MLGW Agenda Committee Discussion



MLGW Committee

October 20, 2026

Fiscal Consent Totals:

1. **Total Fiscal Consent Approved Amount Year-to-Date** – $199,115,787.26
   Items approved by Council through 10/6/2026.

2. **Total Regular/Fiscal Consent Requested Amount** – $4,944,529.35
   Items requested for 10/20/2026 meeting.

3. **Total Regular/Fiscal Consent Year-to-Date Amount** – $204,060,316.61
   Total of approvals and requests through 10/20/2026 meetings.

Items for October 20th Agenda

Items approved by BOC on October 7th

1. Resolution approving the Increase and Payment (Change No. 22) to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of $141,512.25.

2. Resolution awarding Contract No. 12698, South Second Street and Union Avenue Water Main Replacement to Magnolia Underground Construction, Inc. in the funded amount of $1,100,000.00.

3. Resolution awarding Contract No. 12625, Meter Interval Data Analysis to LBMC, PC, in the funded amount of $580,539.30.

4. Resolution awarding a purchase order for standard concrete post tops to Engineered Sealing Components LLC in the amount of $754,188.80.

5. Resolution awarding a purchase order for floodlight luminaires LED 1000W equivalent to ATG Supply LLC in the amount of $663,644.00.

6. Resolution approving the ratification of Purchase Order number 7087081 with Brighter Days & Nites, Inc. in the amount of $1,704,645.00.

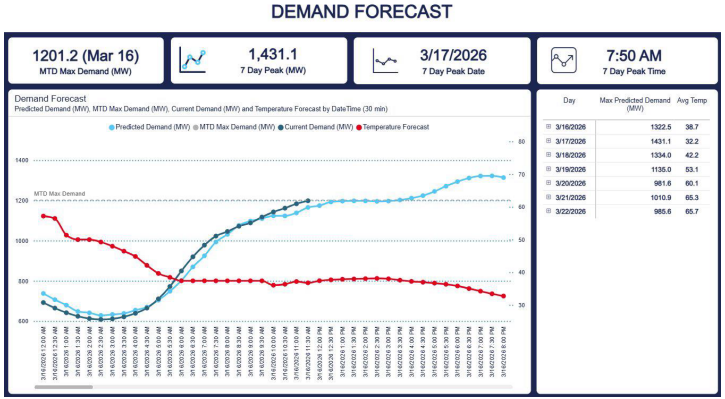
Partial Funding of Pollution Control-Ground Water Quality Control Program

- Requested Funding: $141,512.25
- Award Duration: N/A; Annual fee
- Type of Bid: Sole Source; Annual fee
- Awarded to: N/A; Annual fee to Memphis and Shelby County Health Department
- Plain Language Description: The annual fee is for the funding of the Memphis & Shelby County Health Department, Pollution Control, Ground Water Quality Control Program via the assessment of a per meter connection rate ($0.55 per meter) for each municipality in Shelby County:
  - Bartlett
  - Collierville
  - Germantown
  - Millington
  - MLGW
- Impact: This program supports:
  - A comprehensive program to prevent ground water contamination through permitting of wells.
  - A comprehensive and expanding program of sampling and monitoring of all existing wells.
  - A compilation and maintenance of an inventory of all existing and abandoned wells.
  - A comprehensive and vigorous enforcement program of all relevant ordinances and regulations.
  - Water Well Permitting - Any person in Shelby County requesting the installation, modification, repair, or abandonment of a water well or any other type of well shall make an application to the Water Quality Branch and Septic Tank Program.
  - The Health Department provides oversight and guidance for the Shelby County Ground Water Quality Control Board

South Second Street and Union Avenue Water Main Replacement

- Requested Funding: $1,100,000.00 ($990,500.00 bid amount plus $109,500.00 in contingency)
- Award Duration: One (1) year from the date of the Notice to Proceed
- Type of Bid: Sealed Bid
- Awarded to: Magnolia Underground Construction, Inc.
- Plain Language Description: This project will replace 12-inch water pipes on South Second Street; 8-inch water pipes on Union Ave; and provide several reconnections of services, fire protections, and fire hydrants.
- Impact: This project will replace a section of water pipeline in a congested downtown area that has experienced several failures in recent years. This replacement should improve reliability for this section of water main.

12625 Meter Interval Data Analysis



- Requested Funding: $580,539.30
- Award Duration: 5 years
- Type of Bid: RFP
- Awarded to: LBMC, LLC
- Plain Language Description: MLGW's electric advanced metering collects readings every 30 minutes throughout each day. Using these 30-minute interval readings, the project will enable the Budget and Rates and Electric System
- Impact: This study helps MLGW understand how much energy our customers use at different times of the day. With this information, MLGW can:
  - Predict how much energy will be needed in the future
  - Prepare for days when people use a lot of power
  - Make better plans for the electric system
  - Keep energy service steady and reliable

Standard Concrete Post Tops

- Requested Funding: $754,188.80
- Award Duration: One-Time Purchase
- Type of Bid: Sealed Bid
- Awarded to: Engineered Sealing Components, LLC
- Plain Language Description: The standard concrete post tops are durable, precast concrete structures designed to support lighting fixtures on major and residential streets. A quantity of 320 standard concrete post tops will be procured for replacements and emergency knockdowns.
- Impact: The post tops are needed for upcoming projects and for infrastructure updates.

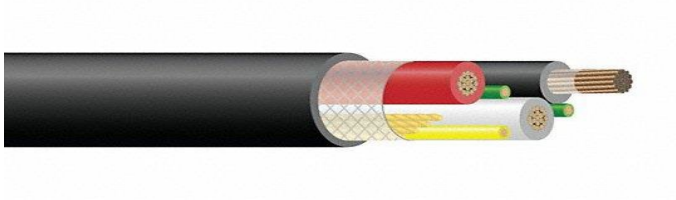


Luminaire Floodlights LED 1000W Equivalent



- Requested Funding: $663,644.00
- Award Duration: One-Time Purchase
- Type of Bid: Sealed Bid
- Awarded to: ATG Supply LLC
- Plain Language Description: The 1000W luminaires deliver broad and intense clear, white light for large demanding environments where visibility and energy savings are crucial. Purchasing a quantity of 661 units will provide sufficient inventory to support replacements and facilitate the expansion of the lighting infrastructure.
- Impact: The luminaires are utilized to distribute and control artificial lighting across MLGW's service area. The luminaires are needed for upcoming projects and for infrastructure updates.

477 KCM Wire



- Requested Funding: $1,704,645.00
- Award Duration: Twenty-four months with the option to extend for two, twelve-month intervals
- Type of Bid: Ratification of Purchase Order Number 7087081
- Awarded to: Brighter Days & Nites, Inc.
- Plain Language Description: To ratify Purchase Order number 7087081 for 477 KCM wire. The wire is a thick, strong bare conductor, used to carry electricity on power lines. Some wires have a steel core for extra strength, while others are aluminum for lighter, more flexible use.
- Impact: The 477 KCM wire is needed to ensure reliable customer service. Wire will be ordered as needed for upcoming projects and for infrastructure updates.

Questions



Docusign Envelope ID: 6F7A9306-B8F4-814B-82BD-4C3079F52E00

Memphis City Council Summary Sheet

(Revised January 28, 2026)

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

   The transfer, allocation and appropriation of the sum of Forty Three Thousand, Two Hundred Twenty Four dollars and Forty-Five cents ($43,224.45) from Memphis Parks Capital Reserve, CIP Project Number PK25104, Fiscal Year 2027, Contract Construction and transfer to Westwood Pool Improvements, CIP Project Number PK04020, Contract Construction as part of the Fiscal Year 2027 Capital Improvement Budget.

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

   Memphis Parks

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

   N/A

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

   Council District 6, Super District 8

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

   N/A

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

   This will require an expenditure of $43,224.45 and does require a budget amendment.

7. **If same night minutes are requested, state the reason for the urgency.**

   Same night minutes are requested, due to construction contract expenses.

Docusign Envelope ID: 6F7A9306-B8F4-814B-82BD-4C3079F52E00

P039

Resolution to allocate, appropriate and transfer funds for Westwood Pool Improvements, PK04020

WHEREAS, Westwood Pool Improvements, PK04020, has been a current Fiscal Year 2026-2027 CIP project for Memphis Parks with One Million, Forty Nine Thousand, One Hundred Forty Three dollars and Eighty cents ($1,049,143.80) in total construction contract expenses; and

WHEREAS, as the Westwood Pool Improvements were approaching completion, it was determined that several additional repairs were required to fully complete the renovations to Westwood Pool. These additional repairs included a new backflow preventor ($28,497.45) as required by Shelby County Code Enforcement, unexpected deck drain line repairs ($10,036.53), miscellaneous pump room repairs ($2,405.38), and additional charges for general conditions and supervision for the above-mentioned additional work ($2,285.09); a total shortfall of Forty Three Thousand, Two Hundred Twenty Four dollars and Forty-Five cents ($43,224.45); and

WHEREAS, Memphis Parks requests, as a necessity to cover the project shortfall, approval to transfer, allocate and appropriate the sum of Forty Three Thousand, Two Hundred Twenty Four dollars and Forty-Five cents ($43,224.45) from Memphis Parks Capital Reserve, CIP Project Number PK25104, Fiscal Year 2027, Contract Construction and transfer to Westwood Pool Improvements, CIP Project Number PK04020, Contract Construction as part of the Fiscal Year 2027 Capital Improvement Budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the transfer, allocation and appropriation of Forty Three Thousand, Two Hundred Twenty Four dollars and Forty-Five cents ($43,224.45) from Memphis Parks Capital Reserve, CIP Project Number PK25104, Fiscal Year 2027, Contract Construction and transferred to Westwood Pool Improvements, CIP Project Number PK04020, Fiscal Year 2027, Contract Construction; funded by G. O. Bonds General, chargeable to the Fiscal Year 2027 Capital Improvement Budget; with said appropriations being credited as follows:

Project Title:	**Westwood Pool Improvements**
Project Number:	**PK04020**
Amount:	**$43,224.45**

Docusign Envelope ID: 6F7A9306-B8F4-814B-82BD-4C3079F52E00

CoM Public

CITY OF MEMPHIS

COUNCIL CAPITAL PROJECT INFORMATION SHEET

posted August 2026

DEPARTMENT INFORMATION

Department / Division: Memphis Parks

Council Action Date: 10/06/2026

Receiving Project Name & Number: PK04020 Westwood Pool Improvements

COMPLETED BY CIP TEAM:

Transaction Number (P###): P039

FINANCIAL SNAPSHOT OF RECEIVING PROJECT

Allocation-To-Date: PK04020- $1,049,143.80

Appropriation-To-Date: PK04020- $1,049,143.80

Spend-To-Date: PK04020- $1,049,143.80

Remaining Balance: PK04020- $0

Encumbrances / Committed Funds: PK04020- $0

Contract(s) Attached? Yes: ☐ No: ☑

PURPOSE OF TRANSACTION

To provide additional funding for final construction expenses for Westwood Pool repairs.

CIP TRANSFER AND/OR APPROPRIATION AMOUNT

Transferred / Appropriated Amount: $ 43,224.45

PROJECT STATUS & TIMELINE

Status: Completed Start Date: 01/01/2026 End Date: 08/01/2026

ANTICIPATED ISSUES / RISKS

No anticpated issues.

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Memphis City Council Summary Sheet

(Revised January 28, 2026)

1. **Description of the Item (Resolution, Ordinance, etc.)**
   Resolution to accept grant funds in the amount of Four Hundred Thirty Thousand Five Hundred Dollars and Zero Cents ($430,500.00) from the State of Tennessee, Tennessee State Library and Archives.

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

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

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

5. **State whether this requires a new contract, or amends an existing contract, if applicable.**
   This requires a new Contract between the City of Memphis and the State of Tennessee, Tennessee State Library and Archives

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

7. **If same night minutes are requested, state the reason for the urgency.**
   N/A

Docusign Envelope ID: B08CFBDE-4F45-8ED7-802D-BBA3AEAA1372

G020

A Resolution to accept and appropriate grant funds in the amount of Four Hundred Thirty Thousand, Five Hundred Dollars and Zero Cents ($430,500.00) from the State of Tennessee, Tennessee State Library and Archives 2027 Metro Grant.

WHEREAS, the City of Memphis, Division of Library Services, Memphis Public Library & Information Center has received grant funds in the amount of Four Hundred Thirty Thousand, Five Hundred Dollars and Zero Cents ($430,500.00) from the State of Tennessee, Tennessee State Library and Archives; and

WHEREAS, these funds will be used to purchase physical and digital collection items to increase resource access across the City of Memphis; and

WHEREAS, it is necessary to accept and appropriate grant funds in the amount of Four Hundred Thirty Thousand, Five Hundred Dollars and Zero Cents ($430,500.00) from the State of Tennessee, Tennessee State Library and Archives for collection development; and

NOW, THEREFORE, BE IT RESOLVED by the council of the City of Memphis that grant funds in the amount of Four Hundred Thirty Thousand, Five Hundred Dollars and Zero Cents ($430,500.00) from the State of Tennessee, Tennessee State Library and Archives

BE IT FURTHER RESOLVED, that the Fiscal Year 2027 Operating Budget be and is hereby amended by appropriating the revenues and expenditures for collection development in the amount of Four Hundred Thirty Thousand, Five Hundred Dollars and Zero Cents ($430,500.00) from the State of Tennessee, Tennessee State Library and Archives as follows:

Revenue	
State of Tennessee,	
Tennessee State Library and Archives	
State Portion	$420,500.00
Federal Portion	$10,000.00
TOTAL	$430,500.00
Expenditures	
Collection Development	$430,500.00
TOTAL	$430,500.00

Docusign Envelope ID: 0237925E-7E56-882B-8274-70B82E586632

Memphis City Council Summary Sheet

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

   Resolution approving and ratifying the FY2027 Intergovernmental Agreement with Shelby County Government

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

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

4. **State withered this will impact specific council districts or super districts.**
   Unincorporated Shelby County

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

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

Docusign Envelope ID: 0237925E-7E56-882B-8274-70B82E586632

RESOLUTION

A RESOLUTION APPROVING AND RATIFYING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MEMPHIS, BY AND THROUGH MEMPHIS PUBLIC LIBRARIES, AND SHELBY COUNTY GOVERNMENT FOR THE OPERATION OF THE EAST SHELBY BRANCH LIBRARY

WHEREAS, Any public agency may enter into agreements with another public agency to perform a governmental service pursuant to the provision of Tennessee Code Annotated, Section 12-9-101, et seq., and more specifically Section 12-9-108; and

WHEREAS, The County has determined that it desires that the East Shelby Branch Library owned by the County remains a part of the City's current library system and to contract with the City for the direct provision of library services; and

WHEREAS, the contract term shall continue from July 1, 2026, through June 30, 2027 and provide renewal options for three additional one-year periods; and

WHEREAS, the total cost for each contract period shall not exceed $639,742.00; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, that the agreement between the City of Memphis Division of Library Services and Shelby County Government be approved.

BE IT FURTHER RESOLVED, that the Agreement's three (3) one-year renewal options may be exercised only in accordance with the terms of the Agreement and subject to all applicable appropriations, approvals, and City requirements.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption by the City Council.

Government: Shelby County
Contract: Revenue
Amount: $639,742.00

Docusign Envelope ID: 0237925E-7E56-882B-8274-70B82E586632

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MEMPHIS AND SHELBY COUNTY GOVERNMENT FOR THE OPERATION OF THE EAST SHELBY BRANCH LIBRARY

This Intergovernmental Agreement ("Agreement"), effective as of the ____ day of _____, 2026, is made between the **CITY OF MEMPHIS,** by and through its Library Division **("City"),** and **SHELBY COUNTY GOVERNMENT** by and through its Division of Community Services **("County")** for the operation of the East Shelby Branch Library.

RECITALS

WHEREAS, any public agency may enter into agreements with another public agency to perform a governmental service pursuant to the provisions of Tenn. Code Ann. §12-9-101 et seq. and, more specifically, §12-9-108; and

WHEREAS, the County has determined that it desires that the East Shelby Library owned by the County remain a part of the City's current library system and to negotiate with the City for the direct provision of library services; and

WHEREAS, the parties have agreed to set forth herein the terms which shall govern the continuation of and day-to-day library operations to be furnished by the City to the East Shelby Library for the citizens of Shelby County, Tennessee.

NOW THEREFORE, for and in consideration of the mutual promises and covenants made herein, and intending to be legally bound, the parties hereby agree as follows:

1. CONTINUATION AGREEMENT

1.1 The parties hereby agree that the City will continue to provide management and support services directly to the East Shelby Library for an initial term of one (1) year commencing July 1, 2026 through June 30, 2027 with three (3) one-year renewal options.

1.2 The services to be provided to the East Shelby Library and the citizens of Shelby County (i.e. Arlington, Bartlett, Collierville, Germantown, Memphis, Millington, Lakeland and unincorporated areas of Shelby County) shall include a level of services based on the proposal attached hereto as Exhibit A and an approved annual budget which shall not exceed $639,742.00 for operation of the Library as set forth on Exhibit B attached hereto.

1.3 The Parties shall have the option to extend the agreement for an additional one-year term. In the event of a desired extension, the parties shall negotiate, in good faith, the funding level and specific terms and conditions outlined in Exhibit A and Exhibit B, including staffing levels and hours of operation, for the successive term at least ninety (90) days prior to the expiration of the then current term.

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2. COMPENSATION AND FUNDING

2.1 The County agrees to pay the sum of $53,311.83 per month to the City for management and support services provided to the East Shelby Library for the fiscal year ending June 30, 2027.

2.2 The County shall wire funds to the City at the beginning of each month for the East Shelby Library staff salaries, payroll taxes and benefits.

2.3 The County has appropriated the sum of $639,742.00 for Fiscal Year 2027.

2.4 Citizens of Shelby County (i.e. Arlington, Bartlett, Collierville, Germantown, Memphis, Millington, Lakeland and unincorporated areas of Shelby County) will not be charged a fee for use of services at the East Shelby Library branch.

2.5 Any and all fees and fines collected at the East Shelby Library shall remain with the City.

3. BUILDING MAINTENANCE

3.1 The County shall be responsible for providing landscaping services and for any and all expenses relating to any capital repairs, alterations or other improvements (e.g., non-customary building maintenance, heat and air conditioning maintenance, etc.) to East Shelby Library.

4. TERMINATION.

4.1 Upon termination of this Agreement, both parties shall each use their best efforts to return books and materials to the respective owners and cooperate with each other to make the necessary transition as seamless as possible. Any amounts owed to each other shall be due and payable within thirty (30) days after termination.

4.2 The parties acknowledge and agree that all books, materials, equipment, and other items currently located in the East Shelby Library which bears a label or stamp of East Shelby are the sole property of the County.

4.3 The parties further agree that all books, equipment, materials and other items purchased by the City in the future with County funds shall remain the property of the County.

4.4 Upon termination of this Agreement, all books and materials currently held and/or received at any future date by the East Shelby Library which belong to another library shall be promptly returned to the respective owner of such books and materials, and the parties shall cooperate in good faith with each other to make such transfer as seamless as possible.

4.5 Upon termination of this Agreement and receipt of final payment hereunder, the City shall deliver within ten (10) days to the County Government all books and materials it may then hold that were purchased for the East Shelby Library.

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4.6 County may terminate this Agreement upon providing sixty (60) days written notice to the City for the City's failure to provide the services specified within the Agreement, and the City has failed to cure such breach within the 60-day time period.

4.7 This Agreement may be terminated by either party by giving sixty (60) days written notice to the other, before the effective date of termination.

4.8 In the event of termination of the Agreement, the City shall be paid for all services rendered prior to said termination date. All services completed by the City shall be documented and tangible work documents shall be transferred to and become the sole property of County prior to payment for services rendered.

5. REPORTS.

5.1 The City shall provide to the County quarterly and annual reports of financial expenses and service deliverables related to the East Shelby Library. Said quarterly reports will be submitted by the end of October, January and April of each contract term. Said annual report will be submitted by the end of August upon expiration of the then current contract term.

6. AUDITS.

6.1 The County reserves the right to audit the records of the City that pertain to the City's fulfillment of its obligations under the terms of this Agreement, provided that such audit does not interfere with the City's normal business affairs. Such records may be inspected, verified, audited, or copied by the County Government, at the County's expense, at the location at which they are kept during regular business hours by the official designated by the County Government within ten (10) days notice to the City. The City shall keep such records and books of accounts for a period of three (3) years after the completion of the contractual obligations or final payment tendered under this Agreement, whichever is later.

7. NOTICE.

7.1 All notices or requests to the City shall be given in writing to the Director of Libraries, 3030 Poplar Avenue, Memphis, Tennessee 38111-3527 and copied to the City Attorney and Chief Legal Officer, 125 North Main Street, Room 336, Memphis, Tennessee 38103-2079. Notices and requests to Shelby County Government shall be given in writing to the CAO, Shelby County Administration, 160 North Main Street, Suite 1100, Memphis, TN 38103 and copied to Contract Administration, 160 North Main Street, Suite 900, Memphis, Tennessee 38103.

8. MISCELLANEOUS PROVISIONS.

8.1 Entire Agreement. This Agreement contains the entire agreement of the parties hereto and there are no other promises or conditions in any other agreements whether oral or written. This Agreement supersedes any prior written or oral agreements between the parties pertaining to the subject matter hereof.

8.2 Third Party Beneficiaries. This Agreement does not create any relationship with, or any rights in favor of, any third party.

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8.3 Assignment. Neither party hereto shall assign or transfer its interest in this Agreement without the prior written consent of the other party.

8.4 Amendment. This Agreement may be modified or amended only by a document in writing executed by the parties hereto.

8.5 Liability. The parties recognize that each party is a governmental entity as defined by Tennessee Code Annotated Section 29-20-101 et seq. and is self-insured for acts of negligence of its officers and employees. The County shall be responsible for personal injury or property damage or other loss suffered by any person or entity except that resulting from the City's own negligence in the performance of this Agreement.

The County further agrees to be responsible for the contents of the East Shelby Library building and for any loss, cost, damage or expense resulting from fire, explosion or any other casualty to said building.

8.6 Governing Law. This Agreement shall be interpreted in accordance with the laws of the State of Tennessee. By execution of this Agreement, the parties agree that all actions, whether sounding in tort or in contract, relating to the validity, construction, interpretation and enforcement of this Agreement will be instituted and litigated in the courts of the State of Tennessee, located in Shelby County, Tennessee, and in no other.

8.7 Effective Date. This Agreement shall be in effect as of July 1, 2026.

IN WITNESS WHEREOF, the parties, by and through their duly authorized representatives, have executed this Agreement as of the date above written.

CITY OF MEMPHIS

By: _____
Paul Young, Mayor

APPROVED AS TO FORM:

_____
(NAME), City Attorney
and Chief Legal Officer

Attest:

_____
Comptroller

SHELBY COUNTY GOVERNMENT

By: _____
Mickell M. Lowery, Mayor

APPROVED AS TO FORM:

_____
County Attorney

Docusign Envelope ID: 0237925E-7E56-882B-8274-70B82E586632

EXHIBIT A

East Shelby Branch Library
Proposal for $639,742 Operating Budget
FY 2027

Memphis Public Library (MPL) has operated the East Shelby Branch Library since the building first opened to the public on February 15, 1999. Over its years of operation, the branch has offered much needed library services to the growing population of southeastern Shelby County, and the community has responded with high customer demand/usage. An average of approximately 80,000 customers visit the branch on an annual basis. Of this total, 33,000 customers visit the branch on computers. In addition, these customers use the branch's collection of nearly 90,000 items by borrowing 40,000 items.

MPL plans to continue providing the highest level of library services to the customers of East Shelby Branch Library by adequately conducting and supervising all aspects of the day-to-day operations. The following g information highlights the details of how East Shelby Branch will continue to operate efficiently.

Hours of Operation:
The East Shelby Branch will operate 48 hours per week, Monday – Saturday, 10AM – 6PM. MPL's collective hours of operation span Monday through Thursday from 10AM – 8PM, Friday and Saturday from 10AM – 6PM, and Sunday from 1PM – 5PM.

Residency Requirements:
As the East Shelby Branch is 100% funded by Shelby County, all Shelby County residents (i.e., residents and property owners of Arlington, Collierville, Germantown, Lakeland, Memphis, Millington, and unincorporated Shelby County) will be able to use the branch with no assessment of a user fee. Residents of Memphis and unincorporated areas of Shelby County will be able to use the complete range of MPL services (i.e., 18 Library facilities, e- resources, and a range of mobile services) with no assessment of a user fee.

Staff Levels:
The East Shelby Branch staff will include a balance of specialized positions that ensure that the branch can continue to meet customer demand, while helping satisfy individual and community needs. It is important to note that as a branch of MPL, East Shelby will receive system-wide support/consulting from expert staff in areas such as library management, information delivery, security, collection development, staff development, youth/teen/adult services, marketing/public relations, and information technology. The branch's staff complement will include 6 Full Time (40 hours/week) and 1.5 FTEs Part Time/Temporary (20 hours/week). The following positions will be represented in the complement:

Full Time	**Part Time**
Sr. Library Manager	Public Service Specialist
Library Assistant	Circulation Assistant
Circulation Supervisor	

Fees & Fines Assessment: Only for overdue, etc.

Docusign Envelope ID: 0237925E-7E56-882B-8274-70B82E586632

Public Computers:
Memphis Public Library will provide 42 computers for public use. The computers are equipped with a standard Microsoft Office Suite, which provides access to the Internet, as well as poplar word processing and spreadsheet tools. As mentioned above, MPL's expert staff has the skills and expertise needed to effectively meet public computer needs.

Resources Available:
In Addition to East Shelby Branch's in-house collection of approximately 90,000 items, customers have access to the larger MPL collection of approximately 1.8 million items. In fact, in most cases, MPL's efficient inter-branch delivery system makes it possible for customers to receive an item from another branch library within a 24-hour period.

Finally, MPL participates in a nation-wide interlibrary loan program, and as a result, East Shelby customers have access to millions of additional resources in libraries throughout Tennessee and the United States.

Marketing Plans and Community Outreach:
Over the years, East Shelby staff has developed a myriad of programs and services that are designed to reach out to the diverse community. The East Shelby Branch, with the support of MPL, will continue providing programs and services that target community needs. East Shelby's marketing plans include use of internal and external media. Internal media includes MPL resources such as Library NewsLINC (a television show produced through WYPL TV 18, the library's television station), WYPL radio public service announcements, MPL newsletters, East Shelby Branch bulletin boards, MPL's website (www.memphislibrary.org), and specialized branch programming. In addition, library staff will conduct regular visits to area elementary, middle and high schools to educate the community on the branch's services and programs. External media (e.g., local newspapers, radio, television, and printed brochures/flyers) will also be used to market East Shelby. MPL marketing department regularly produces and distributes press releases and public service announcements to local media outlets.

Specific Performance Measurement and Efficiency Indicators:
As mentioned above, MPL plans to continue providing the highest level of library service to the customers of East Shelby Branch Library. MPL will analyze service and usage data on a quarterly and annual basis to evaluate branch performance. The indicators measured/evaluated include the following:

Materials borrowed	Public meeting room use
New customer registration	Community Contacts
Hourly customer attendance	Customer computer use
Program attendance	Materials added

Level of Security:
Security is a high priority at all MPL branch locations. In addition to contracting with one part-time security guard, the library uses a security camera system to monitor all branch locations including East Shelby. The camera system is monitored by MPL's security dispatch as well.

Docusign Envelope ID: 0237925E-7E56-882B-8274-70B82E586632

EXHIBIT B
Memphis Public Library
East Shelby FY 2027 Budget—Proposed

PERSONNEL	FY2024	FY2027
Salaries (7.5 Total FTEs)*	$232,979.78	$ 299,067
Benefits	$ 44,040.08	$ 62,695
Central Staff Support	$185,197.50	$ 185,197
Sub-Total	**$462,217.36**	**$ 546,959**
Materials (Books, Databases, etc.)	$ 2,366.64	$ 2367
Utilities	$ 47,256.00	$ 47,256
Phones	$ 11,338.00	$ 11,338
Other Materials and Supplies (M&S) *See Schedule***	$ 31,822.00	$ 31,822
Sub-Total	**$ 92,782.64**	**$ 92,783**
Grand Total	**$555,000.00**	**$ 639,742**

PERSONNEL COMPLEMENT*	
Full Time (6 Total FTEs)	**Part Time (1.5 FTEs)**
Sr. Library Manager (1)	Public Service Specialist (2)
Library Assistant (4)	Circulation Assistant (1)
Circulation Supervisor (1)	N/A

MATERIALS AND SUPPLIES (M&S) Schedule**	
Security	$ 15,886.00
Janitorial	$ 9,420.00
Trash Disposal	$ 540.00
Copiers	$ 1,500.00
Supplies	$ 3,600.00
Pest Control	$ 432.00
Burglar Alarm Monitoring	$ 444.00
Total M&S	$ 31,822.00

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE APPROVING THE FIRST AMENDMENT TO THE ECONOMIC IMPACT PLAN FOR LEGACY AT COUNTRYWOOD

WHEREAS, the Economic Development Growth Engine Industrial Development Board of the City of Memphis and County of Shelby, Tennessee ("EDGE") is organized under Tennessee Code Annotated, Sections 7-53-101 et seq. (the "Act"), and is authorized to prepare and submit economic impact plans to the City of Memphis, Tennessee (the "City") and Shelby County, Tennessee (the "County"); and

WHEREAS, CC Club Holdings, LLC, a Delaware limited liability company ("CC Holdings"), owns certain real property located in the city limits of the City along Interstate 40 near its intersection with Highway 64, adjacent to the Colonial Country Club at 2736 Countrywood Parkway (the "Plan Area"); and

WHEREAS, the Economic Impact Plan for Legacy at Countrywood, attached hereto as Exhibit "A" (the "Plan"), was approved by EDGE on June 30, 2022, by the City Council on July 12, 2022, and by the Shelby County Board of Commissioners on July 18, 2022; and

WHEREAS, the Plan provides for seventy-five percent (75%) of the tax increment property tax revenues generated solely from the Plan Area (the "TIF Revenues") for a period of twenty (20) years, to be used for Eligible Costs in accordance with the Act and the Plan; and

WHEREAS, since the Plan was approved, CC Holdings has faced unplanned delays due to the design approval for sewer storage tanks, the COVID-19 pandemic, and delays in obtaining necessary materials for development of the Plan Area, which have significantly delayed implementation of the Plan and increased implementation costs, and the Tax Increment Act has been amended to expand the definition of Eligible Costs; and

WHEREAS, pursuant to the First Amendment to the Economic Impact Plan for Legacy at Countrywood, attached hereto as Exhibit "B" (the "Plan Amendment"), CC Holdings has requested and EDGE has agreed to (i) increase the not-to-exceed amount for Eligible Costs from $23 million to $60 million, (ii) modify and expand the Planned Improvements by replacing Exhibit C of the Plan, and (iii) revise provisions relating to the grouping of parcels and allocation of TIF Revenues; and

WHEREAS, EDGE held a public hearing relating to the Plan Amendment on September 16, 2026, after publishing notice of such hearing in a newspaper of general circulation two (2) weeks prior to that date, and adopted a resolution on September 16, 2026, a copy of which is attached hereto as Exhibit "C", approving the Plan Amendment and recommending approval by the City Council and the County Commission in accordance with Tennessee Code Annotated, Section 7-53-312; and

WHEREAS, the TIF obligations authorized under the Plan, as amended by the Plan Amendment, will be payable solely from the TIF Revenues and will not constitute a debt or pledge

of the faith and credit or taxing power of the City, the County, EDGE, or the State of Tennessee; and

WHEREAS, the City Council finds that the Plan Amendment is in the best interests of the citizens of the City of Memphis, Tennessee and will promote economic development, improve the Plan Area, and further the purposes of the Act; and

WHEREAS, EDGE has approved and submitted the Plan Amendment to the City Council of the City of Memphis, Tennessee for approval in accordance with Tennessee Code Annotated § 7-53-312;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Memphis, Tennessee:

That the Plan Amendment, in the form attached hereto as Exhibit "B" and incorporated herein by reference, being in the interests of the citizens of the City of Memphis, Tennessee, is hereby approved by the City Council; and

That the officers of the City are hereby authorized to take all appropriate action to carry out the terms of the Plan, as amended by the Plan Amendment.

Passed this ___ day of November, 2026.

_____

Paul A. Young, Mayor

ATTEST:

_____

City Administrator

EXHIBIT "A"

Economic Impact Plan for Legacy at Countrywood

See attached.

EXHIBIT "B"

First Amendment to the Economic Impact Plan for Legacy at Countrywood

See attached.

EXHIBIT "C"

EDGE Resolution Approving the First Amendment to the Economic Impact Plan for Legacy at Countrywood (with public notice)

See attached.

Docusign Envelope ID: 8A37DCCE-FAC9-8029-8146-8C58E4519E4F

Memphis City Council Summary Sheet

(Revised January 28, 2026)

1. **Description of the Item (Resolution, Ordinance, etc.)**
   This is a resolution to accept grant funds in the additional grant funds in the amount of One Hundred Five Thousand Five Hundred Twenty-Eight Dollars and Ten Cents (105,528.10) from the U.S. Department of Justice through the United States Marshals Service Western District of Tennessee for Joint Law Enforcement Operations Task Force for the purpose of overtime funding for personnel salaries.
2. **Initiating Party (e.g. Public Works, at request of City Council, etc.)**
   The City of Memphis Division of Police Services is awarded this grant from the U.S. Department of Justice.
3. **State whether this is a change to an existing ordinance or resolution, if applicable.**
   Yes. This item amends two previous funding acceptances approved by City Council in FY26, totaling $1,938,000.
4. **State whether this will impact specific council districts or super districts.**
   All Districts
5. **State whether this requires a new contract, or amends an existing contract, if applicable.**
   This is an amendment to a previous award for contract 43175.
6. **State whether this requires an expenditure of funds/requires a budget amendment.**
   Acceptance will require an amendment to FY27 Operating Budget to appropriate the funds
7. **If same night minutes are requested, state the reason for the urgency.**
   Same-night minutes are requested to allow the grant acceptance to become effective immediately following City Council approval. This will prevent administrative delays and allow the City to proceed timely with grant implementation and expenditure of the awarded funds.

Docusign Envelope ID: 8A37DCCE-FAC9-8029-8146-8C58E4519E4F

G024

A Resolution to accept additional grant funds in the amount of One Hundred Five Thousand Five Hundred Twenty-Eight Dollars and Ten Cents ($105,528.10) from U.S. Department of Justice through the United States Marshals Service Western District of Tennessee.

WHEREAS, The City of Memphis Division of Police Services has been awarded additional grant funds in the amount of One Hundred Five Thousand Five Hundred Twenty-Eight Dollars and Ten Cents ($105,528.10) from the U.S. Department of Justice through the United States Marshals Service Western District of Tennessee for Joint Law Enforcement Operations Task Force; and

WHEREAS, this award will be used for the purpose of overtime funding for personnel salaries during the Joint Law Enforcement Operations Task Force; and

WHEREAS, it is necessary to accept the additional grant funding and amend FY 2026 Operating Budget to establish funds for the U.S. Department of Justice United States Marshals Service Western District of Tennessee for Joint Law Enforcement Operations Task Force; and

WHEREAS, it is necessary to appropriate the FY 2027 grant funds in the additional amount of One Hundred Five Thousand Five Hundred Twenty-Eight Dollars and Ten Cents ($105,528.10) for the U.S. Department of Justice United States Marshals Service Western District of Tennessee for Joint Law Enforcement Operations Task Force;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the U.S. Department of Justice United States Marshals Service Western District of Tennessee for Joint Law Enforcement Operations Task Force funds in the additional amount of One Hundred Five Thousand Five Hundred Twenty-Eight Dollars and Ten Cents ($105,528.10) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2027 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the U.S. Department of Justice United States Marshals Service Western District of Tennessee for Joint Law Enforcement Operations Task Force funds in the additional amount of One Hundred Five Thousand Five Hundred Twenty-Eight Dollars and Ten Cents ($105,528.10) as follows:

REVENUE	
U.S. Department of Justice	**$105,528.10**
Total	**$105,528.10**
EXPENDITURES	
Salaries	**$105,528.10**
Total	**$105,528.10**

Docusign Envelope ID: 8A37DCCE-FAC9-8029-8146-8C58E4519E4F

U.S. Department of Justice
United States Marshals Service

Joint Law Enforcement Operations Task Force Modification Document

INSTRUCTIONS: See last page for detailed instructions.

SECTION 1: OBLIGATION

DOCUMENT CONTROL #: M-26-D76-O-000010

SECTION 2: PARTICIPATING AGENCIES

The United States Marshals Service will modify funding provided pursuant to the Memorandum of Understanding (MOU) in place between:

Memphis Police Department (MPD)

and

Western District of Tennessee (76)

All other terms and conditions of the MOU remain the same.

SECTION 3: APPROPRIATION DATA

FISCAL YEAR	ORGANIZATION	FUND	PROJECT	SOC / PURPOSE
2026	D76	AFF-B-OP	JLEOSURG	25205 - TFO Overtime

Current Funded Amount: $1,937,985.77
Adjusted Amount: $105,528.10
Revised Amount: $2,043,513.87

ADD MODIFICATION

SECTION 4: DESCRIPTION OF MODIFICATION

In support of the Memphis Safe Task Force, the Memphis Police Department's original obligation will be increased by $105,528.10.

SECTION 5: CONTACT INFORMATION

DISTRICT/RFTF CONTACT:

Name: Tyreece Miller, USM

STATE/LOCAL CONTACT:

Name: C.J. Davis, Chief

[redacted]

SECTION 6: AUTHORIZATION

USMS Representative - Certification of Funds:

Signature: JILL STRAUSS Digitally signed by JILL STRAUSS Date: 2026.09.04 08:13:46 -05'00' Date: 9/4/2026

Jill Strauss, Administrative Officer

Chief Deputy or RFTF Commander - Obligation Approval:

Signature: CHAD HUNT Digitally signed by CHAD HUNT Date: 2026.09.04 08:34:31 -05'00' Date: 9/4/2026

Chad B. Hunt, Commander (Memphis Safe)

Reimbursement of overtime work shall be consistent with the Fair Labor Standards Act. Annual overtime for each state or local law enforcement officer is capped at the equivalent of 25% of a GS-1811-12, Step 1, of the general pay scale for the RUS. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted monthly or quarterly on a fiscal year basis, and which provides the names of the investigators who incurred overtime for the Task Force during the quarter; the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator.

Departmental Representative - Acknowledgement:

Signature: [signature] Date: 9/8/26

C.J. Davis, Chief

Docusign Envelope ID: 8A37DCCE-FAC9-8029-8146-8C58E4519E4F

FORM USM-607A INSTRUCTIONS

The Joint Law Enforcement Operations Task Force Modification Document is designed to provide district and regional fugitive task forces with one standard form to record increases or decreases in funding for existing obligations. For new obligations, please refer to Form USM-607, Joint Law Enforcement Operations Task Force Obligation Document. Joint Law Enforcement Operations partnerships with state and local agencies exist under a reimbursable agreement detailed in the Memorandum of Understanding. The United States Marshals Service reserves the right to modify funding as needed and will provide notification of any changes to the JLEO participating agency.

SECTION 1: Obligation Number

A. Enter UFMS Document Control number for the existing obligation to be modified.

SECTION 2: Participating Agencies

A. BOX 1: Enter name of state or local JLEO participating agency.
B. BOX 2: Use drop down menu to select appropriate USMS District/RFTF.

SECTION 3: Appropriation Data

A. Insert valid appropriation data in the fields provided, using the original obligation document for reference.

SECTION 4: Description of Modification

A. Enter a brief description of the reason or purpose for the modification. Space is limited to a maximum of 150 characters.
B. If a more detailed description is necessary, please note "See attached" in the text field, type the full description of the modification into a new document and attach the additional page to this form. Be sure to note the obligation number on the attachment.

SECTION 5: Contact Information

A. Enter District/RFTF contact information (Box 1) and State/Local contact information (Box 2).

SECTION 6: Authorization

A. Certification of Funds: Signature will be applied by USMS District official or IOD representative (RFTF).
B. Obligation Approval: Signature will be applied by District or RFTF representative.
C. Acknowledgement: The JLEO participant can acknowledge receipt of the modification form in one of two ways:
   1. Sign the completed Form USM-607A and return to the issuing District/RFTF office.
   2. Send an email to the District/RFTF point of contact acknowledging that the agency has received and understood the USM-607A. The USMS POC will then print the e-mail and attach to the modification form in lieu of an agency signature.

When completed, the form will be returned to the District/RFTF office. Districts are responsible for modifying obligations in UFMS according to the USM-607A information. RFTF modifications will be forwarded to Headquarters IOD to be entered into UFMS.

Docusign Envelope ID: 8A37DCCE-FAC9-8029-8146-8C58E4519E4F

IN WITNESS WHEREOF, the parties, by and through their duly authorized representatives, have executed this Agreement.

CITY OF MEMPHIS

By: _____
Paul A. Young, Mayor

Date: _____

Approved as to Form:

By: _____
Tannera Gibson, Chief Legal Officer/
City Attorney

Attest:

By: _____
Comptroller

UNITED STATES MARSHAL

By: See previous page.

Name: See previous page.

Title: See previous page.

Date: See previous page.

Docusign Envelope ID: E0E058D8-947E-8A5E-820A-B7F49A1B2451

Memphis City Council Summary Sheet

(Revised January 28, 2026)

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

Resolution to amend the FY2027 Capital Improvement Program (CIP) Budget by transferring Three Hundred Nineteen Thousand Dollars ($319,000.00) in appropriated General Obligation (G.O.) Bond funds within the Downtown Command Center project, IT01008, Award 11426, from Other Cost to Architecture and Engineering. A&E funds are required to begin Phase 2.

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

Memphis Police Department.

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

Yes. This amends the FY2027 CIP Budget by transferring appropriated funds from Other Cost to Architecture and Engineering for the Downtown Command Center project IT01008. No additional appropriation is requested.

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

Yes. The Downtown Command Center project impacts Council District 1.

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

No. This resolution transfers existing appropriated CIP funds and does not itself authorize a new contract or amend an existing contract.

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

Yes. The FY2027 CIP Budget will require an amendment to transfer $319,000.00 in existing appropriated G.O. Bond funds from Other Cost to Architecture and Engineering within project IT01008, Award 11426.

7. If same night minutes are requested, state the reason for the urgency.

Same night minutes are not requested.

Docusign Envelope ID: E0E058D8-947E-8A5E-820A-B7F49A1B2451

P041

A Resolution to transfer Three Hundred Nineteen Thousand Dollars ($319,000.00) in appropriated funds in the Downtown Command Center project, IT01008, from Other Cost to Architecture and Engineering.

WHEREAS, the Fiscal Year 2027 Capital Improvement Program Budget includes appropriated General Obligation (G.O.) Bond funding for the Downtown Command Center project, IT01008; and

WHEREAS, Architecture and Engineering funds are required to begin Phase 2 of the Downtown Command Center project and to support the architectural, engineering, design, and related professional services necessary for the continued development of the project; and

WHEREAS, Three Hundred Nineteen Thousand Dollars ($319,000.00) is available in the Other Cost expenditure category under Award 11426 and is needed in the Architecture and Engineering category to begin Phase 2 of the Downtown Command Center project; and

WHEREAS, it is therefore necessary to transfer Three Hundred Nineteen Thousand Dollars ($319,000.00) in appropriated funds within the Downtown Command Center project, IT01008, from Other Cost to Architecture and Engineering; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2027 Capital Improvement Program Budget be and is hereby amended by transferring Three Hundred Nineteen Thousand Dollars ($319,000.00) in General Obligation (G.O.) Bond funds within the Downtown Command Center project, IT01008, from Other Cost to Architecture and Engineering under Award 11426, as follows:

Project Title:	Downtown Command Center
Award:	11426
Project Number:	IT01008
Funding Source:	General Obligation (G.O.) Bond
Other Cost:	($319,000.00)
Architecture and Engineering:	$319,000.00

Docusign Envelope ID: E0E058D8-947E-8A5E-820A-B7F49A1B2451

CITY OF MEMPHIS

COUNCIL CAPITAL PROJECT INFORMATION SHEET

posted August 2026

DEPARTMENT INFORMATION

Department / Division: Memphis Police Deptment

Council Action Date: 10/20/2026

Receiving Project Name & Number: Downtown command Center- IT01008

COMPLETED BY CIP TEAM:

Transaction Number (P###): P041

FINANCIAL SNAPSHOT OF RECEIVING PROJECT

Allocation-To-Date: 3,800,000.00

Appropriation-To-Date: 3,676,545.46

Spend-To-Date: 2,646,256.56

Remaining Balance: 1,153743.44

Encumbrances / Committed Funds: 0

Contract(s) Attached? Yes: ☐ No: ☑

PURPOSE OF TRANSACTION

Transfer appropriated Fiscal Year 2027 General Obligation (G.O.) Bond funds within the Downtown Command Center project, IT01008, from Other Cost to Architecture and Engineering. Architecture and Engineering funds are required to begin Phase 2 of the Downtown Command Center project and support the necessary design and professional services for the next phase.

CIP TRANSFER AND/OR APPROPRIATION AMOUNT

Transferred / Appropriated Amount: $ 319,000.00

PROJECT STATUS & TIMELINE

Status: Active Start Date: _____ End Date: _____

ANTICIPATED ISSUES / RISKS

None, but timely approval is needed so A&E work required to begin phase 2 can proceed.


Solid Waste Update
Gemini Notebook

~180,000

Homes Serviced Citywide

380,000

Total Tons Collected Annually

200,000 MSW | 172,000 Vegetative & Construction | 8,000 Recyclables

578

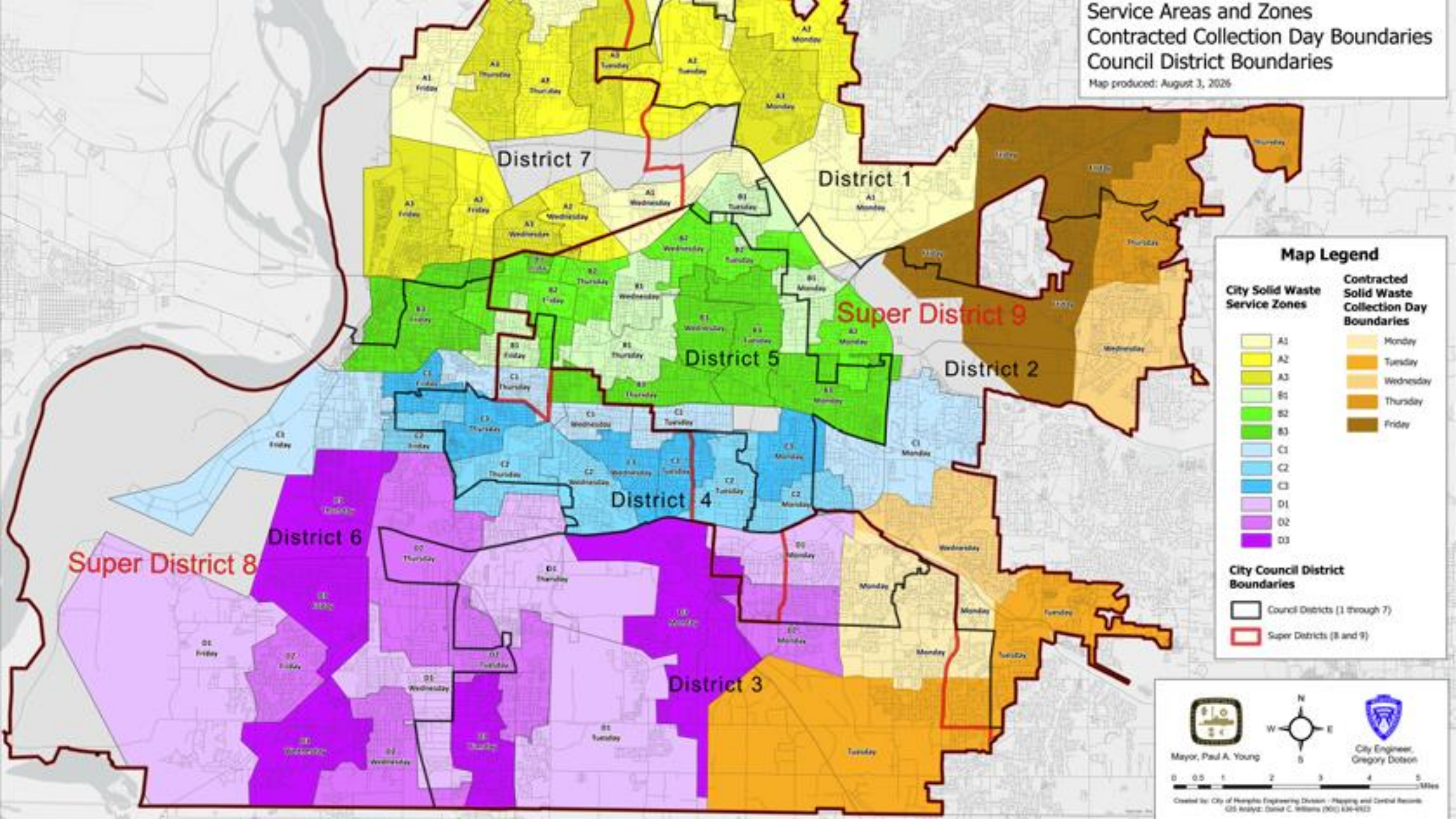
Active Headcount

Out of 628 total Solid Waste complement

424

Pieces of Rolling Stock

Gemini Notebook


Service Areas and Zones
Contracted Collection Day Boundaries
Council District Boundaries
Map produced: August 3, 2026
District 7
District 1
Super District 9
District 5
District 2
District 4
District 6
Super District 8
District 3
Map Legend
City Solid Waste Service Zones
A1
A2
A3
B1
B2
B3
C1
C2
C3
D1
D2
D3
Contracted Solid Waste Collection Day Boundaries
Monday
Tuesday
Wednesday
Thursday
Friday
City Council District Boundaries
Council Districts (1 through 7)
Super Districts (8 and 9)
Mayor, Paul A. Young
City Engineer, Gregory Dotson
N
W
E
S
0 0.5 1 2 3 4 5 Miles

Non-Carts

2,906

2,508 Over SLA

Ticket Counts by Type



Area A

180

129 Over SLA

Area B

420

342 Over SLA

Area C

505

399 Over SLA

Area D

1,501

1,393 Over SLA

Area E

251

196 Over SLA

Snapshot Date: 8/1/2026

Open Missed Bulk Trash Requests (Out of 2,022 Total)

Area D: 1,077 (53.3%)
Area C: 452 (22.4%)
Area B: 268 (13.2%)
Area E: 126 (6.2%)
Area A: 66 (3.3%)
Blank: 33 (1.6%)

* Data snapshot 8/1/2026



Area D has a large percentage of rental properties with a higher volume of tenant turnover and illegal dumping.

Gemini Notebook

CoM Public

Non-Carts

1,203

749 Over SLA

Ticket Counts by Type



Area A

50

1 Over SLA

Area B

359

278 Over SLA

Area C

257

168 Over SLA

Area D

161

57 Over SLA

Area E

327

198 Over SLA

Snapshot Date: 10/14/2026

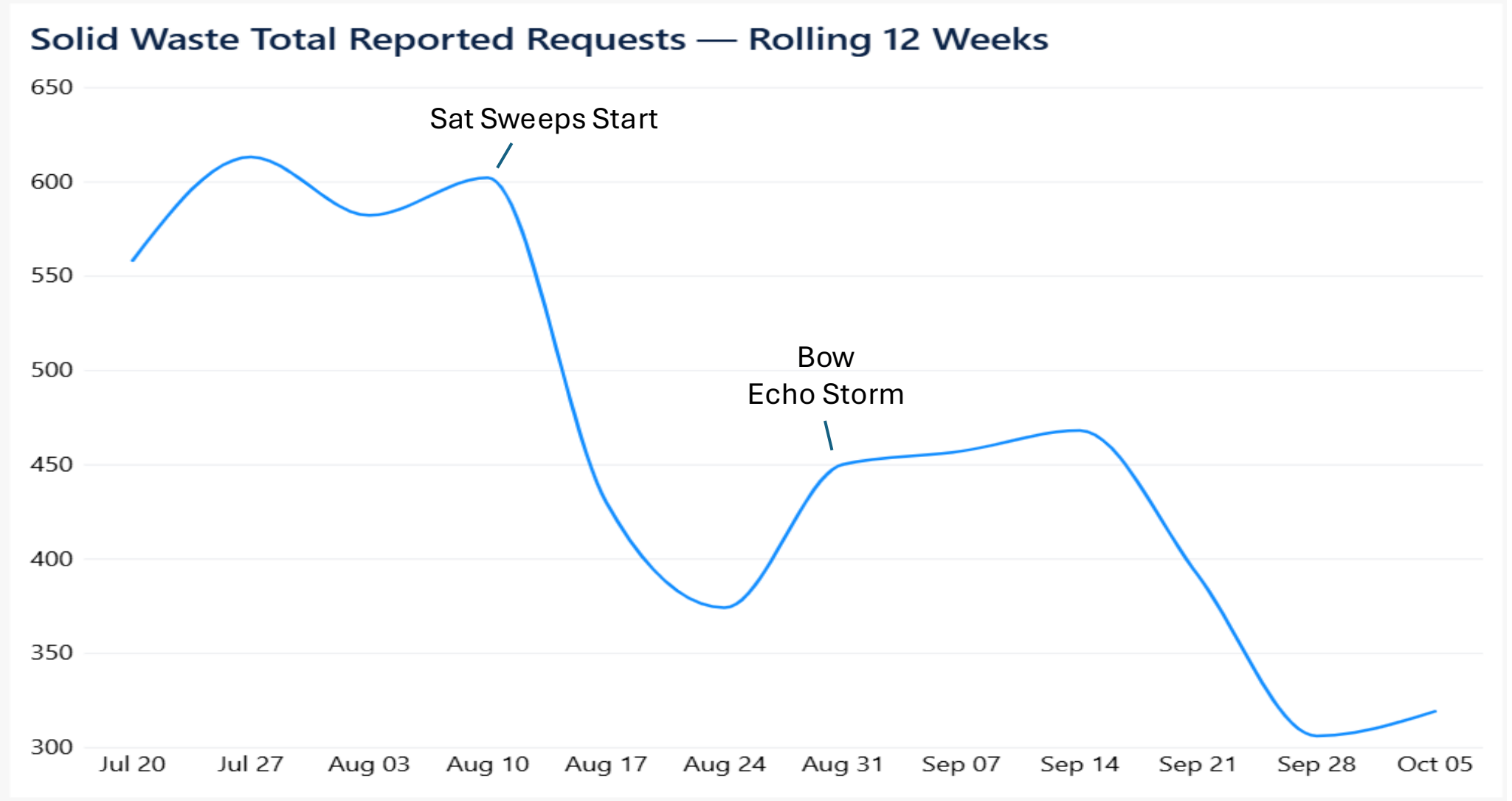

Sep 10, 2026 at 4:25:33 PM
1419–1455 Humber St
Memphis TN 38106
United States


Sep 11, 2026 10:58:18 AM
C.Champion





Solid Waste 311 Requests



Docusign Envelope ID: 2E31B3C2-D8AD-81E0-82B1-1C94179ACBA0

T-058

Memphis City Council Summary Sheet

(Revised January 28, 2026)

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

   Resolution to Amend the Fiscal Year 2027 General Fund, Solid Waste Management Fund, Sewer Treatment & Collections Fund, and Storm Water Fund Operating Budgets.

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

   Administration

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

   N/A

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

   Impacts all council districts and super districts.

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

   Not Applicable

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

   This is a Resolution to Amend the Fiscal Year 2027 General Fund, Solid Waste Management Fund, Sewer Treatment & Collections Fund, and Storm Water Fund Operating Budgets

7. **If same night minutes are requested, state the reason for the urgency.**

   N/A

Docusign Envelope ID: 2E31B3C2-D8AD-81E0-82B1-1C94179ACBA0

T-058

Resolution to Amend the Fiscal Year 2027 General Fund, Solid Waste Management Fund, Sewer Treatment & Collections Fund, and Storm Water Fund Operating Budgets

WHEREAS, the Memphis City Council adopted the fiscal year 2027 City of Memphis ("COM") budget on June 23, 2026 ("Budget"), which included a two (2) percent wage increase for all City of Memphis employees with an additional Two Thousand & 00/100 Dollars ($2,000.00) bonus allocated for employees who are AFSCME members; and

WHEREAS, prior to the adoption of the Budget, AFSCME requested a five (5) percent wage increase plus an additional Five Thousand & 00/100 Dollars ($5,000.00) bonus for AFSCME members as part of the COM impasse process on June 8, 2026; and

WHEREAS, discussions during the adoption of the Budget included 1) revisiting AFSCME's request in the first quarter of Fiscal Year 2027 ("FY27") to evaluate the feasibility of an additional wage increase; and 2) targeted wage increases for AFSCME employees; and

WHEREAS, funding appropriated in (1) the FY27 General Fund Adopted Budget contribution to fund balance; (2) the Solid Waste Management Fund; (3) the Sewer Treatment & Collections – Operating Fund; and (4) the Storm Water Fund is available to support the following targeted increases:

1. Increasing the base hourly wage for employees in the following positions to $22.00/hour:

Compliance Specialist	Office Support Clerk
Concrete Worker	Photo Lab Tech
Cook	Police Inventory Control Clerk
Court Rec Clerk Sr	Police Investigative Proc Spec B
Crewperson	Property Room Attendant
Custodian	Semiskilled Crewperson
Equipment Operator	Special Equipment Operator
Flagman Officer Spec	Traffic Counter
Maintenance Distribution Tech	Transcriptionist
Maintenance Tech	
Office Assistant	

2. Increasing the base hourly wage for employees in the following positions within COM's Solid Waste Division by 5%:

Solid Waste Crewchief	Solid Waste Crewperson
Solid Waste Maintenance Mechanic	Solid Waste Tractor Trailer Driver
Solid Waste Truck Driver	

3. Increasing the base hourly wage for employees in the following positions within COM's Solid Waste Division by 2%:

Docusign Envelope ID: 2E31B3C2-D8AD-81E0-82B1-1C94179ACBA0

T-058

Solid Waste Special Equipment Operator II; and

WHEREAS, funding for the aforementioned increases is being provided from the following sources

1. AFSCME targeted increases (General Fund) in the amount of $786,325, to be funded from a contribution from fund balance.
2. AFSCME targeted increases (Solid Waste Management Fund) in the amount of $1,460,149, to be funded from Solid Waste Fund balance.
3. AFSCME targeted increases (Sewer Treatment & Collections - Operating Fund) in the amount of $66,068, to be funded from Sewer Fund Balance.
4. AFSCME targeted increases (Storm Water Fund) in the amount of $94,933, to be funded from Storm Water Fund Balance;

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the Fiscal Year 2027 General Fund Operating Budget, the Solid Waste Management Fund, the Sewer Treatment & Collections-Operating Fund and the Storm Water Fund be amended in accordance with Tennessee Constitution Article 2 § 24, TCA § 9-1-116, Municipal Budget Law of 1982 in the amount of $2,407,475 for FY27.

BE IT FURTHER RESOLVED, that the Chief Financial Officer, Budget Office, and other appropriate City officials are authorized to make all necessary accounting, budgetary, administrative, technical, and fund-level adjustments required to implement the provisions of this Resolution and reflect such adjustments in the Fiscal Year 2027 Adopted Operating Budgets.

September 15, 2026

Docusign Envelope ID: 5E356666-9167-8342-825F-2ECCE1D1456D

Memphis City Council Summary Sheet

(Revised January 28, 2026)

1. **Description of the Item (Resolution, Ordinance, etc.)**
   A Resolution to Allocate and Appropriate Three Million Two Hundred Fifty-Nine Thousand and Two Hundred Eighty-Two Dollars ($3,259,282.00) in Data Center Revenues Collected During FY2026 to Nine Projects and Programs, in Accordance with the Community Benefit Ordinance Number 5953.

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

3. **State whether this is a change to an existing ordinance or resolution, if applicable.**
   Not applicable

4. **State whether this will impact specific council districts or super districts.**
   District 6 and Super District 8

5. **State whether this requires a new contract, or amends an existing contract, if applicable.**
   This will require new contracts for professional services, demolition, etc

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

7. **If same night minutes are requested, state the reason for the urgency.**
   Not Applicable

A Resolution to Allocate and Appropriate Three Million Two Hundred Fifty-Nine Thousand and Two Hundred Eighty-Two Dollars ($3,259,282.00) in Data Center Revenues Collected During FY2026 to Nine Projects and Programs, in Accordance with the Community Benefit Ordinance Number 5953.

WHEREAS, the Memphis City Council passed Ordinance No. 5953 on August 19, 2025, and it was executed by the Mayor of the City of Memphis on September 22, 2025 (the "Community Benefit Ordinance"); and

WHEREAS, the Community Benefit Ordinance restricts twenty-five percent (25%) of real and personal property tax revenues collected by the City on AI properties for the public purposes outlined therein, for the benefit of areas within a five-mile radius of said properties ("Public Purpose Amount"); and

WHEREAS, the Public Purpose Amount collected by the City of Memphis for Fiscal Year 2026 totals Three Million Two Hundred Fifty-Nine Thousand and Two Hundred Eighty-Two Dollars ($3,259,282.00);

WHEREAS, the full Public Purpose Amount collected for Fiscal Year 2026 is associated with the AI Property located on Paul R. Lowery Road as described in Exhibit A of the Community Benefit Ordinance, and shall be spent within the defined five-mile radius thereof and within the limits of the City of Memphis ("Investment Zone 1"); and

WHEREAS, input from residents and recommendations from the City Council's Advisory Committee informed the Administration's proposal for a set of nine (9) projects and programs aligned with those priorities and consistent with all requirements of the Community Benefit Ordinance; and

WHEREAS, all such projects and programs shall adhere to an "Add, Don't Replace" rule to ensure that the Public Purpose Amount scales and enhances services within Investment Zone 1 and does not supplant or replace funds directed to existing City services; and

WHEREAS, to implement the "Add, Don't Replace" rule, the current level of City services being provided in Investment Zone 1 shall be clearly documented and the additional work that the Public Service Amount will provide shall be clearly identified, including specifying any new activities, expansions of service levels, or enhancements made possible by these funds, and such documentation along with all related program activities shall be publicly reported on the Community Benefits website so that residents may understand how dollars are being spent and what additional work is being delivered; and

WHEREAS, of the Public Purpose Amount, $1,400,000.00 will support home repair assistance in Investment Zone 1 including critical repairs, weatherization, accessibility modifications, and other work addressing housing stability, indoor air quality and quality of life; and

WHEREAS, of the Public Purpose Amount, $500,000.00 will fund paid work opportunities for assistance with litter removal, beautification efforts, maintenance of public spaces, mitigation of illegal dumping, and neighborhood cleanup activities throughout Investment Zone 1; and

WHEREAS, of the Public Purpose Amount, $330,000.00 will support board-up and demolition of residential and commercial properties within Investment Zone 1, following all regulatory and legal prerequisites, to eliminate and prevent the recurrence of the backlog of such properties; and

WHEREAS, of the Public Purpose Amount, $300,000.00 will be invested in mitigating and remediating blight within Investment Zone 1, including installing trash receptacles at high-litter locations, installing cameras at illegal dumping sites, and contracted services for litter removal, cleanup of public rights-of-way, removal of dumped items, and maintenance of vacant lots; and

WHEREAS, of the Public Purpose Amount, $75,000.00 will be designated for Memphis City Beautiful to increase volunteer, neighborhood, and community beautification activities in Investment Zone 1and to acquire and transport tools, supplies, and safety equipment for use by volunteers in such efforts; and

WHEREAS, of the Public Purpose Amount, $100,000.00 will be dedicated to environmental education, to expand public knowledge of environmental hazards, public health impacts, energy efficiency, responsible resource stewardship, and other environmental topics; and

WHEREAS, of the Public Purpose Amount, $100,000.00 will support environmental monitoring efforts, including air quality, within Investment Zone 1, such efforts to be supplemental to and not a duplication of the Shelby County Air Monitoring Program; and

WHEREAS, of the Public Purpose Amount, $20,000.00 will be designated for the acquisition and distribution of window air conditioners, box fans, HVAC filters, and air purifiers to assist residents within Investment Zone 1 with immediate cooling relief and indoor air quality concerns;

WHEREAS, the remaining $434,282.00 will fund grants to non-governmental organizations for the general welfare of City residents in Investment Zone 1, to include organizations providing public safety and community-based services in Investment Zone 1 such as violence prevention and intervention, youth mentoring, after-school programming, workforce

development, conflict resolution, post-incarceration re-entry support, food assistance, neighborhood watch programs, and other community concerns, with a minimum of $50,000.00 specifically dedicated to healthcare-focused organizations; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the sum total of Three Million Two Hundred Fifty-Nine Thousand and Two Hundred Eighty-Two Dollars ($3,259,282.00) in revenues collected in accordance with Ordinance 5953 during Fiscal Year 2026 is hereby allocated and appropriated for the purposes and in the amounts described above, and that the FY2027 Budget shall be amended accordingly.

Docusign Envelope ID: 5E356666-9167-8342-825F-2ECCE1D1456D

Memphis City Council Summary Sheet

(Revised January 28, 2026)

1. **Description of the Item (Resolution, Ordinance, etc.)**
   A Resolution to Allocate and Appropriate Three Million Two Hundred Fifty-Nine Thousand and Two Hundred Eighty-Two Dollars ($3,259,282.00) in Data Center Revenues Collected During FY2026 to Nine Projects and Programs, in Accordance with the Community Benefit Ordinance Number 5953.

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

3. **State whether this is a change to an existing ordinance or resolution, if applicable.**
   Not applicable

4. **State whether this will impact specific council districts or super districts.**
   District 6 and Super District 8

5. **State whether this requires a new contract, or amends an existing contract, if applicable.**
   This will require new contracts for professional services, demolition, etc

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

7. **If same night minutes are requested, state the reason for the urgency.**
   Not Applicable

A Resolution to Allocate and Appropriate Three Million Two Hundred Fifty-Nine Thousand and Two Hundred Eighty-Two Dollars ($3,259,282.00) in Data Center Revenues Collected During FY2026 to Nine Projects and Programs, in Accordance with the Community Benefit Ordinance Number 5953.

WHEREAS, the Memphis City Council passed Ordinance No. 5953 on August 19, 2025, and it was executed by the Mayor of the City of Memphis on September 22, 2025 (the "Community Benefit Ordinance"); and

WHEREAS, the Community Benefit Ordinance restricts twenty-five percent (25%) of real and personal property tax revenues collected by the City on AI properties for the public purposes outlined therein, for the benefit of areas within a five-mile radius of said properties ("Public Purpose Amount"); and

WHEREAS, the Public Purpose Amount collected by the City of Memphis for Fiscal Year 2026 totals Three Million Two Hundred Fifty-Nine Thousand and Two Hundred Eighty-Two Dollars ($3,259,282.00);

WHEREAS, the full Public Purpose Amount collected for Fiscal Year 2026 is associated with the AI Property located on Paul R. Lowery Road as described in Exhibit A of the Community Benefit Ordinance, and shall be spent within the defined five-mile radius thereof and within the limits of the City of Memphis ("Investment Zone 1"); and

WHEREAS, input from residents and recommendations from the City Council's Advisory Committee informed the Administration's proposal for a set of nine (9) projects and programs aligned with those priorities and consistent with all requirements of the Community Benefit Ordinance; and

WHEREAS, use of the Public Purpose Amount shall be limited as outlined in the Community Benefit Ordinance such that City will utilize the Public Purpose Amount for public projects that address any impact to those areas of the City located in close proximity to an AI property, as defined in the Community Benefit Ordinance; and

WHEREAS, for purposes of this resolution, the Public Purpose Amount will scale and enhance services within Investment Zone 1 and will not supplant or replace funds that would otherwise be committed to existing services provided by the City of Memphis; and

WHEREAS, of the Public Purpose Amount, $1,400,000.00 will support home repair assistance in Investment Zone 1 including critical repairs, weatherization, accessibility

modifications, and other work addressing housing stability, indoor air quality and quality of life; and

WHEREAS, of the Public Purpose Amount, $500,000.00 will fund paid work opportunities for assistance with litter removal, beautification efforts, maintenance of public spaces, mitigation of illegal dumping, and neighborhood cleanup activities throughout Investment Zone 1; and

WHEREAS, of the Public Purpose Amount, $330,000.00 will support board-up and demolition of residential and commercial properties within Investment Zone 1, following all regulatory and legal prerequisites, to eliminate and prevent the recurrence of the backlog of such properties; and

WHEREAS, of the Public Purpose Amount, $300,000.00 will be invested in mitigating and remediating blight within Investment Zone 1, including installing trash receptacles at high-litter locations, installing cameras at illegal dumping sites, and contracted services for litter removal, cleanup of public rights-of-way, removal of dumped items, and maintenance of vacant lots; and

WHEREAS, of the Public Purpose Amount, $75,000.00 will be designated for Memphis City Beautiful to increase volunteer, neighborhood, and community beautification activities in Investment Zone 1and to acquire and transport tools, supplies, and safety equipment for use by volunteers in such efforts; and

WHEREAS, of the Public Purpose Amount, $100,000.00 will be dedicated to environmental education, to expand public knowledge of environmental hazards, public health impacts, energy efficiency, responsible resource stewardship, and other environmental topics; and

WHEREAS, of the Public Purpose Amount, $100,000.00 will support environmental monitoring efforts, including air quality, within Investment Zone 1, such efforts to be supplemental to and not a duplication of the Shelby County Air Monitoring Program; and

WHEREAS, of the Public Purpose Amount, $20,000.00 will be designated for the acquisition and distribution of window air conditioners, box fans, HVAC filters, and air purifiers to assist residents within Investment Zone 1 with immediate cooling relief and indoor air quality concerns;

WHEREAS, the remaining $434,282.00 will fund grants to non-governmental organizations for the general welfare of City residents in Investment Zone 1, to include organizations providing public safety and community-based services in Investment Zone 1 such as violence prevention and intervention, youth mentoring, after-school programming, workforce development, conflict resolution, post-incarceration re-entry support, food assistance,

neighborhood watch programs, and other community concerns, with a minimum of $50,000.00 specifically dedicated to healthcare-focused organizations; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the sum total of Three Million Two Hundred Fifty-Nine Thousand and Two Hundred Eighty-Two Dollars ($3,259,282.00) in revenues collected in accordance with Ordinance 5953 during Fiscal Year 2026 is hereby allocated and appropriated for the purposes and in the amounts described above, and that the FY2027 Budget shall be amended accordingly.

Docusign Envelope ID: FDE500CA-A96B-8B51-8394-BCB4440C39D7

Memphis City Council Summary Sheet

(Revised January 28, 2026)

1. **Description of the Item (Resolution, Ordinance, etc.)**
   A Resolution to Accept, Allocate and Appropriate Five Hundred Thousand Dollars ($500,000.00) in Grant Funds Received from the Tennessee Department of Environment and Conservation (TDEC) for the Design and Construction of Memphis Zoo Pervious Pavement Project.
2. **Initiating Party (e.g. Public Works, at request of City Council, etc.)**
   Engineering

3. **State whether this is a change to an existing ordinance or resolution, if applicable.**
   N/A
4. **State whether this will impact specific council districts or super districts.**
   The project is in Council District 5, and Super District 9.

5. **State whether this requires a new contract, or amends an existing contract, if applicable.**
   No
6. **State whether this requires an expenditure of funds/requires a budget amendment.**
   Expenditure of funding will be required.
7. **If same night minutes are requested, state the reason for the urgency.**
   Requesting same night minutes to expedite grant acceptance.

Docusign Envelope ID: FDE500CA-A96B-8B51-8394-BCB4440C39D7

A Resolution to Accept, Allocate and Appropriate Five Hundred Thousand Dollars ($500,000.00) in Grant Funds Received from the Tennessee Department of Environment and Conservation (TDEC) for the Design and Construction of Memphis Zoo Pervious Pavement Project.

WHEREAS, the City of Memphis Division of Engineering has received grant funds in the amount of Five Hundred Thousand Dollars ($500,000.00) from the Tennessee Department of Environment and Conservation; and;

WHEREAS, the City of Memphis and the Tennessee Department of Environment and Conservation have executed a governmental grant agreement providing funding for the Memphis Zoo Pervious Pavement Project; and

WHEREAS, these funds will be used to design and construct the Memphis Zoo Pervious Pavement project, CIP Project Number (TBD) which will replace a minimum of 4,000 square yards of existing asphalt pavement with pervious pavement to reduce stormwater runoff into Lick Creek; and

WHEREAS, it is necessary to accept these grant funds and amend the Fiscal Year 2027 Capital Improvement Budget to establish funds for the Memphis Zoo Pervious Pavement project; and;

WHEREAS, it is necessary to allocate and appropriate the grant funds in the amount of Five Hundred Thousand Dollars ($500,000.00) for the Memphis Zoo Pervious Pavement project.;

NOW, THEREFORE, BE IT RESOLVED, that City of Memphis hereby accepts federal grant funding in the amount of Five Hundred Thousand Dollars ($500,000.00) from the Tennessee Department of Environment and Conservation; and

BE IT FURTHER RESOLVED, that the Fiscal Year 2027 Capital Improvement Budget is hereby amended to allocate and appropriate Five Hundred Thousand Dollars ($500,000.00) in grant revenue from the Tennessee Department of Environment and Conservation and corresponding expenditures for the Memphis Zoo Pervious Pavement Project, CIP Project Number (TBD), as follows:

Revenue	
TDEC OSG (Grant Funding)	$500,000.00
Expenditures	**$500,000.00**
Contract A&E	$57,500.00
Contract Construction	$442,500.00

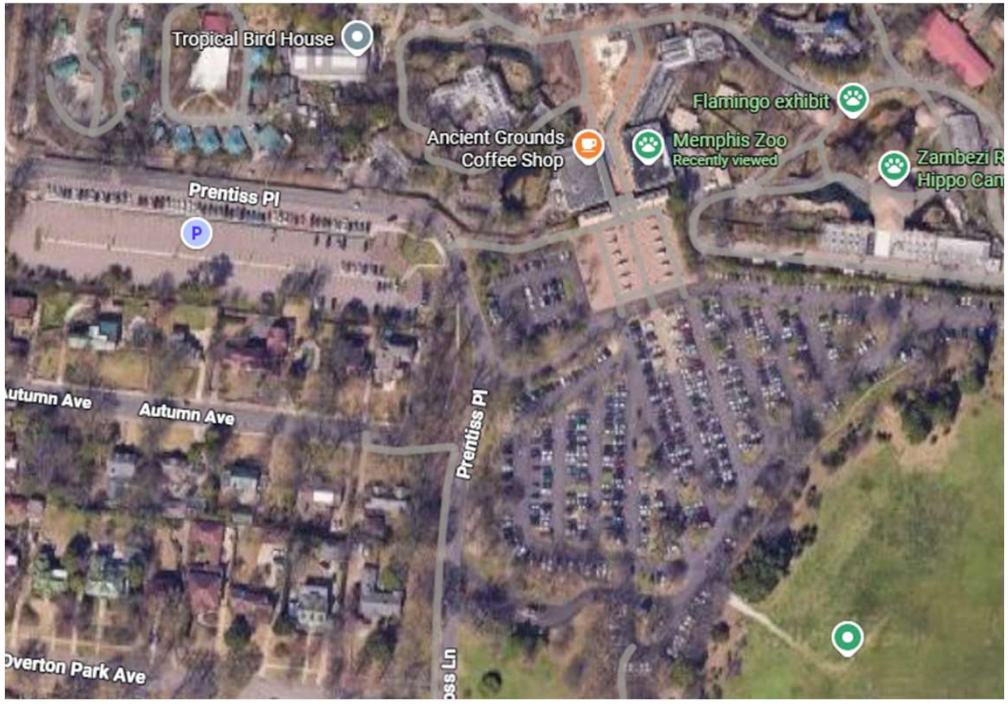
Resolution to Accept Grant

A Resolution to Accept, Allocate and Appropriate Five Hundred Thousand Dollars ($500,000.00) in Grant Funds Received from the Tennessee Department of Environment and Conservation (TDEC) for the Design and Construction of Memphis Zoo Pervious Pavement Project. Sponsored by the Division of Engineering. **Council District 5. Super District 9.** (Request for Same Night Minutes)

- **Division:** Engineering
- **Name of Grantor:** Tennessee Department of Environmental Conservation
- **Funding Amount:** $ 500,000
- **Award Duration:** December 18th, 2024 to January 1st, 2028
- **Award Type:** Federal Grants Other
- **Plain Language Description:** Funding to design and construction a stormwater friendly parking lot at the Memphis Zoo
- **Impact:** Grant will be for the design and construction of pervious pavement to replace a minimum of 4,000 square yards of asphalt pavement at the Memphis Zoo to reduce stormwater runoff into Lick Creek.
- **Use of Funds:** $500,000 ($57, 500 (A&E) and $442,500 (Construction))

City of MEMPHIS ENGINEERING

Memphis Zoo Pervious Pavement Project



Revenue:

- TDEC Grant: $ 500,000.00

Expenditures:

- Contract A&E: $ 57,500.00
- Contract Construction: $ 442,500.00



City of MEMPHIS ENGINEERING

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH A FRAMEWORK FOR THE CREATION AND STATE APPROVAL OF A NONPROFIT COMMUNITY BENEFIT AGENCY; TO AUTHORIZE COORDINATION BETWEEN THE CITY OF MEMPHIS AND THE STATE OF TENNESSEE FOR THE LAWFUL RECEIPT, ADMINISTRATION, AND DISTRIBUTION OF DATA CENTER COMMUNITY-BENEFIT FUNDING; TO PROVIDE FOR COMMUNITY REPRESENTATION, FINANCIAL ACCOUNTABILITY, AND PUBLIC OVERSIGHT; AND TO PROVIDE FOR RELATED PURPOSES.

WHEREAS, the City of Memphis recognizes the significant economic development opportunities associated with the establishment, operation, and expansion of data centers and other large-scale technology infrastructure within the City; and

WHEREAS, the City recognizes the importance of ensuring that economic development associated with data centers produces measurable and sustained benefits for Memphis residents, neighborhoods, small businesses, and community-serving organizations; and

WHEREAS, the City seeks to establish a transparent and accountable framework through which eligible community-benefit contributions from data center operators and other participating entities may be received, administered, and distributed for authorized public and community purposes; and

WHEREAS, the City recognizes that the establishment and operation of a nonprofit community benefit agency, including its authority to receive, administer, or distribute public funds, must comply with applicable provisions of the Tennessee Constitution, the Charter of the City of Memphis, Tennessee law, and applicable federal law; and

WHEREAS, the City intends to coordinate with the State of Tennessee and other appropriate governmental authorities to determine the legal structure, approvals, registrations, and statutory authority necessary to establish and operate such an agency; and

WHEREAS, the City recognizes the importance of ensuring that community-benefit funding is administered in a manner that promotes transparency, equitable access, fiscal responsibility, meaningful community participation, and measurable public benefit; and

WHEREAS, the City Council finds that the development of a legally authorized Community Benefit Agency framework warrants formal evaluation and coordination among the City administration, the City Attorney, appropriate state authorities, data center operators, and affected communities;

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

SECTION 1. PURPOSE AND INTENT.

The purpose of this Ordinance is to establish a municipal framework for developing a nonprofit Community Benefit Agency to facilitate the lawful receipt, administration, management, and distribution of eligible community-benefit funding associated with data centers operating or proposed to operate within the City of Memphis.

The intent of this Ordinance is to:

(a) Establish a process for creating or designating an eligible nonprofit organization to serve as the Memphis Community Benefit Agency;

(b) Provide for coordination with the State of Tennessee to obtain any approvals, registrations, or additional statutory authorization required for the Agency's proposed functions;

(c) Establish a lawful mechanism through which eligible private contributions, grants, and other authorized funding may support community-benefit programs;

(d) Provide a framework for administering and distributing funding for approved community purposes;

(e) Establish appropriate financial controls, public reporting, community representation, and accountability requirements; and

(f) Ensure that the Agency operates within the authority granted by applicable law and any agreements approved by the City.

SECTION 2. PROPOSED ESTABLISHMENT OF THE MEMPHIS COMMUNITY BENEFIT AGENCY.

(a) The City of Memphis hereby authorizes the development of a framework for establishing a nonprofit organization to be known as the Memphis Community Benefit Agency, hereinafter referred to as the "Agency."

(b) The Agency shall be organized or designated under a legal structure approved by the appropriate authorities and determined to be permissible under Tennessee law.

(c) The Agency may be established as an independent nonprofit corporation or through another lawful organizational structure approved following review by the City Attorney and consultation with appropriate state authorities.

(d) The Agency shall not exercise governmental powers, impose mandatory assessments, collect municipal taxes, or control public funds except to the extent expressly authorized by applicable law and any duly approved agreement.

(e) Nothing in this Ordinance shall be construed to establish the Agency as a department, division, or instrumentality of the City unless such status is separately authorized by law and expressly established through the appropriate legal process.

SECTION 3. COORDINATION WITH THE STATE OF TENNESSEE.

(a) The Mayor, or the Mayor's designee, is hereby authorized and directed to coordinate with the City Attorney and appropriate state agencies to determine the legal requirements for establishing and operating the Agency.

(b) Such coordination shall include, as applicable:

1. Determining the requirements for incorporation or other lawful establishment of the Agency under Tennessee law;

2. Determining whether additional state authorization is required for the Agency to perform its proposed functions;

3. Determining the requirements applicable to the Agency's receipt and administration of private contributions, grants, and authorized public funds;

4. Determining whether the Agency may lawfully administer or distribute funds associated with existing or future municipal community-benefit programs;

5. Determining whether any proposed transfer, appropriation, grant, or contractual payment to the Agency requires additional legislative approval, public notice, reporting, or audit procedures; and

6. Identifying any additional state legislation or other governmental approvals necessary to implement the intended funding mechanism.

(c) If the City Attorney determines that the Agency's proposed functions require additional state legislation or authorization, the Mayor and appropriate City officials are authorized to prepare recommendations for consideration by the City Council and submission to the appropriate state authorities.

(d) Nothing in this Section shall be construed to represent that the State of Tennessee has approved the Agency or that any state approval is guaranteed.

SECTION 4. COMMUNITY-BENEFIT FUNDING SOURCES.

Subject to applicable law, the Agency may be authorized to receive or administer funding from the following sources:

(a) Voluntary financial contributions made by data center operators, owners, developers, or affiliated entities pursuant to written agreements;

(b) Corporate community investment contributions designated for eligible community-benefit purposes;

(c) Grants and contributions from foundations, charitable organizations, philanthropic entities, and other eligible private sources;

(d) Grants or other funding awarded by federal, state, county, or municipal governmental entities, where permitted by applicable law and the terms of the applicable award;

(e) Municipal appropriations, grants, or contractual payments that have been separately authorized and approved in accordance with applicable law; and

(f) Other lawful funding sources consistent with the Agency's approved purposes.

All funding arrangements shall identify the source of funds, permitted uses, applicable restrictions, reporting requirements, and any conditions governing disbursement.

No provision of this Ordinance shall be construed to impose a tax, fee, assessment, or mandatory financial contribution upon any data center operator without independent legal authority.

SECTION 5. MUNICIPAL COORDINATION AND AUTHORIZATION.

(a) The City is authorized to evaluate and develop lawful agreements with the Agency for the administration, implementation, or support of eligible community-benefit programs.

(b) Any agreement involving municipal funds, municipal property, public revenue, or the administration of a City program shall be subject to review by the City Attorney and approval by the officials or legislative body required under the City Charter and applicable law.

(c) The City shall determine whether existing community-benefit programs, grants, appropriations, or other authorized funding mechanisms may lawfully be administered in whole or in part through the Agency.

(d) No municipal funds shall be transferred to the Agency solely by virtue of this Ordinance. Any such transfer must be supported by an independent lawful funding mechanism and the necessary appropriation, agreement, approval, or other authorization.

(e) Where required by law, the City shall retain appropriate oversight over the expenditure of public funds and shall ensure that all applicable financial reporting, public inspection, and audit requirements are satisfied.

(f) Nothing in this Ordinance shall be interpreted as transferring taxing authority, governmental regulatory authority, or the City's legislative powers to the Agency.

SECTION 6. AUTHORIZED COMMUNITY-BENEFIT PURPOSES.

Subject to the terms of each funding source and applicable law, funds administered through the Agency may support the following purposes:

(a) Neighborhood revitalization and eligible community improvement projects;

(b) Workforce development, technical education, apprenticeships, and employment preparation;

(c) Small-business development, entrepreneurship, and access to economic opportunities;

(d) Youth development, educational programming, and technology training;

(e) Housing stability and eligible neighborhood stabilization initiatives;

(f) Environmental monitoring, environmental education, and eligible projects addressing community impacts associated with industrial and technology infrastructure;

(g) Public health education and eligible community health initiatives;

(h) Public safety and community resilience programs;

(i) Capacity building and operational support for eligible nonprofit organizations serving Memphis residents; and

(j) Other lawful charitable, educational, economic development, or community purposes approved in accordance with the Agency's governing documents and applicable funding requirements.

The Agency shall establish written eligibility standards and procedures for evaluating applications and selecting funded projects.

No applicant shall be guaranteed funding solely because the applicant operates within a particular neighborhood or geographic area.

SECTION 7. GOVERNANCE AND COMMUNITY REPRESENTATION.

(a) The Agency shall adopt governing documents establishing its mission, organizational structure, board responsibilities, decision-making procedures, and financial accountability requirements.

(b) To the extent permitted by its legal structure, the Agency shall provide for meaningful representation of Memphis communities affected by data center development.

(c) The Agency shall consider appropriate representation from community-based organizations, neighborhood leaders, workforce development organizations, small-business interests, and individuals with relevant financial, legal, environmental, or economic development expertise.

(d) Board members and officers shall comply with written conflict-of-interest policies and shall disclose material financial or organizational interests relating to proposed funding decisions.

(e) No board member, officer, employee, or related entity shall receive an improper personal benefit from the Agency's funding decisions.

(f) The Agency shall establish a process for public input concerning community priorities and proposed funding initiatives.

(g) The Agency's governance structure shall not displace the authority of the Memphis City Council or other governmental bodies established by law.

SECTION 8. FINANCIAL MANAGEMENT, REPORTING, AND AUDIT.

(a) The Agency shall maintain accurate books, records, and accounts documenting all receipts, expenditures, grants, contracts, and other financial transactions.

(b) Funds subject to specific donor, grant, contractual, or statutory restrictions shall be separately accounted for and used only for authorized purposes.

(c) The Agency shall prepare an annual report identifying, to the extent permitted by law and consistent with applicable privacy requirements:

1. The amount of funding received by source;

2. The amounts allocated and disbursed;

3. The programs and projects supported;

4. The organizations receiving grants or other assistance;

5. The administrative expenses incurred;

6. The outcomes and community benefits achieved; and

7. Any material findings arising from required audits or financial reviews.

(d) The Agency shall comply with all applicable audit, financial reporting, and public disclosure requirements.

(e) Any nonprofit organization receiving municipal financial assistance shall comply with applicable Tennessee law, including statutory reporting and audit requirements where applicable.

(f) The City may require additional reporting, financial controls, performance measures, or audit provisions through any agreement entered into with the Agency, to the extent permitted by law.

(g) The Agency shall maintain written procurement, grant-selection, record-retention, and financial approval procedures appropriate to the nature and amount of the funds it administers.

SECTION 9. IMPLEMENTATION PLAN.

(a) Within ninety (90) days after the effective date of this Ordinance, or within such additional time as may be reasonably necessary, the Mayor or the Mayor's designee shall coordinate with the City Attorney and appropriate City departments to prepare an implementation report.

(b) The implementation report shall address:

1. The proposed legal structure of the Agency;

2. Applicable state incorporation, registration, and authorization requirements;

3. Any federal tax-exempt recognition sought by the Agency;

4. The legal mechanisms available for receiving private data center contributions;

5. The legal mechanisms available for receiving or administering authorized public funds;

6. Potential agreements with data center operators and other funding partners;

7. Financial oversight, auditing, and reporting requirements;

8. A proposed governance and community representation structure;

9. Estimated administrative costs and potential funding sources; and

10. Any recommended amendments to this Ordinance or proposed state legislation.

(c) The implementation report shall be submitted to the Mayor and City Council for review and any further action deemed appropriate.

(d) The submission of the implementation report shall not itself authorize the transfer of public funds or the commencement of any activity requiring separate governmental approval.

SECTION 10. AGREEMENTS WITH DATA CENTER OPERATORS.

(a) Subject to applicable law, the City may evaluate agreements with data center operators, owners, developers, or affiliated entities concerning voluntary community-benefit contributions.

(b) Any such agreement shall identify the contributing entity, contribution amount or method of calculation, payment schedule, permitted uses, reporting requirements, and other material terms.

(c) Agreements involving public funds, municipal property, public incentives, or other governmental commitments shall receive the legal and administrative approvals required by applicable law.

(d) Nothing in this Section shall be construed to authorize the City to impose a contribution requirement that is otherwise prohibited by law.

(e) No agreement shall supersede applicable environmental, public safety, land use, utility, or other regulatory requirements.

SECTION 11. PUBLIC TRANSPARENCY AND COMMUNITY PARTICIPATION.

(a) The Agency shall establish a process for receiving public input concerning its funding priorities and community-benefit programs.

(b) The Agency shall publish its annual report and other information required by law or by agreement with the City.

(c) Where permitted by law, the Agency shall provide public access to information concerning funding awards, program outcomes, and financial accountability.

(d) The Agency shall establish procedures for receiving and reviewing complaints regarding funding decisions, financial management, conflicts of interest, or compliance with its governing documents.

(e) Nothing in this Section shall be construed to exempt any record, meeting, transaction, or entity from a public records, open meetings, or disclosure requirement that otherwise applies under law.

SECTION 12. NO AUTOMATIC APPROPRIATION OR TRANSFER OF PUBLIC FUNDS.

(a) This Ordinance does not, by itself, appropriate money from the City treasury or authorize the transfer of municipal tax revenue to the Agency.

(b) Any municipal appropriation or transfer shall be made only pursuant to applicable law, an approved budget or appropriation, and all required legislative and administrative approvals.

(c) The City shall determine whether any proposed appropriation or financial assistance is subject to Tennessee Code Annotated § 6-54-111 or any other applicable statutory requirements.

(d) No provision of this Ordinance shall be construed to alter the legal ownership, allocation, or disposition of existing tax revenue or other public funds.

(e) The Agency shall have no independent authority to levy or collect taxes or compulsory assessments.

SECTION 13. COMPLIANCE WITH APPLICABLE LAW.

The Agency and all agreements, grants, and transactions undertaken pursuant to this Ordinance shall comply with applicable federal law, Tennessee law, the Charter of the City of Memphis, applicable City ordinances, and any lawful conditions imposed upon the receipt or use of funds.

If any proposed function of the Agency requires additional statutory authority or governmental approval, that function shall not commence until the required authority or approval has been obtained.

SECTION 14. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining provisions, which shall remain in full force and effect.

SECTION 15. IMPLEMENTING AUTHORITY.

The Mayor, the City Attorney, and appropriate City departments are authorized to take administrative actions consistent with this Ordinance to evaluate, develop, and implement the proposed Community Benefit Agency framework, subject to applicable law and any additional approvals required by the City Charter or other governing authority.

Any agreement requiring City Council approval shall be submitted to the Council in accordance with applicable procedures.

SECTION 16. EFFECTIVE DATE.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this Ordinance shall take effect from and after the date it has been 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.

SPONSOR(S): __Dr Jeff Warren, _____

CHAIRMAN OF THE COUNCIL: _____

MAYOR: _____

DATE OF PASSAGE: _____

REQUEST FOR LEGISLATIVE ASSISTANCE

City of Memphis, Tennessee

Request to the Tennessee General Assembly for Enabling Legislation Authorizing Data Center Community Benefit Agencies

Proposed correspondence for the Mayor and Memphis City Council

CITY OF MEMPHIS, TENNESSEE
Date: October 12, 2026
To: Members of the Shelby County Legislative Delegation
Tennessee General Assembly
Nashville, Tennessee

Subject: Request for Legislative Assistance to Establish a Data Center Community Benefit Agency and Authorize Community Investment Funding

Dear Members of the Shelby County Legislative Delegation:
The City of Memphis respectfully requests your assistance in developing and sponsoring Tennessee legislation that would authorize Memphis and other eligible municipalities to establish or designate a Data Center Community Benefit Agency.
The purpose of this proposal is to establish a lawful, transparent, and accountable mechanism through which qualifying data center development can contribute to identified public needs, including infrastructure improvements, youth employment, after-school programming, housing rehabilitation, affordable housing, parks, and neighborhood revitalization.
Memphis is evaluating regulatory measures governing the development and operation of large-scale data centers. The City Council's proposed Ordinance No. 5986, sponsored by Councilman Jeff Warren, addresses data center siting and operational standards, including water conservation, cooling systems, electricity sources, public disclosure, and enforcement.
We believe a complementary community-benefit funding framework merits consideration. Its purpose would be to address community priorities through an authorized funding mechanism that is separate from the City's regulatory standards and from costs that data center operators must bear under applicable utility and infrastructure laws.

Requested Legislative Action
We respectfully request that the Tennessee General Assembly consider legislation expressly authorizing eligible municipalities to establish or designate a Data Center Community Benefit Agency with authority to receive, administer, and distribute qualifying contributions.
We request that the legislation provide three potential funding structures for consideration.

Option One: Mandatory Megawatt-Based Contributions
Authorize a contribution calculated according to a defined measure of qualifying electrical demand at eligible data centers, with the applicable threshold, rate, measurement method, reporting requirements, and enforcement procedures established by state law.

Option Two: Community-Benefit Agreements Associated with Expedited Permitting

Authorize municipalities, where legally appropriate, to enter into written community-benefit agreements with qualifying data center developers in connection with a lawful expedited review process. Such agreements would identify authorized contributions, eligible public purposes, reporting requirements, and enforcement provisions.
Any such arrangement must preserve mandatory regulatory standards, public participation, and independent decision-making on permit applications.

Option Three: Hybrid Funding Structure
Authorize a combination of a legislatively approved baseline contribution and additional negotiated community-benefit commitments, provided that each component is separately authorized, transparently documented, and administered in accordance with state law.

We ask that the General Assembly determine which structures may be implemented and establish clear statutory requirements for each authorized approach.
Proposed Community-Benefit Agency Responsibilities
The proposed agency would administer funds for approved public purposes and would be subject to public accountability requirements.
Potential responsibilities would include:
● Receiving and accounting for authorized contributions.
● Establishing an annual community-benefit distribution plan.
● Evaluating eligible public and nonprofit projects.
● Distributing funds to authorized municipal departments and qualifying community organizations.
● Publishing annual financial and performance reports.
● Maintaining independent audits and conflict-of-interest safeguards.
● Ensuring that funds are used only for authorized public purposes.

Proposed Community Investment Priorities
We request authority for the agency to support projects and programs including:
1. Street paving, resurfacing, sidewalk repair, and neighborhood infrastructure.
2. Replacement of aging municipal vehicles and essential public-service equipment.
3. Park improvements, playgrounds, recreation facilities, and neighborhood beautification.
4. Youth employment, paid internships, apprenticeships, and career-readiness programs.
5. After-school academic support, tutoring, mentoring, and youth enrichment.
6. Roof repairs and essential home rehabilitation for eligible low-income homeowners.
7. Affordable housing development, preservation, and rehabilitation.
8. Workforce training and technical education.
9. Community facilities and neighborhood revitalization.
10. Other authorized public purposes identified through a transparent community-needs assessment.

The City intends that distributions be guided by documented public needs, objective eligibility standards, public participation, and measurable results.
Relationship to Existing Tennessee Law
We recognize that the General Assembly enacted Public Chapter 961 of 2026 concerning the allocation of electrical infrastructure costs associated with data centers.

Accordingly, we request that the proposed legislation expressly distinguish community-benefit contributions from electrical infrastructure costs, utility service charges, and other obligations governed by existing law.
The legislation should not authorize costs to be transferred to residential customers, unrelated commercial or industrial customers, or other parties where such transfers are prohibited by Tennessee law.
We also request a legal framework that clearly addresses the relationship between community-benefit agreements and expedited permitting, including safeguards against unauthorized fees, improper permit conditions, and any arrangement that would undermine required regulatory review.

Request for Legislative Assistance
We respectfully request that members of the Shelby County legislative delegation:
1. Designate a legislative sponsor to work with Memphis officials on this proposal.
2. Consult with the Tennessee Attorney General's Office, legislative counsel, and appropriate state agencies regarding the necessary statutory authority.
3. Assist in preparing and introducing a bill authorizing municipal Data Center Community Benefit Agencies.
4. Review the three proposed funding structures and identify the statutory conditions under which each could be implemented.
5. Work with Memphis officials to establish appropriate accountability, reporting, and enforcement provisions.
6. Consider whether the resulting authority should apply to Memphis alone or to other eligible Tennessee municipalities.
7. Coordinate the proposed legislation with existing Tennessee laws governing utilities, municipal authority, development fees, and data center infrastructure.
We would welcome an opportunity to meet with members of the delegation and their legislative staff to discuss the proposed framework and provide the accompanying draft municipal ordinance and proposed state legislation.
Our objective is to establish a lawful mechanism through which data center development can coexist with responsible public planning and transparent investment in community priorities.
Thank you for your consideration and assistance.

Respectfully,
Mayor and City Council of Memphis, Tennessee
Proposed correspondence for review, approval, and signature by the appropriate City officials.