropriate authorities, or taking temporary measures to secure the premises.

E Reporting

a. During the City's annual budget preparation and adoption process, or approximately six (6) months following the effective date of this Ordinance if sufficient data is not available during the budget process, the Administration shall make a presentation to the Memphis City Council, detailing the effectiveness of more focused enforcement of the IPMC as it relates to parking garages; and, if necessary, the Administration shall, at that time, provide a detailed report that outlines any additional resources that may be beneficial in order to continue enforcement.

Section 2. Severability Clause.

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. Codification Clause.

BE IT FURTHER ORDAINED that this ordinance amends Title 12: Streets, Sidewalks, And Public Places To Create Section 12-7-70 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 4. Effective Date Clause

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(s)
Philip Spinosa, Jr.
Jerri Green
Rhonda Logan
JB Smiley, Jr.

Chairwoman
Jana Swearengen-Washington

RESOLUTION TO ALLOCATE $45,000 IN FY26 COUNCIL COMMUNITY GRANT PROGRAM FUNDS

WHEREAS, the Memphis City Council Community Grant Program seeks to allocate financial support to qualified nonprofit organizations offering initiatives that focus on reducing poverty, strengthening youth engagement, preventing crime, and promoting economic growth throughout the City of Memphis; and

WHEREAS, for FY26, the Council Community Grant Program will award $2.6 million in grants, with each Councilmember having the opportunity to allocate $200,000 in funding; and

WHEREAS, to allow all funds to be allocated and disbursed in advance of the end-of-year reporting deadline, each Councilmember is asked to allocate their grant funds to organizations that are eligible to receive funds during the FY26 grant cycle.

NOW, THEREFORE, BE IT RESOLVED that Councilwoman Yolanda Cooper-Sutton wishes to allocate $45,000 of her remaining FY26 grant funding to the following organizations:

ORGANIZATION NAME	**AMOUNT**
A Better Whitehaven	$10,000
A.N.C.H.O.R CDC	$10,000
Connected Hearts	$10,000
Overton Park Conservancy (Approved through the Community Grant Program application process)	$6,000
Memphis Lift	$6,000
Motivating Bold Believers for Excellence	$2,000
Community Service Leaders of America	$1,000

Hello Hyde Park
Neighborhood Revitalization Plan

Findings and Recommendations with a Strategic Focus on Redevelopment of Vacant Lots in Hyde Park for New Housing



Context and Guiding Thoughts

Memphis needs approximately

39,000 Affordable Housing Units

to meet current demand.

The revitalization of Hyde Park will require support from:

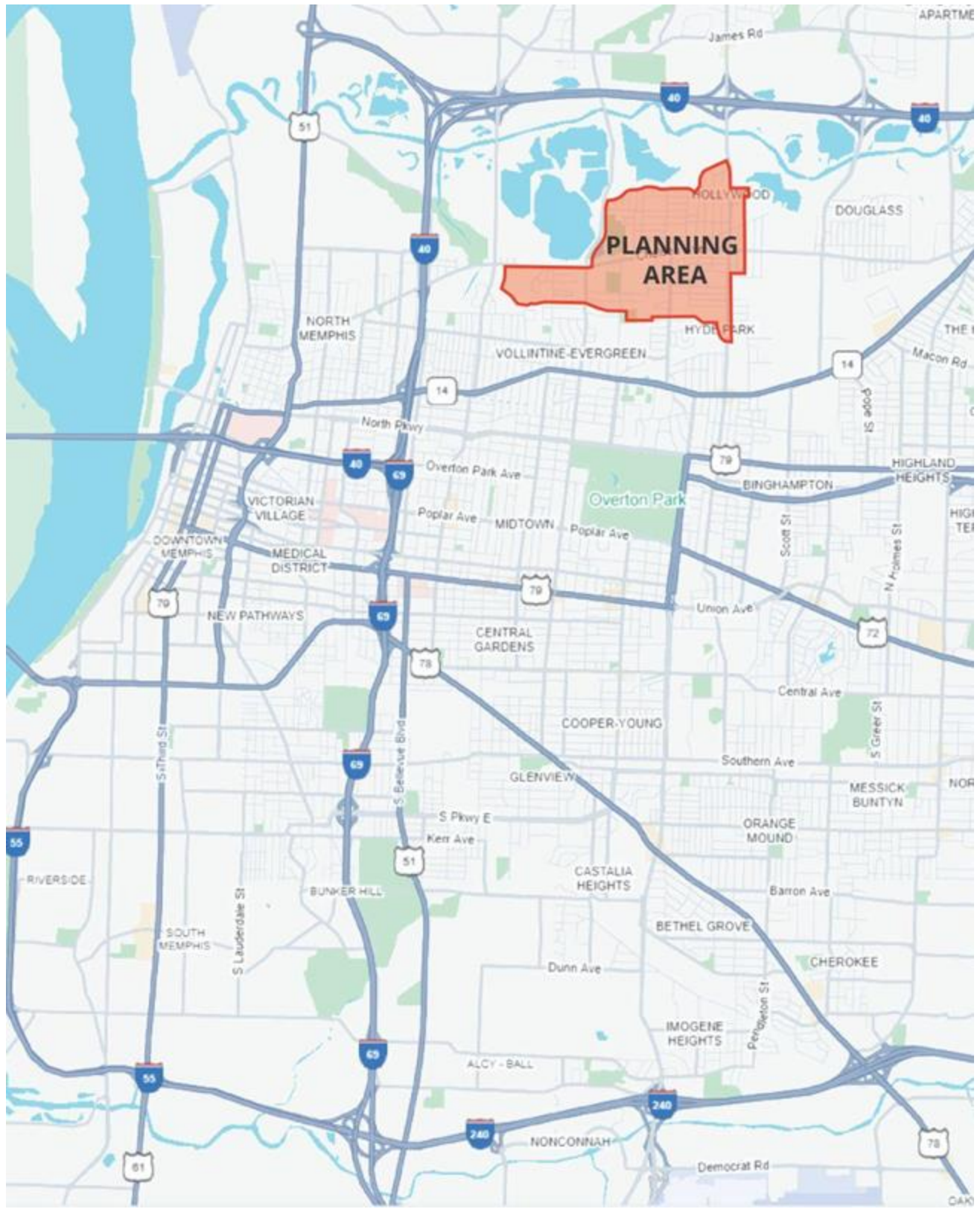
Municipal Leaders, Developers, Businesses and most importantly, the hands-on work of Community Member-led organizations and Legacy Residents to be successful.

Planning Goals

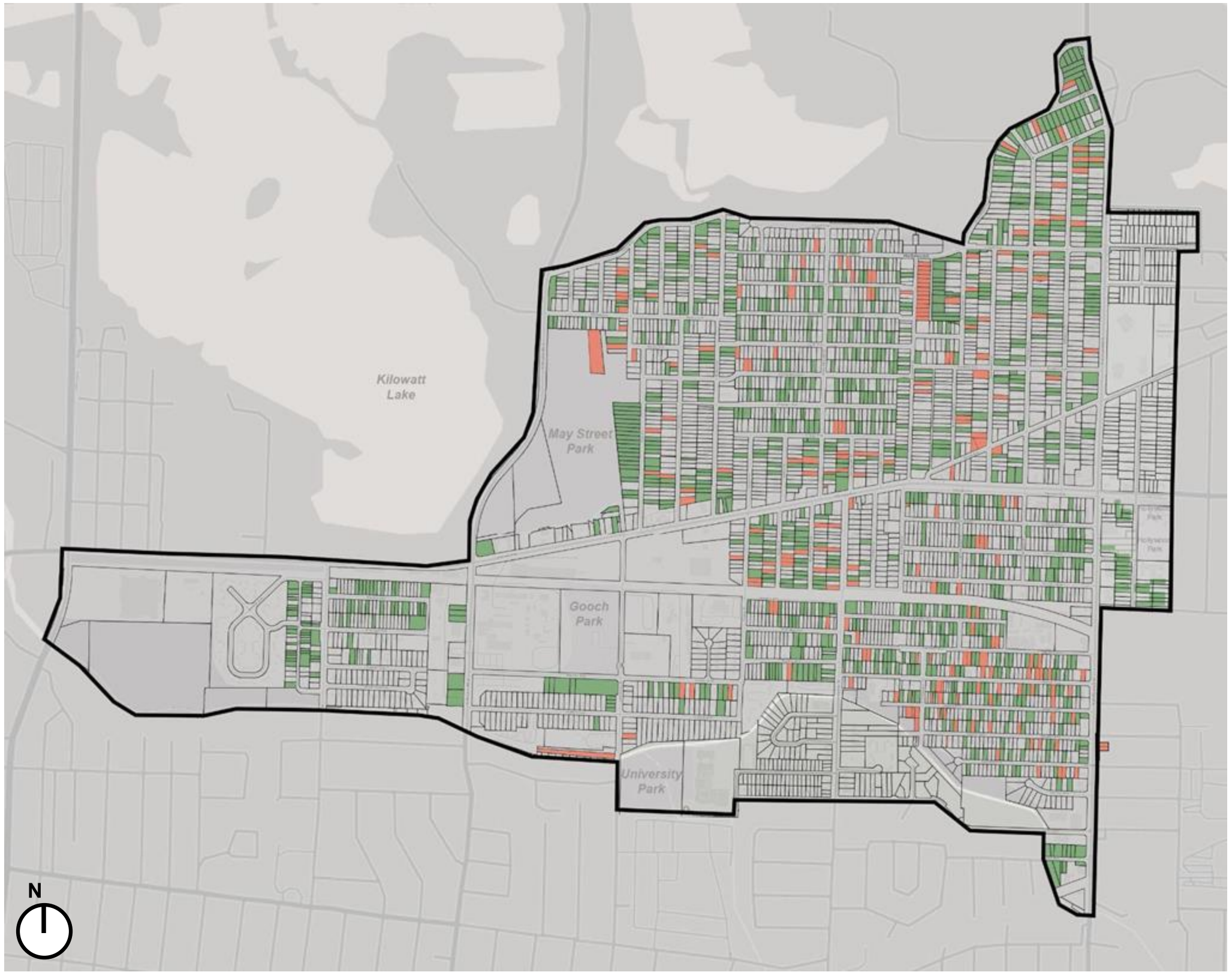
Hyde Park is a historic North Memphis neighborhood that has experienced decades of disinvestment, but also has been strengthened by deep community roots, committed leaders and engaged residents.

The Hello Hyde Park Revitalization Plan advances a resident-driven vision to:

1. **Leverage Public Land for Community Benefit**
    a. Target 200+ Shelby County Tax-Sales parcels for infill development.
2. **Improve Essential Housing Quality**
    a. Turn vacant lots into new homes that meet current building codes and ensure durable, energy-efficient construction.
3. **Support Homeownership**
    a. Provide Home Buyer Education, financial readiness support, and identify incentive packages to make ownership attainable.
4. **Diversify Housing Stock**
    a. Introduce “Missing Middle” housing types that fit the neighborhood scale and meet affordability needs.
1. **Build a Community-Led Development Model**
    a. Partner with resident-led groups and small local builders, ensuring development benefits the Hyde Park community.



Vacant Land Parcels



The Master Plan targets the infill development of **200+ Shelby County Tax-Sales Parcels** via the **Building Home Program.**

They will be transferred at **minimum cost to qualified developers** to accelerate neighborhood investment and reduce construction barriers

The Build Home joint-ordinance stipulates the time period in which homes must be completed.

Legend for Hyde Park Vacant Land Properties

Shelby County Tax Sales Properties (200+)

Opportunity Parcels (~300)

Neighborhood Data & Demographics

Hyde Park's character has been shaped by:

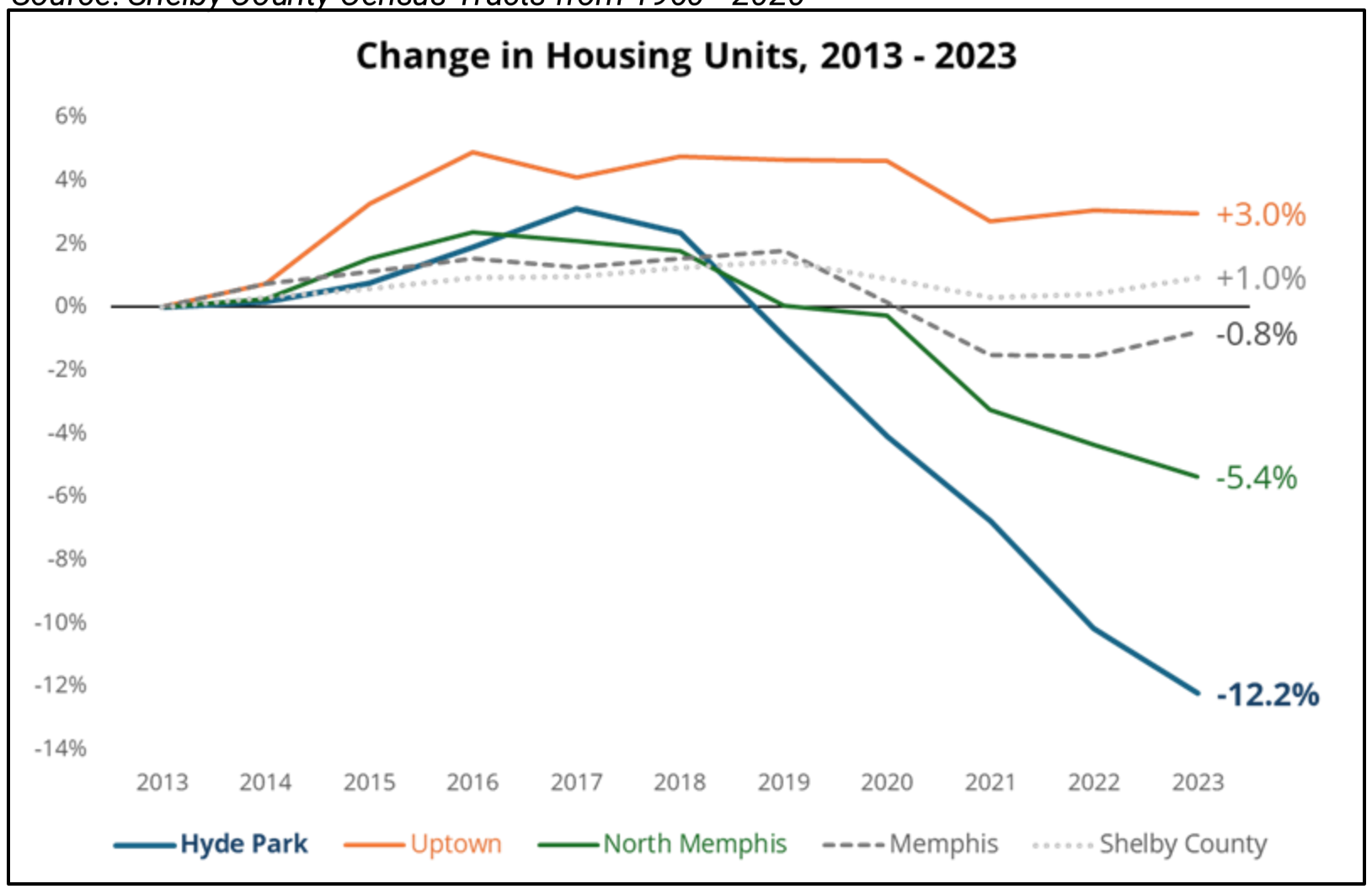
- Strong community identity & neighborhood pride
- Legacy of redlining and industrial impacts
- Population decline and housing disinvestment
- Limited food access and unreliable transit

Despite challenges, Hyde Park has meaningful advantages:

- Engaged residents and community partners
- More than 200 available lots owned by the City or County
- Parks, civic anchors, and adjacency to the Wolf River Greenway
- Planned grocery store and corridor reinvestment

	1960	1970	1980	1990	2000	2010	2020
Population							
White	9,385	3,628	1,409	1,203	718	415	564
Black	14,989	23,361	21,317	18,124	14,795	11,975	9,723
Household Size	3.75	3.78	2.98	2.76	2.62	2.49	2.36
Median Income ($)	4,111	5,856	8,803	12,888	17,908	x	31,351
Median House Value ($)	8,550	10,425	22,190	37,550	48,375	x	x
Median Rent ($)	46	59	92	194	294	x	870

Source: Shelby County Census Tracts from 1960 - 2020



Source: HR+A provided data from American Community Survey, U.S. Census Bureau

Core Recommendations

Recommendation I:

Escalate Efforts to Secure a New Grocery Store for Hyde Park

- Increasing the number of residents is critical to making this feasible.
- Proposed North Memphis Grocery Store can create economic growth, jobs, and improved public health.

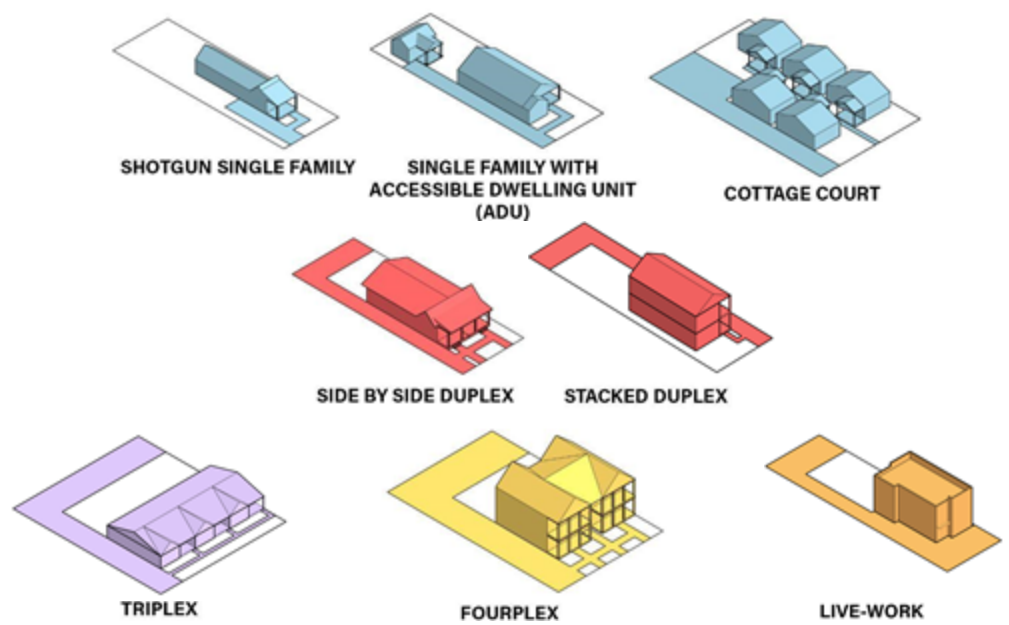


(Source: Graphics created by Self + Tucker Architects)

Recommendation II:

Diversify Affordable Housing Stock

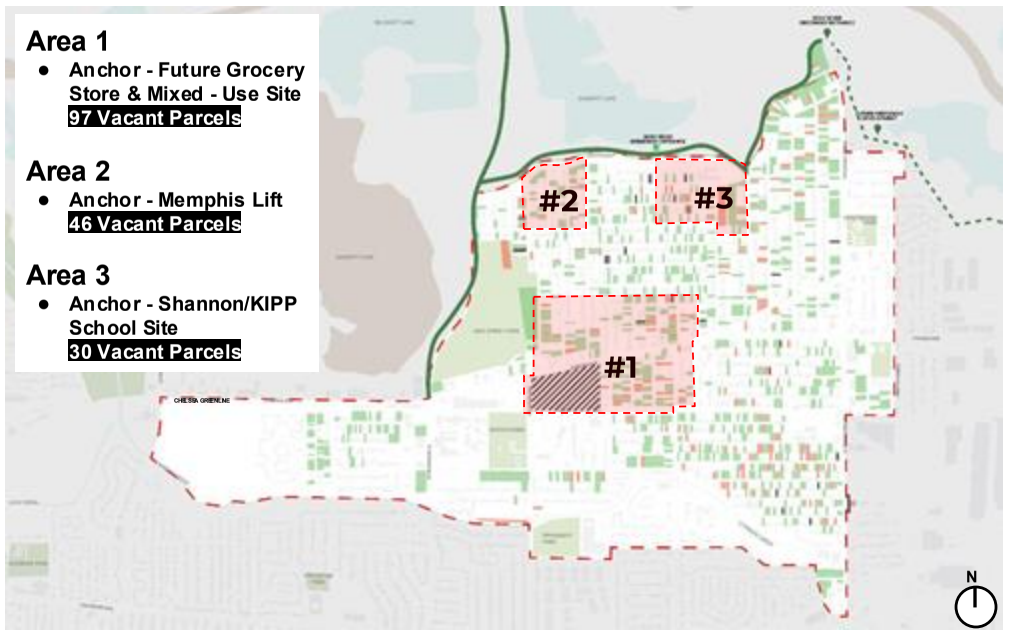
- Introduce “missing middle” housing to support affordability and neighborhood stability.
- Attract diverse income levels and create opportunities for local builders and small-scale developers.



Recommendation III:

Prioritize Focus Areas

- Concentrate investment in focus areas to create measurable progress and build development momentum.
- Demonstrate the impact of coordinated revitalization across housing, infrastructure, and community amenities.



Community Engagement

Through multiple engagement sessions, residents emphasized:

- Expanding affordable homeownership
- Increasing funding to repair existing homes
- Reducing blight and improving appearance and safety
- Improving public transit connections
- Maintaining neighborhood character
- Creating generational wealth
- Creating jobs, providing career training pathways, and supporting small business opportunities

















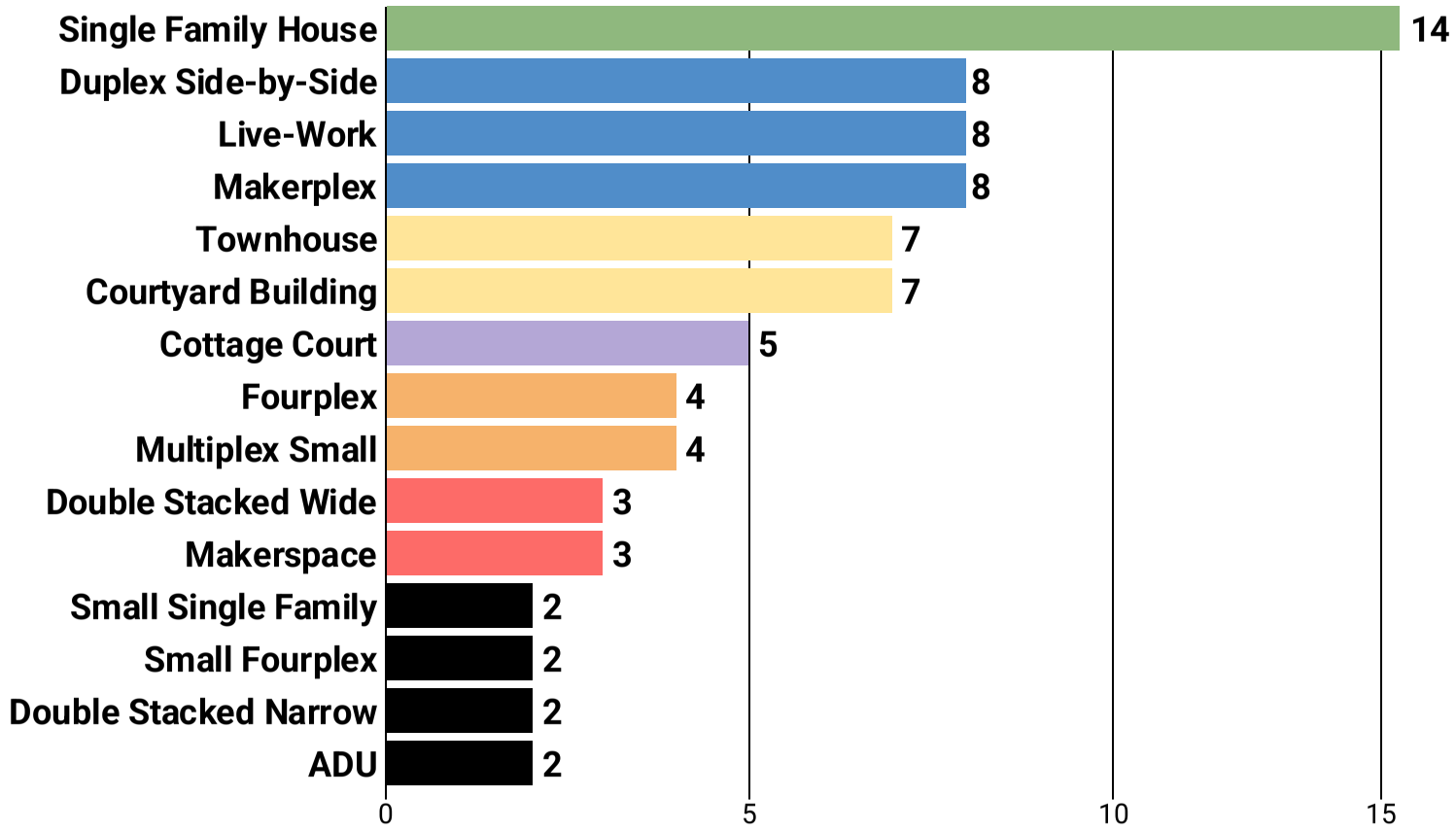


Community Engagement - Survey

What types of housing does the neighborhood need to thrive?

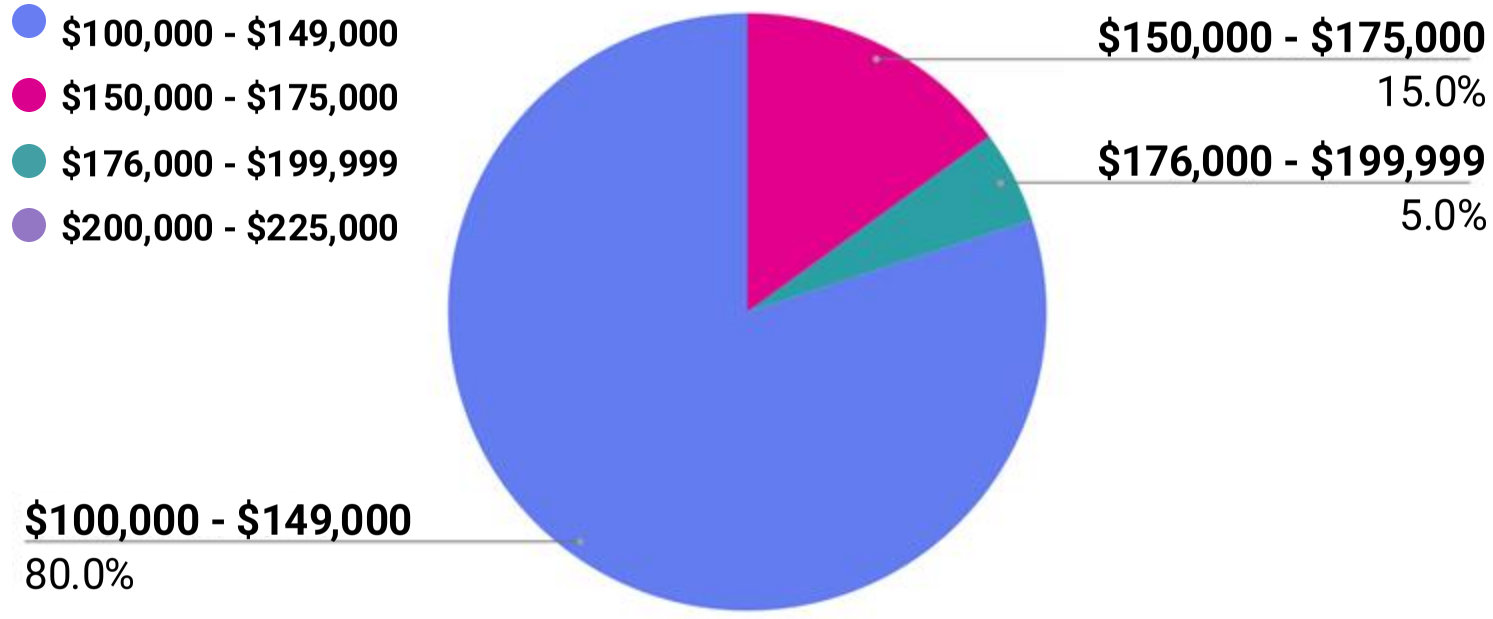
When aggregated, the most popular types of housing are:

- Single Family - 14 Respondents
- Duplexes - 13 Respondents
- Mixed Use and Middle Scale buildings - 19 Respondents

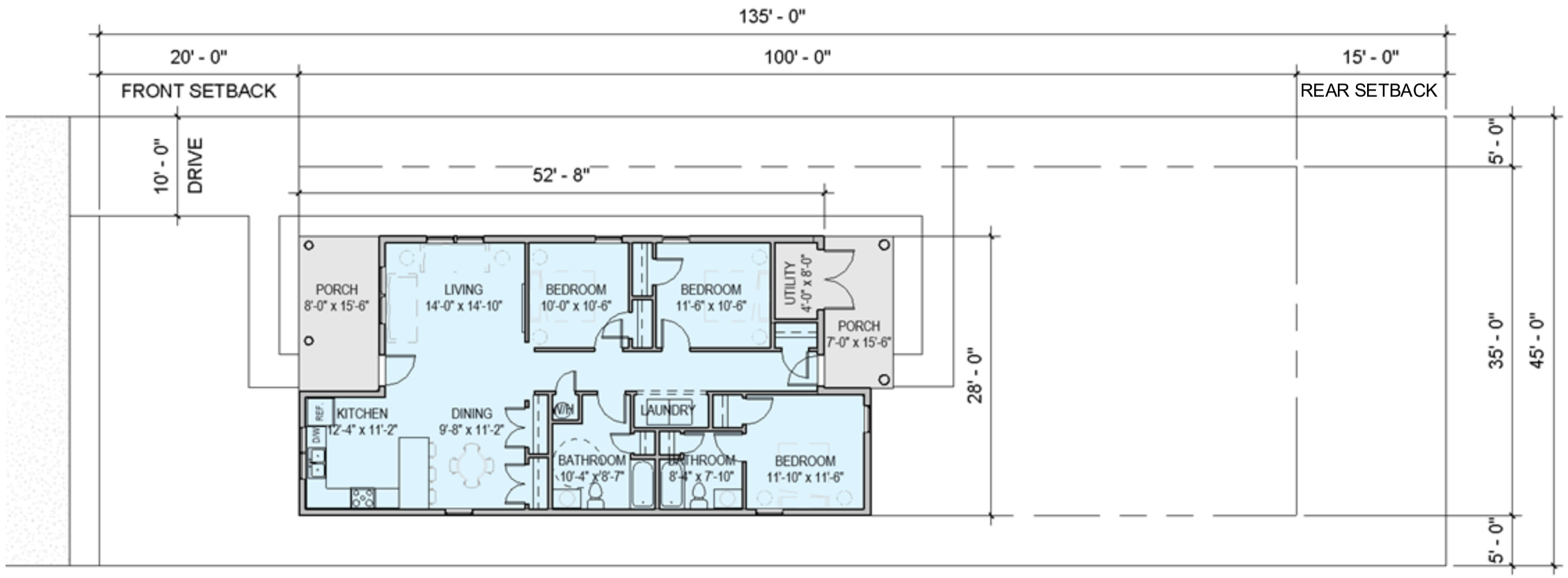


What do you feel is the appropriate cost range for a quality new construction 3 Bedroom, 2 Bathroom home in the Hyde Park Community?

An **affordable home sales price** is appropriate for Hyde Park at **$100,000-$149,000**



Single Family Infill Design - 45’-0” Lot





SINGLE FAMILY
LOT SIZE - 45’ x 135’

HEATED SF - 1,299 SF
UNHEATED SF - 267 SF
TOTAL SF - 1,566 SF

1,299 SF x $145/SF = **$188,355**

Based on feedback from developer Demitrius Halliburton, a “Standard Grade” home is estimated to cost **$145/SF**.

Per estimates & Appraisal Quality Ratings:

- **$125/SF** Basic-Grade
- **$145/SF** Standard Grade
- **$160/SF** Above Standard

First Time Home Buyer's Capital Stack

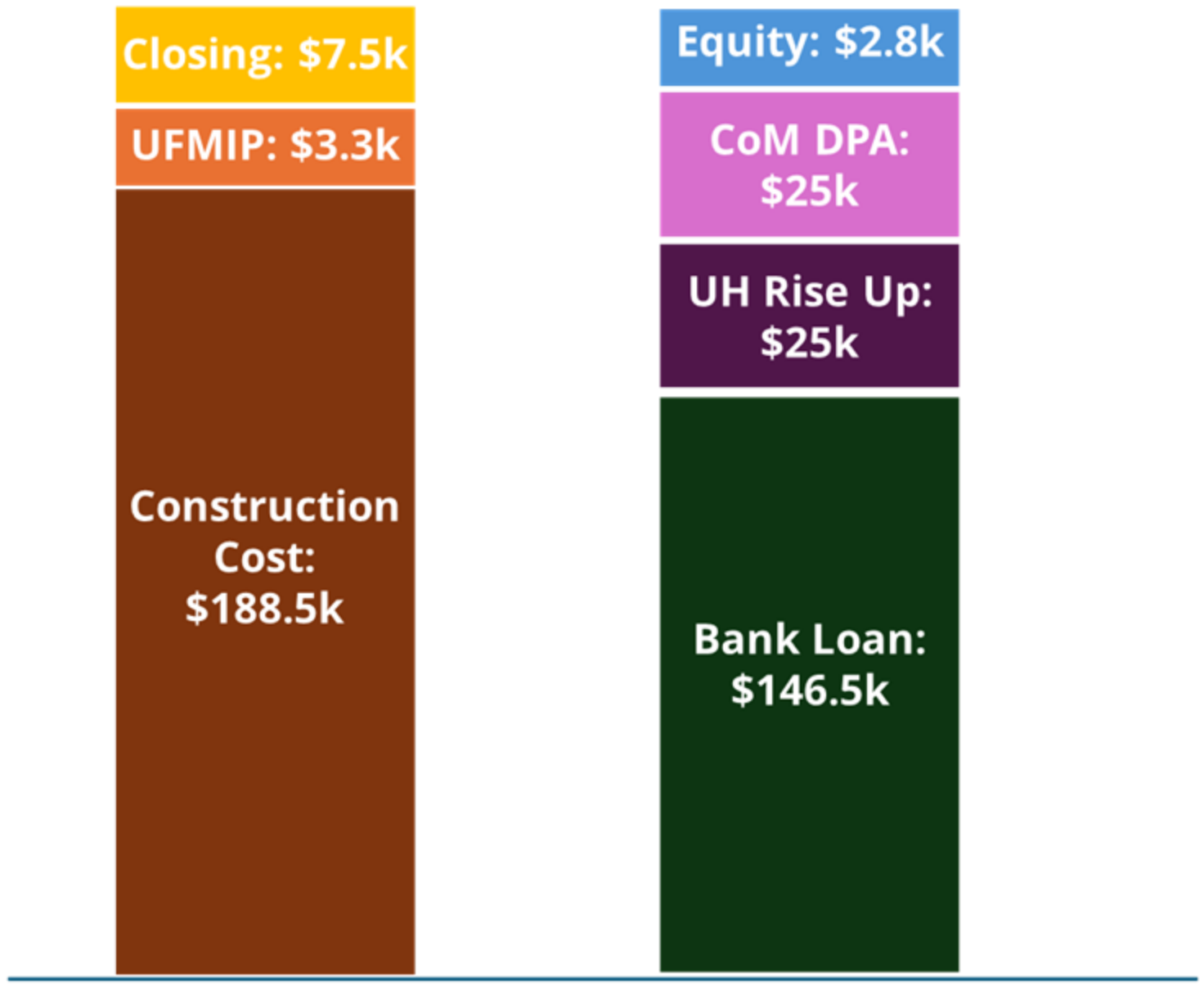
Base Case – Small Single-Family Home, Appraisal Gap, DPA Subsidy

Home Data

- *3 Br / 2 Ba*
- *1,299 sf*
- *$145 Cost per SF*
- *Cost to Build: $188.5k*

Financing Data

- *97% LTV (FHA Loan)*
- *6.1% interest rate*
- *Closing Costs: 4%*
- *Upfront Mortgage Insurance Premium (UFMIP): 1.75%*



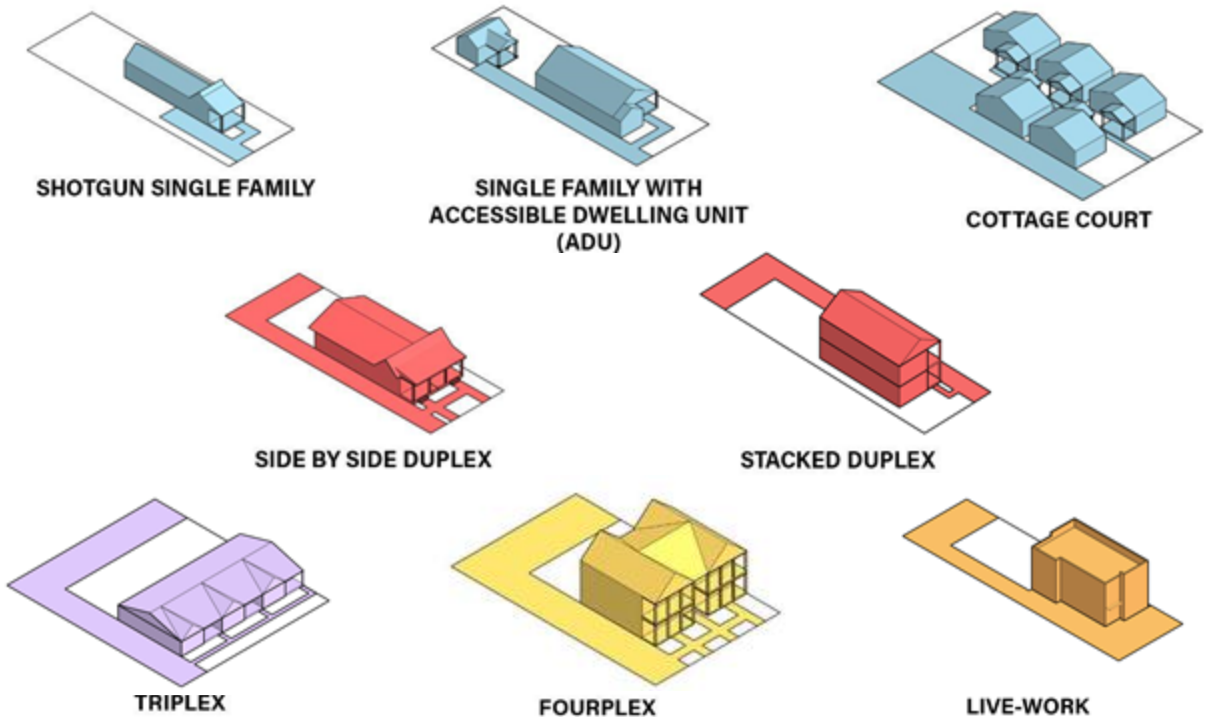
With DPA, this family can afford the home at a lower monthly payment.

However, households that need this much downpayment assistance may struggle to afford maintenance expenses in the long term.

Outcomes

- *Monthly Mortgage Payment:* ***$888***
- *Monthly Taxes, Insurance, Maintenance:* ***$307***
- *Upfront Borrower Equity Required:* ***$2,800***

Diversify Affordable Housing Stock



HOUSING TYPE	LOT DIMENSIONS	SQUARE FOOTAGE	EST. COST PER SF	EST. COST TO BUILD
SINGLE FAMILY	40’ X 80’	1,122 SF	$145/SF	$163,000
ADU	40’ X 35’	480 SF	$145/SF	$70,000
3D PRINTED HOME	40’ X 80'	1,566SF	$125/SF	$196,000
COTTAGE COURT	100’ X 135’	911 SF	$145/SF	$132,000
SIDE BY SIDE DUPLEX	45’ X 135’	2,024 SF	$145/SF	$294,000
STACKED DUPLEX	40’ X 135’	2,202 SF	$130/SF	$286,000
TRIPLEX	120’ X 125’	5,048 SF	$145/SF	$732,000
FOURPLEX	75’ X 135’	4,860 SF	$160/SF	$778,000
APARTMENT	115’ X 560’	76,500 SF	$165/SF	12,623,000
LIVE-WORK	40’ X 100’	2,202	$169	$372,000



Single Family
Uptown



Single Family with ADU
Midtown



Cottages
Orange Mound



Cottage Court
Uptown



Two-Family (Duplex)
South Memphis



Four Family (Fourplex)
Uptown



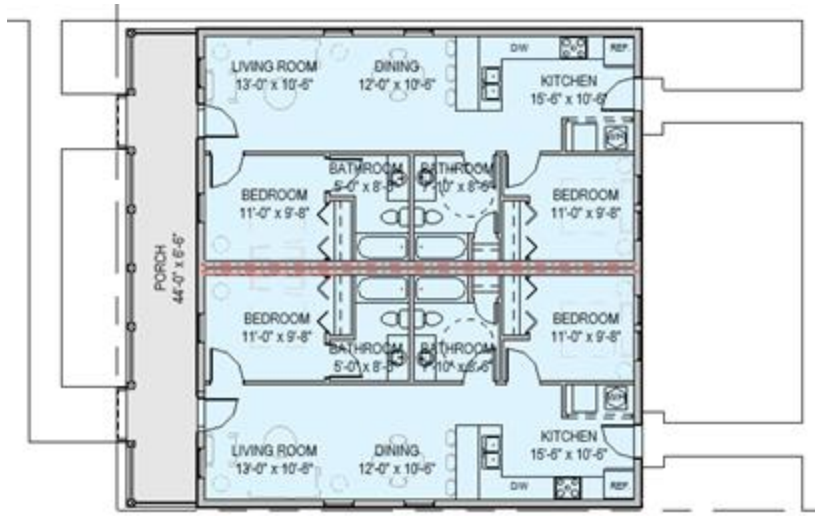
Uptown Memphis Redevelopment



Malone Park Commons

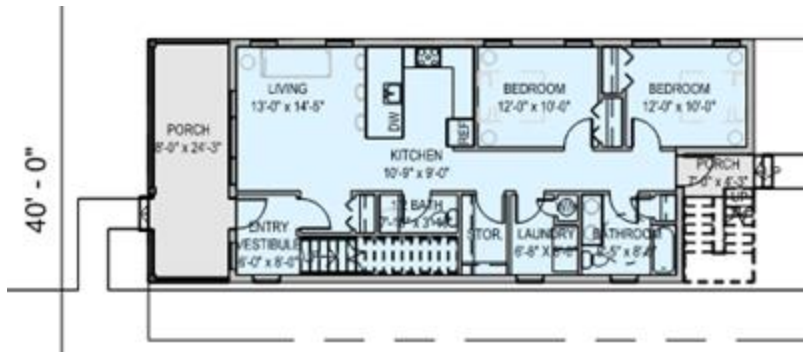
Missing Middle Infill Designs





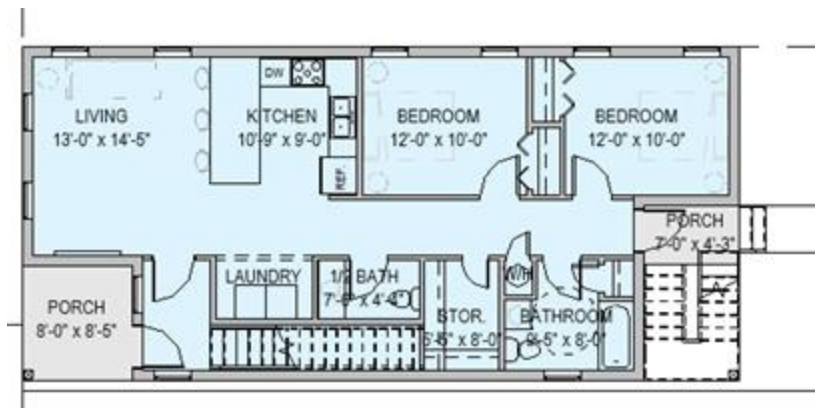
2 BEDROOM DUPLEX - 50’ LOT





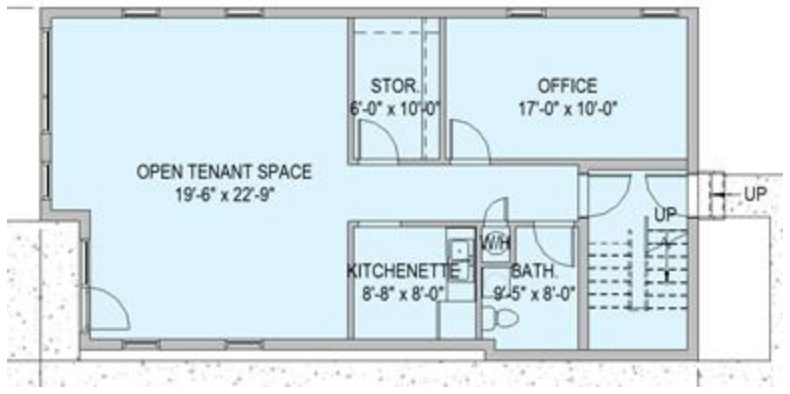
STACKED TRIPLEX - 40’-0” LOT





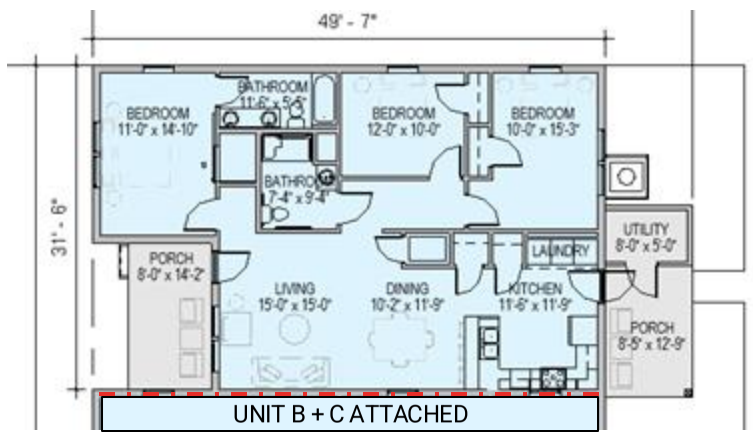
STACKED DUPLEX - 40’ LOT





LIVE WORK - 40’ LOT





TRIPLEX - 120’ LOT





2 BEDROOM FOURPLEX - 75’ LOT

Hyde Park Revitalization Toolbox

Municipal Tools

- Prepare Residents to Become Buyers
- Provide training for Emerging Developers in Hyde Park
- Leverage Homeowner Repair Programs
- Incentivize “Missing Middle” & Infill Housing
- Provide a Consistent Source of Funding for the Affordable Housing Trust Fund
- Incorporate Cultural Heritage Tourism

Funder & CDFI Tools

- Create and Expand Mortgage Programs
- Create and Expand Incremental Development Loan Programs
- Fund Projects through Emerging Developer Programs
- Increase Incentives to Eliminate Funding Gaps
- Utilize New Market Tax Credits

Community Tools

- Increase Municipal/Community Collaboration
- Encourage Resident-Led Revitalization
- Enhance Existing Green Space
- Forming a Community Development Corporation (CDC)
- Create Opportunities for Resident Organizations to Become Vendors and Maintain Vacant Lots to Create Jobs







Community Financial Impact

What a $500K Housing Project Actually Does

What the underwriter sees:



1 building
4-6 Units

- $500K Deployed
- ROI: 3-5%

What actually happens in the community:



- 4-6 Families Stabalized
- $200K+ Local Contractor Spend
  (Plumbers, Electricians, Painters)
- 2-3 New Jobs Created
- $30K-40K Property Tax
  (Schools, Infrastructure)
- 1 Developer Building Capacity
- 1 Block Proof of Concept
- Neighborhood "Disinvested"
  → "Emerging



(Source: Dominique Anderson Consulting)

The Real Impact

The Hello Hyde Park Master Plan doesn't just impact one neighborhood

It reimagines how we develop affordable housing in Memphis.

Hello Hyde Park

Neighborhood Revitalization Plan



A resolution calling for an end to lawless ICE and CBP surges across the country and calling on Congress to withhold any funding for the U.S. Department of Homeland Security without meaningful and significant guardrails.

WHEREAS, the Trump Administration's assault on communities in the name of immigration enforcement is eroding our constitutional rights and endangering residents; and

WHEREAS, immigration authorities are using increasingly dangerous tactics, such as engaging in unprovoked violence, excessively using force, including in some cases, killing civilians, and deploying chemical weapons; and

WHEREAS, in multiple cities, agents from U.S. Immigration and Customs Enforcement ("ICE") and U.S. Customs and Border Patrol ("CBP") have violently arrested civilians, including U.S. citizens, and deployed chemical weapons without warning in residential areas, harming school children and local law enforcement; and

WHEREAS, from September 2025 through January 2026, immigration agents have shot at least nine individuals, including three who died as a result, Alex Pretti, a U.S. citizen and an ICU nurse at a Veterans Affairs hospital in Minneapolis, Renee Good, a U.S. citizen and mother of three in Minneapolis, and Silverio Villegas González, a father of two, in Chicago; and

WHEREAS, immigration agents have terrorized and abducted students on their way to and from school, unleashed chemical agents on students and staff on school grounds, leading to children being too afraid to attend school, which is a right guaranteed to all students in all 50 states; and

WHEREAS, the One Big Beautiful Bill Act of 2025 ("OBBBA") gave ICE and CBP $170 billion for anti-immigrant enforcement, detention, and deportation at the expense of urgent needs in our community, including housing and healthcare; and

WHEREAS, conditions in immigration detention facilities are rapidly deteriorating with dangerous overcrowding and detained individuals and advocates reporting medical neglect, substandard food, inadequate access to clean water, and overuse of solitary confinement; and

WHEREAS, about ninety percent of people being detained are in for-profit facilities, which have a long record of cutting corners on essential services to reap profits; and

WHEREAS, since President Trump took office on January 20, 2025, an unprecedented thirty-seven people have died in the custody of ICE, including several deaths that may have been preventable; and

WHEREAS, the immigration system is a civil system not a criminal system and immigration detention is intended to be a non-punitive system.

NOW, THEREFORE, BE IT RESOLVED by the Memphis City Council

A. The council calls for an end to Border Patrol deployments and an end to ICE and CBP's lawless surges in cities across the country that are undermining public safety.
B. The council calls on the United States Congress to not provide any additional funding for the U.S. Department of Homeland Security ("DHS") without including meaningful and significant guardrails to rein in the agency and how it operates in communities.
C. The council expresses support for guardrails to be included in any funding bill for DHS that would:
    1. End lawless enforcement including by requiring DHS to get a warrant, stop using masked agents for immigration enforcement actions, stop the targeting of people based on their race, language or accent, place of employment, or location at the time of the apprehension, and prohibiting enforcement at sensitive locations like daycares and schools, houses of worship, and hospitals;
    2. End detention abuses by ending the use of private, for-profit detention prisons, prohibiting funding for facilities that threaten the health, safety, or due process rights of detained people, and restoring access to bond hearings;
    3. Preserve the ability of local and state jurisdictions to investigate and prosecute potential crimes and use of excessive force incidents. Require that evidence is preserved and shared with jurisdictions. Require the consent of States and localities to conduct large-scale operations outside of targeted immigration enforcement.
D. The council calls on Congress to make deep and meaningful cuts to the $170 billion in funding given to DHS in the OBBBA and redirect those funds to urgent needs like housing and healthcare.
E. The council calls on Congress to deliberate a plan to restructure DHS to bring more accountability to this sprawling agency, to ensure that the Department's essential national security and public safety functions, including cyber security and emergency management, can be separated from immigration enforcement, and to completely rebuild immigration enforcement agencies from the ground up to stop the culture of lawlessness and ensure guardrails and accountability.
F. The clerk of the council is directed to send a copy of this motion to each member of the Tennessee congressional delegation.

Given by my hand and under the great seal of the City of Memphis, this 24th day of February 2026.

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

REFERENDUM ORDINANCE NO. 5966

A REFERENDUM ORDINANCE TO AMEND ARTICLE 34, SECTION 250 OF THE HOME RULE CHARTER OF THE CITY OF MEMPHIS, RELATIVE TO THE CLASSIFICATION OF OFFICERS AND POSITIONS, EXEMPTIONS FROM ARTICLE; TO AMEND THE CLASSIFICATION OF EMPLOYEES OF THE MEMPHIS AND SHELBY COUNTY PUBLIC LIBRARY TO ALLOW CIVIL SERVICE STATUS

WHEREAS, under Article 34, Section 250 of the City of Memphis Charter, there are classifications of officers and employees who are exempt from the provisions of Article 34: Civil Service; and

WHEREAS, under Article 34: Civil Service, Sections 240 through 248 denote items such as the composition of the Civil Service Commission, the powers and duties of Commissioners, appeals to the Commission, hearings, etc.; and

WHEREAS, in Article 34, Section 250, several classifications of officers and employees are listed as exempt from civil service; among these exempt classifications of employees, Section 250(i) mentions "All officers and employees of the Memphis and Shelby County Public Library;" and

WHEREAS, it has been brought to the attention of the Memphis City Council by employees of the Library Division that there are employees in the division who wish to be subject to civil service status; and

WHEREAS, it is deemed advisable to allow the citizens of Memphis to decide whether to amend the Charter and allow employees of the City of Memphis Library Division civil service status.

Section 1. Proposed Amendment and Authorization.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, That pursuant to Article XI, Section 9 of the Constitution of the State of Tennessee, as amended, a proposal for amending the Charter of the City, as set forth in this ordinance, shall be published and submitted by the City of Memphis to its qualified voters at the State General election, which shall be held in the City of Memphis on November 3, 2026, and which shall be held at least sixty (60) days after such publication.

BE IT FURTHER ORDAINED, That the proposed Charter Amendment of Article 34, Section 250 shall remove employees of the Memphis and Shelby County Public Library from exemption and read as follows:

"ARTICLE 34: CIVIL SERVICE

The Director of Personnel shall classify all offices and positions in the City service according to the duties and responsibilities of each position, provided, however, that the following officers and employees shall be exempted from the provisions of this article:

a. Officers and judges who are elected by popular vote and their successors;

b. Members of and employees of the Board of Education;

c. Members of the board and employees of the Memphis Light, Gas and Water Division;

d. Division directors who are either now or may be hereafter appointed by the Mayor and Council;

e. All employees of the legal department;

f. Members of the various boards and commissions now existing or hereafter created;

g. All staff employees of the offices of the Mayor and Chief Administrative Officer;

h. One executive secretary for each board, commission, division director, and for the administrative judge of the City court;

i. All officers of the Memphis and Shelby County Public Library;

j. All employees of the City Council office;

k. Such other officers or employees whose positions, in the judgment of the Mayor, with the concurrence of the City Council, cannot be subject to the rules herein provided, and who shall not be affected by such rules and regulations. The provisions of this subsection (k) shall not allow removal of civil service protection from any employee whose position at that time is covered by this article.'

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

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

Section 3. Certification and Delivery to Election Commission.

BE IT FURTHER ORDAINED, That upon the adoption of this Ordinance becoming effective as required by law, the Comptroller of the City of Memphis shall immediately certify adoption of this Ordinance and deliver a certified copy thereof to the Shelby County Election Commission in charge of holding the State General election on November 3, 2026, and shall request that the proposed amendment to the Home Rule Charter of the City of Memphis, in the preferred form set forth in this Ordinance, be placed on the ballot.

Section 4. Proposal and preference.

BE IT FURTHER ORDAINED, That the City Council does hereby adopt the suggested proposal and form of question to be placed on the ballot for a referendum vote on a Home Rule Amendment to the Charter of the City of Memphis in a State General election to be held on November 3, 2026, which question shall read as follows:

"Shall Article 34, Sec. 250 of the Home Rule Charter of the City of Memphis be amended to read as follows:

'ARTICLE 34: CIVIL SERVICE

The Director of Personnel shall classify all offices and positions in the City service according to the duties and responsibilities of each position, provided, however, that the following officers and employees shall be exempted from the provisions of this article:

a. Officers and judges who are elected by popular vote and their successors;

b. Members of and employees of the Board of Education;

c. Members of the board and employees of the Memphis Light, Gas and Water Division;

d. Division directors who are either now or may be hereafter appointed by the Mayor and Council;

e. All employees of the legal department;

f. Members of the various boards and commissions now existing or hereafter created;

g. All staff employees of the offices of the Mayor and Chief Administrative Officer;

h. One executive secretary for each board, commission, division director, and for the administrative judge of the City court;

i. All officers of the Memphis and Shelby County Public Library;

j. All employees of the City Council office;

k. Such other officers or employees whose positions, in the judgment of the Mayor, with the concurrence of the City Council, cannot be subject to the rules herein provided, and who shall not be affected by such rules and regulations. The provisions of this subsection (k) shall not allow removal of civil service protection from any employee whose position at that time is covered by this article.'

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

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

Section 5. Effective Date of Charter Amendment.

BE IT FURTHER ORDAINED, That this Ordinance shall take effect for the purposes set forth herein sixty (60) days after approval by a majority of the qualified voters voting thereon in an election to be held on November 3, 2026, the public welfare, requiring it.

Section 6. Certification of Results.

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

Section 7. BE IT FURTHER ORDAINED, That the Mayor be and is hereby authorized to appropriate and expend out of general revenues of the City of Memphis, Tennessee, a sum sufficient to pay a pro-rata cost attributable to the inclusion of the proposed amendment on the ballot for the election to be held on November 3, 2026, and for the cost of seeking a declaratory judgment as to the enforceability of proposed amendment if approved by the qualified voters of the City.

Section 8. Nonconflicting - Conflicting Laws.

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

Section 9. Severability.

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

Section 10. Publication as Required by the City Charter.

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

Section 11. Enactment of Referendum Ordinance.

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

SPONSORS:
JB Smiley, Jr.
Jerri Green
Dr. Jeff Warren
J. Ford Canale
Yolanda Cooper-Sutton
Jana Swearengen-Washington
Pearl Eva Walker
Dr. Michalyn Easter-Thomas
Edmund Ford, Sr.
Philip Spinosa

CHAIRMAN
J. Ford Canale

SUBSTITUTE ORDINANCE NO. 5969

AN ORDINANCE TO AMEND ARTICLE VIII, § 2-370 OF THE CODE OF ORDINANCES RELATIVE TO ARBITRATION OF LABOR DISPUTES, IMPASSE PROCEDURES AND PRESERVATION OF CHARTER POWERS OF CITY COUNCIL

WHEREAS, Referendum Ordinance No. 2766 authorized a referendum election on the question "Shall the Home Rule Charter of the City of Memphis, Tennessee be amended by including a section relating to 'Disciplinary Action Against Striking Employees?'";

WHEREAS, Referendum Ordinance No. 2766 included a separate provision authorizing the Council to set up, by Ordinance, procedures for arbitration of economic issues of municipal labor disputes, but only if there has occurred a deadlock or impasse between the Mayor and City employees on a total economic package and such deadlock or impasse continues for seven (7) consecutive days;

WHEREAS, Referendum Ordinance No. 2766 did not alter the provisions of the Home Rule Charter that prohibits the City Council from interfering with the operation of City administrative departments and employees under the control of the Mayor or from requesting or requiring the Mayor to make contracts with any specific organization; and

WHEREAS, Article VIII, § 2-370 of the Code of Ordinances was amended last by Ordinance No. 5639 on March 21, 2017; and

WHEREAS, the Council desires to amend Article VIII, § 2-370 of the Code of Ordinances to redefine and restate the procedures for arbitration of any deadlock or impasse between the Mayor and City

employees on a total economic package and to clarify the scope of and the limitations on the Council to arbitrate such labor disputes;

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. *Express Repeal.* Article VIII, Section 2-370 is hereby repealed in its entirety and the following Total Impasse procedures are substituted in lieu thereof:

Section 2. *Definitions.*

As used in this section the following terms shall have the indicated meanings:

Arbitration Roster shall mean any person identified as a mediator or arbitrator on the roster published and maintained by Federal Mediation and Conciliation Service.

Business day means a day other than a Saturday, Sunday or legal holiday under the laws of Tennessee.

Direct Economic items shall be defined as any economic items that provide to City employees direct economic benefits, such as all compensation for services rendered including but not limited to normal pay, shift premium pay, hazardous premium pay, holiday pay, incentive pay and overtime pay and excluding economic items such as employee's contributions to pension benefits, social security or health insurance, and any other items excluded by the Charter of the City, or other state laws.

Minimum Impasse Information is the minimum information to be included by the City and by each employee bargaining unit in their respective Total Economic Packages as specified in Section 4 of this Ordinance or as may be modified or supplemented from time to time by resolution of the Council before March 1 of any year.

Non-Economic items shall not include economic items as described above.

Negotiations deadline is the date upon which discussions between the City administration and employee organizations regarding a Total Economic Package must be completed, or when a party has declared its last best offer, which shall be no later than March 31.

Total Economic Package shall be defined as the last, best and final offers of the parties regarding the Direct Economic Items as defined herein.

Impasse on Direct Economic Items means that point at which any employee organization declares its Total Economic Package, and that offer is either not captured or insufficiently captured in the Total Economic Package of the City proposed by the Mayor to the City Council in his operating budget for the ensuing fiscal year, which package represents the last best offer of the City.

Section 3. *Council's Authority Under Charter to Set up Procedures to Arbitrate Labor Disputes on Economic Issues*

Section 3.1. Referendum Ordinance No. 2766 expressly directed the Council to set up, by Ordinance, procedures for the arbitration of economic issues of municipal labor disputes between the City and its employees by the Council or a committee of the Council but did not require or authorize the Council or the Administration to arbitrate labor disputes between the City of Memphis and its employees over non-economic items.

Section 3.2. The Council observes that it is the prerogative of the Mayor under the City's Charter to determine the timing of and procedures pursuant to which the City Administration and City Employee Associations will engage in good faith discussions with the intent of reaching equitable memoranda of understanding regarding employment related matters.

Section 3.3. The Council further observes that then Mayor Richard Hackett issued an executive order on April 19, 1984 that established the policy of the City for the recognition of representatives approved by certain groups of City employees to engage in discussions with the City Administration on behalf of such employees that are intended lead to a memorandum of understanding with the City.

Section 3.4. Since the Hackett 1984 Executive Order, all subsequent Mayors have engaged in discussions each year with employee associations that had been so recognized by the Administration for the purpose of reaching a memorandum of understanding with the City regarding employment-related matters.

Section 3.5. While the employee organizations and the City administration may confer in such manner and at such times as the Mayor and the employee organizations shall mutually determine in an attempt to reach a memorandum of understanding, the provisions of this Impasse Ordinance shall only govern the Minimum Impasse Information to be presented to the Council regarding any dispute or impasse between the City Administration and a employee association over Direct Economic Items and the procedures for arbitration of such disputes as expressly authorized by Referendum Ordinance Nos. 2766 and 3236.

Section 4. *Pre-Impasse Procedure*

Section 4.1. The employee organizations and the City administration may confer in such manner and at such times as the Mayor and the employee organizations shall mutually determine in an attempt to reach a memorandum of understanding on any matters that they deem appropriate, except that all discussions concerning Direct Economic Items shall be concluded on or before March 31 of any year ("Negotiation Deadline").

Section 4.2. To facilitate an expedited resolution of any dispute or impasse over Direct Economic Items for the ensuing fiscal year, the City shall present to all general fund employee bargaining units by March 15 of any year (i) its tentative general fund revenue forecast for the ensuing fiscal year with detail by major categories and projected unrestricted fund balances at the beginning of the ensuing fiscal year, (ii) its tentative proposal for each general fund bargaining unit's City Division with detail for each major general fund expense category and (iii) in each case a comparison of each detailed entry in subparagraphs (i) and (ii) for the ensuing fiscal year with the corresponding approved budget entries for the current fiscal year (the "City's Total General Fund Offer").

Section 4.3. Then, after the City presents its Total General Fund Offer, each general fund employee bargaining unit shall indicate in writing its acceptance of the City's Total General Fund Offer in its

entirety or its final position on each general or enterprise fund economic item in the City's Final General Fund Offer that it does not accept. This response of the organization(s) shall be made before the negotiation deadline.

Section 4.4. The City shall present to each enterprise fund employee bargaining unit ("Sewer, Storm Water and Solid Waste) by March 15 of any year (i) its tentative enterprise fund revenue forecast for the ensuing fiscal year with detail by major categories and projected unrestricted enterprise fund balances at the beginning of the ensuing fiscal year and (ii) its tentative proposal for each enterprise fund's personnel expenditure line item proposed for each bargaining unit's City Division by major expense category ("City's Final Enterprise Fund Offer"). Then, after the City presents City's Final Enterprise Fund Offer, each enterprise fund employee bargaining unit shall indicate in writing its acceptance of the City's Final Enterprise Fund Offer in its entirety or its final position on each enterprise fund economic item proposed by the City that it does not accept. This response of an enterprise fund employee bargaining unit shall be made before the Negotiation Deadline.

Section 4.5. Each party shall provide their estimates of the increase, if any, in the City's projected unrestricted general or enterprise fund balances as of the end of the ensuing fiscal year that would result from their respective full year proposals.

Section 4.6. Following the Negotiation Deadline, and at least seven (7) days before the Mayor presents his proposed budget to the Council, the Mayor or his designee shall advise each employee bargaining unit of any adjustments to the City's Total Economic Package that will be included in the Mayor's proposed budget.

Section 4.7. If changes in the Mayor's Total Economic Package to be included in the Mayor's proposed budget are unacceptable to any bargaining unit, then each objecting bargaining unit shall notify the City in writing on the third (3rd) Business Date before the Mayor presents his proposed budget to the Council by 5:00 p.m. Central Time that such objecting bargaining unit intends to invoke the arbitration procedures outlined in this ordinance. At that time, the City and each objecting bargaining unit will engage in discussions in an attempt to

reach an understanding on economic matters prior to the deadline to declare impasse.

Section 5. *Arbitration Procedures for Resolving Impasses over a Total Economic Package*

Section 5.1. If any employee bargaining unit shall determine that the Total Economic Package of the City for employees in such bargaining included in the proposed budget(s) presented by the Mayor to the City Council is not acceptable, such organization(s) may deliver a notice in writing to the Chairman of the City Council not later than 5:00 p.m. Central Time on the fifth (5th) Business Date after the Mayor's Budget presentation that such employee bargaining unit elects to invoke arbitration procedures, hereunder, for resolving impasse over the City's Total Economic Package between the City and the electing employee bargaining unit ("Impasse Notice").

Section 5.2. A copy of the Total Economic Package of the electing employee bargaining unit shall be attached to the Impasse Notice and served on the City. Any bargaining unit that does not elect to invoke impasse hereunder or that fails to make a timely election in the manner required by this ordinance shall be deemed to have waived any right to have the Total Economic Package of such bargaining unit considered under the Impasse Arbitration Process. On or before 5:00 p.m. Central Time on the tenth (10th) Business Date after the Mayor's Budget presentation the City shall submit to the Chairman of the City Council a copy of its Total Economic Package for any employee bargaining unit invoking the impasse procedure.

Section 5.3. Once this impasse resolution procedure has been implemented by notification to the Chairman of the City Council as provided for in subsection 5.1, the City and each objecting bargaining unit will engage in discussions in an attempt to reach an understanding on economic matters. All such discussions during this cooling off period shall be completed by the ninth (9th) Business Day next following the Mayor's Budget presentation.

Section 5.4. During this period the parties may mutually agree upon some or all items at impasse any time before the selection of an Arbitration Panel at positions the same or different than their final position. Such mutually agreed upon items will be deemed removed

from the Impasse Notice and the Total Economic Package of both parties by notification to the chairperson of the Council.

Section 5.5. Except as provided in subsection 5.4, once this impasse resolution procedure has been implemented by notification of the chairperson as provided for in subsection 5.1, neither party may alter their final position as defined in subsection 5.2 or discuss, confer or seek the aid of any member of the City Council to gain support or assistance from such member(s) regarding their Total Economic Package. City Council members are strictly prohibited from interfering with the Impasse Arbitration Process once it has been invoked hereunder.

Section 5.6. Within ten (10) Business Days after the Mayor has presented the budget(s) to the Council and provided any employee bargaining unit has timely submitted an Impasse Notice in accordance with this ordinance, the City shall select one (1) arbitrator from the Arbitration Panel, all the employee bargaining units shall collectively select one (1) arbitrator from the Arbitration Panel as all the employee associations shall collectively agree or in the event of lack of any such agreement as a majority of them shall agree and the Council shall select one (1) arbitrator who has municipal finance and budget experience and expertise as a majority of the Council shall agree. For the purposes of this section AFSCME Main and AFSCME Solid Waste shall each be considered one (1) bargaining unit.

Section 5.7. The Three (3) arbitrators shall preside over non-binding arbitration hearings on all matters at impasse and shall make a non-binding recommendation to the Council on the Total Economic Package of the City or the applicable bargaining unit(s) not later thirty (30) days after all the arbitrators have been selected. Each arbitration hearing shall be conducted in accordance with the Expedited Arbitration procedures of Federal Mediation and Conciliation Service. 29 CFR Part 1404, Subpart D. Each party may submit written documentation to the arbitrators to support their respective positions in advance of the hearing and each party shall be allowed thirty (30) minutes to present a summary of the issues and their positions. The arbitrators shall be permitted to determine the order and number of hearings they will conduct during any given day and issue a schedule for the completion of all hearings.

Section 5.8. All impasse arbitration hearings shall be considered open meetings under the Tennessee Open Meetings Act, Tennessee Code Annotated § 8-44-101, *et seq.* Notices of all impasse arbitration hearings shall be posted on the City Council's website and posted on the bulletin board outside the City Council's Regular Meeting Chambers.

Section 5.9. The Impasse Arbitration Panel must make and submit for consideration their recommendations to the Council on each arbitration proceeding no later than the close of business on the Tuesday preceding the second reading of the budget ordinance(s) that includes the Total Economic Package of one of the parties at impasse recommended by the Arbitration Panel together with a summary of the Arbitration Panel's reasons for its decisions, which shall include at a minimum:

(A) The Arbitration Panel must choose only the Total Economic Package of one of the parties.

(B) The recommendation submitted to Council shall set forth a side by side comparison of the Total Economic Package selected by the panel with the Total Economic Package not selected by the panel.

(C) Any comments by a member of the Arbitration Panel who dissents from the recommendation approved by a majority of its members of the panel.

Section 5.10. The Council shall act only as the final arbiter of the impasse between the City and the employee bargaining units at impasse and may not negotiate with either the City or the employee bargaining unit(s) to alter their respective Total Economic Packages. The Council shall make the final decision on each recommendation made by the Arbitration Panel. Any party dissatisfied with the recommendation of the Arbitration Panel may request to be heard before the Council makes its final decision. The Council shall provide any party dissatisfied with the recommendation of the Arbitration Panel and the opposing party a hearing before the final vote on third reading of the proposed fiscal year operating budget. Each party shall be allowed up to fifteen (15) minutes, or longer at the discretion of the Council, to present their position to full Council before the final vote.

Section 5.11. Any such hearings by the Council on the Arbitration Panel's recommendations shall be held by or at the full Council meeting during which the proposed fiscal year operating budget is considered on second reading or the Council may elect to recess that meeting to a date no later than the day before the third and final reading of the Budget Ordinance and conduct hearings on any appeal of the decision of the Arbitration Panel at that time.

Section 5.12. The City Council shall have full discretion to approve or amend all budgets prior to the adoption of a tax rate for the ensuing year including funding, if any, for the Total Economic Packages for any or all of the City's employee bargaining units in such amounts as the Council shall determine is in the best interests of the City. The Council's decision on the recommendation of the Arbitration Panel shall be final and effective only to the extent funded by the City Council in the finally adopted budget for the ensuing fiscal year. The City Administration shall modify the Budget Appropriation Ordinance for the ensuing fiscal year to include all Total Economic Items to the extent so approved by the Council.

Section 6. Nonconflicting – Conflicting laws.

BE IT FURTHER ORDAINED that as amended hereby all laws constituting the present Code of Ordinances of the City of Memphis be and the same are hereby continued in full force and effect, and all laws in conflict herewith are hereby repealed. This ordinance does not alter, amend, create or abrogate the rights or obligations of any person or entity that may exist under the City Charter or under Tennessee law.

Section 7. Severability.

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 to be unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

Section 8. Effective Date.

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

SPONSOR:

JANA SWEARGEN WASHINGTON
Council Chairman

Attest:

_____

Comptroller

THE CITY OF MEMPHIS **RESOLUTION NO._____**

A RESOLUTION OF THE MEMPHIS CITY COUNCIL TO REMOVE THE PROGRAM MANAGEMENT OFFICE ("IT PMO") DEPARTMENT FROM THE INFORMATION TECHNOLOGY DIVISION AND ESTABLISH IT AS AN INDEPENDENT, EXECUTIVE-ACCOUNTABLE DEPARTMENT TO PROVIDE ENTERPRISE PROGRAM GOVERNANCE, PROCUREMENT OVERSIGHT, PROCUREMENT READINESS SUPPORT, CONTRACT ACCOUNTABILITY, AND CITYWIDE PROJECT MANAGEMENT SERVICES WITHOUT INCREASING COST TO THE CITY OF MEMPHIS

WHEREAS, the City of Memphis currently operates a Program Management Office ("PMO") within the Information Technology Division, organizationally identified as the IT Project Management Department (Department No. 270103); and

WHEREAS, the Information Technology Division is not structured as part of the Executive Branch for purposes of enterprise governance and citywide operational accountability; and

WHEREAS, the PMO manages, coordinates, and supports projects and programs that materially impact multiple City divisions, public services, fiscal planning, vendor relationships, capital investments, and long-term strategic initiatives of the City of Memphis; and

WHEREAS, the placement of the PMO within the Information Technology Division has resulted in Citywide initiatives being scoped, governed, prioritized, and perceived primarily as departmental "IT projects," rather than as enterprise initiatives owned by the City of Memphis as a whole; and

WHEREAS, this structural placement limits the PMO's neutrality, visibility, and effectiveness over non-technology initiatives and constrains centralized governance of Requests for Qualifications (RFQs), Requests for Proposals (RFPs), Invitations to Negotiate, scopes of work, project charters, contractual deliverables, vendor performance standards, and multi-division accountability; and

WHEREAS, City divisions serve as the operational customers of the City's procurement and contracting processes and benefit from structured, early-stage support in identifying business requirements before vendor engagement; and

WHEREAS, when business requirements are not clearly documented prior to solicitation, vendor proposals may define the solution rather than respond to documented City needs, reducing competitiveness, comparability, and customer-centered outcomes; and

WHEREAS, early engagement of the PMO improves competitive bidding efficiency, strengthens vendor comparability, reduces post-award contract modifications, improves pricing transparency, and enhances fiscal discipline across City initiatives; and

WHEREAS, contracts marketed or structured as having no upfront cost may nevertheless create cumulative financial exposure through participation-based pricing, usage fees, payroll integration, data integration, renewal clauses, administrative support obligations, or other contingent cost structures; and

WHEREAS, the City of Memphis expends substantial public funds through contracts, consulting agreements, technology procurements, professional services, and vendor partnerships associated with large-scale initiatives, creating a need for a centralized, neutral, executive-level governance body to ensure transparency, fiscal discipline, performance accountability, and audit readiness; and

WHEREAS, nationally recognized best practices in municipal administration, enterprise program management, and public-sector governance support the establishment of an independent Program Management Office reporting directly to executive leadership to provide consistent standards, early-stage project governance, independent oversight, and Citywide accountability; and

WHEREAS, the proposed restructuring constitutes an organizational realignment only and shall not require additional funding, as all existing full-time positions, contractor roles, vacant positions, appropriations, and operating resources currently assigned to the IT Project Management Department shall transfer with the function; and

WHEREAS, the Memphis City Council further recognizes that standardized enterprise intake, documented requirements validation, and centralized tracking prior to procurement serve as structural fiscal safeguards that reduce unmanaged risk, prevent scope ambiguity, improve vendor competitiveness, and protect public funds; and

WHEREAS, it is the intent of the Memphis City Council to strengthen Citywide governance, improve procurement outcomes, enhance vendor accountability, reduce project risk, ensure enterprise alignment of major initiatives, and preserve full legislative oversight authority.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL THAT:

Section 1. Removal from the Information Technology Division
The Program Management Office ("PMO"), currently operating as the IT Project Management Department (Department No. 270103), is hereby formally removed from the Information Technology Division and from any subordinate departmental structure within non-executive operational divisions of the City.

Section 2. Establishment as an Executive-Accountable Department
The PMO is hereby established as an independent department of the City of Memphis, accountable directly to the Executive Branch through the Mayor or such executive authority as may be designated by ordinance or administrative order.
Upon establishment, the department shall be known as the:

City of Memphis Enterprise Program Management Office ("Enterprise PMO")

Section 3. Fiscal Neutrality and Staffing Continuity
This reorganization shall be implemented exclusively through the reassignment of existing personnel, contractor roles, vacant positions, appropriations, and operating resources currently allocated to the IT Project Management Department (Department No. 270103). No new positions, salary increases, funding additions, or appropriations are authorized or required as a result of this reorganization.

Section 4. Enterprise Program Governance Authority
The Enterprise PMO shall serve as the City's centralized authority for enterprise program and project governance and shall:

a. Establish and enforce standardized project intake, evaluation, prioritization, and approval processes.

b. Designate and manage "City of Memphis Enterprise Projects," which are defined as initiatives involving multiple divisions or significant fiscal, operational, technological, or public impact;

c. Establish and enforce uniform project management methodologies, governance standards, documentation requirements, performance metrics, and reporting protocols applicable across all City divisions;

d. Ensure that business requirements are documented prior to vendor solicitation, informal vendor commitment, or contract execution for qualifying enterprise initiatives.

e. Maintain a centralized, Citywide enterprise project portfolio registry documenting project scope, fiscal exposure, status, risk indicators, and cross-division impact.

f. Require cooperation from all City divisions in providing timely project documentation necessary to maintain enterprise visibility and reporting integrity.

Section 5. Procurement Oversight and Readiness Support
The Enterprise PMO shall provide centralized governance oversight and procurement readiness support for enterprise initiatives, including but not limited to:

a. RFQs, RFPs, Invitations to Negotiate, and related procurement instruments;

b. Development, validation, and alignment of scopes of work, deliverables, milestones, service-level expectations, and performance specifications with documented division needs;

c. Review of pricing structures to promote transparency, detailed line-item budgeting, and avoidance of undefined or blanket allocations;

d. Ongoing monitoring of contractual compliance, vendor performance, cost controls, schedule adherence, and deliverable acceptance.

Nothing in this section shall be construed to diminish, duplicate, or supersede the statutory authority of the Procurement Division, Finance Division, or the City Attorney's Office.

The Enterprise PMO shall operate as an upstream intake and readiness partner to strengthen those divisions' review and approval processes.

Section 6. Division Program Management Services and Early Engagement
The Enterprise PMO shall operate as a Citywide program management and procurement readiness resource available to all City divisions.

Any division initiating a procurement, program, system development effort, or vendor-supported initiative may engage the Enterprise PMO at the earliest planning stage for:

a. Requirements gathering and discovery;
b. Business process analysis and scope definition;
c. RFQ/RFP development and procurement strategy formulation;
d. Vendor identification, evaluation frameworks, and selection methodologies;
e. Risk assessment, compliance planning, and performance governance prior to contract execution.

The intent of this section is to ensure that City initiatives are properly defined, competitively procured, customer-centered, fiscally disciplined, and aligned with enterprise governance standards before the commitment of public funds.

Nothing herein shall be construed to centralize operational ownership of division projects; divisions retain subject matter authority, policy discretion, and operational decision-making responsibility, while the Enterprise PMO provides governance structure, intake coordination, and enterprise oversight.

Section 7. Vendor Accountability and Risk Management
The Enterprise PMO shall monitor vendor performance, identify and manage risks related to scope, cost, schedule, compliance, and delivery quality, and provide formal project status and risk reports.

This authority includes evaluation of participation-based, usage-based, contingent, or "no-cost" contracts to identify cumulative fiscal exposure to the City.

Section 8. Executive Reporting and Legislative Oversight
The Enterprise PMO shall report directly to the Executive Branch and shall submit quarterly enterprise performance, compliance, financial variance, and risk management reports to the Memphis City Council.

Nothing in this Resolution shall be construed to limit or diminish the City Council's authority over appropriations, audits, investigations, contract approvals, oversight hearings, or legislative review of executive actions.

Quarterly reports shall include, at minimum:

- Active enterprise project inventory;
- Budgeted versus actual expenditure comparisons;
- Schedule variance indicators;
- Contract performance status;
- Risk classification summaries;
- Upcoming procurement forecasts exceeding the fiscal threshold.

Section 9. Compensation and Classification
This reorganization does not mandate changes to compensation or classification for any position. Any future adjustments shall be subject to Human Resources review, market analysis, and budgetary approval in accordance with City policy and applicable law.

Section 10. Staffing Structure and Title Alignment
All existing roles, including filled, vacant, and contractor positions, shall be transferred to the Enterprise PMO as follows:

- PMO Manager → Enterprise PMO Manager - 1 FTE
- IT Strategic Coordinator → PMO Strategic Coordinator **-** 1 FTE
- Project Managers → PMO Project Manager - 4 FTE, 1 Vacant
- Project Coordinator → PMO Project Coordinator - 1 FTE
- IT Business Analyst → PMO Business Analyst **-** 3 FTE, 1 Contractor
- IT Technical Writer → PMO Technical Writers **-** 1 FTE, 1 Contractor

All listed positions shall transfer without change in duties, compensation, classification, funding allocation, or total headcount.

This Resolution clarifies organizational alignment only and does not expand the scope of work of the PMO.

Section 11. Implementation and Transition
The Administration shall prepare and execute a transition plan to ensure continuity of operations, preservation of active projects, transfer of personnel and resources, and implementation of enterprise governance standards without disruption to City services.

Within thirty (30) days of adoption of this Resolution:

a. All reporting structures for the PMO shall be realigned from the Information Technology Division to the designated Executive reporting authority without interruption of employment status, compensation, or classification.

b. All filled, vacant, and contractor positions currently assigned to the IT Project Management Department (Department No. 270103) shall transfer intact to the Enterprise PMO.

c. Existing appropriations, department codes, cost centers, and budget allocations associated with the IT Project Management Department shall be administratively reclassified to reflect Enterprise PMO alignment without altering total funding levels.

d. All active projects, project management systems, documentation repositories, and reporting dashboards shall remain operational during transition and shall not be paused solely due to structural realignment.

e. The Enterprise PMO shall establish enterprise tracking identifiers for all registered initiatives and begin portfolio stabilization review during the thirty (30) day transition period.

f. No enforcement action for prior non-registration of existing initiatives shall occur during the thirty (30) day transition period.

Section 12. Enterprise Project Registration and Intake Compliance
Effective thirty-one (31) days following adoption of this Resolution and completion of the thirty (30) day transition period, no City division shall initiate, solicit, execute, renew, materially amend, or implement any qualifying project, contract, subscription agreement, or vendor-supported initiative without documented registration through the Enterprise PMO intake process.

For purposes of this Resolution, a qualifying initiative shall include:

a. Any contract, procurement, agreement, or project with an anticipated value exceeding Fifty Thousand Dollars ($50,000); or

b. Any agreement marketed or structured as “no-cost,” participation-based, usage-based, subscription-based, or contingent pricing that may result in cumulative financial exposure exceeding Fifty Thousand Dollars ($50,000) over the life of the agreement; or

c. Any initiative designated by Executive Administration as an Enterprise Project due to cross-division operational, fiscal, technological, or public impact.

For avoidance of doubt, cumulative financial exposure shall include projected renewal terms, participation scaling, subscription growth, integration costs, and administrative support obligations.

Section 13. Enterprise Tracking Identifier and Funding Gate Requirement
The Enterprise PMO shall issue a formal project intake and tracking identifier for qualifying initiatives.

Such identifier shall be required documentation for:

- Procurement submission;
- Contract routing and execution;
- Budget amendment requests;
- Capital improvement submissions;
- Contract renewals;
- Funding release requests for qualifying projects.

Procurement packages shall not be considered administratively complete without Enterprise PMO registration documentation.

If a qualifying initiative proceeds without registration after the thirty (30) day transition period:

- The Procurement Division or Finance Division may defer processing pending compliance;
- Funding release may be withheld until intake requirements are satisfied;
- The matter may be referred to Executive Administration for corrective direction.

This enforcement mechanism is structural and procedural in nature and is not disciplinary.

Section 14. Enterprise Project Stabilization and Leadership Onboarding
Within thirty (30) days of adoption of this Resolution, all City divisions shall submit to the Enterprise PMO:

- A list of active projects;
- A list of planned projects anticipated within the next twelve (12) months;
- Active contracts exceeding the fiscal threshold;
- Subscription-based, participation-based, or contingent pricing agreements currently in effect.

The Enterprise PMO shall assign tracking identifiers and conduct stabilization reviews to ensure documentation alignment without halting active service delivery.

Within the same thirty (30) day period, the Enterprise PMO shall conduct structured onboarding and governance training sessions for Executive Administration, Division Directors, and Procurement, Finance, and Legal leadership to ensure alignment of workflow, fiscal compliance, and enterprise intake procedures.

Section 15. Interdepartmental Governance Coordination
In the event of disagreement regarding classification of a qualifying enterprise initiative, fiscal threshold applicability, or intake requirements, the matter shall be elevated to Executive Administration for clarification and direction.

This section ensures governance alignment and is not intended to create operational delay.

Section 16. Enterprise Governance Performance Evaluation
Within one (1) year of adoption of this Resolution, the Enterprise PMO shall provide to the Memphis City Council a maturity and performance assessment evaluating:

- On-time project delivery metrics;
- Reduction in post-award contract modifications;
- Vendor performance compliance rates;
- Fiscal variance trends;
- Enterprise portfolio visibility improvements.

Section 17. Effective Date
This Resolution shall take effect upon adoption by the Memphis City Council.

Sponsor:
Chairwoman Jana Swearengen-Washington

Chairwoman:
Jana Swearengen-Washington