Memphis City Council Summary Sheet

(Revised January 28, 2026)

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

Resolution approving the Gooch Park ORLP Grant Project, accepting and appropriating Three Million Three Hundred Thirty Nine Thousand Dollars ($3,339,000.00) in grant funds authorizing a 1:1 City Match and authorizing the grant agreement.

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.**

   No.

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

   District 7 super 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.**

   City Council must approve resolution.

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

   n/a

RESOLUTION

Caption:
Resolution approving the Gooch Park ORLP Grant Project, accepting and appropriating Three Million Three Hundred Thirty Nine Thousand Dollars ($3,339,000.00) in grant funds authorizing a 1:1 City Match and authorizing the grant agreement.

WHEREAS, Memphis Parks proposes improvements at Gooch Park, including walking trail, athletic field and lighting, playground, pool, and erosion control improvements; and

WHEREAS, the City has been awarded Three Million Three Hundred Thirty Nine Thousand Dollars ($3,339,000.00) in federal Outdoor Recreation Legacy Partnership grant funds through the Tennessee Department of Environment and Conservation, requiring an equal City match for a total project budget of Six Million Six Hundred Seventy-Eight Thousand Dollars ($6,678,000.00); and

WHEREAS, the City match will be funded through the Fiscal Year 2027 Capital Improvement Program, General Obligation Bond funds, under PK05009, and the grant period is October 1, 2025, through September 30, 2028.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that the City of Memphis City Council hereby approves the Gooch Park ORLP Grant Project and its scope described above, accepts and appropriates Three Million Three Hundred Thirty Nine Thousand Dollars ($3,339,000.00) in grant funds, and authorizes the Three Million Three Hundred Thirty Nine Thousand Dollars ($3,339,000.00) City match.

BE IT FURTHER RESOLVED, that the Mayor or the Mayor's designee is authorized to execute the grant agreement and related documents, subject to City legal and financial approval, and Memphis Parks is authorized to administer the project and submit required grant documentation, including this resolution and Council approval minutes.

BE IT FURTHER RESOLVED, that project implementation shall comply with the grant agreement and applicable City procedures, with construction contingent upon satisfaction of the planning review requirements of Tenn. Code Ann. § 13-4-104.

Project Title: Gooch Park ORLP Grant Project
Project Number: PK90166
Grant Amount: $3,339,000.00

90 Years of The Shell – 2026









90 Years of The Shell – 2026













90th Weekend Celebration

Booker T. Jones





90th Weekend Celebration

Sounds of The Shell









90th Weekend Celebration

The Gathering









90th Weekend Celebration

Celebrating the Music of Memphis Studios







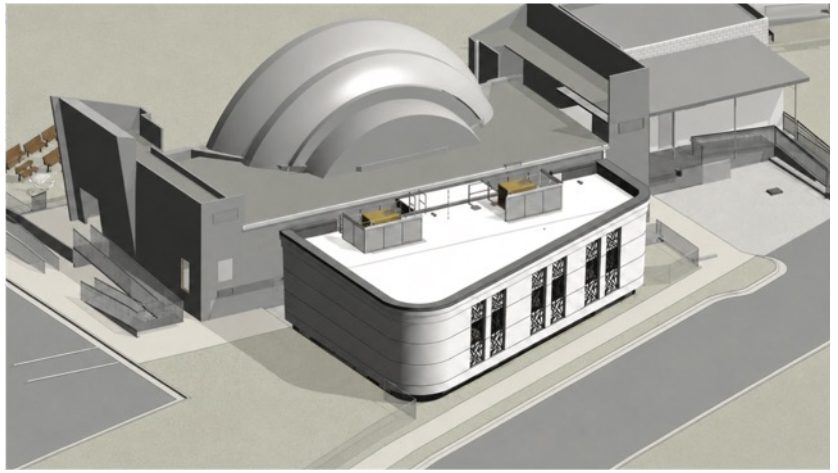


Building the Artist Lounge

Artist Lounge Renderings







Building the Artist Lounge

Groundbreaking Ceremony







Building the Artist Lounge

Construction Officially Begins







Shell on Wheels

Shell on Wheels prioritizes amplifying the work of Memphis creatives and arts organizations while making performing arts accessible from our historic stage to your backyard.



What we bring:

- Live music performances
- Cultural arts programming (dance, spoken word, theatre, health and wellness)
- Educational and community engagement
- Family-friendly, free public events

Shell on Wheels

Shell on Wheels operates as a collaborative partnership platform rather than a standalone presenter.

Who we work with:

- Neighborhood associations and community organizers
- Nonprofits and cultural organizations
- Schools and public institutions
- City and State government officials

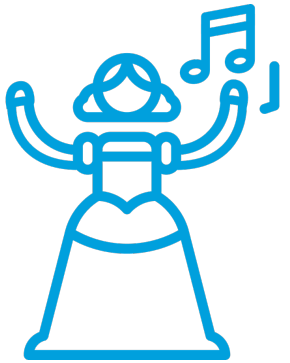


Our Annual Impact



18

genres of music over 2026



200

local artists showcased in our 90th celebration weekend

Our Annual Impact – *2026 Shell on Wheels*



39

total events

***with 6 left for the year**



20+

neighborhoods activated

Binghampton, Broad Ave, Cooper Young, Cordova, Crosstown, Downtown, Evergreen, Hickory Hill, Medical District, Midtown, Orange Mound, Overton Park, Raleigh, Riverside, South Memphis, Uptown Whitehaven, Vollintine-Evergreen, etc.



35+

partnership organizations

Our Annual Impact – *2026 Shell on Wheels*



100+

local artists booked



78K+

total attendees

Our Annual Impact – *2026 Free Concert Series*



30+

free concerts



15

partnership events



4

festivals

Our Annual Impact – *2026 Free Concert Series*



84

local artists & bands booked



60K+

total attendees

The Cost of Free

average cost of one concert in the Free Concert Series:

cost includes: artist, production, security, operations, and more!

$15,000



we gifted over

$3.2 MILLION

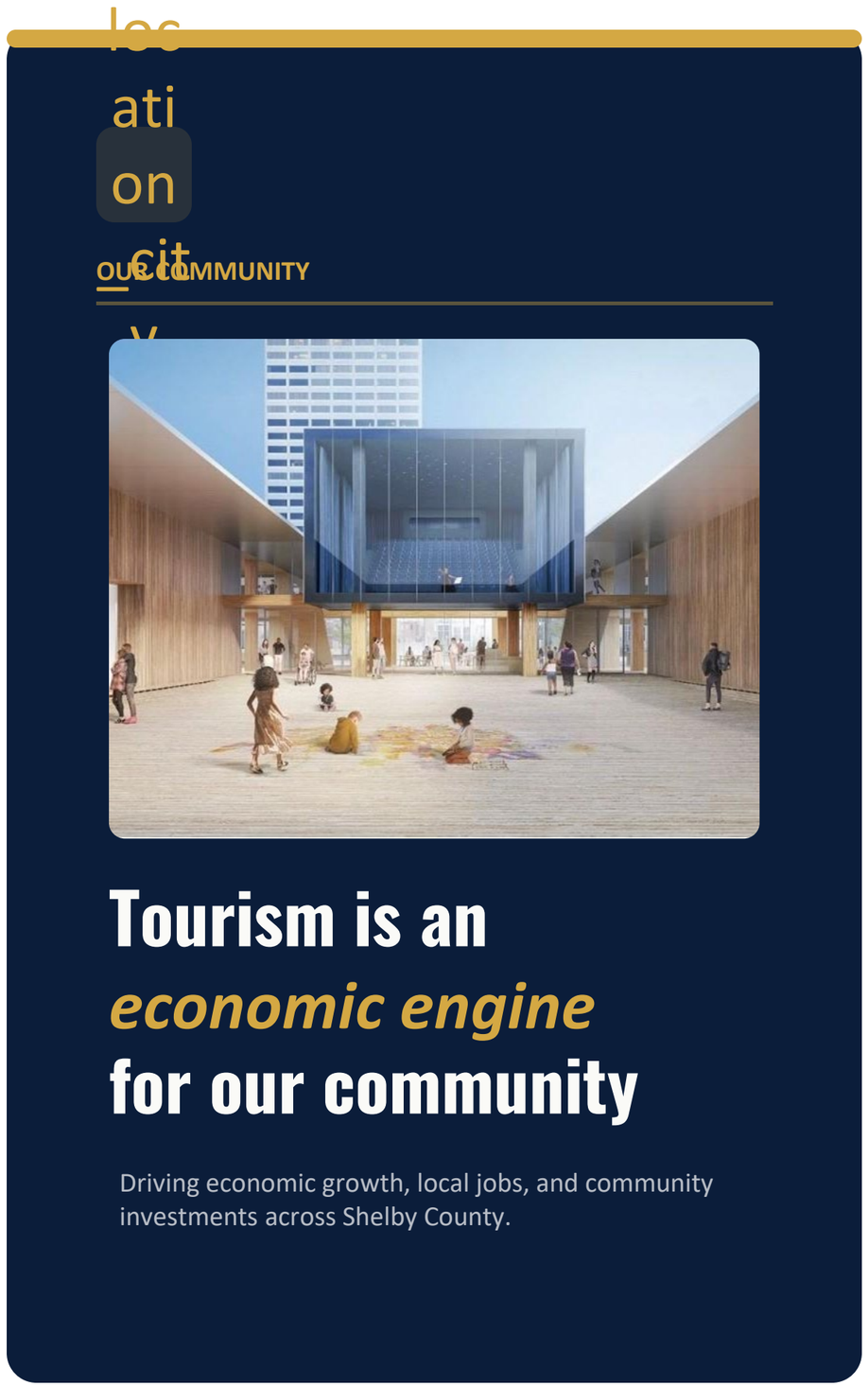
worth of live music to the community!

CoM Public

CITY COUNCIL BRIEFING

Memphis Tourism: *where we stand* and how we grow together

Kevin Kane
President & CEO, Memphis Tourism
November 2026



CoM Public

THE LAST 12 MONTHS

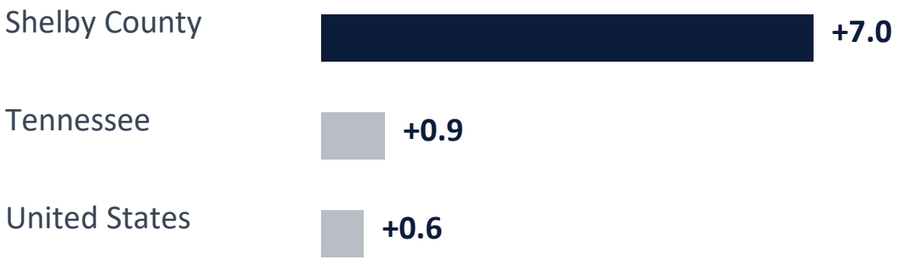
Memphis hotels are *fuller* than a year ago

SHELBY COUNTY HOTEL OCCUPANCY

61.7%

Up from 54.7% a year earlier

OCCUPANCY GAIN, PERCENTAGE POINTS



+5%

LEISURE TRAVELERS, METRO

People booking on their own, not in a group. The climb began in October 2025, when they first rose.

+8% / +12%

VISITOR CARD SPEND, COUNTY / CITY

Card spending by people who live outside 50 miles, compared with the prior 12 months.

Source: CoStar, Oct 2025 to Sep 2026 vs. prior 12 months. Visitor card spend: Arrivalist, cardholders living outside the Memphis 50 mile radius..

Memphis TOURISM

CoM Public

RESULTS WE CAN MEASURE

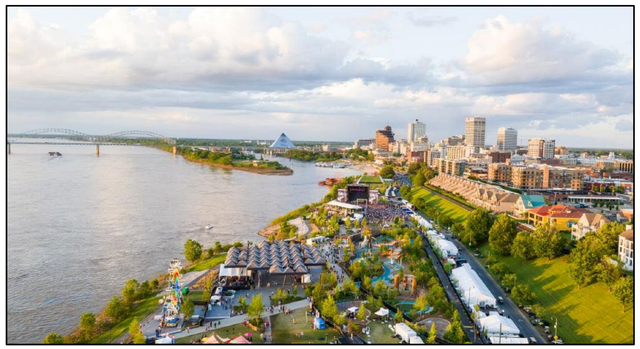
Our marketing and sales *move the needle*



+20%

SOUL.ART.SOUND CAMPAIGN

People who saw the ads visited Memphis 20% more than people who did not.



78%

DUCKS UNLIMITED, JULY 2026

Hotel occupancy during the event, against 52% to 63% in the same weeks of earlier years.



Monthly

GROUP BOOKING TRACKING

We review group bookings with Downtown hotels every month to spot soft weeks early and work to fill them.

Sources: Arrivalist campaign lift study, FY26; CoStar; Memphis Tourism group tracking.

Memphis TOURISM

New attractions give us *more reasons to visit*

MAY 2026

National Civil Rights Museum

The National Civil Rights Museum unveiled its expanded Legacy Experience in May 2026, featuring immersive, interactive exhibits that explore the evolution of the Civil Rights Movement.

SEP 2026

Metal Museum's New Campus

The nation's only museum dedicated to metalwork moved into its new Midtown home.

DEC 2026

Memphis Art Museum Opens

The new $180 million Memphis Art Museum opens December 6, 2026, bringing a world-class cultural landmark to the Downtown Memphis riverfront.

AUG 2027

Elvis Week 50th Anniversary

A national moment in 2027 that will draw fans and global media to Memphis from around the country and the world.

Art plus soul plus music, with the Civil Rights Museum, Graceland, Stax and Sun, turns a day trip into an overnight stay.

Sources: Memphis Art Museum; Metal Museum; Memphis Tourism visitor research, 2026.

Memphis TOURISM

CoM Public

DESTINATION NEEDS

Keep & grow overnight stays *in Memphis*

#1 Keep the Riverline (formerly Sheraton) on schedule

so we can sell the RCC HQ hotel with confidence.







Docusign Envelope ID: 3B3FE54A-81BF-8B2E-82F2-F8117CCE6874

Memphis City Council Summary Sheet

(Revised January 28, 2026)

1. **Description of the Item (Resolution, Ordinance, etc.)**
   This is a resolution to accept funds of in the amount of Two Hundred Twenty Thousand Dollars ($220,000.00) from the Tennessee Highway Safety Office (THSO) through the Tennessee Department of Safety & Homeland Security for the FY2027 Community Traffic Enforcement and Education Grant for overtime, training, equipment, and supplies for police services.
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 Shelby County Government.
3. **State whether this is a change to an existing ordinance or resolution, if applicable.**
   This item does not change existing an ordinance or resolution.
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 a new grant pending Council approval.
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: 3B3FE54A-81BF-8B2E-82F2-F8117CCE6874

A RESOLUTION TO AMEND THE FISCAL YEAR 2027 OPERATING BUDGET TO ACCEPT, ALLOCATE, AND APPROPRIATE TWO HUNDRED TWENTY THOUSAND DOLLARS ($220,000.00) IN GRANT FUNDS FROM THE TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY FOR THE FISCAL YEAR 2027 COMMUNITY TRAFFIC SAFETY ENFORCEMENT AND EDUCATION GRANT

WHEREAS, the City of Memphis, through its Division of Police Services, has been awarded Two Hundred Twenty Thousand Dollars ($220,000.00) from the Tennessee Department of Safety and Homeland Security, through the Tennessee Highway Safety Office (THSO), for the Fiscal Year 2027 Community Traffic Safety Enforcement and Education Grant; and

WHEREAS, the grant requires no matching funds from the City of Memphis and will support traffic safety enforcement, education, and outreach activities intended to reduce traffic fatalities and serious injuries, including funding for personnel overtime, equipment, supplies, and travel; and

WHEREAS, an amendment to the Fiscal Year 2027 Operating Budget is necessary to accept, allocate, and appropriate the grant funds for the Division of Police Services.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby amends the Fiscal Year 2027 Operating Budget to accept, allocate, and appropriate Two Hundred Twenty Thousand Dollars ($220,000.00) in grant funds from the Tennessee Department of Safety and Homeland Security for the Fiscal Year 2027 Community Traffic Safety Enforcement and Education Grant, with revenues and expenditures allocated as follows:

REVENUE	
State of Tennessee, Tennessee Highway Safety Office	**$220,000.00**
TOTAL	**$220,000.00**
EXPENDITURES	
Overtime	**$169,600.00**
Equipment	**$22,600.00**
Supplies	**$7,800.00**
Travel	**$20,000.00**
TOTAL	**$220,000.00**

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TN Department of Safety & Homeland Security

TENNESSEE HIGHWAY SAFETY OFFICE helping you ARRIVE

September 23, 2026

Re: Tennessee Highway Safety Office FFY 2027 Grant Award

Dear Highway Safety Partner,

We are excited to offer your agency an FFY 2027 grant award with the Tennessee Highway Safety Office (THSO). We look forward to working with you throughout the year and thank you for your shared commitment to highway safety.

With this partnership comes an important responsibility on the part of every grantee. Please be advised that funding has been approved for the receipt of the above referenced highway safety grant for the period of October 1, 2026 through September 30, 2027.

You may not incur costs until you have received a fully executed contract signed by the following parties: 1) an authorized representative from your agency 2) the TDOSHS Commissioner, and 3) the TDOSHS Chief Budget Officer. The contract may not be signed by the TDOSHS Commissioner before October 1, 2026. Incurred expenses and expended funds must be for the specific purposes stated in the grant language governing this award. In keeping with usual practice, your allowable expenditures will be reimbursed for actual costs incurred after that date.

The following items are important and expected of all grantees:

1. Monthly/quarterly claims and status reports must be kept current and filed promptly through the TN Grants management system, www.thsogrants.org. Failure to report promptly may result in the cancellation of your grant.

2. All documents, papers, accounting records, and other such records pertaining to costs incurred and to such materials must be made available to the THSO upon request at any time over the course of the grant period and for three years from the date of final audit disposition. Failure to follow these instructions may result in a requested reimbursement of grant monies to the THSO.

3. Grant records are subject to review and audit by the State of Tennessee, the National Highway Traffic Safety Administration, or any other authorized representative of the state or federal government at any time and without prior notification.

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4. This agreement encompasses the time period specified in the contract. No continuation or extension of the project, express or implied, is provided for in the agreement.

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5. Every grant **must** have an assigned project director with subject matter expertise in the area of monitoring grants and providing timely, appropriate feedback. Please do not hesitate to reach out to your assigned THSO program manager; our staff is here to assist you.

6. Prior to any news releases or press conferences relative to this grant, you **must** submit a working copy of draft language to your assigned THSO program manager who will review with the THSO Public Information Officer. Further, any release of written material for the purpose of the grant, which also includes social media posts, brochures, etc. also **must** have prior written approval of the THSO, whether by letter or email.

7. Law enforcement overtime may include a small portion (up to 20%) of personnel funds for community outreach events. Please contact your assigned program manager for more information, including the THSO Community Outreach Activity overtime form.

8. The grant funded overtime rate for law enforcement must be consistent with the rate that the department would pay for the same activity. "Grant Funded Activity" does not qualify as a separate category that can be paid at a different rate. Please ensure that your overtime policy rates are based solely on activity and does not vary based on the funding source.

If you have any questions, please do not hesitate to contact your assigned THSO program manager. Working together, we will make Tennessee roads safer for everyone.

Sincerely,

Buddy Lewis
Director

Docusign Envelope ID: D84B5D68-5B08-8F0C-8054-B1A2D71BDA79

Memphis City Council Summary Sheet

(Revised January 28, 2026)

1. **Description of the Item (Resolution, Ordinance, etc.)**
   This is a resolution to accept funds in the amount of Twenty-One Thousand Two Hundred Ninety Dollars ($21,290.00) from the Tennessee Highway Safety Office (THSO) through the Tennessee Department of Safety & Homeland Security for the FY2027 Bicycle & Pedestrian Safety Grant for overtime for police services.
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 Tennessee Department of Safety and Homeland Security, through the Tennessee Highway Safety Office (THSO).
3. **State whether this is a change to an existing ordinance or resolution, if applicable.**
   This item does not change existing an ordinance or resolution.
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 a new grant pending Council approval.
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: D84B5D68-5B08-8F0C-8054-B1A2D71BDA79

A RESOLUTION TO AMEND THE FISCAL YEAR 2027 OPERATING BUDGET TO ACCEPT, ALLOCATE, AND APPROPRIATE $21,290.00 IN GRANT FUNDS FROM THE TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY FOR THE FY2027 BICYCLE AND PEDESTRIAN SAFETY GRANT

WHEREAS, the City of Memphis, Police Services Division, has been awarded grant funds in the amount of Twenty-One Thousand Two Hundred Ninety Dollars ($21,290.00) from the Tennessee Department of Safety and Homeland Security, through the Tennessee Highway Safety Office (THSO), for the FY2027 Bicycle and Pedestrian Safety Grant; and

WHEREAS, the grant provides federal funding to support law enforcement personnel overtime for activities intended to improve bicycle and pedestrian safety, reduce traffic-related injuries and fatalities, and promote public safety throughout Memphis; and

WHEREAS, acceptance of the grant requires an amendment to the Fiscal Year 2027 Operating Budget to accept, allocate, and appropriate the Twenty-One Thousand Two Hundred Ninety Dollars ($21,290.00) grant award.

NOW, THEREFORE, BE IT RESOLVED, that the City Council amends the Fiscal Year 2027 Operating Budget to accept, allocate, and appropriate Twenty-One Thousand Two Hundred Ninety Dollars ($21,290.00) in grant funds from the Tennessee Department of Safety and Homeland Security within Grant Fund 205, Project PD90314, to support eligible personnel overtime expenditures associated with the FY2027 Bicycle and Pedestrian Safety Grant as follows:

REVENUE	
State of Tennessee, Tennessee Highway Safety Office	**$21,290.00**
TOTAL	**$21,290.00**
Expenditures	
Overtime	**$21,290.00**
TOTAL	**$21,290.00**

Docusign Envelope ID: D84B5D68-5B08-8F0C-8054-B1A2D71BDA79

TN Department of Safety & Homeland Security

September 23, 2026

Re: Tennessee Highway Safety Office FFY 2027 Grant Award

Dear Highway Safety Partner,

We are excited to offer your agency an FFY 2027 grant award with the Tennessee Highway Safety Office (THSO). We look forward to working with you throughout the year and thank you for your shared commitment to highway safety.

With this partnership comes an important responsibility on the part of every grantee. Please be advised that funding has been approved for the receipt of the above referenced highway safety grant for the period of October 1, 2026 through September 30, 2027.

You may not incur costs until you have received a fully executed contract signed by the following parties: 1) an authorized representative from your agency 2) the TDOSHS Commissioner, and 3) the TDOSHS Chief Budget Officer. The contract may not be signed by the TDOSHS Commissioner before October 1, 2026. Incurred expenses and expended funds must be for the specific purposes stated in the grant language governing this award. In keeping with usual practice, your allowable expenditures will be reimbursed for actual costs incurred after that date.

The following items are important and expected of all grantees:

1. Monthly/quarterly claims and status reports must be kept current and filed promptly through the TN Grants management system, www.thsogrants.org. Failure to report promptly may result in the cancellation of your grant.

2. All documents, papers, accounting records, and other such records pertaining to costs incurred and to such materials must be made available to the THSO upon request at any time over the course of the grant period and for three years from the date of final audit disposition. Failure to follow these instructions may result in a requested reimbursement of grant monies to the THSO.

3. Grant records are subject to review and audit by the State of Tennessee, the National Highway Traffic Safety Administration, or any other authorized representative of the state or federal government at any time and without prior notification.

4. This agreement encompasses the time period specified in the contract. No continuation or extension of the project, express or implied, is provided for in the agreement.

Docusign Envelope ID: D84B5D68-5B08-8F0C-8054-B1A2D71BDA79

5. Every grant **must** have an assigned project director with subject matter expertise in the area of monitoring grants and providing timely, appropriate feedback. Please do not hesitate to reach out to your assigned THSO program manager; our staff is here to assist you.

6. Prior to any news releases or press conferences relative to this grant, you **must** submit a working copy of draft language to your assigned THSO program manager who will review with the THSO Public Information Officer. Further, any release of written material for the purpose of the grant, which also includes social media posts, brochures, etc. also **must** have prior written approval of the THSO, whether by letter or email.

7. Law enforcement overtime may include a portion (up to 20%) of personnel funds for community outreach events. Please contact your assigned program manager for more information, including the THSO Community Outreach Activity overtime form.

8. The grant funded overtime rate for law enforcement must be consistent with the rate that the department would pay for the same activity. "Grant Funded Activity" does not qualify as a separate category that can be paid at a different rate. Please ensure that your overtime policy rates are based solely on activity and does not vary based on the funding source.

If you have any questions, please do not hesitate to contact your assigned THSO program manager. Working together, we will make Tennessee roads safer for everyone.

Sincerely,

Buddy Lewis
Director

Docusign Envelope ID: 73155108-5777-89BE-835C-6E9269C7FB0E

Memphis City Council Summary Sheet

(Revised January 28, 2026)

1. **Description of the Item (Resolution, Ordinance, etc.)**
   This is a resolution to accept funds in the amount of One Million Thirty-One Thousand Dollars ($1,031,000.00) from the U.S. Department of Justice Office of Justice Programs for the FY2026 Cops Technology and Equipment Program Grant to provide technology equipment acquisition, professional services, and specialized training.
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 Tennessee Department of Safety and Homeland Security, through the Tennessee Highway Safety Office (THSO).
3. **State whether this is a change to an existing ordinance or resolution, if applicable.**
   This item does not change existing an ordinance or resolution.
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 a new grant pending Council approval.
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: 73155108-5777-89BE-835C-6E9269C7FB0E

A RESOLUTION TO AMEND THE FISCAL YEAR 2027 OPERATING BUDGET TO ACCEPT, ALLOCATE, AND APPROPRIATE ONE MILLION THIRTY-ONE THOUSAND DOLLARS ($1,031,000.00) IN GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) FOR THE FY2026 COPS TECHNOLOGY AND EQUIPMENT PROGRAM GRANT

WHEREAS, the City of Memphis, Police Services Division, has been awarded grant funds in the amount of One Million Thirty-One Thousand Dollars ($1,031,000.00) from the U.S. Department of Justice Office of Community Oriented Policing Services (COPS) for the FY2026 COPS Technology and Equipment Program Grant; and

WHEREAS, the grant provides federal funding to modernize the Memphis Police Department's technology infrastructure, strengthen criminal investigative capabilities, and support specialized technology training to improve operational efficiency, community policing, and public safety throughout Memphis; and

WHEREAS, this grant award requires no matching funds from the City of Memphis, and acceptance of the award necessitates an amendment to the Fiscal Year 2027 Operating Budget to recognize and appropriate One Million Thirty-One Thousand Dollars ($1,031,000.00) in federal grant revenue to support eligible program expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the City Council amends the Fiscal Year 2027 Operating Budget to accept, allocate, and appropriate One Million Thirty-One Thousand Dollars ($1,031,000.00) in grant funds from the U.S. Department of Justice COPS Program within Grant Fund 205, Project PD90315 to support eligible expenditures for technology equipment acquisition, professional services, and specialized training associated with the FY2026 Cops Technology and Equipment Program Grant as follows:

REVENUE	
Department of Justice Office of Community Oriented Policing Services	**$1,031,000.00**
TOTAL	**$1,031,000.00**

EXPENDITURES	
Equipment	**$521,832.00**
Professional Services	**$444,868.00**
Travel	**$64,300.00**
TOTAL	**$1,031,000.00**

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Department of Justice (DOJ)

Office of Community Oriented Policing Services (COPS Office)

Washington, D.C. 20531

Name and Address of Recipient:	CITY OF MEMPHIS, TENNESSEE 125 N MAIN ST
City, State and Zip:	MEMPHIS, TN 38103
Recipient UEI:	LSWERD3XLNU8
Project Title: Memphis Police Department Equipment and Software Upgrades Project	**Award Number:** 15JCOPS-26-GG-00631-TECP
Solicitation Title: FY26 COPS Technology and Equipment Program	
Federal Award Amount: $1,031,000.00	**Federal Award Date:** 9/25/26
Awarding Agency:	Office of Community Oriented Policing Services
Award Type:	Initial
Funding Instrument Type:	Grant
Opportunity Category: D **Assistance Listing:** 16.710 - Public Safety Partnership and Community Policing Grants	
Project Period Start Date: 1/23/26	**Project Period End Date:** 1/31/28
Budget Period Start Date: 1/23/26	**Budget Period End Date**: 1/31/28

Project Description:
The FY26 Technology and Equipment Program (TEP) provides funding to state, territorial, local, Tribal, and other entities designated under the heading Community Oriented Policing Services, Technology and Equipment Community Projects / COPS Law Enforcement Technology and Equipment in the Congressional Joint Explanatory Statement – Division C, which is incorporated by reference into Public Law 119-74, to develop and acquire effective law enforcement equipment, technologies and interoperable communications that assist in responding to and preventing crime and expand the implementation of community policing. Equipment funded under this program should meet any applicable requirements of the National Institute of Standards and Technology's Office of Law Enforcement Standards.

Award Letter

September 25, 2026

Dear Chief Cerelyn Davis,

On behalf of the Attorney General, it is my pleasure to inform you the Office of Community Oriented Policing Services (the COPS Office) has approved the application submitted by CITY OF MEMPHIS, TENNESSEE for an award under the funding opportunity entitled 2026 FY26 COPS Technology and Equipment Program. The approved award amount is $1,031,000.
Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but

Docusign Envelope ID: 73155108-5777-89BE-835C-6E9269C7FB0E

also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by the COPS Office, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Cory D. Randolph
COPS Office Deputy Director

Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) enforces federal civil rights laws and other provisions that prohibit discrimination by recipients of federal financial assistance from OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW).

Several civil rights laws, including Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance (recipients) to give assurances that they will comply with those laws. Taken together, these and other civil rights laws prohibit recipients from discriminating in the provision of services and employment because of race, color, national origin, religion, disability, and sex or from discriminating in the provision of services on the bases of age.

Some recipients of DOJ financial assistance have additional obligations to comply with other applicable nondiscrimination provisions like the Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of religion in addition to race, color, national origin, and sex. Recipients may also have related requirements regarding the development and implementation of equal employment opportunity programs.

OCR provides technical assistance, training, and other resources to help recipients comply with civil rights obligations. Further, OCR administratively enforces civil rights laws and nondiscrimination provisions by investigating DOJ recipients that are the subject of discrimination complaints. In addition, OCR conducts compliance reviews of DOJ recipients based on regulatory criteria. These investigations and compliance reviews permit OCR to evaluate whether DOJ recipients are providing services to the public and engaging in employment practices in a nondiscriminatory manner.

For more information about OCR, your civil rights and nondiscrimination responsibilities, how to notify your employees or beneficiaries of their civil rights protections and responsibilities and how to file a complaint, as well as technical assistance, training, and other resources, please visit www.ojp.gov/program/civil-rights-office/outreach. If you would like OCR to assist you in fulfilling your civil rights or nondiscrimination responsibilities, please contact us at askOCR@ojp.usdoj.gov or www.ojp.gov/program/civil-rights-office/about#ocr-contacts.

MLGW Agenda Committee Discussion



MLGW Committee

November 24, 2026

Fiscal Consent Totals:

1. **Total Fiscal Consent Approved Amount Year-to-Date** – $244,879,326.69
   Items approved by Council through 11/10/2026.

2. **Total Regular/Fiscal Consent Requested Amount** – $377,267,583.59
   Items requested for 11/24/2026 meeting.

3. **Total Regular/Fiscal Consent Year-to-Date Amount** – $622,146,910.28
   Total of approvals and requests through 11/24/2026 meetings.

Items for November 24th Consent Agenda

Items approved by BOC on November 4th & 18th

1. Resolution approving a gas supply contract with the Tennergy Corporation, at a discount market price, with MLGW committing to purchase a certain quantity of gas each year during a contract term not to exceed 31 years. (SAME NIGHT MINUTES REQUESTED)

2. Resolution approving of the Ratification, Increase and Renewal (Change No. 3) to Contract No. 12512, Master Paving Program - Sections 1 and 3 with Lehman-Roberts Company to ratify, increase and renew the current contract in the funded amount of $23,025,201.70.

3. Resolution approving the Ratification of Award to Contract No. 12694, Hewlett Packard Enterprise Maintenance and Support to Hewlett Packard Enterprise (HPE) in the funded amount of $3,081,868.66.

4. Resolution approving of the Increase and Extension (Change No. 5) to Contract No. 12298, Janitorial Services to Mason's Professional Cleaning Services, LLC to increase and extend the current contract in the funded amount of $80,110.64.

5. Resolution awarding Contract No. 12622, North Service Center Building 2 Roof Replacement to B Four Plied, Inc., in the funded amount of $694,070.30.

6. Resolution approving the Increase and Renewal (Change No. 3) to Contract No. 12553, (formerly Contract No. C2607), Well Lots Turf Management with Turf Doctors L&LM, LLC to increase and renew the current contract in the funded amount of $186,332.29.

7. Resolution approving of the Increase and Renewal (Change No. 4) to Contract No. 12378, Fleet Maintenance with Goodyear Commercial Tire and Service Centers to increase and renew the current contract in the funded amount of $200,000.00.

8. Resolution approving the ratification of Purchase Order Number 7076089 with Mansfield Oil Company of Gainesville, Inc. in the amount of $25,000,000.00.

9. Resolution to approve the selection of professionals (underwriters, bond counsel, and financial advisors) for the upcoming issuance of Series 2027 Gas System Revenue Bonds and Series 2027 Water System Revenue Bonds. (SAME NIGHT MINUTES REQUESTED)

Items for November 24th Regular Agenda

Items approved by BOC on November 4th & 18th

10. Resolution authorizing the Council to hold a public hearing at which it will convene as a Ratemaking Board to consider the application of the MLGW Board of Commissioners for rate increases and changes to present gas and water rate tariffs, new Electric Vehicle Charging Rate Schedule EVC rate tariff, modifications to the present Electric Division Fuel Cost and Purchased Power Adjustment Rider FCA rate tariff, and new Water Division W-15 and W-16 Data Center rate tariffs.

11. Resolution to adopt Electric Vehicle Charging Rate Schedule EVC which allows for a new rate applicable to commercial services where the majority of electric usage is for electric vehicle charging and to approve language modifications to the Electric Division Fuel Cost and Purchased Power Adjustment Rider FCA which will allow for recovery of all purchased power costs incurred by the division to be effective with meters read on Cycle 1 of the January 2027 revenue month on a non-prorated basis.

12. Resolution to approve the 2027 increase in gas revenues of 12.0%, to be effective with meters read on Cycle 1 of the January 2027 revenue month on a non-prorated basis, the 2028 increase in gas revenues of 11.0% to be effective with meters read on Cycle 1 of the January 2028 revenue month on a non-prorated basis, and the 2029 increase in gas revenues of 11.0% to be effective with meters read on Cycle 1 of the January 2029 revenue month on a non-prorated basis.

13. Resolution to approve the 2027 increase in water revenues of 16.0%, to be effective with meters read on Cycle 1 of the January 2027 revenue month on a non-prorated basis, the 2028 increase in water revenues of 16.0% to be effective with meters read on Cycle 1 of the January 2028 revenue month on a non-prorated basis, the 2029 increase in water revenues of 16.0% to be effective with meters read on Cycle 1 of the January 2029 revenue month on a non-prorated basis, and the adoption of the Water Division W-15 and W-16 Data Center Rate Schedules.

14. Resolution to approve the proposed budgets for the Electric, Gas and Water Divisions for 2027 operating expenses and 2027 capital expenditures which includes gas and water rate increases over the next three-year period, new Electric Vehicle Charging Rate Schedule EVC and modifications to the Fuel Cost and Purchased Power Adjustment Rider FCA in the Electric Division and the new W-15 and W-16 Data Center Rate Schedules in the Water Division.

Items for November 24th Regular Agenda

Items approved by BOC on November 4th & 18th

15. Resolution approving plans to issue tax-exempt Series 2027 Gas System Revenue Bonds in an original aggregated principal amount of not to exceed $100,000,000.00. (The Division intends to use a portion of the proceeds of the Bonds to reimburse the Division for costs incurred prior to the issuance of the Bonds. Under federal tax law, in order for the proceeds of tax-exempt Bonds to be used to reimburse the Division for prior expenditures, the Division and the City must declare their official intent to reimburse the Division for prior expenditures with proceeds of the Bonds. This resolution will constitute such declaration of official intent and will allow the Division to utilize a portion of the Bond proceeds to reimburse the Division for capital expenditures incurred on or after the date that is sixty days prior to the approval date of this Resolution by the City.) (SAME NIGHT MINUTES REQUESTED)

16. Resolution approving plans to issue tax-exempt Series 2027 Water System Revenue Bonds in an original aggregated principal amount of not to exceed $225,000,000.00. (The Division intends to use a portion of the proceeds of the Bonds to reimburse the Division for costs incurred prior to the issuance of the Bonds. Under federal tax law, in order for the proceeds of tax-exempt Bonds to be used to reimburse the Division for prior expenditures, the Division and the City must declare their official intent to reimburse the Division for prior expenditures with proceeds of the Bonds. This resolution will constitute such declaration of official intent and will allow the Division to utilize a portion of the Bond proceeds to reimburse the Division for capital expenditures incurred on or after the date that is sixty days prior to the approval date of this Resolution by the City.) (SAME NIGHT MINUTES REQUESTED)

17. Initial resolution authorizing and providing for the issuance and sale by the city of Memphis Tennessee of Water System Revenue Bonds in the aggregate principal amount not to exceed $225,000,000.00, pursuant to and in accordance with the applicable provisions of the Tennessee code annotated, as amended. (SAME NIGHT MINUTES REQUESTED)

Items for November 24th Regular Agenda

Items approved by BOC on November 4th & 18th

18. Resolution approving the issuance of, and recommending to and requesting that the City Council issue and sell, not to exceed $20,000,000 principal amount of, Water System Revenue Bond Anticipation Note, Series 2026, in the form of an interfund loan from the Gas System and Facilities operated by Memphis Light, Gas and Water Division of the City of Memphis Tennessee. (SAME NIGHT MINUTES REQUESTED)

19. Resolution approving the issuance of, and recommending to and requesting that the City Council issue and sell, through negotiated sale, not to exceed $225,000,000.00 principal amount of, Water System Revenue Bonds, Series 2027, pursuant to the Water System Revenue Obligations Master Resolution, adopted by the Board on December 5, 2013 and by the City Council on December 17, 2013, as supplemented by the Forth Supplemental Resolution. (SAME NIGHT MINUTES REQUESTED)

20. Resolution approving the issuance of, and recommending to and requesting that the City Council issue and sell, through negotiated sale, not to exceed $100,000,000.00 principal amount of, Gas System Revenue Bonds, Series 2027, pursuant to the Gas System Revenue Obligations Master Resolution, adopted by the Board on June 1, 2016 and by the City Council on July 5, 2016, as supplemented by the Forth Supplemental Resolution. (SAME NIGHT MINUTES REQUESTED)

Consent Agenda Items

Resolution approving the execution, delivery and performance of the Natural Gas Supply Agreement with Tennergy Corporation for the purchase of Natural Gas, and other documents respecting the proposed natural gas prepayment transaction.

- This gas supply contract with Tennergy Corporation will allow MLGW to purchase gas at discount market prices which benefits our customers with discounts on their gas bill of potentially $3.3 million annually.
- Natural Gas purchase obligation not to exceed 35,000 MMBtu per day.
- Discount will not be less than $0.35 per MMBtu discount for the initial period. Minimum Initial Reset period is 4.5 years from the date of issuance of the bonds.
- Tennergy will issue bonds to purchase the NG that it sells to MLGW. MLGW shall have no obligation or liability.
- This gas supply contract is replacing an existing prepay related contract that expires December 31, 2026.

Master Paving Program – Sections 1 and 3

- Requested Funding: $23,025,201.70
- Award Duration: Ratification, Increase, and the Second and final renewal (December 2, 2026 through December 1, 2027)
- Type of Bid: Sealed Bid
- Awarded to: Lehman-Roberts Company
- Plain Language Description: This contract is to supply excavation patches, asphalt milling and paving services for MLGW jobs in the City of Memphis (COM) to meet paving requirements.
- Impact: This contract provides asphalt milling and paving services for MLGW jobs performed on the City of Memphis (COM) streets to meet paving requirements. This will reduce the amount of time patches remain in the city streets as well as allow MLGW to complete the work prior to winter weather and asphalt plant shutdown.

Hewlett Packard Enterprise Maintenance and Support

- Requested Funding: $3,081,868.66 ($2,568,223.88 proposal amount plus $513,644.78 in contingency)
- Award Duration: Ratification of Award (December 1, 2026 through November 30, 2031)
- Type of Bid: Sole Source
- Awarded to: Hewlett Packard Enterprise (HPE)
- Plain Language Description: The five-year HPE Maintenance and Support Agreement ensures the continued reliability, security, and operational resilience of MLGW's critical technology infrastructure. Through 24/7 premium technical support, proactive maintenance, timely hardware and software support, the agreement mitigates operational risks, minimizes service disruptions, and safeguards business continuity for essential customer-facing and enterprise systems, including cashiering, customer information systems, advanced metering operations, virtual servers and desktop services, and GIS.
- Impact: The loss of vendor support, critical hardware maintenance, replacement parts, and software updates will increase the likelihood of prolonged system outages, delayed recovery, and disruptions to mission-critical operations. These risks could adversely impact customer service delivery and workforce productivity; while potentially increasing emergency repair costs.

Janitorial Services

- Requested Funding: $80,110.64
- Award Duration: Increase and Extension (March 2, 2027 through May 22, 2027)
- Type of Bid: Sealed Bid
- Awarded to: Mason’s Professional Cleaning Services, LLC
- Plain Language Description: Janitorial services for various MLGW facilities providing supplemental day workers.
- Impact: This contract assists with the cleanliness and sanitation of various MLGW facilities.

North Service Center Building 2 Roof Replacement

- Requested Funding: $694,070.30 ($630,973.00 bid amount plus $63,097.30 contingency funds)
- Award Duration: One (1) year from the date of the Notice to Proceed.
- Type of Bid: Sealed Bid
- Awarded to: B Four Plied, Inc.
- Plain Language Description: This contract is to replace the existing roof on Building 2 located at MLGW’s North Service Center located at 1060 Tupelo St., Memphis, TN 38108.
- Impact: This contract will help to provide building roof maintenance to ensure the integrity of the building and assets**.**

Well Lots Turf Management

- Requested Funding: $186,332.29 ($166,332.29 Renewal amount plus $20,000.00 in contingency)
- Award Duration: Increase and the Third of four (4) annual renewals (February 1, 2027 through January 31, 2028)
- Type of Bid: Sealed bid
- Awarded to: Turf Doctors L&M, LLC
- Plain Language Description: This contract is for grounds maintenance for well lots at various MLGW locations.
- Impact: This contract will help ensure our well lots are maintained properly.

Fleet Maintenance

- Requested Funding: $200,000.00
- Award Duration: Increase and the Fourth and final renewal (January 1, 2027 through December 31, 2027)
- Type of Bid: RFP
- Awarded to: Goodyear Commercial Tire and Service Centers
- Plain Language Description: This contract is to provide transportation tires for MLGW’s fleet.
- Impact: This contract will keep MLGW’s fleet vehicles safe and operational.

Unleaded & Diesel Fuel Purchase Order No. 7076089



- Requested Funding: $25,000,000.00
- Award Duration: November 20, 2025 through April 30, 2028, with the option to extend two additional one-year periods
- Type of Bid: Ratification of Purchase Order Number 7076089
- Awarded to: Mansfield Oil Company of Gainesville, Inc.
- Plain Language Description: To ratify Purchase Order Number 7076089 for unleaded and diesel fuel. Fuel is essential to sustaining operations that enable the Division to deliver reliable electric, gas, and water services. The City of Memphis executed Contract No. 42542 on behalf of both the City and MLGW, which is being used to procure unleaded and diesel fuel. The contract is effective from November 20, 2025, through April 30, 2028, with an option to extend for two additional one-year terms.
- Impact: The Division needs a consistent and uninterrupted supply of unleaded and diesel fuel to maintain continuous operations and provide safe, reliable and efficient service to customers located within Memphis and Shelby County.

Professionals Services Team for the Gas and Water Bond Issuances

Resolution to approve the selection of professionals (underwriters, bond counsel, and financial advisors) for the upcoming issuance of Series 2027 Gas System Revenue Bonds and Series 2027 Water System Revenue Bonds

1. Underwriters:
    - At an underwriting fee not to exceed $4.00 per $1,000.00 of bonds: Raymond James (Senior Manager), FHN Financial (Co-Manager), Siebert Williams Shank & Co., LLC (Co-Manager)
2. Co-Bond Counsel:
    - Estimated to be $357,500.00 for all bond issues: The Wade Law Firm, PLLC - 50% and Bass Berry & Sims - 50%
3. Financial Advisor:
    - Stephens Inc. fees are as follows: Gas Revenue Bonds, Series 2027: $85,000.00 plus expenses and Water Revenue Bonds, Series 2027: $135,000.00 plus expenses

Regular Agenda Items

Ratemaking Board

Resolution authorizing the Council to hold a public hearing at which it will convene as a Ratemaking Board to consider the application of the MLGW Board of Commissioners for rate increases and changes to present gas and water rate tariffs, new Electric Vehicle Charging Rate Schedule EVC rate tariff, modifications to the present Electric Division Fuel Cost and Purchased Power Adjustment Rider FCA rate tariff, and new Water Division W-15 and W-16 Data Center rate tariffs.

Electric Rate Actions

Resolution to adopt Electric Vehicle Charging Rate Schedule EVC which allows for a new rate applicable to commercial services where the majority of electric usage is for electric vehicle charging and to approve language modifications to the Electric Division Fuel Cost and Purchased Power Adjustment Rider FCA which will allow for recovery of all purchased power costs incurred by the division to be effective with meters read on Cycle 1 of the January 2027 revenue month on a non-prorated basis.

Gas Rate Actions

Resolution to approve the 2027 increase in gas revenues of 12.0%, to be effective with meters read on Cycle 1 of the January 2027 revenue month on a non-prorated basis, the 2028 increase in gas revenues of 11.0% to be effective with meters read on Cycle 1 of the January 2028 revenue month on a non-prorated basis, and the 2029 increase in gas revenues of 11.0% to be effective with meters read on Cycle 1 of the January 2029 revenue month on a non-prorated basis.

Water Rate Actions

Resolution to approve the 2027 increase in water revenues of 16.0%, to be effective with meters read on Cycle 1 of the January 2027 revenue month on a non-prorated basis, the 2028 increase in water revenues of 16.0% to be effective with meters read on Cycle 1 of the January 2028 revenue month on a non-prorated basis, the 2029 increase in water revenues of 16.0% to be effective with meters read on Cycle 1 of the January 2029 revenue month on a non-prorated basis, and the adoption of the Water Division W-15 and W-16 Data Center Rate Schedules.

2027 Electric, Gas and Water Division Budget

Resolution to approve the proposed budgets for the Electric, Gas and Water Divisions for 2027 operating expenses and 2027 capital expenditures which includes gas and water rate increases over the next three-year period, new Electric Vehicle Charging Rate Schedule EVC and modifications to the Fuel Cost and Purchased Power Adjustment Rider FCA in the Electric Division and the new W-15 and W-16 Data Center Rate Schedules in the Water Division.

Reimbursement Resolution - Gas System Revenue Bonds

- Requested Funding: $100,000,000.00
- Award Duration: For the duration of the 2027 Gas System Revenue Bonds
- Type of Bid: N/A
- Awarded to: Memphis Light, Gas and Water Division
- Plain Language Description: The Division intends to use a portion of the proceeds of the Bonds to reimburse the Division for costs incurred prior to the issuance of the Bonds. Under federal tax law, in order for the proceeds of tax-exempt Bonds to be used to reimburse the Division for prior expenditures, the Division and the City must declare their official intent to reimburse the Division for prior expenditures with proceeds of the Bonds. This resolution will constitute such declaration of official intent and will allow the Division to utilize a portion of the Bond proceeds to reimburse the Division for capital expenditures incurred on or after the date that is sixty days prior to the approval date of this Resolution by the City.
- Impact: This resolution will constitute such declaration of official intent and will allow the Division to utilize a portion of the Bond proceeds to reimburse the Division for capital expenditures incurred on or after the date that is (60) days prior to the approval date of this resolution by the City.

Reimbursement Resolution - Water System Revenue Bonds

- Requested Funding: $225,000,000.00
- Award Duration: For the duration of the 2027 Water System Revenue Bonds
- Type of Bid: N/A
- Awarded to: Memphis Light, Gas and Water Division
- Plain Language Description: The Division intends to use a portion of the proceeds of the Bonds to reimburse the Division for costs incurred prior to the issuance of the Bonds. Under federal tax law, in order for the proceeds of tax-exempt Bonds to be used to reimburse the Division for prior expenditures, the Division and the City must declare their official intent to reimburse the Division for prior expenditures with proceeds of the Bonds. This resolution will constitute such declaration of official intent and will allow the Division to utilize a portion of the Bond proceeds to reimburse the Division for capital expenditures incurred on or after the date that is sixty days prior to the approval date of this Resolution by the City.
- Impact: This resolution will constitute such declaration of official intent and will allow the Division to utilize a portion of the Bond proceeds to reimburse the Division for capital expenditures incurred on or after the date that is (60) days prior to the approval date of this resolution by the City.

Initial Water System Bonds Resolution under the provision of Title 9 as required by Tennessee statute

- Requested Funding: $225,000,000.00
- Award Duration: For the duration of the 2027 Water System Revenue Bonds
- Type of Bid: N/A
- Awarded to: Memphis Light, Gas and Water Division
- Plain Language Description: This resolution is authorizing and providing for the issuance and sale by the city of Memphis Tennessee of Water System Revenue Bonds in the aggregate principal amount not to exceed $225,000,000.00, pursuant to and in accordance with the applicable provisions of the Tennessee Code Annotated, as amended.
- Impact: We have historically issued the City's MLGW Revenue Bonds under Title 7, which does not require an initial resolution. However, the interfund loan must be issued as a note under title 9, which such note must be issued in anticipation of revenue bonds under title 9, which does require this initial resolution.

Fifth Supplemental Bond Resolution - Water System Bond Anticipation Note

- Requested Funding: $20,000,000.00
- Award Duration: Not to exceed 12/1/2027
- Type of Bid: N/A
- Awarded to: Memphis Light, Gas and Water Division
- Plain Language Description: This Resolution is approving the issuance and recommending to and requesting that the City Council issue and sell, not to exceed $20,000,000.00 principal amount of, Water System Revenue Bond Anticipation Note, Series 2026, in the form of an interfund loan from the Gas System and Facilities operated by Memphis Light, Gas and Water Division of the City of Memphis Tennessee.
- Impact: This resolution authorizes the issuance and sale of Water System Revenue Bond Anticipation Note Series 2026 in the form of an interfund loan from the Gas System. By establishing the terms and disposition of proceeds and authorizing officers of the city to take all necessary steps to accomplish the foregoing.

Sixth Supplemental Bond Resolution - Water System Revenue Bonds

- Requested Funding: $225,000,000.00
- Award Duration: For the duration of the 2027 Water System Revenue Bonds
- Type of Bid: N/A
- Awarded to: Memphis Light, Gas and Water Division
- Plain Language Description: This resolution is approving the issuance of series 2027 bonds and recommending to and requesting that the City Council issue and sell, through negotiated sale, not to exceed $225,000,000.00 principal amount of, Water System Revenue Bonds, Series 2027, pursuant to the Water System Revenue Obligations Master Resolution, adopted by the Board on December 5, 2013 and by the City Council on December 17, 2013, as supplemented by the Sixth Supplemental Resolution.
- Impact: This resolution authorizes the issuance and sale of Water System Revenue Bonds Series 2027. By establishing the terms and disposition of proceeds, authorizing the preparation and execution of a bond purchase agreement and authorizing the preparation, execution and distribution of a Preliminary Official Statement and a final Official Statement. Appointing a bond registrar, paying agents and authorizing officers of the city to take all necessary steps to accomplish the sale of the bonds.

Fourth Supplemental Bond Resolution - Gas System Revenue Bonds

- Requested Funding: $100,000,000.00
- Award Duration: For the duration of the 2027 Gas System Revenue Bonds
- Type of Bid: N/A
- Awarded to: Memphis Light, Gas and Water Division
- Plain Language Description: This resolution is approving the issuance of series 2027 bonds and recommending to and requesting that the City Council issue and sell, through negotiated sale, not to exceed $100,000,000.00 principal amount of, Gas System Revenue Bonds, Series 2027, pursuant to the Gas System Revenue Obligations Master Resolution, adopted by the Board on June 1, 2016 and by the City Council on July 5, 2016, as supplemented by the Forth Supplemental Resolution.
- Impact: This resolution authorizes the issuance and sale of Gas System Revenue Bonds Series 2027. By establishing the terms and disposition of proceeds, authorizing the preparation and execution of a bond purchase agreement and authorizing the preparation, execution and distribution of a Preliminary Official Statement and a final Official Statement. Appointing a bond registrar, paying agents and authorizing officers of the city to take all necessary steps to accomplish the sale of the bonds.

Questions



RESOLUTION AUTHORIZING FINAL PAYMENT OF FY 2027 TAX EQUIVALENT PAYMENT FROM MEMPHIS LIGHT GAS AND WATER DIVISION'S GAS SYSTEM AND TOTAL DISTRIBUTION OF THE FY 2027 TAX EQUIVALENT PAYMENT TO TAXING JURISDICTIONS IN SHELBY COUNTY, TENNESSEE

WHEREAS, the introductory paragraph of Tennessee Code Annotated § 7-39-404 provides that the Memphis City Council, as the City's governing body, has the sole and exclusive legislative authority to calculate and determine for each fiscal year an amount for payments in lieu of taxes, called "tax equivalents" on its gas system and gas operations, which, in the legislative judgment of the City Council, after consultation with MLGW, shall represent the fair share of the cost of government properly to be borne by the City's gas system and the tax equivalent payments to be distributed to each taxing jurisdiction;

WHEREAS, the introductory paragraph of Tennessee Code Annotated § 7-39-404 does not specify any methods or formula to be used by the governing body of the City in determining the amount of payments in lieu of taxes, referred to as "tax equivalents", on its gas system and gas operations, but provides generally that the total tax equivalent payment shall in the judgment of the municipality's governing body, represent the fair share cost of government properly to be borne by the Gas System ("Gas Tax Equivalent Payment");

WHEREAS, the Gas Tax Equivalent Payment so determined in the legislative judgment of the municipality's governing body is,

however, subject to a statutory limitation or cap, as defined in Tennessee Code Annotated § 7-39-404(1), which limits the Gas Tax Equivalent Payment, as determined by the City Council, that may be paid by the gas system in any fiscal year from Gas System Revenues (the "Statutory Cap");

WHEREAS, pursuant to applicable Tennessee precedent, Tennessee Code Annotated § 7-39-404(1) has been construed to only provide a formula for determining the cap on gas tax equivalency payments and does not provide a mandatory formula for calculation of gas equivalency payments by the governing body of the municipality under introductory paragraph of Tennessee Code Annotated § 7-39-404.

WHEREAS, unlike the calculation and determination of the Gas Tax Equivalency Payment by the governing body of the City, the Statutory Cap is determined independently by MLGW, as Supervisory body of the Gas System, using the formula specified in Tennessee Code Annotated § 7-39-404(1), which is equal to the sum of (A) the equalized property tax rate, for each taxing jurisdiction as of the beginning of such fiscal year, multiplied by the net plant value of the gas system and the book value of materials and supplies within the taxing jurisdiction as of the beginning of such fiscal year, multiplied by the assessment ratio in effect as of the beginning of such fiscal year; and (B) Four percent (4%) of

the average of revenue less cost of gas from gas operations for the preceding three (3) fiscal years;

WHEREAS, the City Council does not make any calculation of the Maximum Total Gas Tax Equivalency Payment or cap pursuant to Tennessee Code Annotated § 7-39-404(1); rather, the Council only determines and calculates the fair cost of government amount of the Gas Tax Equivalency Payment pursuant to the introductory paragraph of Tennessee Code Annotated § 7-39-404 that may be paid by MLGW's Gas Division to all taxing jurisdictions in Shelby County in the aggregate each year;

WHEREAS, to properly calculate and determine the Gas Tax Equivalency Payment and the amounts to be distributed to each taxing jurisdiction, the Council has consulted with MLGW concerning the financial status and forecasts for its gas system and gas operations for the City's fiscal year ending June 30, 2027 ("Fiscal Year 2027).

WHEREAS, MLGW has provided the Council with information concerning MLGW's operations for its current fiscal year as of June 30, 2026, including (i) the financial condition of the gas system as a whole, (ii) the equalized property tax rate and the net plant value of the gas system in each taxing jurisdiction, (iii) the applicable assessment ratio in effect as of the beginning of such fiscal year, (iv) the total revenue received

from each taxing jurisdiction, (v) the book value of materials and supplies and (vi) the average of revenue less cost of gas from gas operations for the preceding three (3) fiscal years.

WHEREAS, as expressly authorized by the introductory paragraph of Tennessee Code Annotated § 7-39-404 the City Council in its legislative judgment has determined the fair cost of government properly to be borne by MLGW's Gas System for the Fiscal Year 2027 should be based on a number of factors, including due consideration of net assets in each taxing jurisdiction, the revenue received by the Gas System from the ratepayers in each taxing jurisdiction, the governmental services and resources that each respective taxing jurisdiction has provided to support the operations of MLGW's Gas System, and the direct and indirect administrative and capital costs incurred by the City, as the owner and fiscal authority of the Gas System, for the benefit of all taxing jurisdictions in Shelby County;

WHEREAS, in keeping with the policy established by the City Council in prior PILOT resolutions and agreements with the six (6) incorporated municipalities, an allocable part of the Gas Equivalency Payment is required to be made to the City and to several of the said incorporated municipalities in two (2) installments, an advance payment in April of 2026 and the balance before the end of 2026. The advance payments for Fiscal Year 2027

have already been made in compliance with prior resolutions;

WHEREAS, the City Council's calculation of the amount of Gas Equivalency Payments for Fiscal Year 2027 under the introductory paragraph of Tennessee Code Annotated §7-39-404 has been made using (1) an ad valorem calculation, (2) an administrative cost calculation and (3)a revenue assessment calculation;

WHEREAS, the City Council has determined in its legislative discretion that the amount that may be paid by MLGW in the aggregate to all taxing jurisdictions as tax equivalents from its Gas System for Fiscal Year 2027 in accordance with the City's Charter and in accordance with introductory paragraph of Tennessee Code Annotated § 7-39-404 is $18,781,902.90(the "FY 2027 Gas Equivalency Payment);

WHEREAS, the City Council has also consulted with the supervisory body of the Gas System regarding the City Council's determination of the fair cost of government that may be properly borne by its Gas System for Fiscal Year 2027 to ascertain whether such payment is less than the Statutory Cap and whether such payment can be made from available gas system revenues remaining after payment of, or making reasonable provision for payment of current gas system operating expenses, current payments of principal and interest on indebtedness incurred for the acquisition, extension, or improvement of the gas system,

reasonable reserves for renewals, replacements, and contingencies, and cash working capital in an amount adequate to cover operating expenses for a reasonable number of weeks;

WHEREAS, MLGW has confirmed that the Maximum FY 2027 Gas Equivalency Payment as so determined and calculated by the City Council does not exceed the total amount MLGW may pay under applicable law.

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

I. CALCULATION OF THE FY 2027 TAX EQUIVALENT PAYMENT

A. AD VALOREM CALCULATION

1. The City Council has calculated the amount of gas tax equivalents under the introductory paragraph of Tennessee Code Annotated §7-39-404 that may be paid by the Gas System for FY 2027 using (1) an ad valorem calculation, (2) an administrative cost calculation and (3) a revenue assessment calculation.

2. The ad valorem calculation is computed by taking the sum of:

> (A) The equalized property tax rate for each taxing jurisdiction, other than the City, as of the beginning of the fiscal year, multiplied by each one hundred dollar ($100) of (i) the net plant value of the gas system (as defined in the Gas Law) and (ii) the book value of materials and supplies that are located within each such taxing jurisdiction as of the beginning of such fiscal year, multiplied by the assessment ratio in effect as of the beginning of such fiscal year; and
> (B) The equalized property tax rate for the City, as of

the beginning of the fiscal year, multiplied by each one hundred dollar ($100) of the Unit Value of the gas system as a whole, as defined by the City's Charter, that is located within the City as of the beginning of such fiscal year, multiplied by the assessment ratio in effect as of the beginning of such fiscal year.

3. The Ad Valorem Calculation for FY 2027 is computed as follows:

PART I **Ad Valorem Calculation**

		GAS SYSTEM ASSETS	*ASSESS. RATIO*	*TAX RATE*	*EQUAL. RATIO*	*TAX EQUIVALENT*
MEMPHIS	at Unit Value	$ 605,566,595.01	0.55	2.580810	1.0000	$ 8,595,687.78
ARLINGTON	at Book Value	$ 4,774,061.96	0.55	1.130000	1.0000	$ 29,670.80
BARTLETT	at Book Value	$ 16,670,537.41	0.55	1.660000	1.0000	$ 152,202.01
COLLIERVILLE	at Book Value	$ 13,003,710.53	0.55	1.620000	1.0000	$ 115,863.06
GERMANTOWN	at Book Value	$ 7,153,211.41	0.55	1.782500	1.0000	$ 70,128.30
LAKELAND	at Book Value	$ 3,929,968.21	0.55	0.940000	1.0000	$ 20,317.94
MILLINGTON	at Book Value	$ 5,476,676.90	0.55	1.200000	1.0000	$ 36,146.07
SHELBY(MEMPHIS)	at Book Value	$ 379,075,080.75	0.55	1.148100	1.0000	$ 2,393,688.55
SHEBLY TOWNS	at Book Value	$ 51,008,166.43	0.55	1.180267	1.0000	$ 331,117.91
SHELBY UNINCORP	at Book Value	$ 63,832,219.65	0.55	2.702382	1.0000	$ 948,744.73

TOTAL PART I **$ 12,693,567.14**

Unit Value Calculation		
Total Net Investment-all	$ 493,915,466.83	
Percentage in the City	76.7490%	
Percentage in County	12.9237%	
Percentage in Towns	10.3273%	100%
Unit Value All Assets	$789,022,340.58	
Unit Value of City Assets	$605,566,595.01	

B. ADMINISTRATIVE COST CALCULATION

The City Council has determined that it incurs administrative and capital costs as owner and fiscal authority of the Gas System that are paid by City taxpayers and are not paid by other taxing

jurisdictions, which costs are essential and necessary for the operation of the Gas System ("Gas System Administrative Costs"). These administrative and capital costs include but are not limited to supervision of the fiscal and contracting activities of the Gas System, resolution of labor disputes, right of way management of the core assets of the Gas System located in the City's rights of way, deferred maintenance costs of rights of way used by the Gas System and extraordinary costs incurred to resolve disputes over location and expansion of data centers within the City's rights of way. The City Council has determined that these administrative and capital costs of the City are paid by taxpayers of City but inure to the benefit of the ratepayers of the other taxing jurisdictions such that it is inequitable for the City's ratepayers to bear these costs twice. The Council determines in its legislative judgment based on its budgeted operating expenses and CIP Projections that the amount of Gas System Administrative Costs that should be borne by the Gas System for FY 2027 is $452,637.00.

C. REVENUE ASSESSMENT CALCULATION

The City Council has determined that it is proper for an assessment to be made against Gas System Revenues in an amount equal to four percent (4%) of the average of revenue less cost of gas from gas operations for the preceding three (3) fiscal years in recognition of the fact that the Unit Value Method of valuing

the Gas System assets in the City does not fully assess the fair market value of the Gas System as a whole under the Ad Valorem calculation. The Revenue Assessment for FY 2027 is calculated as follows:

PART III	**Revenue Assessment Calculation**			
THREE YEAR AVERAGE OPERATING REVENUE LESS GAS COSTS				
$141,039,037.03	FOR	FY		2026
$139,411,372.32	FOR	FY		2025
$142,226,997.32	FOR	FY		2024
$422,677,406.67				
DIVIDED BY 3 =				
$ 140,892,468.89	AT 4%		$5,635,698.76	
TOTAL PART III				**$5,635,698.76**

II. DISTRIBUTION OF FY 2027 TOTAL GAS TAX EQUIVALENT PAYMENT

1. Tennessee Code Annotated § 7-39-405 requires the City's governing body to direct MLGW by resolution to make payments from the FY 2027 Gas Tax Equivalent Payment, as so determined by the City Council,

a) to the taxing jurisdictions in which the City's gas plant in service is located in accordance with and subject to any terms, conditions, contracts or agreements now in effect, or;
b) in the absence of a written agreement that was executed prior to April 2012, or became effective on the first day of any fiscal year thereafter, to each taxing jurisdiction, without such a written agreement with the City, a payment that is equal to that portion of the Total Gas Tax Equivalent Payment that is calculated using each such taxing jurisdiction's tax rate pursuant to § 7-39-404(1)(A);

2. The City has not entered into any written agreement with Shelby County or any of the six (6) incorporated municipalities that was executed prior to April 2012, or became effective on July

1, 2026. The Council has and will continue to honor the longstanding mutual arrangements with each of the six (6) incorporated municipalities to make distribution to such municipalities equal to an amount that is calculated using each such taxing jurisdiction's separate tax rate.

3. The City Council has elected not to use the formula prescribed for determining the cap set forth in § 7-39-404(1)(A) as the method used by the governing body of the municipality for calculating the total amount to be paid as gas tax equivalents pursuant to the introductory paragraph of Tennessee Code Annotated § 7-39-404 since the use of the cap formula to calculate the total amount to be paid as gas tax equivalents would lead to an inequitable windfall distribution payment for Shelby County as compared to City, as owner of the Gas System.

4. In accordance with Tennessee Code Annotated § 7-39-405 the City Council directs MLGW to make gas tax equivalent payments for FY 2027 to each taxing jurisdiction, other than the City, in the amount identified for each such jurisdiction in the Ad Valorem Section of this Resolution less any advance payments made to such jurisdictions for FY 2027.

5. The balance of the gas tax equivalent payments for FY 2027 after deducting the sum of the amounts payable to all taxing jurisdictions other than the City as required by paragraph 4 shall be allocated and payable to the general fund of the City.

6. MLGW is authorized to make a final payment from the FY 2027 Gas Equivalent Payment to the City, the County and each incorporated municipality in Shelby County before December 31, 2026 in such amounts as set forth below, to-wit:

Jurisdiction	Gross Amount	Advance Payments	Net Distributable
Arlington	$29,670.80	$3,042.79	$26,628.01
Bartlett	$152,202.01	$18,056.37	$134,145.64
Collierville	$115,863.06	$20,981.50	$94,881.56
Germantown	$70,128.30	$19,525.46	$50,602.84
Lakeland	$20,317.94	$0.00	$20,317.94
Millington	$36,146.07	$5,540.50	$30,605.57
Shelby County	$948,744.73	$0.00	$948,744.73
Memphis	$17,408,829.99	$5,175,452.59	$12,233,377.40
Totals	$18,781,902.90	$5,242,599.21	$13,539,303.69

The payments in lieu of taxes that MLGW has been authorized to make to each taxing jurisdiction shall be in lieu of all ad valorem taxes or other charges against MLGW, its properties or operations that may be assessed or levied by each such taxing jurisdiction.

BE IT FURTHER RESOLVED that all payments in lieu of ad valorem taxes or tax equivalents paid by MLGW from its Gas system revenues to any taxing jurisdiction under this and all prior resolutions for Fiscal Year 2027 shall represent when received by such taxing jurisdictions the final determination and the complete distribution of the FY 2027 Total Tax Equivalent Payment due to

each taxing jurisdictions in Shelby County under applicable law and the City's Charter.

BE IT FURTHER RESOLVED that to the extent any prior resolutions of the Council pertaining to the calculation or distribution of Gas MLGW payments in lieu of taxes for Fiscal Year 2027 are inconsistent with this resolution, this resolution shall control.

SPONSOR:
MLGW COMMITTEE

JANA SWEARENGEN-WASHINGTON
CHAIRMAN

RESOLUTION AUTHORIZING FINAL PAYMENT OF FY 2027 TAX EQUIVALENT PAYMENT FROM MEMPHIS LIGHT GAS AND WATER DIVISION'S ELECTRIC SYSTEM AND TOTAL DISTRIBUTION OF THE FY 2027 TAX EQUIVALENT PAYMENT TO TAXING JURISDICTIONS IN SHELBY COUNTY, TENNESSEE

WHEREAS, pursuant to Section 2 of the May 29, 1987 Contract Amendment (Supp. No. 8) to the TVA Power Contract between TVA and the City (the "TVA Agreement"), the City's Charter and applicable law, the Memphis City Council has the sole and exclusive legislative authority to calculate and determine for each fiscal year an amount for payments in lieu of taxes, called "tax equivalents" on its electric system and electric operations, which, in the judgment of the City Council, after consultation with MLGW, shall represent the fair share of the cost of government properly to be borne by the City's electric system and the tax equivalent payments to be distributed to each taxing jurisdiction.

WHEREAS, the TVA Agreement and applicable law limits the amount of tax equivalents that MLGW may pay from its Electric System Revenues ("Maximum Allowable Electric Equivalency Payment") in any fiscal year.

WHEREAS, to properly calculate and determine the tax equivalents, the limitation on such tax equivalents and the amounts to be distributed to each taxing jurisdiction, the Council has consulted with MLGW concerning the financial status and forecasts for its electric system and electric operations for the City's fiscal year ending June 30, 2027 ("Fiscal Year 2027"). MLGW has

provided the Council with financial and tax information concerning its operations as of the beginning of Fiscal Year 2027, including (i) the assets, liabilities and financial condition of the electric system as a whole, (ii) the equalized property tax rate and the net plant value of the electric system in each taxing jurisdiction, (iii) the applicable assessment ratio in effect as of the beginning of such fiscal year, (iv) the total electric revenues received from the customers in each taxing jurisdiction, (v) the book value of materials and supplies and (vi) the average of revenue less power costs from electric operations for the preceding three (3) fiscal years. The financial and tax information identified in this paragraph is referred to herein as "FY 2027 Financial and Tax Information."

WHEREAS, the City Council has independently considered the relative assessed values of all taxable property in each taxing jurisdiction and the core governmental services provided by each taxing jurisdiction that directly support the operations and activities of the electric system in those jurisdictions. The information identified in this paragraph is referred to herein as "FY 2027 General Tax Information."

WHEREAS, the City Council in its legislative judgment has determined the fair cost of government properly to be borne by MLGW's Electric System for Fiscal Year 2027 based on a number of factors, including due consideration of the FY 2027 Financial and

Tax Information and the FY 2027 General Tax Information.

WHEREAS, in keeping with the policy established by the City Council in prior PILOT resolutions and agreements with the six (6) incorporated municipalities, the Electric Equivalency Payment for Fiscal Year 2027 is required to be made to the City and to several of the said municipalities in two (2) installments, consisting of an advance payment in April of 2026 and the balance before December 31, 2026. The advance payments for April, 2026 have already been made in compliance with prior resolutions.

WHEREAS, the City Council finds that it has consulted with the supervisory body of MLGW regarding the fair cost of government that may be properly borne by its Electric System for Fiscal Year 2027 as required by the TVA Agreement and applicable law.

WHEREAS, the Council intends, by this Resolution, to establish the total amount that may be paid by the Memphis Light Gas and Water Division from its electric system revenue as payments in lieu of ad valorem taxes or tax equivalents for Fiscal Year 2027 and the amounts that shall be distributed among all taxing jurisdictions in Shelby County, including the City, for Fiscal Year 2027.

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

FY 2027 TAX EQUIVALENT PAYMENT

1. After consultation with Memphis Light Gas and Water Division, the Council determines in its legislative discretion that, the total amount that may be paid by the Memphis Light Gas and Water

Division from its electric system revenue as payments in lieu of ad valorem taxes or tax equivalents for the benefit of all taxing jurisdictions in Shelby County, including the City, for Fiscal Year 2027 is $59,945,490.36, which amount, in the legislative judgment of the City's governing body, represents the fair cost of government provided by all taxing jurisdictions that is properly to be borne by the City's electric system (the "FY 2027 Total Electric Tax Equivalent Payment").

2. Based solely on advice from MLGW the Council finds that the FY 2027 Total Electric Tax Equivalent Payment as so determined and calculated by the City Council does not exceed the maximum amount that it may pay under the TVA Agreement and applicable law.

DISTRIBUTION OF FY 2027 TOTAL TAX EQUIVALENT PAYMENT

1. The City's agreement with TVA requires the City to make distribution of the FY 2027 Total Tax Equivalent Payment among the taxing jurisdictions in which MLGW's Electric System is located pursuant to applicable law.

2. Tennessee Code Annotated § 7-52-307 requires the City's governing body to direct MLGW by resolution to make payments from the FY 2027 Total Tax Equivalent Payment, as determined by the City Council, to the taxing jurisdictions in which its electric plant is located, except to the extent otherwise provided in the City's home rule charter, as follows:

a) An amount equal to twenty-two and one-half percent (22.5%) of the FY 2027 Total Tax Equivalent Payment to Shelby County.

b) An amount equal to the equalized property tax rate of such other city taxing jurisdictions in Shelby County multiplied by the net plant value of the electric plant, plus the book value of materials and supplies located within the boundaries of such other city taxing jurisdiction multiplied by the assessment ratio for fiscal year 2027, and

c) The balance of the FY 2027 Total Tax Equivalent Payment, after deducting the amounts determined and paid under subdivisions (a) and (b), above to the general fund of the City.

3. Notwithstanding Tennessee Code Annotated § 7-52-307 to the contrary, the City's Home Rule Charter adopted by Memphis voters in a Referendum Election conducted in accordance with the Tennessee Constitution and applicable law on November 8, 2016 requires distribution to the City's general fund of a sum equal in amount to the City taxes assessed and levied on the fair market value of properties of the electric or gas division situated within the corporate limits of the City of Memphis in the same manner and as if said properties were privately owned before the tax equivalent payment to be made to Shelby County is calculated.

4. The City Council does hereby find, declare and determine in its legislative discretion that distribution of the FY 2027 Total Tax Equivalent Payment for Fiscal Year 2027 shall be made in accordance with Tennessee Code Annotated § 7-52-307, except to the extent otherwise provided in the City's home rule charter in effect on the date of this resolution.

5. The City Council does therefore find, declare and

determine in its legislative discretion that:

a) based on financial records of MLGW, if it were a private taxpaying utility, the value of properties of the electric division situated within the corporate limits of the City of Memphis for the purposes of the City's Home Rule Charter as of June 30, 2026 would be in excess of $2,062,483,913.85 ("Fair Market Value Amount");

b) the amount of the FY 2027 Total Tax Equivalent Payment distributable to the general fund of the City for fiscal year 2027 pursuant to the City's Home Rule Charter, as amended, before distributions of tax equivalents to any other taxing jurisdiction, is $29,275,835.10 determined by multiplying the Fair Market Value Amount by an assessment rate of 55%, the City's equalized property tax rate of $2.580810 per $100 of assessed value and an assessment ratio of 100%.("FY 2027 Home Rule Charter Amount");

c) the amount of the FY 2027 Total Tax Equivalent Payment distributable to Shelby County is $6,900,672.43 determined by multiplying 22.5% times the balance of the FY 2027 Total Tax Equivalent Payment after deducting the FY 2027 Home Rule Charter Amount;

d) the gross amount of the FY 2027 Total Tax Equivalent Payment distributable to the other city jurisdictions in Shelby County is as follows:

Taxing Jurisdiction	**Total Due FY 2027**
Arlington	$66,339.57
Bartlett	$409,535.75
Collierville	$715,655.61

Germantown	$355,323.88
Lakeland	$209,571.12
Millington	$172,027.89

e) The balance of the FY 2027 Total Tax Equivalent Payment after deducting the sum of the amounts computed in subparagraphs (b), (c) and (d) above of this paragraph 5 is $21,840,529.00, which amount together with the FY2027 Home Rule Charter Amount shall be allocated and payable to the general fund of the City.

6. MLGW is authorized to make a final payment from the Total FY 2026 Electric Equivalency Payment to the City, the County and each incorporated municipality in Shelby County on or before December 31, 2026 in such amounts as set forth, to-wit:

Jurisdiction	Gross Amount	Advance Payments	Net Distributable
Arlington	$66,339.57	$2,314.12	$64,025.45
Bartlett	$409,535.75	$35,806.14	$373,729.61
Collierville	$715,655.61	$16,333.73	$699,321.88
Germantown	$355,323.88	$43,820.08	$311,503.80
Lakeland	$209,571.12	$0.00	$209,571.12
Millington	$172,027.89	$11,614.16	$160,413.73
Shelby County	$6,900,672.43	$0.00	$6,900,672.43
Memphis	$51,116,364.12	$7,993,512.91	$43,122,851.21
Totals	$59,945,490.37	$8,103,401.14	$51,842,089.23

All capitalized terms used in this paragraph shall have the meanings given them in Section 2 of the May 29, 1987 Contract Amendment (Supp. No. 8) to the TVA Power Contract between TVA, the

City and MLGW ("TVA Power Contract"). The payments in lieu of taxes that MLGW has been authorized to make to each taxing jurisdiction shall be in lieu of all ad valorem taxes or other charges against MLGW, its properties or operations that may be assessed or levied by each such taxing jurisdiction.

BE IT FURTHER RESOLVED that all payments in lieu of ad valorem taxes or tax equivalents paid by MLGW from its electric system revenues to any taxing jurisdiction under this and all prior resolutions for Fiscal Year 2027 shall represent when received by such taxing jurisdictions the final determination and the complete distribution of the FY 2027 Total Tax Equivalent Payment due to each taxing jurisdiction in Shelby County under applicable law, the City's home rule charter and the TVA Agreement.

BE IT FURTHER RESOLVED that to the extent any prior resolutions of the Council pertaining to the calculation or distribution of Electric MLGW payments in lieu of taxes for Fiscal Year 2026 are inconsistent with this resolution, this resolution shall control.

SPONSOR:
MLGW COMMITTEE

Jana Swearengen-Washington
CHAIRMAN

Resolution authorizing the Council to hold a public hearing at which it will convene as a Ratemaking Board to consider the application of the MLGW Board of Commissioners for rate increases and changes to present gas and water rate tariffs, new Electric Vehicle Charging Rate Schedule EVC rate tariff, modifications to the present Electric Division Fuel Cost and Purchased Power Adjustment Rider FCA rate tariff, and new Water Division W-15 and W-16 Data Center rate tariffs

WHEREAS, pursuant to Chapter 381 of the Private Acts of 1939, City of Memphis Charter Section 680, the Memphis Light, Gas and Water Division has made application to the Council to hold a public hearing to consider approval by the Council of gas and water rate increases and changes to present gas and water rate tariffs, new Electric Vehicle Charging Rate Schedule EVC rate tariff, modifications to the present Electric Division Fuel Cost and Purchased Power Adjustment Rider FCA rate tariff, and new Water Division W-15 and W-16 Data Center rate tariffs.

WHEREAS, the City Council desires to authorize its staff and MLGW to take all necessary steps to schedule a public hearing of the City Council on November 24, 2026 at 4:00 P.M. for the purpose of considering the rate application of the MLGW Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the City Council shall hold a public hearing on November 24, 2026 at 4:00 P.M. to convene as a Ratemaking Board to consider the application of the MLGW Board of Commissioners for rate increases and changes to present gas and water rate tariffs, new Electric Vehicle Charging Rate Schedule EVC rate tariff, modifications to the present Electric Division Fuel Cost and Purchased Power Adjustment Rider FCA rate tariff, and new Water Division W-15 and W-16 Data Center rate tariffs.

FURTHER RESOLVED, that MLGW is hereby authorized to publish notice of such hearing in a newspaper of general circulation no less than three days in advance of the hearing date.

SPONSOR: MLGW COMMITTEE

A resolution to adopt Electric Vehicle Charging Rate Schedule EVC which allows for a new rate applicable to commercial services where the majority of electric usage is for electric vehicle charging and to approve language modifications to the Electric Division Fuel Cost and Purchased Power Adjustment Rider FCA which will allow for recovery of all purchased power costs incurred by the division to be effective with meters read on Cycle 1 of the January 2027 revenue month on a non-prorated basis.

WHEREAS, pursuant to Chapter 381 of the Private Acts of 1939, and City of Memphis Charter Section 680, authority is granted to the governing body of the City of Memphis to convene as a Ratemaking Board for the purpose of approving changes in electric rates; and

WHEREAS, the Memphis Light, Gas and Water Division has made application under said sections for the Council to hold a public hearing, at which time the Council will convene as a Ratemaking Board to consider approval by the Council of revisions to the schedule of electric rates adopted and recommended by the Board of Commissioners of MLGW; and

WHEREAS, the City Council, as authorized by the City's Charter, convened a public hearing as a Ratemaking Board for the purpose of considering approval of revisions in the schedule of electric rates adopted and recommended by the Board of Commissioners of MLGW;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis, properly convened and sitting as a Ratemaking Board pursuant to the City Charter's Ratemaking Provisions and the Charter as a whole, that the rate application of the Memphis Light, Gas and Water Division consisting of correspondence and exhibits filed herewith and the resolution of the Board of Light, Gas and Water Commissioners establishing said rates ("MLGW Rate Application") is hereby approved and the adoption of Electric Vehicle Charging Rate Schedule EVC and modifications to the Electric Division Fuel Cost and Purchased Power Adjustment Rider FCA is hereby approved and prescribed.

BE IT FURTHER RESOLVED, by the Council of the City of Memphis that the aforesaid adoption of the Electric Vehicle Charging Rate Schedule EVC and modifications to the Electric Division Fuel Cost and Purchased Power Adjustment Rider FCA shall be effective with meters read on Cycle 1 of the January 2027 revenue month on a non-prorated basis.

BE IT FURTHER RESOLVED, the Council expressly finds that the adoption of the Electric Vehicle Charging Rate Schedule EVC and modifications to the Electric Division Fuel Cost and Purchased Power

Adjustment Rider FCA as set forth above is necessary to provide services consistent with peers and address an ever-changing electric market.

SPONSOR: MLGW

JANA SWEARENGEN-WASHINGTON
CHAIRMAN

A resolution to approve the 2027 increase in water revenues of 16.0%, to be effective with meters read on Cycle 1 of the January 2027 revenue month on a non-prorated basis, the 2028 increase in water revenues of 16.0% to be effective with meters read on Cycle 1 of the January 2028 revenue month on a non-prorated basis, the 2029 increase in water revenues of 16.0% to be effective with meters read on Cycle 1 of the January 2029 revenue month on a non-prorated basis, and the adoption of the Water Division W-15 and W-16 Data Center Rate Schedules.

WHEREAS, pursuant to Chapter 381 of the Private Acts of 1939, and City of Memphis Charter Section 680, authority is granted to the governing body of the City of Memphis to convene as a Ratemaking Board for the purpose of approving changes in water rates; and

WHEREAS, the Memphis Light, Gas and Water Division has made application under said sections for the Council to hold a public hearing, at which time the Council will convene as a Ratemaking Board to consider approval by the Council of revisions to the schedule of water rates adopted and recommended by the Board of Commissioners of MLGW; and

WHEREAS, the City Council, as authorized by the City's Charter, convened a public hearing as a Ratemaking Board for the purpose of considering approval of revisions in the schedule of water rates adopted and recommended by the Board of Commissioners of MLGW;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis, properly convened and sitting as a Ratemaking Board pursuant to the City Charter's Ratemaking Provisions and the Charter as a whole, that the rate application of the Memphis Light, Gas and Water Division consisting of correspondence and exhibits filed herewith and the resolution of the Board of Light, Gas and Water Commissioners establishing said rates ("MLGW Rate Application") is hereby approved and the schedules of water rates W-1, W-2, W-5, W-6, W-7, W-8, W-9, W-10, W-11, W-51, W-53, W-57, FP-1 and FP-2 are hereby approved and prescribed resulting in a 16.0% ($20,000,000) increase in revenues (percentage varies between classes) on an annual basis in 2027, 16.0% ($23,666,000) increase in revenues (percentage varies between classes) on an annual basis in 2028 and a 16.0% ($27,591,000) increase in revenues (percentage varies between classes) on an annual basis in 2029, and the adoption of the new W-15 and W-16 Data Center Rate Schedules.

BE IT FURTHER RESOLVED, by the Council of the City of Memphis that the aforesaid water rate increase changes shall be effective for the Cycle 1 meter reading for the January 2027 revenue month on a non-prorated basis, the Cycle 1 meter reading for the January 2028 revenue month on a non-prorated

basis and the Cycle 1 meter reading for the January 2029 revenue month on a non-prorated basis respectively.

BE IT FURTHER RESOLVED, the Council expressly finds that the approval of revisions in the schedule of water rates as set forth above are necessary to prescribe rates that will be sufficient for the Memphis Light, Gas and Water Division to pay all expenses of operation, maintenance of the water system, reserves for working capital, renewals and replacements, casualties and other fixed charges, payments in lieu of taxes, construction and capital expenditures and reserves for safe operating margins.

SPONSOR: MLGW

JANA SWEARENGEN-WASHINGTON
CHAIRMAN

A resolution to approve the 2027 increase in gas revenues of 12.0%, to be effective with meters read on Cycle 1 of the January 2027 revenue month on a non-prorated basis, the 2028 increase in gas revenues of 11.0% to be effective with meters read on Cycle 1 of the January 2028 revenue month on a non-prorated basis, and the 2029 increase in gas revenues of 11.0% to be effective with meters read on Cycle 1 of the January 2029 revenue month on a non-prorated basis.

WHEREAS, pursuant to Chapter 381 of the Private Acts of 1939, and City of Memphis Charter Section 680, authority is granted to the governing body of the City of Memphis to convene as a Ratemaking Board for the purpose of approving changes in gas rates; and

WHEREAS, the Memphis Light, Gas and Water Division has made application under said sections for the Council to hold a public hearing, at which time the Council will convene as a Ratemaking Board to consider approval by the Council of revisions to the schedule of gas rates adopted and recommended by the Board of Commissioners of MLGW; and

WHEREAS, the City Council, as authorized by the City's Charter, convened a public hearing as a Ratemaking Board for the purpose of considering approval of revisions in the schedule of gas rates adopted and recommended by the Board of Commissioners of MLGW;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis, properly convened and sitting as a Ratemaking Board pursuant to the City Charter's Ratemaking Provisions and the Charter as a whole, that the rate application of the Memphis Light, Gas and Water Division consisting of correspondence and exhibits filed herewith and the resolution of the Board of Light, Gas and Water Commissioners establishing said rates ("MLGW Rate Application") is hereby approved and the schedules of gas rates G-1 & G-3, G-7, G-8 & G-9, G10 & G12 sales, G-10 & G-12 Market, and FT (excluding the pass-through effects of wholesale natural gas purchases) are hereby approved and prescribed resulting in a 12.0% ($29,376,000) increase in revenues (percentage varies between classes) on an annual basis in 2027, 11.0% ($29,376,000) increase in revenues (percentage varies between classes) on an annual basis in 2028 and a 11.0% ($32,771,000) increase in revenues (percentage varies between classes) on an annual basis in 2029.

BE IT FURTHER RESOLVED, by the Council of the City of Memphis that the aforesaid gas rate increase changes shall be effective for the Cycle 1 meter reading for the January 2027 revenue month on a non-prorated basis, the Cycle 1 meter reading for the January 2028 revenue month on a non-prorated

basis and the Cycle 1 meter reading for the January 2029 revenue month on a non-prorated basis respectively.

BE IT FURTHER RESOLVED, the Council expressly finds that the approval of revisions in the schedule of gas rates as set forth above are necessary to prescribe rates that will be sufficient for the Memphis Light, Gas and Water Division to pay all expenses of operation, maintenance of the gas system, reserves for working capital, renewals and replacements, casualties and other fixed charges, payments in lieu of taxes, construction and capital expenditures and reserves for safe operating margins.

SPONSOR: MLGW

JANA SWEARENGEN-WASHINGTON
CHAIRMAN

A resolution to approve the 2027 Electric, Gas and Water Operations and Capital Budget.

WHEREAS, the Board of Light, Gas and Water Commissioners has submitted a proposed budget for the Memphis Light, Gas and Water Division for operation and maintenance expenses for the calendar year 2027, and the capital expenditures for 2027; and

WHEREAS, the Board of Commissioners has approved said budget and submitted to the City Council with the recommendation of the Board for approval; and

WHEREAS, the Council has, through its MLGW Committee and other interested members of the Council, reviewed the budget and conducted hearings thereon; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the attached 2027 Budget of the Memphis Light, Gas and Water Division for operation and maintenance expenses and capital expenditures is approved.

SPONSOR: MLGW

JANA SWEARENGEN-WASHINGTON
CHAIRMAN

RESOLUTION TO AMEND THE FY27 COUNCIL COMMUNITY GRANT ALLOCATIONS

WHEREAS, the FY27 Operating Budget included $2,600,000 in funding for the Council's Community Grant Program with an equal apportionment to the 13 Council members in the amount of $200,000; and

WHEREAS, each Council member relinquished $1,000 of the apportionment to benefit the Hospitality Hub of Memphis, thus reducing the starting apportionment to $199,000; and

WHEREAS, the Memphis City Council allowed presentations by prospective organizations, and members were able to select individual grant award amounts to organizations that successfully completed the application process; and

WHEREAS, Councilwoman Dr. Michalyn Easter-Thomas would like to amend the current FY27 Council Community Grant Program to add allocations from her allotment of funds; and

NOW, THEREFORE, BE IT **RESOLVED** that the FY27 Council Community Grant Program shall be amended to include the following organization(s) as a recipient of Councilwoman Dr. Michalyn Easter-Thomas's allocations:

Organization Name	**Amount**
Advocates for Immigrant Rights	2,387.56
Total	**2,387.56**

Sponsor:
Dr. Michalyn Easter-Thomas

RESOLUTION TO AMEND THE FY27 COUNCIL COMMUNITY GRANT ALLOCATIONS

WHEREAS, the FY27 Operating Budget included $2,600,000 in funding for the Council's Community Grant Program with an equal apportionment to the 13 Council members in the amount of $199,000; and

WHEREAS, the Memphis City Council allowed presentations by prospective organizations, and members were able to select individual grant award amounts to organizations that successfully completed the application process; and

WHEREAS, an organization to which Councilman Jeffrey Warren previously allocated funding within the guidelines of the program opted to return said allocation in the amount of $1,000; and

WHEREAS, Councilman Warren wishes to amend the current FY27 Council Community Grant Program to allocate the returned funds to a new organization of his choice;

NOW, THEREFORE, BE IT **RESOLVED** that the FY27 Council Community Grant Program shall be amended to allocate and appropriate funding to the following organization, thus utilizing Councilman Warren's available allocations:

Organization Name	**Amount**
Show Up Collective INC	$1,000

Sponsor:
Dr. Jeffery Warren

RESOLUTION TO AMEND THE FY2027 OPERATING BUDGET TO CONDUCT A TRANSFER FROM GRANTS AND SUBSIDIES TO THE LEGISLATIVE DIVISION

WHEREAS, the Memphis City Council approved the FY2027 Operating budget for the City of Memphis on June 23, 2026; and

WHEREAS, the Memphis City Council seeks to transfer **$38,000** (Thirty-eight thousand dollars) **from**:

0111.230101.061026 [General Fund, Grants and Subsidies, Community Initiatives Grants for Non-Profits]

to 0111.810101.052528 [General Fund, Council, Misc Professional Services], and

WHEREAS, the transfer will simultaneously reduce available City Council Community Grant allocations for the following Council members in the specified amounts:

JB Smiley, Jr.: - $7,000

Jana Swearengen-Washington: - $5,000

Edmund Ford, Sr.: - $26,000

and

WHEREAS, the cumulative total of **$38,000** will be utilized for sponsorship purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Memphis City Council hereby amends the adopted Operating budget for Fiscal Year 2027 with the allocation and appropriation of $38,000 (Thirty-eight thousand dollars) in operating revenue in the General Fund in the following manner:

FROM: 0111.230101.061026 [General Fund, Grants and Subsidies, Community Initiatives Grants for Non-Profits]

TO: 0111.810101.052528 [General Fund, Council, Misc Professional Services]

Sponsors:
JB Smiley, Jr.
Jana Swearengen-Washington
Edmund Ford, Sr.
Jerri Green

RESOLUTION TO AMEND THE FY2027 OPERATING BUDGET TO CONDUCT A TRANSFER FROM GRANTS AND SUBSIDIES TO THE LEGISLATIVE DIVISION FOR SPONSORSHIPS

WHEREAS, the Memphis City Council approved the FY2027 Operating budget for the City of Memphis on June 23, 2026; and

WHEREAS, the Memphis City Council seeks to transfer **$5,000** (Five thousand dollars) in operating revenue as follows:

> **FROM**: 0111.230101.061026 [General Fund, Grants and Subsidies, Community Initiatives Grants for Non-Profits]
>
> **TO**: 0111.810101.052528 [General Fund, Council, Misc Professional Services], and

WHEREAS, the transfer will simultaneously reduce available City Council Community Grant allocations for the listed Council member(s) in the specified amount(s):

> **Rhonda Logan**: - $5,000

WHEREAS, the cumulative total will be utilized for sponsorship purposes; and

NOW, THEREFORE, BE IT RESOLVED, that the Memphis City Council hereby amends the adopted Operating budget for Fiscal Year 2027 with the allocation and appropriation of $5,000 (Five thousand dollars) in operating revenue in the General Fund in the following manner:

> **FROM**: 0111.230101.061026 [General Fund, Grants and Subsidies, Community Initiatives Grants for Non-Profits]
>
> **TO**: 0111.810101.052528 [General Fund, Council, Misc Professional Services]

Sponsor: Rhonda Logan

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: _____

ORDINANCE TO ESTABLISH MEMPHIS CITY COUNCIL MEETING DATES FOR 2027

WHEREAS, Referendum Ordinance 4274, approved by the citizens of Memphis on November 8, 1994, amended the Council's meeting dates to the first and third Tuesdays of each month; and

WHEREAS the Council wishes to approve the 2027 meeting dates.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council will conduct its regular meetings on the following Tuesdays of each month at 4:00 pm in the Memphis City Council Chamber:

January	5	19
February	2	16
March	2	16
April	6	20
May	4	18
June	1	15
July	6	20
August	10	24
September	7	21
October	5	19
November	2	16
December	7	21

Sponsor:
Jana Swearengen-Washington, Chairwoman
Chase Carlisle, Vice Chairman