

City of Memphis



DR. W. W. HERENTON
MAYOR

TENNESSEE

February 3, 2009

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

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Charley Burch

be appointed to the Memphis and Shelby County Music Commission with a term
expiring April 30, 2010.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to be "W. W. Herenton", is written over the word "Sincerely,".

Dr. Willie W. Herenton

WWH:jd

c: Council Members



City of Memphis

BIOGRAPHICAL INFORMATION APPOINTMENT TO MEMPHIS MUSIC COMMISSION

Name: Charley Burch

Date of Birth: March 12th, 1968

Business Address: 7657 Spirit Lake Cv. Cordova, Tn. 38016 Phone: 901-335-3152

E-Mail Address: charleyburch@yahoo.com

Profession/Employer: Producer & Manager Burch Entertainment Group

Education: BA in History Memphis State University 1992

Name of Spouse: Divorced **Number of Children:** 3 year old boy named Zachary

Home Address: Same as Business **Phone:** 901-756-5447

I certify that I am a resident of the City of Memphis (Unincorporated areas and surrounding counties are not considered). Yes or No If yes, how long? 40 years

Professional Organization/Associations: Voting member of N.A.R.A.S. & The Blues Foundation

Charles Burch is a lifelong Memphian who has been employed as a professional in the entertainment industry over 20 years, in various capacities, including as a club owner, record producer, tour manager, and in artist management, as well as in music promotion. As an artist manager and/or promoter, he has booked numerous major pop and blues artists, and his artists have toured throughout Europe, East Asia, as well as North America. In fact, his artists have toured Canada, and Europe, especially Scandinavia, six times this year alone. As a record producer Burch has been producing or co-producing records for three years with his producing partners, Willie and Lawrence "Boo" Mitchell of Willie Mitchell's Royal Studios in Memphis, Tennessee. Burch is also developing television and music projects for several artists in 2009, as yet undisclosed for public consumption. He is a voting member of NARAS (National Academy of Recording Arts and Sciences - The Grammy's) and The Blues Foundation. For the last two years, Burch has been an entertainment business consultant to actor/musician, Steven Seagal. He has promoted and produced hundreds of concerts from 100 person venues to 10,000-plus seat venues and festivals. He has been deeply involved with the Delta Blues community in recent years opening and owning blues-related businesses in the Delta, while consulting numerous business people, historians, writers, enthusiasts, blues masters and developing artists of the genre. Burch has experience in form law, commercial printing, advertising marketing, promotions, development, management and production in politics, music, video, television, film and stage. Burch served from 1999 to 2003 as Alcohol Commissioner for the City of Memphis and as the Secretary of that commission as well.

C

**MEMPHIS AND SHELBY COUNTY
MUSIC COMMISSION
22 MEMBER BOARD
(11) CITY AND (11) COUNTY
2 YEAR TERM**

MEMBERS	ADDRESS	TERM EXPIRES
<i>CITY APPOINTEES</i>		
Aytchan, Mance M/B (City)	1910 Madison Avenue #53 Memphis, TN 38104 E-mail: mlytchan@fedex.com	April 30, 2009
Burch, Charley M/W (City) <i>(New Appointment)</i> <i>Replaces</i> <i>Larry Armstrong</i>	7657 Spirit Lake Cove Cordova, TN 38106 Res: 901.756.5447 Bus: 901.335.3152	April 30, 2010
Butler, Tonya D. F/B (City)	111 Highland St. #325 Memphis, TN 38111 Res: 901.452.5920 E-mail: tbutle@memphis.edu	March 18, 2010
Cross, Jonathan M/B (City)	910 Goodman Street Memphis, TN 38111 Res: 901.454.6810 E-mail: jcross@3pmmusic.com	April 30, 2010
Evans, Bobby L. M/B (City)	4188 Auburn Memphis, TN 38116 Res: 901.344.5447 Cell: 901.230.6248 E-mail: BEVANS67@BELLSOUTH.NET	April 30, 2010
Fleur, Ryan M/W (City)	1886 Harbert Avenue Memphis, TN 38104 Res: 901.725.3703 E-mail: ryan.fleur@memphissymphony.org	April 30, 2010
Kourdouvelis, Kris M/W (City)	36 East G.E. Patterson Ave. Memphis, TN 38103 Res: 901- 301-5747 Bus: 618-532-1923 Cell: 901-301-2704 E-mail: krisko@seipoil.com	April 30, 2009
Lee, Jeffrey D. M/B (City)	2781 Tug Boat Lane #204 Memphis, TN 38016 Res: 901.690.2367 Bus: 901.259.1354 E-mail: unojefflee@aol.com or jefflee@clearchannel.com	March 18, 2010
Tigrett, Pat Kerr F/W (City)	200 Wagner Place Memphis, TN 38103 901-525-8984 E-mail: patkerrinc@bellsouth.net	April 30, 2009

Williams, Artemis M/B (City)	1876 Taliskeer Drive Cordova, TN 38016 Cell: 678-596-6606 E-mail: peppa@tmo.blackberry.net	April 30, 2008
VACANT		April 30, 2008
	COUNTY APPOINTEES	
Clayton, Kurt M/B	E-mail: pworley@memphisartcouncil.org	January 20, 2010
Cushing, Richard M/W	E-mail: rcushing@nb.utm.edu	January 20, 2010
Davis, Michael M/B		January 20, 2010
Mann, Cameron M/W	E-mail: cam@memphisrecordsonline.com	January 20, 2008
McCarthy, John M/W		January 20, 2010
Mitchell, Patricia F/B	E-mail: pworley@memphisartcouncil.org	January 20, 2010
Moore, Michael M/B	E-mail:	January 20, 2010
Sherrod, Carol F/B		May 6, 2008
Willis, Marc M/B		January 2010
VACANT		
VACANT		

1/22/09

**Attendance Records
Memphis and Shelby County
Music Commission**

Jan. 2008 – Jan. 2009	Total No. of Meetings (20)	
City Appointees	Present	Absent
Larry Armstrong	0	20
Mance Aytchan	0	20
Tonya Butler	5	0
Kurt Clayton	15	0
James A. Crislip	9	0
Jonathan Cross	9	0
Richard Cushing	15	0
Michael Davis	2	0
Bobby L. Evans	4	0
Ryan Fleur	1	0
Kris Kourdouvelis	10	0
Jeffrey Lee	6	0
Cameron Mann	5	0
John McCarthy	5	0
Patricia Mitchell	8	0
Michael Moore	13	0
Carol Sherrod	13	0
Pat Kerr Tigrett	3	0
Artemis Williams	5	0
Marc Willis	3	0

City of Memphis



DR. W. W. HERENTON
MAYOR

TENNESSEE

February 3, 2009

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

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Gerald L. Darling

be appointed to the Memphis Youth Guidance Commission with a term expiring
December 31, 2010.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to read "Willie W. Herenton", is written over a horizontal line.

Dr. Willie W. Herenton

WWH:jd

c: Council Members



City of Memphis

BIOGRAPHICAL INFORMATION APPOINTMENT TO BOARD/COMMISSION

Youth Guidance Commission
BOARD/COMMISSION

Name: GERALD L. DARLING Birthdate: 11/6/56

Business Address: 2597 AVERY AVE Phone: 901 4145628

Business/Profession: CHIEF OF SCHOOL SAFETY SECURITY AND EMERGENCY MGT

Education: BAFORD VALLEY STATE UNIVERSITY M.S. ST THOMAS UNIVERSITY

Name of Spouse: KELVINA E. DARLING Number of Children: 2

Home Address: 505 TENN ST. #320 Phone: 901 5908272

City: MEMPHIS State: TN Zip: 38103

Resident of Shelby County: Moved from Florida years
2 months ago

Professional Organization/Associations: NATIONAL ORGANIZATION OF BLACK

LAW ENFORCEMENT EXECUTIVES (NOBLE) INTERNATIONAL ASSOCIATION OF POLICE CHIEFS (IACP) POLICE EXECUTIVE RESEARCH FORUM (PERF)

Other Organizations/Associations: ALPHA PHI ALPHA FRATERNITY 100 BLACK MEN 5000 ROLE MODELS

Other Interest: WORKING WITH COMMUNITY GROUPS YOUTH ORGANIZATIONS

MEMPHIS YOUTH GUIDANCE COMMISSION

21 MEMBER BOARD

NO OATH OF OFFICE REQUIRED

3 YEAR TERM

(CHARTER OCCUPATION SPECIFICS)

MEMBER	ADDRESS	TERM EXPIRES
Bacchus, James (Education) M/B	Home Address: 7632 Sandy Brook Cove Memphis, TN 38125 Res: 901-758-0671 Bus: 901-416-4371	December 31, 2010
Ball, James H. (Justice) M/B	Home Address: 479 N. McNeil Street Memphis, TN Res: 901-268-5161	December 31, 2010
Darling, Gerald (Public Safety) M/B <i>(New Appointment)</i> <i>Replaces</i> <i>Director Dobbins</i>	Home Address: 505 Tennessee St. #320 Memphis, TN Res: 901-590-8272 Bus: 901-416-5628	December 31, 2010
Delk Jr., John (Health) M/B	Home Address: 1847 Nedra Ave. Memphis, TN Res: 901-726-6143	December 31, 2010
Eberle, Joseph (General Public) M/W	Home Address: 370 St. Andrews Fairway Memphis, TN Res: 901-685-9649	December 31, 2010
Jones, Mamie G. (General Public) M/B <i>(New Appointment)</i>	Home Address: 8635 Ashley Glen Circle S. Cordova, TN 38018 Res: 901-753-5326 Bus: 901-405-8787	December 31, 2010
Northcross, Deborah (General Public) F/B	Home Address: 1832 S. Parkway East Memphis, TN 38114 Res: 901-274-4127 Bus: 901-448-8419	December 31, 2010
Owens, Ernest M. (Business) M/B	Home Address: 1557 Joanne Street Memphis, TN Res: 901-744-3532 Bus: 901-743-0990	December 31, 2010
Riley, Frances M. (Justice) F/W	Home Address: 327 Central Cove Memphis, TN Res: 901-452-6347 Bus: 901-259-7100	December 31, 2010
Robinson, R. Lemoyne (Service Provider)	Home Address: 934 N. McLean Blvd. Memphis, TN 38107	December 31, 2010

Singer, Mary (General Public)	F/W	Home Address: 680 Sweetbriar Road Memphis, TN 38120	December 31, 2010
Sullivan, Tommy (Service Provider)	M/B	Home Address: 2465 Malone Ave. Memphis, TN Res: 901-219-5633	December 31, 2010
Taylor, Calvin (Service Provider) <i>(New Appointment)</i> <i>Replaces</i> <i>Ken Bennett</i>	M/B	Home Address: North 10 South Main St. Memphis, TN 38103 Res: 901-336-1267 Bus: 901-543-5300	December 31, 2010
Thinnes, Katherine S. (Culture)	F/W	Home Address: 2785 Lombardy Avenue Memphis, TN 38111 Res: 901-320-1756	December 31, 2010
Williams, Gilda (Volunteer)	F/B	Home Address: 84 Autumn Branch Lane Memphis, TN Res: 901-786-9332	December 31, 2010
VACANT			December 31, 2010
VACANT			December 31, 2010
VACANT			December 31, 2010
VACANT			December 31, 2010
VACANT			December 31, 2010
VACANT			December 31, 2010

01/21/09

Attendance Records
Memphis Youth Guidance Commission

01/01/08 to 01/01/09

Total No. of Meetings (8)

Member	Present	Absent
Bacchus, James	7	1*
Ball, James	6	2*
Delk Jr., John	5	3*
Eberle, Joseph	6	2*
Northcross, Deborah	7	1*
Owens, Ernest	5	3*
Riley, Frances M.	6	2*
Robinson, R. Lemoyne	8	0
Singer, Mary	6	2*
Sullivan, Tommy	5	3*
Thinnes, Katherine	7	1*
Williams, Gilda	4	4*

**Excused Absence*

01/21/09

City of Memphis



DR. W. W. HERENTON
MAYOR

TENNESSEE

February 3, 2009

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

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Mamie G. Jones

be appointed to the Memphis Youth Guidance Commission with a term expiring
December 31, 2010.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to read "Willie W. Herenton", is written over a horizontal line.

Dr. Willie W. Herenton

WWH:jd

c: Council Members



CITY OF MEMPHIS

BIOGRAPHICAL INFORMATION
APPOINTMENT TO BOARD/COMMISSION

Youth Guidance Commission
BOARD/COMMISSION

Name: Manie G. Jones Birthdate: 11-7-68

Business Address: 616 Adams Ave Memphis TN 38105 Phone: 901-405-8787

Business/Profession: Grants Coordinator - Memphis & Shelby County Juvenile Court

Education: MA / Criminal Justice

Name of Spouse: Jeffrey D. Jones Number of Children: 0

Home Address: 8635 Ashley Glen Circle S. Phone: 901-753-5324

City: Cordova, TN Zip: 38018

Resident of Shelby County: 14 years

Professional Organization/Associations: Tenancy Prevention Initiative (TPI)
Youth Villages Board

Other Organizations/Associations: _____

Other Interest: _____

C

**MEMPHIS YOUTH GUIDANCE COMMISSION
21 MEMBER BOARD**

NO OATH OF OFFICE REQUIRED

3 YEAR TERM

(CHARTER OCCUPATION SPECIFICS)

MEMBER	ADDRESS	TERM EXPIRES
Bacchus, James (Education) M/B	Home Address: 7632 Sandy Brook Cove Memphis, TN 38125 Res: 901-758-0671 Bus: 901-416-4371	December 31, 2010
Ball, James H. (Justice) M/B	Home Address: 479 N. McNeil Street Memphis, TN Res: 901-268-5161	December 31, 2010
Darling, Gerald (Public Safety) M/B <i>(New Appointment)</i> <i>Replaces</i> <i>Director Dobbins</i>	Home Address: 505 Tennessee St. #320 Memphis, TN Res: 901-590-8272 Bus: 901-416-5628	December 31, 2010
Delk Jr., John (Health) M/B	Home Address: 1847 Nedra Ave. Memphis, TN Res: 901-726-6143	December 31, 2010
Eberle, Joseph (General Public) M/W	Home Address: 370 St. Andrews Fairway Memphis, TN Res: 901-685-9649	December 31, 2010
Jones, Mamie G. (General Public) <i>(New Appointment)</i>	Home Address: 8635 Ashley Glen Circle S. Cordova, TN 38018 Res: 901-753-5326 Bus: 901-405-8787	December 31, 2010
Northcross, Deborah (General Public) F/B	Home Address: 1832 S. Parkway East Memphis, TN 38114 Res: 901-274-4127 Bus: 901-448-8419	December 31, 2010
Owens, Ernest M. (Business) M/B	Home Address: 1557 Joanne Street Memphis, TN Res: 901-744-3532 Bus: 901-743-0990	December 31, 2010
Riley, Frances M. (Justice) F/W	Home Address: 327 Central Cove Memphis, TN Res: 901-452-6347 Bus: 901-259-7100	December 31, 2010
Robinson, R. Lemoyne (Service Provider)	Home Address: 934 N. McLean Blvd. Memphis, TN 38107	December 31, 2010

Singer, Mary (General Public)	F/W	Home Address: 680 Sweetbriar Road Memphis, TN 38120	December 31, 2010
Sullivan, Tommy (Service Provider)	M/B	Home Address: 2465 Malone Ave. Memphis, TN Res: 901-219-5633	December 31, 2010
Taylor, Calvin (Service Provider) (New Appointment) <i>Replaces Ken Bennett</i>	M/B	Home Address: North 10 South Main St. Memphis, TN 38103 Res: 901-336-1267 Bus: 901-543-5300	December 31, 2010
Thinnes, Katherine S. (Culture)	F/W	Home Address: 2785 Lombardy Avenue Memphis, TN 38111 Res: 901-320-1756	December 31, 2010
Williams, Gilda (Volunteer)	F/B	Home Address: 84 Autumn Branch Lane Memphis, TN Res: 901-786-9332	December 31, 2010
VACANT			December 31, 2010
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VACANT			December 31, 2010

01/21/09

Attendance Records
Memphis Youth Guidance Commission

01/01/08 to 01/01/09

Total No. of Meetings (8)

Member	Present	Absent
Bacchus, James	7	1*
Ball, James	6	2*
Delk Jr., John	5	3*
Eberle, Joseph	6	2*
Northcross, Deborah	7	1*
Owens, Ernest	5	3*
Riley, Frances M.	6	2*
Robinson, R. Lemoyne	8	0
Singer, Mary	6	2*
Sullivan, Tommy	5	3*
Thinnes, Katherine	7	1*
Williams, Gilda	4	4*

**Excused Absence*

01/21/09

City of Memphis



DR. W. W. HERENTON
MAYOR

TENNESSEE

February 3, 2009

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

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Calvin Taylor

be appointed to the Memphis Youth Guidance Commission with a term expiring
December 31, 2010.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to read "Willie W. Herenton", is written over a faint, larger version of the same signature.

Dr. Willie W. Herenton

WWH:jd

c: Council Members



City of Memphis

BIOGRAPHICAL INFORMATION APPOINTMENT TO BOARD/COMMISSION

Youth Guidance Commission
BOARD/COMMISSION

Name: CALVIN TAYLOR Birthdate: 05/16/47

Business Address: 47 UNION AVENUE Phone: 901 543 5300

Business/Profession: MEMPHIS CONVENTION & VISITORS BUREAU

Education: FOUR YEARS OF COLLEGE

Name of Spouse: N/A Number of Children: ONE

Home Address: NO. 10 SOUTH MAIN STREET Phone: 901 336 1267

City: MEMPHIS State: TN Zip: 38103

Resident of Shelby County: FORTY years

Professional Organization/Associations: N/A

Other Organizations/Associations: N/A

Other Interest: N/A

MEMPHIS YOUTH GUIDANCE COMMISSION
21 MEMBER BOARD
NO OATH OF OFFICE REQUIRED
3 YEAR TERM
(CHARTER OCCUPATION SPECIFICS)

MEMBER	ADDRESS	TERM EXPIRES
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VACANT			December 31, 2010
VACANT			December 31, 2010

01/21/09

Attendance Records
Memphis Youth Guidance Commission

01/01/08 to 01/01/09	Total No. of Meetings (8)	
Member	Present	Absent
Bacchus, James	7	1*
Ball, James	6	2*
Delk Jr., John	5	3*
Eberle, Joseph	6	2*
Northcross, Deborah	7	1*
Owens, Ernest	5	3*
Riley, Frances M.	6	2*
Robinson, R. Lemoyne	8	0
Singer, Mary	6	2*
Sullivan, Tommy	5	3*
Thinnes, Katherine	7	1*
Williams, Gilda	4	4*

**Excused Absence*

01/21/09

CITY COUNCIL RESOLUTION

WHEREAS, the Memphis City Council approved a resolution on December 16, 2008 requesting Human Resources in conjunction with Police Services to provide the following incentives: College loan forgiveness and relocation expenses for newly hired police officers; and

WHEREAS, the City of Memphis administration is requested to prepare the necessary documents and to report to the City Council on February 17, 2009 its progress in carrying out this policy.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL That the Human Resources Director report to the Personnel Committee on February 17, 2009 and detail her actions relative to providing college loan forgiveness and relocation expenses to new police officers .

ADOPTED: February 3, 2009

Harold Collins, Council member
Bill Boyd, Council member
Kemp Conrad, Council member
Janis Fullilove, Council member
Edmund Ford, Jr. Council member
Bill Morrison, Council member

CITY COUNCIL RESOLUTION

Whereas, it is the desire of the Memphis City Council to address the inadequate number of police officers in the City of Memphis; and

Whereas, the City Council's Police Recruitment Ad Hoc Committee held a number of hearings and discussed a variety of issues including the police complement and found that many qualified applicants are not being screened, processed and hired in a timely manner; and

Whereas, the Memphis City Council requests that all measures be taken to expeditiously resolve what it considers a major hindrance to placing qualified police officers on the streets.

Now, Therefore, Be It Resolved That the Memphis City Council request that the Administration present its plan in the Personnel Committee of March 17, 2009 of how to address the obstacles that have resulted in a delayed screening, and hiring process.

Adopted: February 3, 2009

Harold Collins
Bill Boyd
Kemp Conrad
Edmund Ford, Jr.
Janis Fullilove
Bill Morrison

CITY COUNCIL RESOLUTION

WHEREAS, the Memphis City Council has worked aggressively on efforts to make the City of Memphis safer and is pursuing options that will help the City of Memphis achieve its goal of putting 2,600 officers on the streets of Memphis by 2011; and

WHEREAS, a variety of incentives and strategies have been reviewed as we seek new ways to recruit and add additional officers to the Memphis Police force; and

WHEREAS, while there are new incentives and strategies contemplated and being implemented, the Council believes there are incentives currently offered which, if marketed and promoted more aggressively, can add value to the benefits of police officers; and

WHEREAS, the Division of Housing and Development provides \$10,000 in down payment and closing costs for police officers who purchase homes in the City of Memphis is one such benefit that needs to be more aggressively advertised; and

WHEREAS, the down payment assistance program should be re-introduced to current officers and promoted to perspective employees as a positive enhancement of the benefit package for police officers.

NOW, THEREFORE, BE IT RESOLVED THAT THE MEMPHIS CITY COUNCIL requests that the Director of Housing and Community Development in conjunction with Human Resources, more effectively advertise the down payment assistance program for police officers and report to a joint meeting of HCD and Personnel on February 17, 2009 its progress of expanded efforts in highlighting this program.

ADOPTED: February 3, 2009

Harold Collins, Council member
Bill Boyd, Council member
Kemp Conrad, Council member
Janis Fullilove, Council member
Edmund Ford, Jr. Council member
Bill Morrison, Council member

RESOLUTION

WHEREAS, the City of Memphis Division of Housing and Community Development continues in its efforts to assist in the development of affordable housing options within the City of Memphis; and

WHEREAS, the Council of the City of Memphis has declared by resolution dated May 7, 2002, that the Health, Educational, and Housing Facility Board of the City of Memphis, Tennessee to be performing a public function on behalf of and as a public instrumentality of the City, and recognizes that all property owned by it is exempt from all taxation in the State of Tennessee; and

WHEREAS, the Council of the City of Memphis also delegated to the Health, Educational, and Housing Facility Board of the City of Memphis, Tennessee by resolution dated May 7, 2002, the authority to negotiate and enter into with a lessee of the Board, payments in lieu of as valorem taxes, provided, that such authorization shall be granted only upon a finding that such payments are deemed to be in furtherance of the public purpose of the Board; and

WHEREAS, the Division of Housing and Community Development has received its portion of the PILOT proceeds from the Health, Educational, and Housing Facility Board of the City of Memphis, Tennessee in the amount of \$30,762.00; and

WHEREAS, the Division of Housing and Community Development desire to enter into a contractual agreement to grant \$30,762.00 of its PILOT proceeds to the Memphis Housing Authority to support the MHA Low Income Housing Program; and

WHEREAS, it is necessary to amend the Fiscal Year 2009 Federal Operating Budget by appropriating \$30,762.00 in revenues for the MHA Low Income Housing Program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Division of Housing and Community Development be authorized to enter into a contractual agreement to provide a grant in the amount of \$30,762.00 to the Memphis Housing Authority to support the Low Income Housing Program.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$30,762.00, chargeable to and amending the FY 2009 Federal Operating Budget by appropriating funds to the following account for the MHA Low Income Housing Program as follows:

REVENUES

Health Education Housing Facility

\$30,762.00

Total

\$30,762.00

EXPENDITURES

Miscellaneous and Professional Services

\$30,762.00

Total

\$30,762.00

RESOLUTION

WHEREAS, the Council of the City of Memphis, by Ordinance enacted on December 28, 1995, amended Section 2-291 through 2-293 and 36-97 of the Code of Ordinances of the City of Memphis relating to the sale of City property; and

WHEREAS, Section 2-291 (6) authorized the Division of Housing and Community Development to sell properties it has acquired upon first reading, if such sale is in furtherance of Community Development goals; and

WHEREAS, the Division of Housing and Community Development has received an offer from Patricia Tipton to purchase the following described property at 1095 Beechwood Street (02601300005) in the amount of Two Hundred Dollars (\$200.00).

WHEREAS, the development of these lots in the North Memphis Community is a desirable goal within the aims of the Division of Housing & Community Development.

NOW, THEREFORE , BE IT RESOLVED by the Council of the City of Memphis that in accordance with the aforementioned amended ordinance, the sale of the subject property be, and is hereby, authorized and that the Mayor be, and is hereby, authorized to execute the necessary instruments on behalf of the City of Memphis.

RESOLUTION

WHEREAS, the Council of the City of Memphis, by Ordinance enacted on December 28, 1995, amended Section 2-291 through 2-293 and 36-97 of the Code of Ordinances of the City of Memphis relating to the sale of City property; and

WHEREAS, Section 2-291 (6) authorized the Division of Housing and Community Development to sell properties it has acquired upon first reading, if such sale is in furtherance of Community Development goals; and

WHEREAS, the Division of Housing and Community Development has received an offer from Patricia Tipton to purchase the following described property at 1105 Beechwood Street (02601300007) in the amount of Two Hundred Dollars (\$200.00).

WHEREAS, the development of these lots in the North Memphis Community is a desirable goal within the aims of the Division of Housing & Community Development.

NOW, THEREFORE , BE IT RESOLVED by the Council of the City of Memphis that in accordance with the aforementioned amended ordinance, the sale of the subject property be, and is hereby, authorized and that the Mayor be, and is hereby, authorized to execute the necessary instruments on behalf of the City of Memphis.

RESOLUTION

WHEREAS, the Council of the City of Memphis, by Ordinance enacted on December 28, 1995, amended Section 2-291 through 2-293 and 36-97 of the Code of Ordinances of the City of Memphis relating to the sale of City property; and

WHEREAS, Section 2-291 (6) authorized the Division of Housing and Community Development to sell properties it has acquired upon first reading, if such sale is in furtherance of Community Development goals; and

WHEREAS, the Division of Housing and Community Development has received an offer from Patricia Tipton to purchase the following described property at 1117 Beechwood Street (02601300035) in the amount of Two Hundred Dollars (\$200.00).

WHEREAS, the development of these lots in the North Memphis Community is a desirable goal within the aims of the Division of Housing & Community Development.

NOW, THEREFORE , BE IT RESOLVED by the Council of the City of Memphis that in accordance with the aforementioned amended ordinance, the sale of the subject property be, and is hereby, authorized and that the Mayor be, and is hereby, authorized to execute the necessary instruments on behalf of the City of Memphis.

RESOLUTION

WHEREAS, the Council of the City of Memphis, by Ordinance enacted on December 28, 1995, amended Section 2-291 through 2-293 and 36-97 of the Code of Ordinances of the City of Memphis relating to the sale of City property; and

WHEREAS, Section 2-291 (6) authorized the Division of Housing and Community Development to sell properties it has acquired upon first reading, if such sale is in furtherance of Community Development goals; and

WHEREAS, the Division of Housing and Community Development has received an offer from Priestly Jones to purchase the following described property at East Olive Street (02505600041) in the amount of Two Hundred Dollars (\$200.00).

WHEREAS, the development of these lots in the South Memphis Community is a desirable goal within the aims of the Division of Housing & Community Development.

NOW, THEREFORE , BE IT RESOLVED by the Council of the City of Memphis that in accordance with the aforementioned amended ordinance, the sale of the subject property be, and is hereby, authorized and that the Mayor be, and is hereby, authorized to execute the necessary instruments on behalf of the City of Memphis.

RESOLUTION

WHEREAS, the Council of the City of Memphis, by Ordinance enacted on December 28, 1995, amended Section 2-291 through 2-293 and 36-97 of the Code of Ordinances of the City of Memphis relating to the sale of City property; and

WHEREAS, Section 2-291 (6) authorized the Division of Housing and Community Development to sell properties it has acquired upon first reading, if such sale is in furtherance of Community Development goals; and

WHEREAS, the Division of Housing and Community Development has received an offer from Jacobs Ladder C.D.C to purchase the following described property at 2619 Midland Street in the amount of One Dollar (\$1.00).

WHEREAS, the development of these lots in the South Memphis Community is a desirable goal within the aims of the Division of Housing & Community Development.

NOW, THEREFORE , BE IT RESOLVED by the Council of the City of Memphis that in accordance with the aforementioned amended ordinance, the sale of the subject property be, and is hereby, authorized and that the Mayor be, and is hereby, authorized to execute the necessary instruments on behalf of the City of Memphis.

RESOLUTION

WHEREAS, the Council of the City of Memphis, by Ordinance enacted on December 28, 1995, amended Section 2-291 through 2-293 and 36-97 of the Code of Ordinances of the City of Memphis relating to the sale of City property; and

WHEREAS, Section 2-291 (6) authorized the Division of Housing and Community Development to sell properties it has acquired upon first reading, if such sale is in furtherance of Community Development goals; and

WHEREAS, the Division of Housing and Community Development has received an offer from LeMoyne-Owen College to purchase the following described property at 1126 College Street (02601800029) in the amount of One Dollar (\$1.00).

WHEREAS, the development of these lots in the South Memphis Community is a desirable goal within the aims of the Division of Housing & Community Development.

NOW, THEREFORE , BE IT RESOLVED by the Council of the City of Memphis that in accordance with the aforementioned amended ordinance, the sale of the subject property be, and is hereby, authorized and that the Mayor be, and is hereby, authorized to execute the necessary instruments on behalf of the City of Memphis.

RESOLUTION

WHEREAS, the Council of the City of Memphis, by Ordinance enacted on December 28, 1995, amended Section 2-291 through 2-293 and 36-97 of the Code of Ordinances of the City of Memphis relating to the sale of City property; and

WHEREAS, Section 2-291 (6) authorized the Division of Housing and Community Development to sell properties it has acquired upon first reading, if such sale is in furtherance of Community Development goals; and

WHEREAS, the Division of Housing and Community Development has received an offer from Luther Williams to purchase the following described property at 942 Willoughby Street in the amount of Four Hundred Dollars (\$400.00).

WHEREAS, the development of these lots in the South Memphis Community is a desirable goal within the aims of the Division of Housing & Community Development.

NOW, THEREFORE , BE IT RESOLVED by the Council of the City of Memphis that in accordance with the aforementioned amended ordinance, the sale of the subject property be, and is hereby, authorized and that the Mayor be, and is hereby, authorized to execute the necessary instruments on behalf of the City of Memphis.

RESOLUTION

WHEREAS, the City of Memphis Workforce Investment Network has received grant funds in the amount of Three Million Six Hundred Four Thousand Three Hundred Seventy Nine Dollars and Fifteen cents, (\$3,604,379.15) from the State of Tennessee Department of Labor Workforce Development; and

WHEREAS, these funds will be used to provide a contingency fund for WIA Title One Youth Grant; and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2009 Operating Budget to establish funds for the WIA Title One Youth Grant; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Three Million Six Hundred Four Thousand Three Hundred Seventy Nine Dollars and Fifteen Cents (\$3,604,379.15) for the WIA Title One Youth Grant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the WIA Title One Youth Grant in the amount of Three Million Six Hundred Four Thousand Three Hundred Seventy Nine Dollars and Fifteen Cents, (\$3,604,379.15) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2009 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the WIA Title One Youth Grant in the amount of Three Million Six Hundred Four Thousand Three Hundred Seventy Nine Dollars and Fifteen Cents, (\$3,604,379.15) as follows:

Revenue

State of Tennessee Department of Labor WIA Title One Youth Services	<u>\$3,604,379.15</u>
TOTAL	\$3,604,379.15

Expense

WIA Title One Youth Services	<u>\$3,604,379.15</u>
TOTAL	\$3,604,379.15

RESOLUTION

WHEREAS, the City of Memphis Workforce Investment Network has received grant funds in the amount of One Million One Hundred Ninety Five Thousand Eight Hundred Fifty Five Dollars, (\$1,195,855.00) from the State of Tennessee Department of Labor Workforce Development; and

WHEREAS, these funds will be used to provide a contingency fund for WIA Title One Dislocated Worker Grant; and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2009 Operating Budget to establish funds for the WIA Title One Dislocated Worker Grant; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of One Million One Hundred Ninety Five Thousand Eight Hundred Fifty Five Dollars (\$1,195,855.00) for the WIA Title One Dislocated Worker Grant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the WIA Title One Dislocated Worker Grant in the amount of One Million One Hundred Ninety Five Thousand Eight Hundred Fifty Five Dollars, (\$1,195,855.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2009 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the WIA Title One Dislocated Worker Grant in the amount of One Million One Hundred Ninety Five Thousand Eight hundred Fifty Five Dollars, (\$1,195,855.00) as follows:

Revenue

State of Tennessee Department of Labor WIA Title One Dislocated Worker Services	<u>\$1,195,855.00</u>
TOTAL	\$1,195,855.00

Expense

WIA Title One Dislocated Worker Services	<u>\$1,195,855.00</u>
TOTAL	\$1,195,855.00

RESOLUTION

WHEREAS, the City of Memphis Workforce Investment Network has received grant funds in the amount of One Thousand Two Hundred Forty Nine Dollars, (\$1,249.00) from the State of Tennessee Department of Labor Workforce Development; and

WHEREAS, these funds will be used to provide a contingency fund for WIA Title One State Wide Activities Grant; and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2009 Operating Budget to establish funds for the WIA Title One State Wide Activities Grant; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of One Thousand Two Hundred Forty Nine Dollars (\$1,249.00) for the WIA Title One State Wide Activities Grant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the WIA Title One State Wide Activities Grant in the amount of One Thousand Two Hundred Forty Nine Dollars, (\$1,249.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2009 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the WIA Title One State Wide Activities Grant in the amount of One Thousand Two Hundred Forty Nine Dollars, (\$1,249.00) as follows:

Revenue

State of Tennessee Department of Labor WIA Title One State Wide Activities Services	<u>\$1,249.00</u>
TOTAL	\$1,249.00

Expense

WIA Title One State Wide Activities Services	<u>\$1,249.00</u>
TOTAL	\$1,249.00

RESOLUTION

WHEREAS, the City of Memphis Division of Park Services has received grant funds in the amount of Eighty One Thousand Six Hundred Dollars (\$81,600.00) from the State of Tennessee Department of Transportation for the Downtown Memphis Gateways Enhancement Project; and

WHEREAS, these funds will be used for landscaping and signage at the entrances into Downtown Memphis from I-40; and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2009 Operating Budget to establish funds for the Downtown Memphis Gateways Enhancement Project; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Eighty One Thousand Six Hundred Dollars (\$81,600.00) with the recognition that the local match requirement will be satisfied through funds directly provided by the Center City Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Downtown Memphis Gateways Enhancement Project grant funds in the amount of Eighty One Thousand Six Hundred Dollars (\$81,600.00) are hereby accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2009 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Downtown Memphis Gateways Enhancement Project in the amount of Eighty One Thousand Six Hundred Dollars (\$81,600.00) as follows:

Revenue

Downtown Memphis Gateways Enhancement	<u>81,600.00</u>
Total	\$81,600.00

Expenditures

Other Costs	<u>81,600.00</u>
Total	\$81,600.00

RESOLUTION

WHEREAS, the Council of the City of Memphis approved Drainage-ST, project number ST03006 as part of the Public Works Fiscal Year 2009 Capital Improvement Budget; and

WHEREAS, bids were taken on December 19, 2008 for Gayoso Trash Removal Project with the lowest complying bid of four bids being \$1,323,408.00 submitted by Choctaw Transportation Company, Inc; and

WHEREAS, it is necessary to transfer an allocation of \$1,455,748.00 funded by GO Bonds – General (Storm Water) from Drainage-ST, project number ST03006 to Gayoso Trash Removal Project, project number ST03113 for the intercept of floating trash from surface water discharged into the Wolf River Harbor from the Gayoso Pump Station; and

WHEREAS, it is necessary to appropriate \$1,455,748.00 funded by GO Bonds – General (Storm Water) from Drainage-ST, project number ST03006 to Gayoso Trash Removal Project, project number ST03113 for the intercept of floating trash from surface water discharged into the Wolf River Harbor from the Gayoso Pump Station:

Contract Amount	\$1,323,408.00
Project Contingencies	<u>132,340.00</u>
	\$1,455,748.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2009 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$1,455,748.00 funded by GO Bonds – General (Storm Water) from Drainage-ST, project number ST03113 to Gayoso Trash Removal Project, project number ST03113 for the intercept of floating trash from surface water discharged into the Wolf River Harbor from the Gayoso Pump Station.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$1,455,748.00 funded by GO Bonds – General (Storm Water) chargeable to the FY 2009 Capital Improvement Budget and credited as follows:

Project Title	Gayoso Trash Removal Project
Project Number	ST03113
Amount	\$1,455,748.00

Resolution

Memphis Voluntary Buyout Program

WHEREAS, the national economy is experiencing one of the most severe economic recessions the country has experienced in decades; and

WHEREAS, this recession has contributed to rising unemployment, falling home values and declining consumer confidence; and

WHEREAS, these conditions have also impacted the local Memphis economy and have reduced the City of Memphis' operating revenues during the 1st and 2nd quarters of FY2009; and

WHEREAS, the National Association of Business Economists forecasts a continuation of these negative economic conditions during 2009 and beyond; and

WHEREAS, in response to the current and anticipated future economic conditions, the City of Memphis believes a reduction in the number of full-time General Fund employees is required; and

WHEREAS, the City of Memphis has developed the Memphis Voluntary Buyout Program (MVBP) to achieve a reduction of at least 100 full-time, General Fund employees; and

WHEREAS, the one-time cost of implementing the MVBP during the current FY2009 is estimated to be \$7,016,426; and

WHEREAS, \$6,286,600 of the one-time MVBP implementation costs will be charged to the General Fund and the balance of \$729,800 will be absorbed by the Health Insurance Fund; and

WHEREAS, the City of Memphis will realize an on-going annual savings of \$6,428,368 after the one-time cost in FY2009; and

WHEREAS, the Memphis City Council believes the MVBP is a sound and prudent financial strategy to reduce future City of Memphis personnel expenses and align overall General Fund operating expenses with anticipated future revenues.

NOW, THEREFORE BE IT RESOLVED by the Memphis City Council that the FY 2009 Operating Budget be and is hereby amended by the following:

General Fund

Revenues: Contribution from Fund Balance	\$6,286,600
Expenditures: Voluntary Buyout Program	\$6,286,600

**Memphis Voluntary Employee Buyout Program
Estimated Costs and Savings for City
01/16/09**

Estimated One-Time Cost:

4 Months Salary	\$ 17,333
\$500/Year of Service (assume 15 yrs)	7,500
Accrued Benefits	37,134
Medicare Taxes - 1.45%	899
6 Months Health Benefits (1)	7,298
Estimated Cost of Buyout Benefits per Participant	\$ 70,164

Estimated One-Time Cost to City for 100 Participants	\$ 7,016,426
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Estimated Annual Savings:

Annual Salary	\$ 52,000
Medicare Taxes	754
Pension Contribution	2,600
Health Benefits	8,930
Estimated Savings to City per Participant	\$ 64,284

Estimated Annual Savings to City for 100 Participants	\$ 6,428,368
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(1) Health benefit costs will be charged to the Healthcare Fund. All other costs will be charged to the General Fund.

Major Assumptions:

- Average Base Salary \$52,000
- Accrued Benefits based on maximum accrual of leave time
- Health Benefits based on Premier Plan Family coverage

ORDINANCE NO. ____

**AN ORDINANCE TO PROVIDE FOR MINIMUM
ENERGY EFFICIENCY IN RENTAL PROPERTY**

WHEREAS, the State of Tennessee has the nation's highest average electricity use per household, with the City of Memphis mirroring state data. This status can be attributed to several factors, including: substandard housing stock, outdated residential energy codes, limited inspection/enforcement of existing energy codes, historically low cost energy, a relatively stable supply of electricity and few incentives to encourage energy efficiency; and

WHEREAS, the City of Memphis has a comparatively high level of residents living at or below the poverty level. Many of these residents live in rental housing. With recent increases in energy costs across the nation, residents are struggling to pay for utilities that now take a much larger portion of their limited incomes; and

WHEREAS, some of these residents have found themselves in the difficult situation of having unnecessarily high utility bills due to the condition of the housing or heating and cooling equipment. In many instances, utility customers residing in large but well insulated and sealed homes with efficient equipment have lower utility bills than much smaller rental property with deficiencies in building envelope or equipment efficiency; and

WHEREAS, these residents are, in many cases, unable to move to better housing stock, and are also unable to get their landlords to improve their living environment. While extremely high utility usage can come during very cold or very hot weather, it is most important to consider heating equipment which, when not up-to-date or properly maintained, is not only a high energy user, but potentially a threat to safety and health; and

WHEREAS, it is expected that inspections will be conducted primarily on a complaint basis and excessive utility consumption will be a factor in identifying other units for inspection. Excessive utility consumption is defined as a unit consuming the highest ten percent of utilities per square foot for units of similar vintage, construction and size. Occupancy of units is a factor to be taken into consideration to determine if the utility consumption is excessive.

WHEREAS, MLGW's programs to assist customers in using less energy focus on educating and demonstrating responsible behavior to conserve energy in conjunction with facilitating home energy-related repairs and improvements. While the education and demonstration aspects serve renters well, improvements and repairs are mostly applicable to owner occupied units.

SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, That Chapter 14, Section 4-2 of the Memphis Housing Code is hereby amended by adding the definition of "residential rental unit" as follows:

"Residential rental unit" means a rented or leased single-family residential building or a rented or leased residential dwelling unit within a single-family or multifamily residential building.

SECTION 2. BE IT FURTHER ORDAINED, That Chapter 14 of the Memphis Housing Code is amended by adding a new Article 10, Section 4-100 as follows:

ARTICLE 10 Energy Efficiency in Residential Rental Units

Sec. 14-4-100 Each residential rental unit shall have:

- (a) Envelope: Windows properly glazed, no holes in outside walls, all building penetrations with pipes or wires sealed from the outside, a serviceable roof, insulation in good condition completely filling the area between the ceiling joists of the topmost floor in areas without attic flooring, and all exterior windows, exterior doors, and attic access properly sealed with weather stripping to form an air tight barrier between conditioned and un-conditioned spaces. Confined spaces such as areas under attic flooring or enclosed ceiling vaults will not be subject to this insulation standard.
- (b) Heating and Cooling: A heating and cooling (if applicable and Landlord provided the equipment) unit that is properly installed, vented, and functional as originally designed. If there are ducts in unconditioned accessible space, the ducts must be connected at all junctions, must not be crushed, must have no significant leaks, and must be insulated. There must be a working thermostat. If there are room air conditioners, the units must be properly installed and, during heating periods, should either be removed or properly covered and sealed to prevent heat loss.
- (c) Plumbing: A plumbing system free from material leaks in piping, water closets, hose bibs, faucets, water heaters and all other fixtures, except when Landlord pays the water and hot water bills.
- (d) Existing equipment shall function according to the manufactured standards at the time of production. However, as worn out equipment is replaced, equipment with the prevailing minimum energy efficiency level as defined by federally mandated manufacturing standards shall be installed. As deficiencies in envelope, heating and cooling, and plumbing are corrected, those corrections shall meet the minimum standards of prevailing energy code (i.e. duct sealing, insulation levels, etc.).

SECTION 3. BE IT FURTHER ORDAINED, That Chapter 14, Section 4-7 of the Memphis Housing Code is hereby amended by adding a new subsection 4-7 D. as follows:

D. The Board of Memphis Light, Gas and Water may designate certain employees of Memphis Light, Gas and Water to make or cause to be made inspections to determine the conditions of residential rental units to safeguard the safety, health and welfare of the public under the provisions of Article 10 of the housing code. Pursuant to TCA 7-63-101 et seq., the Board of Memphis Light, Gas and Water, may designate these employees to become special officers, for the purpose of issuance of citations in lieu of arrest of offenders in cases where they have jurisdiction. The designated Memphis Light, Gas and Water employees are authorized to enter any residential rental unit at any reasonable time for the purpose of performing his or her duties under Article 10 of the housing code. The designated Memphis Light Gas and Water employees shall have all powers conferred by Sec. 14-4-23 of the housing code. The Board of Memphis Light, Gas and Water shall establish a schedule of fees that Memphis Light, Gas and

Water shall charge and receive from the owner of any property which is inspected by Memphis Light, Gas and Water employees pursuant to this chapter. The fee shall not exceed \$25 per unit actually inspected nor shall any single unit be charged more than one fee per calendar year.

SECTION 4. BE IT FURTHER ORDAINED, That the provisions of this Ordinance are hereby declared severable, and if any of the provisions shall be unconstitutional or invalid, the remainder shall continue in full force and effect, it being the Council's intent now hereby declared that this Ordinance should have been adopted even if such unconstitutional or invalid matter had not been included therein.

SECTION 5. . BE IT FURTHER ORDAINED, That this Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairmen of the Council, certified and delivered to the Office of the Mayor of Memphis in writing by the Comptroller, and become effective as otherwise provided by law.

Chairman of Council

Attest:
Comptroller

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
November 20, 2008

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The President recommended to the Board of Light, Gas and Water Commissioners approval of "An Ordinance To Provide For Minimum Energy Efficiency In Rental Property" to be submitted to the Council Of The City Of Memphis for its consideration and adoption.

As set forth in the proposed Ordinance, the State of Tennessee has the nation's highest average electricity use per household, with the City of Memphis mirroring state data. Furthermore, the City of Memphis has a comparatively high level of residents living at or below the poverty level. Many of these residents live in rental housing. With recent increases in energy costs across the nation, residents are struggling to pay for utilities that now take a much larger portion of their limited incomes. These residents are, in many cases, unable to move to better housing stock, and are also unable to get their landlords to improve their living environment. While extremely high utility usage can come during very cold or very hot weather, it is most important to consider heating equipment which, when not up-to-date or properly maintained, is not only a cause of high energy usage, but potentially a threat to safety and health.

The proposed Ordinance is an amendment to the existing Memphis Housing Code and will allow selected employees of Memphis Light, Gas and Water to enforce the energy efficiency provisions of said ordinance.

It was moved by Vice Chairman Cobbins, seconded by
Commissioner Wishnie and unanimously carried:

THAT, "An Ordinance To Provide For Minimum Energy Efficiency In Rental Property" (attached herewith) is approved for submittal to the Council Of The City Of Memphis for its consideration; and

THAT, the Council Of The City Of Memphis is requested to support adoption of the proposed Ordinance.

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 20th day of November, 2008, at which a quorum was present.


Secretary-Treasurer

AN ORDINANCE TO REQUIRE COUNCIL APPROVAL ON ALL
LAWSUITS INITIATED BY THE CITY

WHEREAS, the Council has the authority to appropriate funds, set the budget, and approve projects to implement the budget and its policies; and

WHEREAS, the Charter of the City of Memphis provides that the Mayor shall be responsible to the Council for carrying out policies adopted by the Council; and

WHEREAS, the Council adopts the budget for the City Attorney to carry out charter given duties; and

WHEREAS, in order to protect the City's fiscal assets the Council believes the enactment of a provision for approval of lawsuits initiated by the City prior to filing is appropriate.

NOW, THEREFORE, BE IT ORDAINED By the Memphis City Council that

Section 1. Applicability.

All City initiated lawsuits filed by the City Attorney will require Council approval on all said suits before filing. The City Attorney should report back to the City Council on a regular and routine basis as to any and all progress relative to said litigation.

Section 2. Nonconflicting – Conflicting laws.

BE IT FURTHER ORDAINED, That all laws constituting the present Code of Ordinances of the City of Memphis, be and the same are here continued in full force and effect, and all laws in conflict therewith are hereby repealed.

Section 3. Severability.

BE IT FURTHER ORDAINED, that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

Section 4. Effective Date.

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

MYRON LOWERY
Council Chairman

Attest:

Comptroller

lg/suit approval ord/version1