

City of Memphis



TENNESSEE

A C WHARTON, JR.
MAYOR

December 28, 2009

The Honorable Shea Flinn, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Odell Johnson, Jr.

be appointed to the Memphis and Shelby County Cross Connection Board with a term expiring October 31, 2011.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to read "A C Wharton". The signature is stylized and cursive, with a large loop at the end. It is positioned to the right of the typed name "A C Wharton" and "Mayor".

A C Wharton
Mayor

ACW/lar

c: Council Members

485 Tribal Woods Rd.
Collierville, TN 38017

Home: (901) 854-9189
Cell: (901) 489-5227
Email: ojohnson@mlgw.com

Odell Johnson, Jr.

Professional Experience

May 2008 – Present

Manager, Water Engineering & Operations Department

- Manage the day-to-day operations of the department
- Address personnel concerns/issues – grievances, safety, etc.
- Coordinate overall capital and O&M budget and projects
- Communicate Division's Strategic Plan at the department level
- Establish performance guidelines and measures

May 2006 – May 2008

Manager, Water Operations Department

- Manage the day-to-day operations of the department
- Address personnel concerns/issues – grievances, safety, etc.
- Coordinate overall capital and O&M budget and projects
- Communicate Division's Strategic Plan at the department level
- Establish performance guidelines and measures
- Write equipment and system specifications
- Oversee the water energy management program
- Work closely with Water Engineering, Water Distribution, Water Lab, and Systems Operations on water related projects and issues

January 2004 – January 2005 (Rotation)

Acting Assistant Manager, South Service Center

- Performed the duties of the Assistant Water Matrix Manager
- Supervised the work activities of the office staff
- Coordinated work with the electric, gas and water construction and maintenance crews
- Designed and maintained the department's intranet website

July 2000 – January 2004; January 2005 – May 2006

Assistant Manager, Water Operations Department

- Oversaw the water energy management program
- Assisted the Manager with various reports, projects, and incident investigations
- Wrote equipment and system specifications
- Worked closely with Water Engineering on identifying and planning for capital projects related to Water Operations

August 1999 – June 2000

Engineering Assistant Level III, Water Operations Department

- Designed and supervised water pumping station additions and upgrades
- Wrote equipment specifications
- Troubleshooter for department's computer network system – hardware and software
- Worked closely with Water Engineering on completing budgeted capital projects

- Designed and maintained the department's intranet website

April 1998 – August 1999

Acting Supervisor, Water Meter Services, Water Operations Dept.

- Facilitated the completion of new testing standards to become a water meter services employee
- Addressed various employee concerns, complaints, and oversaw disciplinary action for policy violations
- Introduced and administered an accountability program for field crews

March 1994 – April 1998

Engineering Assistant Levels I and II, Water Operations Dept.

- Designed and supervised water pumping station additions and upgrades
- Wrote software programs for various treatment and production systems
- Worked closely with Water Engineering on completing budgeted capital projects

February 1993 – March 1994

Water System Planner, Systems Planning and Civil Engineering

- Prepared the Water System Master Plan
- Performed load flow studies for the water distribution system

Education

- | | | |
|--|---------------------------------------|-------------|
| 2002-2006 | University of Memphis | Memphis, TN |
| <ul style="list-style-type: none"> ▪ Masters of Business Administration ▪ G.P.A.: 3.888/4.000 | | |
| 2000-2003 | Memphis Light, Gas & Water | Memphis, TN |
| <ul style="list-style-type: none"> ▪ Managerial Executive Development Program ▪ Completed: Dec. 2003 | | |
| 1989-1992 | Christian Brothers Univ. | Memphis, TN |
| <ul style="list-style-type: none"> ▪ Bachelor of Science in Mechanical Engineering | | |

Licenses

- Licensed Professional Engineer (P.E.), Tennessee
- Licensed Grade IV Water Treatment Plant Operator, Tennessee

Organizations

- American Water Works Association
- Tennessee Association of Utility Districts
- American Water Works Association Research Foundation

Key Positions / Projects

- Prospective Engineer Recruiter for Human Resource Services
- Chairperson, Junior Engineer/Professional Engineer Program
- Chairperson, MLGW University's School of Operations

MEMPHIS & SHELBY COUNTY CROSS CONNECTION BOARD

8 Member Board

(4) City & (4) County

3 Year Term

Cook, Cindy (City)	Industry Representative	F/W	10-31-08	3yr. Term
LaChapelle, Norman (City)	Health Department	M/W	10-31-08	3yr. Term
Rainey, Lloyd (City)	Citizen Representative	M/W	05-01-09	3yr. Term
Winston, Chandrika (City)	Water Purveyor	F/B	10-31-08	3yr. Term

City of Memphis



TENNESSEE

A C WHARTON, JR.
MAYOR

December 30, 2009

The Honorable Shea Flinn, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Carla Peacher-Ryan

be appointed to the Memphis and Shelby County Center City Revenue Finance Corporation with a term expiring December 31, 2014.

I have attached biographical information.

Sincerely,

A C Wharton
Mayor

ACW/lar

c: Council Members

Carla Peacher-Ryan

1607 North Parkway
Memphis, Tennessee 38112
901.577.2268
cpeacher@bakerdonelson.com

Professional Accomplishments

An attorney in private practice for 25 years, I am a shareholder at Baker, Donelson, Bearman, Caldwell & Berkowitz, a large regional law firm with offices throughout the southeastern United States and in Washington, D.C. I have concentrated my practice in real estate, finance, and corporate law. I have also represented nonprofit organizations in governance and operational matters.

Professional Honors & Activities

- Listed in *The Best Lawyers in America*® in Real Estate and Structured Finance Law – 2006-2009
- Member – American (Real Estate and Business Law Sections), Tennessee (Member, Access to Justice Committee, 2006-present) and Memphis Bar Associations
- Member – Tennessee Lawyers Association for Women
- Member – Association for Women Attorneys
- Member – Tennessee Bar Foundation IOLTA Grant Review Committee (2001-2003)
- Law clerk for the Honorable Charles E. Nearn, Tennessee Court of Appeals (1983-1984)

Education

B.A., *cum laude*, University of Memphis, 1978
J.D., University of Memphis School of Law, 1983
Moot Court Chief Justice
Member, University of Memphis Law Review
Admitted to practice in Tennessee, 1983

Community Involvement

- Leadership Memphis, Executive Program, Class of 2010
- Community Legal Center, Board of Directors (2005 – present), President (2006-2008)
- Benjamin L. Hooks Institute for Social Change – Advisory Board member and secretary (2008 – present)
- Recipient, Benjamin L. Hooks Institute for Social Change - Certificate of Recognition for pro bono work representing the Fayette County Civil Rights Museum
- Midsouth Comfort Care Coalition – Board of Directors, Treasurer (2002-2006)
- Chair, Baker Donelson Task Force, University of Memphis Law School Fundraising Drive (2007)

Political Activities

- Election Protection Attorney, Miami, Florida (2004), Memphis, Tennessee (2006 – Coordinator of election day effort, November 4, 2008)
- New Path Memphis, Member (2007- present)



City of Memphis

BIOGRAPHICAL INFORMATION APPOINTMENT TO BOARD/COMMISSION

Memphis and Shelby County Center City Revenue Finance Corporation BOARD/COMMISSION

Name: Carla Peacher-Ryan Race: White M ___ F X

E-Mail Address: cpeacher@bakerdonelson.com Fax 901-577-0760

Profession/Employer: Baker Donelson Bearman Caldwell & Berkowitz, P.C.

Business Address: 165 Madison Avenue, Suite 2000, Memphis Zip: 38103 Phone: 901-577-2268

Education: University of Memphis, J.D., 1983; B.A. 1978

Name of Spouse: Holmes Peacher-Ryan Number of Children: 2

Home Address: 1607 North Parkway Phone: 901-725-9533

City: Memphis State: TN Zip: 38112

I certify that I am a resident of the City of Memphis (Unincorporated areas and surrounding counties are not considered). Yes XX or No _____ If yes, how long? 41 years

Professional Organization/Associations: Memphis, Tennessee and American Bar Associations; Association of Women Attorneys;

Other Organizations/Association: Board of Advisors, Benjamin L. Hooks Institute for Social Change; Board of Directors, Community Legal Center; Member, New Path; Leadership Memphis, Executive Class of 2010;

Other Interests: First Congregational Church, Finance Committee Chair, Mission Development Committee member; Election Protection attorney volunteer

Signature

Carla Peacher-Ryan

Date 12-30-09

**MEMPHIS & SHELBY COUNTY
CENTER CITY REVENUE FINANCE CORPORATION BOARD
9 Member Board
(4) City & (4) County & (1) Joint Appointment
6 Year Term**

Process joint appointment after County completes process.

Holcomb, Gene (City)	M/W	12-31-08	6yr. Term
Person, Walter O. (City)	M/B	12-31-14	6yr. Term
Shaw, Lucy (City)	F/B	12-31-14	6yr. Term
Spence, Robert L. J. (City)	M/B	12-31-14	6yr. Term
Ward-Johnson Ann Brandy (Joint Appointment)	F/B	12-31-14	6yr. Term

City of Memphis



TENNESSEE

A C WHARTON, JR.
MAYOR

December 29, 2009

The Honorable Shea Flinn, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Fred D. Johnson

be reappointed to the Memphis Area Transit Authority with a term expiring August 31, 2011.

I have attached biographical information.

Sincerely,


A C Wharton
Mayor

ACW/lar

c: Council Members



CITY OF MEMPHIS

BIOGRAPHICAL INFORMATION
APPOINTMENT TO BOARD/COMMISSION

BOARD/COMMISSION

Name: FRED D. Johnson Birthdate: 3/7/33

Business Address: 8870 Brickwood Ln. Phone: 901

Business/Profession: Consultant, American Institute for Research

Education: BS, MS, EdD.

Name of Spouse: Dorothy G. Johnson Number of Children: 2

Home Address: 8898 Brickwood Ln. Phone: 901-751-4005

Resident of Shelby County: 52 years.

Professional Organizations/Associations: National Science Teachers Assoc.,

AAAS, NSF, NCCIT, and ASCD.

Other Organizations/Associations: Memphis Rotary Club, Community Foundations

Memphis Area Teachers Credit Union, Diversity Memphis, Memphis Zoo, & MSTA.

Other Interest: Supporting Arts and Civic Activities for

improving relations and improving our community for all citizens.

MATA BOARD MEETINGS – 2009

Meeting Date	Johnson Attendance
Jan 28	No
Mar 2	Yes
Mar 23	Yes
Apr 27	No
May 20	Yes
Jun 22	Yes
Jul 27	Yes – by phone
Aug 24	Yes
Sep 28	Yes
Oct 26	Yes
Nov 23	No
Dec 14	Yes

MEMPHIS AREA TRANSIT AUTHORITY

9 Member Board

Oath of Office Required

3 Year Term

1 Vacant

Birkholz, Karl	M/W	01-31-11	3yr.	Term
Carter, Mattie	F/B	06-30-08	3yr.	Term
Holt, E. Ray	M/W	01-31-10	3yr.	Term
Johnson, Fred	M/B	08-31-08	3yr.	Term
McClendon, Marion 'Dale'	M/B	01-22-11	3yr.	Term
Pugh, Cliffie	F/B	09-30-10	3yr.	Term
Vergos, John	M/W	06-30-12	3yr.	Term
Edmund Ford, Jr. (City Council Liaison)				
Vacant				
Vacant				

Ordinance No. _____

Whereas, on June 5, 2007, the Memphis City Council adopted a Code of Ethics Ordinance 5206 to replace Ordinance 4709 adopted on October 12, 1999.

Whereas, it is deemed necessary to modify Ordinance 5206 so as to provide more specific language regarding the acceptance of gifts by Council members.

NOW, THEREFORE,

SECTION 1, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 2.5, Article I, Section 2-10-5 (1) is hereby amended to delete the word "officer".

SECTION 2, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 2.5, Article I, Section 2-10-5 is amended by adding the following:

2. No Council member shall solicit or accept, directly or indirectly, on behalf of himself or herself or any member of the employee's household, any gift, including but not limited to any gratuity, service, favor, food, entertainment, lodging, transportation, loan, loan guarantee or any other thing of monetary value from any person or entity that:

- a. Has or is seeking to obtain contractual or other business or financial relations; or
- b. Conducts operations or activities that are regulated by the City; or
- c. Has interests that may be substantially affected by the performance or nonperformance of the City Councilman's official duties.

3. Exceptions.

The prohibition of accepting gifts does not apply to:

- d. A gift given by a member of the employee's immediate family, or by an individual if the gift is given for a non-business purpose and is motivated by a close personal friendship
- e. Informational materials, such as books, periodicals, audio or video, or sample merchandise helpful as a part of the Council member's duties in determining the appropriateness of the product for use as a part of City business
- f. Unsolicited tokens or awards of appreciation, honorary degrees or bona fide awards in recognition of public service, provided that any such item can not be readily converted to cash
- g. Food, refreshments, foodstuffs, entertainment or beverages provided as a part of a meal or other event in which the Council member is attending or is a speaker or part of a panel discussion at a scheduled meeting of an established or recognized membership organization
- h. Loans from established financial institutions made in the ordinary course of business on usual and customary terms.
- i. Voluntary, legally disclosed political campaign contributions given in accordance with applicable federal and state statutes to an individual covered by the provisions of this Order who has announced his or her intention to seek elected office.

Jim Strickland, Councilman

Harold Collins, Chairman

A Resolution by the Memphis City Council of Shelby County, Tennessee, requesting the Shelby County Delegation to support, and members of the Tennessee General Assembly to enact, legislation as proposed by the City of Memphis' Legislative Agenda 2010.

Whereas, vacant and abandoned properties have become a huge problem and negatively affect every district and neighborhood in Memphis, the City of Memphis supports and encourages passage of the three legislative strategies of Shelby County Government that will work to eradicate blight in our community: Land Bank Gifting to Non Profits Legislation, Tax Sale Properties Legislation and Rescission of Tax Sales Legislation.

Whereas, ensuring public safety is the number one responsibility of government. Based upon research from Memphis Fast Forward, the sentencing standards and rehabilitation programs as compared to other states could be strengthened to improve public safety we support the following the strategies of Operation Safe Community and the proposed legislation that deters illegal possession of a gun.

Whereas, economic development in any community is a vital entity to create jobs and grow businesses the Memphis City Council supports qualifying the Pyramid as a public use Facility by amend the Convention Center and Tourism Development financing Act of 1998 to redefine "qualified associated development" to include the type of redevelopment effort anticipated with Pyramid/Bass Pro Redevelopment Project.

Whereas, the City of Memphis Pink Palace Museum represents a historic and vital part of our community's culture, we encourage Support Tennessee Science Alliance Fund by restoring \$1 million in the state recurring budget funding for the Science Alliance of Tennessee - 5 museums around the state, Nashville, Chattanooga, Knoxville, Memphis, and Johnson.

Whereas, public transportation services of MATA are necessary to our city, we further support a dedicated a funding source for TPTA and MATA: The State of Tennessee provides some financial support for public transportation agencies but the funds are not adequate nor are the funds dedicated. The state currently provides about 14% of MATA's operating budget and about 20% of MATA's capital budget. Additional funding from the state would allow MATA to expand service to meet demonstrated needs in the City of Memphis. A dedicated funding source would allow MATA to plan for the future with more certainty about its state funding level.

Whereas, cities are facing Main Street crises across the country, and Memphis is also impacted by high unemployment, a declining tax base, and unacceptable levels of crime, we encourage the General Assembly to support preserving our state shared revenue and protect our city's ability to maintain the powers of municipalities that includes the right to protect our citizens with the use of red light cameras.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL,
That this Council, after careful consideration, hereby requests the Shelby County Legislative Delegation to support and members of the Tennessee General Assembly to enact legislation supporting this legislative agenda.

BE IT FURTHER RESOLVED That the Shelby County Legislative Delegation and the members of the Tennessee General Assembly be made aware of the request by copy of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon approval.

Councilman Jim Strickland
Chair, Personnel and Intergovernmental Relations Committee

Date

Chairman Harold Collins
Chair, Memphis City Council

Date

2010 State Legislative Initiatives As Presented by the Office of Intergovernmental Relations

Issues from Administration	Division Earmark Request
<p>1. SENATE BILL 1834 By Kyle AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to the illegal possession of firearms, commission of crimes with the use of firearms and the offenders who commit such crimes.</p>	Executive Division
<p>2. Qualify the Pyramid as a Public use Facility: Amend the Convention Center and Tourism Development financing Act of 1998 to redefine "qualified associated development" to include the type of redevelopment effort anticipated with Pyramid/Bass Pro Redevelopment Project.</p>	Finance Division
<p>3. Increase Criminal Offenses: Increase criminal offenses for aggravated robbery from class B Felony to Class A Felony when accomplished by use of a firearm or explosive device.</p>	Police Services and Operation Safe Community
<p>4. Crooks with Guns: This bill requires a mandatory 75% of the sentence for Aggravated Robbery to be served if convicted of a previous dangerous felony and 65% of the sentence to be served if prior conviction for any felony.</p>	Police Services and Operation Safe Community
<p>5. Support Tennessee Science Alliance Funding: Restore \$1 million in the state recurring budget funding for the Science Alliance of Tennessee - 5 museums around the state, Nashville, Chattanooga, Knoxville, Memphis, and Johnson.</p>	Parks Services
<p>6. The City of Memphis supports and encourages passage of the three legislative strategies of Shelby County Government that will work to eradicate blight in our community: Land Bank Gifting to Non Profits Legislation, Tax Sale Properties Legislation and Rescission of Tax Sales Legislation</p>	Executive Division
<p>7. Dedicate a Funding Source for TPTA and MATA: The State of Tennessee provides some financial support for public transportation agencies but the funds are not neither adequate nor dedicated. The state currently provides about 14% of MATA's operating budget and about 20% of MATA's capital budget. Additional funding from the state would allow MATA to expand service to meet demonstrated needs in the City of Memphis. A dedicated funding source would allow MATA to plan for the future with more certainty about its state funding level. - Support TPTA agenda which will include this item.</p>	MATA

2010 State Legislative Initiatives to Monitor and/or Oppose

Issues from Administration	Recommendation
1. Protect State Shared Revenue.	Monitor
2. SB27376 Education - Where two or more LEAs operate within a municipality, city taxes levied for education must be allocated uniformly. Also, it will freeze the boundaries of the Memphis City Schools.	Monitor
3. Vigorously defend any challenges to the Red Light Cameras.	Monitor
4. Any legislation that would limit the powers of municipalities.	Monitor
5. SB0038/ HB0018 Tort Liability - Makes governmental entity liable for all medical costs rendered against such entity regardless of the amount of such costs.	Monitor

RESOLUTION

WHEREAS, the Council of the City of Memphis approved Major Drainage Rehab/ Replace, project number ST03098, as part of the Public Works Fiscal Year 2010 Capital Improvement Budget; and

WHEREAS, in Fiscal Year 2009, the Public Works Division accepted bids for City Wide Storm Drainage Infrastructure Rehabilitation submitted by Ferrell Paving, Inc. with the option of extending the contract; and

WHEREAS, it is in the best interest of the City to extend the Ferrell Paving, Inc. contract in the Fiscal Year 2010 Capital Improvement Budget; and

WHEREAS, it is necessary to transfer an allocation of 2,750,000.00 funded by GO Bonds - General (Storm Water) from Major Drainage Rehab/Replace, project number ST03098, to Infrastructure Rehab FY09, project number ST03115, for the rehabilitation of stormwater structures; and

WHEREAS, it is necessary to appropriate \$2,750,000.00 funded by GO Bonds – General (Storm Water) into Infrastructure Rehab FY09, project number ST03115, for the rehabilitation of stormwater structures as follows:

Contract Amount	\$2,500,000.00
Project Contingencies	<u>250,000.00</u>
	\$2,750,000.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2010 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$2,750,000.00 funded by GO Bonds – General (Storm Water) from Major Drainage Rehab/Replace, project number ST03098, to Infrastructure Rehab FY09, project number ST03115, for the rehabilitation of stormwater structures.

BE IT FURTHER RESOLVED, that there be and is here by appropriated the sum of \$2,750,000.00 funded by GO Bonds-General (Storm Water) chargeable to the Fiscal Year 2010 Capital Improvement Budget and credited as follows:

Project Title	Infrastructure Rehab FY09
Project Number	ST03115
Amount	\$2,750,000.00

RESOLUTION

WHEREAS, the Council of the City of Memphis did approve Capital Acquisition as part of the General Services Division Fiscal Year 2010 Capital Improvement Budget in the amount of \$468,000 for Community Enhancement, CIP Project # GS0210H; and

WHEREAS, General Services Division has been approved to purchase:

Item	Quantity	Unit Cost	Total Cost
Vehicles	26	18,000	468,000

; and

WHEREAS, the vehicles were purchased for 418,054; and

WHEREAS, General Services Division has approved Diamond International, RFQ 1956, to provide a fuel truck for the General Services, CIP Project # GS0210F, in the amount of \$182,787; and

WHEREAS, it is necessary to transfer a previous allocation of \$32,787 funded by GO Bonds - General from Community Enhancement, CIP Project # GS0210H, to General Services, CIP Project # GS0210F, for balance needed to purchase fuel truck for which the approved budget is \$150,000; and

WHEREAS, it is necessary to transfer a previous appropriation of \$32,787 funded by GO Bonds - General from Community Enhancement, CIP Project # GS0210H, to General Services, CIP Project # GS0210F, for purchase of fuel truck; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2010 Capital Improvement Budget be and is hereby amended by transferring a previous allocation of \$32,787 funded by GO Bonds – General from Community Enhancement, CIP Project # GS0210H, to General Services, CIP Project # GS0210F, for purchase of fuel truck.

BE IT FURTHER RESOLVED, that the Fiscal Year 2010 Capital Improvement Budget be and is hereby amended by transferring a previous appropriation of \$32,787 funded by GO Bonds – General from Community Enhancement, CIP Project # GS0210H, to General Services, CIP Project # GS0210F, for purchase of fuel truck.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$32,787 funded by GO Bonds - General chargeable to the FY 2010 Capital Improvement Budget and credited as follows:

Project Title:	General Services
Project Number	Project # GS0210F
Amounts:	\$32,787

ORDINANCE NO. _____

An ordinance to amend Chapter 2 Code of Ordinances,
City of Memphis to amend certain sections of 2-291
relating to Real Property

WHEREAS, the Code of Ordinances provide language and processes for the disposition of city properties through sale, exchange or transfer; and

WHEREAS, it is necessary to ensure that there is clear and concise language that related to the disposition of real property belonging to the City of Memphis; and

NOW, THEREFORE,

SECTION 1, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 2, Section 2-291 (A) is hereby amended by inserting the word “lease” after the word “exchange.”

SECTION 2, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Chapter 2, Section 2-291 (3) is hereby amended by inserting the word “lease” after the word “sale” which appears throughout this paragraph.

SECTION 3, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Chapter 2, Section 2-291 (5) is hereby amended by inserting the word “or lease” after the word “convey.”

SECTION 4, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Chapter 2, Section 2-291 (5a) is hereby amended by inserting the words “or leased” after the words “conveyed.”

SECTION 5, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Chapter 2, Section 2-291 (5c) is hereby amended by inserting the words “or lease” after the words “conveyance.”

SECTION 6, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Chapter 2, Section 2-291 (6) is hereby amended to be renamed “Disposition and “lease” of property acquired for redevelopment purposes.” This section is also hereby amended by inserting the word “or leased” after the words “conveyed” and adding the word “lease” after the word “sale,”.

SECTION 7, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Chapter 2, Section 2-291 (6a) is hereby amended by inserting the word “lease” after the word “sale,”.

SECTION 8, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Chapter 2, Section 2-291 (6b) is hereby amended by inserting the word “ or lease” after the words “sale”.

SECTION 9, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Chapter 2, Section 2-291 (7a) is hereby amended by inserting the word “lease” after the word “convey,”.

SECTION 10, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Chapter 2, Section 2-291 (7b) is hereby amended to be renamed “Conveyance and lease of property to the above described entities shall be subject to the following conditions:”

SECTION 11, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Chapter 2, Section 2-291 (7b, 4) is hereby amended by inserting the word “or lease” after the words “conveyance”.

SECTION 12, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Chapter 2, Section 2-291 is hereby amended to add a new subsection (10) to read as follows:

When used in Section 2-291, “lease” includes the transfer or allowance of the use of property for a period of 30 days or less.

SECTION 13, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrased, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 14, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that this Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

Jim Strickland

Harold Collins, Chairman

RESOLUTION

WHEREAS, Memphis is the primary hub of the Mid-South Region and center of commerce for an ever-expanding global marketplace; and

WHEREAS, the City of Memphis desires to attract and promote international trade and commerce to benefit the local and regional economy; and

WHEREAS, the Memphis and Shelby County Office of Economic Development (OED), under the Memphis and Shelby County Division of Planning and Development, is the agency responsible for the administration of Foreign-Trade Zone No. 77 (FTZ No. 77) for the City of Memphis as Grantee of FTZ No. 77; and

WHEREAS, the Memphis and Shelby County OED has determined that the economic viability of FTZ No. 77 would be increased and ensured by the establishment, operation and maintenance of a new Special Purpose Subzone of FTZ No. 77 to be operated by Delta Faucet Company of Tennessee ("Delta Faucet"), located at 3441 Ridgecrest Road Extended in Jackson, Tennessee.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Memphis deems it desirable to support the strategic position that Memphis holds in the region and global marketplace and authorizes the application to the Foreign-Trade Zones Board for Subzone Status for Delta Faucet; and

BE IT FURTHER RESOLVED, that the Mayor of the City of Memphis, Tennessee, is hereby authorized on behalf of the Grantee to execute and deliver all instruments and documents necessary for the submission of the Subzone Application on behalf of the City of Memphis, Tennessee to the Executive Secretary of the Foreign-Trade Zones Board, Department of Commerce, Washington, D.C. and take such further action as deemed appropriate to secure the approval by the Foreign-Trade Zones Board with respect to the Delta Faucet Subzone Application.



December 1, 2009

Maggie Conway
Deputy Administrator
Memphis & Shelby County Office of Economic Development
125 N. Main, Room 468
Memphis, TN 38103

Dear Maggie,

On behalf of Delta Faucet Company ("Delta"), we are requesting the support of the City of Memphis as Grantee of Foreign Trade Zone No. 77 to establish a new subzone in Jackson.

Headquartered in Indianapolis, IN, Delta employs more than 1,704 company-wide with facilities in Indianapolis, IN, Jackson, TN, Greensburg, IN Morgantown, KY, and Guangzhou City, China. Delta is a world-class leader in the design, manufacture and distribution of faucets and related products for residential and commercial use. The Jackson facility assembles and distributes faucets and related components, employs over 690, and positively impacts the local economy.

Intense competition in the industry has led to pressures on both pricing and employment. Delta anticipates that the savings generated from FTZ operations in Jackson will foster Delta's ability to retain current employees and hire additional individuals from the Jackson area. Without the FTZ savings, Delta may have to consider moving additional operations overseas to remain competitive.

The proposed subzone would be located at the following address:

Delta Faucet Co of Tennessee
3441 Ridgecrest Road Extended
Jackson, TN 38305

Delta is prepared to operate the subzone pursuant to a contractual subzone operator agreement with the City of Memphis, Tennessee, as Grantee of FTZ No. 77.

Delta will prepare the subzone application and submit to the appropriate City of Memphis officials for review and comment.

Customs officials from the Port of Memphis have visited the site and support the use of the site as an FTZ.

We look forward to working with the City of Memphis to establish a FTZ subzone that will further the goal of economic development in the region.

If you have any questions, please feel free to call Andrea Hardebeck directly at (317) 574-5294.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert C. Skavroneck". The signature is written in dark ink and is positioned above the printed name.

Robert C. Skavroneck
Director of Logistics

RESOLUTION

WHEREAS, the Fiscal Year 2009 Capital Improvement Budget approved by the City Council did include the CIP project number IS01053, Treasury System Upgrade; and

WHEREAS, Information Services had a project to implement a state of the art Treasury System to replace the legacy Treasury System to accommodate new functionality requirements and interface seamlessly with Oracle General Ledger; and

WHEREAS, this project was cancelled pending further review; and

WHEREAS, expenses were incurred during the planning stage of this project; and

WHEREAS, it is necessary to appropriate \$45,011.60 in G. O. Bonds general in CIP Project IS01053, Treasury System Upgrade.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated \$45,011.60 in General Obligation Bonds chargeable to the FY2009 Capital Improvement Budget and credited as follows:

Project Title: Treasury System Upgrade

CIP Project Number: IS01053

Amount: \$45,011.60 G. O. Bonds General

RESOLUTION

WHEREAS, University of North Carolina professor John Kasarda presented the concept of an aerotropolis to local city leaders at the Regional Chamber's Annual Chairman's Membership Luncheon in December 2006, and

WHEREAS, an aerotropolis is a new type of urban form comprising aviation-intensive businesses and related enterprises extending up to 25 kilometers outward from major airports; and

WHEREAS, according to Professor Kasarda, "Memphis International Airport is the closest America has to an aerotropolis"; and

WHEREAS, the Memphis City Council along with the Administration believes in the continued efforts to bring to fruition a true aerotropolis and recognizes that a public-private partnership is necessary to make this venture a reality; and

WHEREAS, the Memphis Regional Chamber and Memphis Airport Authority have developed a plan that includes beautifying the immediate vicinity of the Memphis International Airport which incorporates the Interstate 240 Interchange, Plough Boulevard and Airport Entrance Zone and is considered Phase I of the enhancement of this area; and

WHEREAS, on October 6, 2009, the Council of the City of Memphis, Tennessee, approved a Resolution authorizing the Memphis City Administration to re-allocate and appropriate \$1,623,550 in G. O. Bonds from the Memphis Animal Shelter Project (PS01010) to establish funding to implement Phase I of the beautification of the Memphis International Airport Perimeter project

WHEREAS, in accordance with the Resolution, the City of Memphis will re-allocate and appropriate the sum of \$1,623,550 (**One Million Six Hundred Twenty Three Thousand, Five Hundred Fifty Dollars & 00/100**) from its 2010 Capital Improvements Program (CIP) budget from the Memphis Animal Shelter Project (PS01010) to establish the Memphis International Airport Perimeter Project (CD_____); and

WHEREAS, the Memphis International Airport Perimeter Project, (CD_____) will be administered through the Division of Housing and Community Development applying the requirements established by the City of Memphis Minority Women Business Enterprise Ordinance for minority participation in the completion of Phase I of the beautification of the Memphis International Airport Perimeter and who shall update the Council quarterly on minority participation as well as the project itself, beginning ninety days after the passage of the resolution; and

WHEREAS, it is necessary to amend the FY2010 Capital Improvement Budget by transferring an allocation of \$1,623,550 funded by G.O.-Bonds General from the Memphis Animal Shelter Project CIP Project Number PS01010 to the Memphis International Airport Perimeter Project Number CD0 _____ to establish the Memphis International Airport Perimeter budget line in the amount of \$1,623,550 (**One Million Six Hundred Twenty Three Thousand, Five Hundred Fifty Dollars & 00/100**); and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the allocation in the amount of \$ 1,623,550, CIP Project Number PS01010 Memphis Animal Shelter Project is hereby moved to CIP Project Number CD01 _____ Memphis International Airport Perimeter Project, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis, that the Fiscal Year 2010 CIP Budget be and is hereby amended by establishing the Memphis International Airport Perimeter Project budget line in the amount of \$1,623,550 (**One Million Six Hundred Twenty Three Thousand, Five Hundred Fifty Dollars & 00/100**) and re-allocating the CIP funds for Project Number PS01010 Memphis Animal Shelter Project to the aforementioned Memphis International Airport Perimeter Project CD01____; and

BE IT FURTHER RESOLVED, that there be and hereby appropriated the sum of \$1,623,550 funded by G.O Bonds –General chargeable to the FY2010 Capital Improvement Budget and credited as follows:

Project Title:	Memphis International Airport Perimeter Project
Project Number:	CD01 _____
A & E	\$192,550.00
Contract Construction:	\$1,431,000.00

PLOUGH BOULEVARD LANDSCAPE IMPROVEMENTS

Proposed Project Schedule

Item #	TASK	Planned Date	Actual Date
1	Design contract submitted to HCD for signing	12/9/09	12/9/09
2	Preliminary construction drawings submitted to Engineering for Review	12/15/09	
3	Allocate and appropriate design funds (Council Committee, Full Council and Reading of Minutes) \$192,550	1/5/10	
4	Allocate construction funds (Council Committee, Full Council and Reading of Minutes) \$1,431,000	1/5/10	
5	Final construction drawings submitted to Engineering for review	1/8/10	
6	Submit "Legal Notice to Bidders" to City Purchasing to advertise project Jan 15th thru Jan 29th	1/11/10	
7	Open construction bids	1/29/10	
8	Select best bidder and begin assembling the construction contract	2/5/10	
9	Submit resolution and Council Agenda Check-off sheet to Council appropriating construction funds	2/5/10	
10	Appropriate construction funds (Council Committee, Full Council and Reading of Minutes)	2/16/10	
11	Execute construction contract, issue "Notice to Proceed" to contractor	3/2/10	
12	Substantial completion of Phase 1 construction contract	4/30/10	
13	Phase 1 construction contract close-out	5/31/10	
14			
15			
16			
17			
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19			
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RESOLUTION

WHEREAS, the council of the City of Memphis did include the Training Academy Renovations, CIP Project Number PD01006 as part of the Fiscal Year 2009 Capital Improvement Budget; and

WHEREAS, one bid was received on December 11, 2009 for the Furniture for the Training Academy Renovations, CIP Project Number PD01006, with the best complying bid from Office Scapes, Inc. in the amount of \$135,000.00; and

WHEREAS, it is necessary to transfer the allocation of \$35,000.00 from Contract Construction to Furniture, Fixtures and Equipment, Training Academy Renovations, CIP Project Number PD01006; and

WHEREAS, it is necessary to appropriate \$135,000.00, CIP Project PD01006, Furniture Fixtures and Equipment funded by G. O. Bonds General for the Training Academy Renovations.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby transferred the allocation of \$35,000.00 from Contract Construction to Furniture, Fixtures and Equipment, Training Academy Renovations, CIP Project Number PD01006; and

BE IT FURTHER RESOLVED, the amount of \$135,000.00, Furniture Fixtures and Equipment, funded by G. O. Bonds General is hereby appropriated, chargeable to the FY 09 Capital Improvement Budget with the said appropriation being credited to:

Project Title: Training Academy Renovations
CIP Project Number: PD01006
Total FFE Cost: \$135,000.00

RESOLUTION

WHEREAS, on June 21, 2005, the Council of the City of Memphis approved a traffic control photographic system to provide for the health, safety and welfare of the citizens of Memphis; and

WHEREAS, a Professional Services Agreement was executed between the City of Memphis and American Traffic Solutions, Inc. ("ATS"), on September 10, 2009 for the monitoring and enforcement of red light violations, speed, and other traffic movements; and

WHEREAS, the agreement executed by ATS and the City provides that the photographic system installed by ATS shall become the sole ownership of the City pursuant to a municipal lease transaction; and

WHEREAS, City desires to enter into a lease purchase agreement with Bank of America regarding the lease purchase of the photographic system equipment; and

WHEREAS, in accordance with Section 784 of the City Charter, the Council hereby authorizes the administration to execute the lease purchase agreement for a term not to exceed a period of five (5) years.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the administration is hereby authorized to enter into the lease purchase agreement with Bank of America and that such contract is hereby approved.

CITY COUNCIL RESOLUTION

WHEREAS, the ultimate goal of the Tennessee Department of Health is to improve the health status of the people of Tennessee and follow the lead of the Office of the Surgeon General in the United States Department of Health and Human Services, which has named several public health priorities for disease prevention which include increasing physical activity and reducing the number of citizens who are overweight or obese; and

WHEREAS, Memphis, the State of Tennessee and the Midsouth often have the unpleasant distinction of appearing at the top of rankings such as obesity and diabetes rates, and Memphis has appeared at the bottom of lists of cities that are pedestrian and bicycle friendly; and

WHEREAS, government can improve public health by providing an activity friendly community including amenities that encourage the citizens of Memphis to get out of our cars and homes, go outside and walk, bike, run, or simply enjoy the outdoors; and

WHEREAS, cities that are growing are creating such an environment to enrich their citizens quality of life and appeal to those talented and educated workers that all cities strive to attract and retain.

NOW, THEREFORE BE IT RESOLVED, by the Memphis City Council that Madison Avenue between Front Street and Cooper Street is closed to vehicular traffic Sunday mornings from 5:00 a.m. to 12:00 p.m. and that during these hours Madison Avenue is designated for pedestrian, bicycle and other non-motorized transportation use only.

Shea Flinn
Memphis City Council

CITY COUNCIL RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners at their meeting of December 17, 2009, approved the employment of Mr. Von W. Goodloe as Vice President of Human Resources at an annual salary in the amount of \$144,019.20 and certified his nomination for approval by this Council pursuant to the requirements of the Charter of the City of Memphis.

WHEREAS, the City Charter requires the above mentioned item be approved by the City Council.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that the employment of Mr. Von W. Goodloe as Vice President of Human Resources at an annual salary in the amount of \$144,019.20 is hereby approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
December 17, 2009

The President has recommended to the Board of Light, Gas and Water Commissioners the employment of Mr. Von W. Goodloe as Vice President of Human Resources at an annual salary of \$144,019.20 and the certification of his nomination to the City Council for approval pursuant to the Division's Charter.

Commissioner Wishnia

It was moved by _____, seconded by

Commissioner Brittenum

_____, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the employment of Von W. Goodloe as Vice President of Human Resources to supervise the day-to-day activities of the MLGW Human Resources division and all its departments at an annual salary of \$144,019.20 is hereby approved and that his nomination to such position is hereby certified for approval by the City Council.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a ~~regular~~ ^{special} meeting held on 17th day of December, 2009 at which a quorum was present.


Secretary-Treasurer

WHEREAS, early morning on New Year's Day 2010, long time legislator and nation's longest serving lieutenant governor **John Shelton Wilder** died after a distinguished life of service to the State of Tennessee, God, family, community and country; and

WHEREAS, **Senator Wilder** was born on June 3, 1921 in Fayette County, Tennessee and received a degree from the University of Tennessee College of Agriculture; **Senator Wilder** served in the United States Army during World War II after which he returned home and ran his family agribusiness before obtaining a law degree from Memphis State University in 1957; and

WHEREAS, **Senator Wilder** was well known for refusing to participate in the tactics wealthy Fayette County landowners employed in the 1960s to harass African Americans who registered to vote; **Senator Wilder** supported civil rights when it was unpopular to do so, he worked to end the conflict and continued to do business with these tenant farmers; and

WHEREAS, **Senator Wilder** represented District 26 in the Tennessee Senate for 44 years and spent 36 of those years as Speaker of the Senate and Lieutenant Governor, including the 87th – 104th General Assemblies, the longest continuous service by any head of a legislative body in the nation; and

WHEREAS, **Senator Wilder** was known for his dedication to bipartisanship which he demonstrated by awarding committee chairmanships to members of both parties; **Senator Wilder** was known as a gentleman legislator and statesman; **Senator Wilder** had one of the most influential political careers in the state, but also a man of faith and held close the values of honesty, love and justice; **Senator Wilder** was always approachable and generous to those seeking his help and had a way of getting things done quickly and aptly; and

WHEREAS, a pro-business democrat, **Senator Wilder** was noted for his roles in adopting a merit based system to select Tennessee Supreme Court justices and the creation of an independent State Board of Education; **Senator Wilder** fought to help eradicate poverty and educate all of Tennessee's children and once said, "equal opportunity runs through the sinews of everything I believe;" and

WHEREAS, **Senator Wilder** was known as a tough, independent thinker; **Senator Wilder** also was a cycling enthusiast and held advanced pilot ratings, he flew for over 50 years, often to legislative session in his twin-engine Twin Comanche he called "Jaybird;" and

WHEREAS, though we mourn the loss of our friend and express our condolences to sons Shelton and David, his grandchildren and great-grandchildren, we can all celebrate the fact that he will join for eternity his "baby," wife Marcelle, who preceded him in death in 2004.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council commemorates **John Shelton Wilder** for his noble life of devotion to community, family, friends and the Tennessee General Assembly, and entreats citizens everywhere to emulate his kindness, conscientiousness, and dedication to service in their own lives.

BE IT FURTHER RESOLVED though ink and parchment are most inadequate to commemorate such a life of joy and struggle, work, and victories, the Memphis City Council will always remember the honor and compassion with which **Senator John Shelton Wilder** lived.

ADOPTED: January 12, 2010