



CITY OF MEMPHIS

COUNCIL AGENDA

December 7, 2010

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (November 23, 2010)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION congratulating the University of Memphis Women's Soccer Team on their outstanding 2010 season.

Boyd

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION congratulating the Georgian Hills Middle School football team for winning the MIAA large school division City Championship.

Lowery

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS (None)

DIVISION OF PLANNING & DEVELOPMENT

3. RESOLUTION approving a Hotel Waiver for Welcome Inn, located at 5225 Summer Avenue. (This item was approved on June 8, 2010 and had to come back before City Council in 6 months).

Ford

Case No. HMW 10-04

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCE – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCES - FIRST READING

4. **ORDINANCE** to amend Chapter 2, Division 6, Local Small Business Development and Procurement Program, up for F I R S T reading.

Conrad

Ordinance No. 5389

ACTION REQUESTED: Adopt the ordinance on First reading

5. **ORDINANCE** to amend Chapter 5, City of Memphis, Code of Ordinances, to eliminate Animal Control Officer's Ability to Issue Citations in Lieu of Arrest and Authorize such Officers to Issue Ordinance Summons in Accordance with Tennessee Code Annotated Section 7-63-201, up for F I R S T reading.

Boyd

Ordinance No. 5390

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

6. **RESOLUTION** approving final plat of UNION AVENUE and COOPER STREET PLANNED DEVELOPMENT.

Case No. PD 10-309

Resolution approves the final plat located at the intersection of Union Avenue and Cooper Street. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval.

ACTION REQUESTED: Adopt the resolution

7. RESOLUTION approving final plat of GOODLETT FARMS EAST PD, PH..17 and GOODLETT FARMS EAST PD, FIRST ADDITION, PH. 1, DEDICATION OF HILRISE ROAD.

Case No. PD 90-317cc &
Case No. PD 93-304cc

Resolution approves the final plat located on Hilshire Rd. south of Dexter Rd. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval.

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD

8. NOTATIONS from Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

- A. Case No. PD 10-315 – POWER CENTER P.D.

Located on the south side of Winchester Road; +/-670 feet east of Mendenhall Road, containing 41.83 acres in the Multiple Dwelling Residential (R-MM and R-ML Districts)

Applicant: Power Center Community Development Corporation (Derwin Sisnett, Ex. Dir.)
Askew Hargraves Harcourt and Associates, Inc. (Jay Easter) - Representative

Request: Mixed Use Planned Development (Middle School, Performing Art Center, Residential and Commercial Uses)

LUCB and OPD recommendation: APPROVAL, with conditions

- B. Case No. PD 10-316 – MEMPHIS DEPOT BUSINESS PARK PLANNED DEVELOPMENT, 2ND AMENDMENT

Located on the northwest corner of Airways Boulevard and Memphis Depot Parkway extending north to Dunn Avenue and south to Ball Road, containing +/- 415 acres and is currently governed by Memphis Depot Business Park Planned (P.D. 10-301)

Applicants: Depot Redevelopment Corporation of Memphis & Shelby County
SR Consulting, LLC - Representative

Request: Plan amendment to eliminate the current Use Chart and replace with standard Uses Permitted in Light Industrial (I-L) District with exceptions and add a Condition XI regarding property owners' right to amend Outline Plan with required notification

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: December 21, 2010



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MLGW FISCAL CONSENT

9. RESOLUTION awarding Contract No. 11413, Surveying Services, to Benchmark-Ollar Surveying, in the funded amount of \$136,095.00.
10. RESOLUTION awarding Contract No. 11416, Mobile Sweeping, to Horizon of Memphis, Inc., in the funded amount of \$53,304.36.
11. RESOLUTION awarding Contract No. 11433, Palmer Pumping Station Concrete Restoration, to Mid-South Specialties, in the funded amount of \$184,275.00.
12. RESOLUTION awarding Contract No. 11450, Peak Call Management System, to Twenty First Century Communications, Inc., in the funded amount of \$2,214,000.00.
13. RESOLUTION awarding Contract No. 11453, Voice and Data Services, to AT&T, Inc., in the funded amount of \$954,000.00.
14. RESOLUTION approving Change No. 3 to Contract No. 11099, AT&T Voice and Data Services, with AT&T Business Systems, in the funded amount of \$72,000.00. (This change extends the current contract for a six-month term, January 1, 2011 to June 30, 2011, with no increase in rates. This change will allow time to rebid due to the proposals that were received for CCC Telephone Services not being in compliance and will be rejected).
15. RESOLUTION awarding Contract No. 11465, Contract Security Services, to CDA, Inc., in the funded amount of \$2,811,216.00.
16. RESOLUTION approving Change No. 5 to Contract No. 10985, Master Lease Agreement, with SkillSoft Corporation, in the funded amount of \$12,085.50, for a new contract value of \$186,721.47. (This change renews the contract for a one-year term, January 1, 2011 to December 31, 2011, with a 4.82% increase in contract value. The increase covers additional on-line courses and tools offered to train MLGW employees for various work-related tasks).
17. RESOLUTION approving Change No. 3 to Contract No. 11209, Mobile Document Shredding Service, with Vital Records Control, in the funded amount of \$17,474.04, for a new contract value of \$97,664.52. (This change covers the addition of facilities to the current contract and a reduction in services at other facilities from the current contract).

18. RESOLUTION approving Change No. 3 to Contract No. 11214, Information Services Support, with Delta Consulting, in the funded amount of \$284,121.00. (This change renews the contract for the third of four renewal terms, January 1, 2011 to December 31, 2011, with no increase in rates from the previous year. It also ratifies the contract in the amount of \$2,601.00 for work performed during the existing term).
19. RESOLUTION approving Change No. 3 to Contract No. 11266, Information Services Support, with Zycron, in the funded amount of \$98,665.00. (This change renews the contract for the third of four renewal terms, January 1, 2011 to December 31, 2011, with no increase in rates from the previous year).
20. RESOLUTION approving Change No. 3 to Contract No. 11267, Information Services Support, with Stragistics Technology, in the funded amount of \$49,652.25. (This change renews the contract for the third of four renewal terms, January 1, 2011 to December 31, 2011, with no increase in rates from the previous year).
21. RESOLUTION approving Change No. 4 to Contract No. 11268, Information Services Support, with Nex Tech Solutions, in the funded amount of \$161,472.80. (This change renews the contract for the third of four renewal terms, January 1, 2011 to December 31, 2011, with no increase in rates from the previous year).
22. RESOLUTION approving Change No. 4 to Contract No. 11271, Information Services Support, with TEK Systems, in the funded amount of \$732,404.75. (This change renews the contract for the third of four renewal terms, January 1, 2011 to December 31, 2011, with no increase in rates from the previous year).
23. RESOLUTION approving Change No. 4 to Contract No. 11272, Information Services Support, with Ciber, Inc., in the funded amount of \$389,276.65. (This change renews the contract for the third of four renewal terms, January 1, 2011 to December 31, 2011).
24. RESOLUTION approving Change No. 2 to Contract No. 11232, Medical Insurance Plan, with Cigna Insurance Company, in the funded amount of \$9,806,450.04. (This change renews the contract for the second of four renewal terms, January 1, 2011 to December 31, 2011, with a premium increase from the previous year of 16.3% due to various reasons).
25. RESOLUTION approving Change No. 2 to Contract No. 11303, Medical Insurance Plan, with Aetna Insurance Company, in the funded amount of \$1,097,783.40. (This change renews the contract for the second of four renewal terms, January 1, 2011 to December 31, 2011, with a premium increase of 30.2% from the previous year due to various reasons).
26. RESOLUTION approving Change No. 2 to Contract No. 11233, Employee Benefit Dental Plan, with Delta Dental of Tennessee, in the funded amount of \$1,953,335.00. (This change renews the contract for the second of four renewal terms, January 1, 2011 to December 31, 2011, with a 6.5% increase in rates based on experience).

27. RESOLUTION approving Change No. 2 to Contract No. 11250, Waste Management Services, with Pollution Control Industries, in the funded amount of \$150,000.00. (This change renews the contract for the second of four renewal terms, January 1, 2011 to December 31, 2011, with no increase from the previous year).
28. RESOLUTION awarding contract for one motor controller to Electrical & Mechanical Components Depot, Inc., in the amount of \$76,899.00.
29. RESOLUTION awarding contract for installation of Voice-Over IP Network System to Venture Technologies, in the amount of \$107,403.80.
30. RESOLUTION awarding contract for approximately 480,000 ft. of inner duct to Petroflex, Inc., in the amount of \$131,040.00.
31. RESOLUTION awarding 36-month contract for sodium hexametaphosphate to Brenntag Mid-South, in the amount of \$1,914,944.85.



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REGULAR AGENDA

CITY COUNCIL AS A RATE MAKING BOARD

32. RESOLUTION convening City Council as a Ratemaking Board for the purpose of determining the feasibility of a revision in the schedule of rates, and to prescribe rates sufficient for the operation of Memphis Light, Gas and Water Division.

Fullilove

ACTION REQUESTED: Adopt the resolution

COUNCIL RECESS AS CITY COUNCIL AND CONVENES AS
A RATE – MAKING BOARD

MEETING CALLED TO ORDER AS A RATE-MAKING BOARD BY
THE SERGEANT-AT-ARMS

PUBLIC HEARING Re: Revised schedule of MLGW rates

Presentation by: Memphis Light, Gas & Water

33. RESOLUTION approving MLGW's 2011 changes for water rates to be effective for Cycle 1 meter reading in January 2011.

Fullilove

MLG&W Board of Commissioners recommend approval

ACTION REQUESTED: Adopt the resolution

ADJOURNMENT AS A RATE MAKING BOARD BY
THE SERGEANT-AT-ARMS

**MEETING CALLED BACK TO ORDER AS THE CITY COUNCIL
 BY THE SERGEANT-AT-ARMS**

34. RESOLUTION approving the 2011 Electric, Gas and Water Operations and Capital Budget, including an increase in water raters of 5.0%, to be effective with meters read on Cycle One of the January 2011 revenue month on a non-prorated basis.

Fullilove

ACTION REQUESTED: Adopt the resolution

35. Strickland

APPOINTMENTS

Memphis and Shelby County Center City Commission

Appointment

George Shadrul

Minority Business Development and Oversight Commission

Appointments

Anthony Currie
 Alandas Dobbins
 Melvin Jones
 Anna Martin-Kelly
 Juan Romo
 Lori Spicer
 Roby Williams

GENERAL ORDINANCE -THIRD AND FINAL READING (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

PARK SERVICES

- 36. RESOLUTION including Skate Park, located at 2599 Avery, CIP Project Number PK07098, as part of the Fiscal Year 2011 Capital Budget. Resolution states the Administration is required to present a preliminary design to the appropriate Council Committee. Resolution further requests approval for continuation of plans and specifications for the taking of bids at an estimated construction cost of \$440,000.00

Boyd

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

- 35. APPOINTMENTS

Strickland

Memphis and Shelby County Center City Commission

Reappointment

George Shadrout

Minority Business Development and Oversight Commission

Appointment

Sabrina Whisenant

Director of Engineering

Appointment

John E. Cameron

- 37. RESOLUTION supporting the waiver, release and discharge of future property rights located at Fourth and Linden, also known as part of the Beale Street Urban Renewal Area.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

38. RESOLUTION authorizing the execution, delivery and performance of a master equipment lease and a schedule to the master lease between Banc of America Public Capital Corporation and the City of Memphis, Tennessee, relating to the acquisition of red light camera equipment and to approve certain other matters relating thereto for the lease.

Lowery

ACTION REQUESTED: Adopt the resolution

39. RESOLUTION regarding the possible designation of Shelby County Schools as a special school district.

Halbert

ACTION REQUESTED: Adopt the resolution

40. RESOLUTION allocating a portion of the City of Memphis' allocation of Recovery Zone Facility Bonds in the amount of \$42,000,000.00 to certain bonds to be issued by the Memphis and Shelby County Industrial Development Board and designating use of such bonds.

Morrison

ACTION REQUESTED: Adopt the resolution

41. RESOLUTION amending the FY 2011 CIP Budget to establish the Pinnacle Airlines/One Commerce Square Project by transferring, reallocating and appropriating the CIP Budget Project CD01087 Economic Development Project.

Morrison

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Through 7 – Approved
8. Public Hearing set for December 21, 2010
9. Through 34 – Approved
35. Approved, as amended. The appointment of Roby Williams will go back to Committee on December 21, 2010
36. and 37 – Approved
38. Held until December 21, 2010
39. Through 41 – Approved

ACTION TAKEN ON THE MINUTES OF NOVEMBER 23, 2010

Approved, as amended – Item #25 pulled from the minutes and sent back to Committee on December 21, 2010

ACTION TAKEN ON THE MINUTES OF DECEMBER 7, 2010 FOR ITEMS #35, #37, #39, #40 & #41

Approved