



## Memphis City Council Summary Sheet

- 1. This item is a Resolution to approve the request to donate seven (7) pieces of artiller artifacts which were removed from Memphis Park and currently housed at General Services to the West TN Military Vehicles Collectors Club.**
- 2. The initiating party is the Division of Parks and Neighborhoods.**
- 3. This Resolution does not change an existing Ordinance or Resolution.**
- 4. This Resolution does not change an existing contract.**
- 5. This Resolution does not require an expenditure of funds.**



***A Resolution to donate artillery artifacts removed from  
Memphis Park to the West TN Military Vehicles Collectors Club.***

**WHEREAS**, the City of Memphis owns Memphis Park which is located at North Front Street and Court Avenue in which seven (7) pieces of artillery artifacts were located; and

**WHEREAS**, the City of Memphis has no productive use for the artifacts that were removed from Memphis Park which General Services is currently housing; and

**WHEREAS**, the West TN Military Vehicles Collectors Club which is a local chapter of the National Military Vehicle Preservation Association which is International group whose headquarters is in Independence, MO. Their mission is to honor all Veterans of all ages, race and sex. They accomplish their mission by keeping the military equipment in front of people and reminding them of the sacrifices they made for our freedom. They take old equipment and restore it to its original or close to its original condition; and

**WHEREAS**, the West TN Military Vehicles Collectors Club desires to have the City of Memphis donate the seven (7) pieces of artillery artifacts to their organization and find a suitable public location to display them.

**THEREFORE BE IT RESOLVED** by the City of Memphis that the request to have the seven (7) pieces of artillery artifacts donated to the West TN Military Vehicles Collectors Club is hereby approved.



# West TN Military Vehicles Collectors

March 25, 2014

Dear Mr. Mayse,

My name is Frank Robertson. I am the President of the West TN Military Vehicles Collectors Club. We are a local chapter of the National MVPA (Military Vehicle Preservation Association) which is a International group whose headquarters is in Independence, MO. .

Our local chapter has been organized since 2005. Our mission is to honor all Veterans of all ages, race, and sex. We do this by keeping the equipment they used in in front of people and reminding them of the sacrifices they made for our freedom. We take the old equipment, and as close as possible, restore it to original condition.

We do displays at schools, and have done displays at the Pink Palace, Overton Park, Veteran Day Parades.... And other displays as we are asked to. There is never a charge for any of this, as matter of fact, the fuel to haul, and the upkeep on these is fairly high, which is why we do it as a club, to spread the cost among like minded people. None of us have the funds to purchase these from individuals. This is truly a great opportunity for us, and for the local people who will be able to see these.

Right now the various members of our club own several different vehicles. I have one cannon like one of these being restored now. We also have 2 halftracks, 1 high speed tractor, that was used for moving bombers around on the air fields, a truck that was used to carry bombs to the planes, an air compressor truck, that was used to provide air for construction, and a few others.

Here is a link to the parent group where you can see that we are part of a legitimate organization.

<http://www.mvpa.org/>

If I can be of anymore assistance , or if you have any questions, please feel free to contact me.

Frank A Robertson

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## Memphis City Council Summary Sheet

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

This item is a resolution seeking to appropriate \$223,600 in Contract Construction in CIP Project Number PK08027 – Mallory-Neely House for the construction of “Mallory-Neely House Window Repairs” and the security and furniture moving costs related to the project.

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

Division of Parks and Neighborhoods.

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

This resolution does not change any existing ordinance or resolution.

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

This resolution requires a new contract.

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

This resolution requires an expenditure of funds in the amount of \$223,600.00 in Contract Construction in CIP Project Number PK08027 – Mallory-Neely House.



## **A Resolution to appropriate \$223,600.00 for the construction of *Mallory-Neely House Window Repairs*.**

**WHEREAS**, the Council of the City of Memphis did include CIP Project Number PK08027 – Mallory-Neely House, as part of the Fiscal Year 2014 Capital Improvement Budget; and

**WHEREAS**, bids were received on April 25, 2014 for the construction of *Mallory-Neely House Window Repairs*, with the lowest and best complying bidder of two [2] bidders being D.W. McAlister Contracting, in the amount of \$169,995.00; and

**WHEREAS**, it is necessary to appropriate \$223,600.00 in Contract Construction funded by G. O. Bonds General in PK08027 – Mallory Neely House for the following:

<b>Bid Amount:</b>	<b>169,995.00</b>
<b>Contingency Amount:</b>	<b><u>13,600.00</u></b>
<b>TOTAL CONTRACT AMOUNT:</b>	<b>183,595.00</b>

<b>Amount for security and furniture moving to be contracted by the Pink Palace Museum:</b>	<b><u>40,005.00</u></b>
<b>TOTAL APPROPRIATION:</b>	<b>223,600.00</b>

**NOW, THEREFORE, BE IT RESOLVED** *that there be and is hereby appropriated \$223,600.00 in Contract Construction in CIP Project Number PK08027 – Mallory-Neely House, funded by G. O. Bonds General, chargeable to the Fiscal Year 2014 Capital Improvement Budget as follows:*

<b><u>REVENUE</u></b>	
G.O. Bonds	\$223,600.00
<b><u>EXPENSE</u></b>	
PK08027, Mallory Neely House Contract Construction	\$223,600.00

Ordinance No. \_\_\_\_\_  
An Ordinance to Amend Article 5, Section 4-28-22.  
Deferred Retirement Option Plan (DROP)

ARTICLE 5. DROP PROGRAM

Sec. 4-28-22. Deferred retirement option plan (DROP).

A.

*DROP overview.* Except as provided in subsection F of this section, an eligible employee (as defined in subsection B of this section), who has made the election described in subsection C of this section, will participate in the program and receive the benefit described in subsection D of this section, and receives distributions in the form described in subsection E of this section.

B.

*Definition.*

Beginning July 1, 2014 *Eligible Employee* shall mean (1) any employee ("Grandfathered Employee") who is a participant, who has attained his or her normal retirement date and has at least 25 years of service on July 1, 2014 or (2) any commissioned police officer or firefighter employee ("Non-Grandfathered Employee") who is a participant, who has attained his or her normal retirement date and has at least 25 years of service on or after July 1, 2014.

C.

*Election.*

**1. Grandfathered Employee.**

An Eligible **Grandfathered** Employee can make an irrevocable election to participate in the DROP program (as described in subsection D of this section), during December, March, June, or September, by completing an election form to participate in the DROP program for a maximum one-year, two-year, or three-year period beginning on the effective date of the election, and agreeing to retire no later than the end of his or her one-, two-, or three-year period of participation in the DROP program. The December election is effective on the next January 15; the March election is effective on the next April 15, the June election is effective on the next July 15; and the September election is effective on the next October 15.

**2. Non-Grandfathered Employee.**

An Eligible **Non-Grandfathered** Employee can make an irrevocable election to participate in the DROP program (as described in subsection D of this section),

during December, March, June, or September, by completing an election form to participate in the DROP program for a maximum one-year period beginning on the effective date of the election, and agreeing to retire no later than the end of his or her one-year period of participation in the DROP program. The December election is effective on the next January 15; the March election is effective on the next April 15, the June election is effective on the next July 15; and the September election is effective on the next October 15.

D.

*Participation and benefits.* During the one-year, two-year, or three-year period elected by the employee:

1.

The employee's contributions and the city's contributions to the plan shall cease as of the effective date;

2.

No additional years of service or compensation shall be considered (with the exception of possible ad hoc benefit increases granted by the city), so the employee's benefit under the plan is frozen (or fixed) as of the date his or her election is effective;

3.

The employee's frozen benefit shall be calculated as though the employee retired on the effective date of his or her election, and a DROP account shall be established for such eligible employee; and

4.

A DROP account shall be established for each electing employee. The DROP account shall be a recordkeeping account for the benefit of electing participants, which beginning on the effective date of the electing participant's election, shall be credited with an amount equal to the monthly pension benefit the electing participant would receive had he or she retired and begun receiving payments on the effective date.

Interest shall be credited each calendar quarter on the average monthly balance in the DROP account during such quarter based on 25 percent of the 90-day Treasury bill yield published in the last Wall Street Journal of such quarter.

E.

*Distribution from DROP program.* As soon as is administratively feasible after the employee has ceased to participate in the DROP program, the city will begin to pay the employee his or her monthly benefit, and also, pay the employee in a

lump-sum the balance in his or her DROP account as of the end of the last quarter. The lump-sum payment of the DROP account may be rolled-over at the participant's direction.

F.

*Exceptions and limitations.* In the event an employee who has elected to participate in the DROP program becomes disabled or dies in the line of duty as defined in section 4-4-1(27), 4-28-12(A) or 4-28-16, the participant's election shall be retroactively revoked and such participant or beneficiary shall be eligible for line of duty disability retirement or death benefits as defined in section 4-28-12(A) or 4-28-16 as if the DROP program had never been elected.

Jim Strickland  
Chairman

Ordinance No. \_\_\_\_\_

**Ordinance Establishing a Residential Parking Permit Pilot Program  
near Overton Square for a One Year Period**

Section 21-136.1

- a) **Definitions:** For the purpose of this section, the following words and phrases are defined and shall be construed as hereinafter set out, unless it shall be apparent from the context that they have a different meaning:
1. A non-resident vehicle shall mean a motor vehicle parked in a residential area which is not owned, leased or otherwise controlled by:
    - a. A resident who lives in the area designated as a permit parking district.
    - b. A guest visiting residents living in the area designated as a permit parking district.
  2. Resident shall mean person who lives in a dwelling unit located in a permit parking district.
  3. Absentee landlord shall mean an owner of residential property who does not live on the property. Such property shall be located in a permit parking district
  4. Guest shall mean a person who is visiting in a dwelling located in a permit parking district.
  5. Permit parking district shall mean a residential area with streets and boundaries designated by a City Council resolution wherein vehicles displaying a valid permit shall be exempt from parking restrictions established pursuant to this section.
- b) **Designation of Permit Parking District:** Permit parking districts may be designated or dissolved, including those created by ordinance, by a City Council resolution.

The City Council shall, upon recommendation of the City Engineer, consider for designation as permit parking districts those areas satisfying the criteria established in this section for said districts.

If the City Council determines that the criteria, rules and procedures required in this section have been met, it may establish, by resolution, permit parking districts with appropriate boundaries and parking restrictions. Motor vehicles displaying a valid parking permit may be parked exempt from the parking restrictions established pursuant to the authority of this section in the permit parking district for which the permit is issued. Parking districts may be considered for designation beginning MM/DD/YYYY

- c) **Designation Process and Criteria:** The City Engineer shall prepare Rules and Procedures for the designation of Permit Parking Districts setting forth the petition process, the hearing and notification processes, reporting requirements, criteria for designation of a permit parking district and for the implementation and administration of this section.

- d) **Issuance of Permits:** Parking permits for Permit Parking Districts shall be issued by the City Engineer.
1. Each annual parking permit shall be designated to state or reflect thereon the particular Permit Parking District, the license number of the vehicle for which the permit is issued and the date on which the permit shall expire.
  2. No more than two annual parking permits shall be issued to any one dwelling unit.
  3. Parking permits may be issued only to residents of the permit parking district.
  4. Year-long visitor permits shall be issued as provided in subsection (l).
  5. Applicants for any parking permits are required to clear all unpaid parking citations prior to the issuance of new permits or renewals for annual or visitor permits.
- e) **Posting of Permit Parking Area:** Upon designation of a Permit Parking District, the City Engineer shall cause appropriate signs to be erected in the district, indicating prominently thereon the parking limitation, period of the day for its application, and the fact that motor vehicles with valid permits shall be exempt therefrom. Parking restriction signs may be posted on school and church frontages located within the district.
- f) **Permit Parking Exemption:**
1. A motor vehicle on which is displayed a valid Annual or Visitor parking permit, as provided for herein, shall be permitted to be parked on any block within the Permit Parking District for which it is issued without being limited by parking restrictions established pursuant to this section. Except as provided below, all other motor vehicles parked within a Permit Parking District shall be subject to the parking restrictions adopted as provided in this section as well as the penalties provided for herein.
  2. A parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated Permit Parking District.
  3. The following vehicles shall be exempt from parking restrictions established pursuant to this section:
    - a. A motor vehicle, identified as owned by or operated under contract to a utility, whether privately, municipally or publicly owned and when used in the construction, operation, removal, or repair of utility property or facilities or engaged in authorized work in the designated Permit Parking District.
    - b. A motor vehicle when identified as owned by or operated under contract to a governmental agency, when used in the course of official government business.
- g) **Exemption of Commercial Vehicles:** No person shall without a permit therefore park or leave standing any commercial vehicle or trailer in a Permit parking district in excess of the parking restrictions authorized pursuant to this section, except
- a) While loading or unloading property; or
  - b) When such vehicle is parked in connection with, or in aid of, the performance of a service to or on a property in the block in which such vehicle is parked.
- h) **Application for and Duration of Permit:** Except as otherwise provided, each parking permit shall be valid for a period not to exceed one year. Permits may be renewed annually upon

reapplication in the manner required by the City Engineer. Each application for a parking permit shall contain information sufficient to identify the applicant, his residence address or address of real property owned or leased within a Permit Parking District, the license number(s) of the motor vehicle(s) for which application is made, and such other information as may be deemed relevant by the City Engineer. Permits may be issued only for vehicles registered in the City of Memphis.

- i) **Annual Permit Fees:** The fee for an Annual parking permit shall be fifty dollars. The fee for an Annual Parking Permit shall be prorated by the month for the unexpired period of the district, but in no case less than fifteen dollars. Upon the permittee's change of place of residence, change of vehicle or damaged permit, the permittee shall surrender the permit to the City Engineer before a replacement permit can be issued. If the permit is lost or stolen, the City Engineer shall be notified immediately. The City Engineer shall collect a fee of fifteen dollars for replacement of lost, stolen or transferred permits and the replacement permit shall expire on the same day as the original permit. In the event a permittee moves from one of the permit parking districts to another permit parking district, the City Engineer shall collect a fee of fifteen dollars for the transfer of the permit. The permits so transferred shall expire on the same day as do all permits in the new district. No refund shall be made for any unused portion of the permit's duration.
- j) **Rules and Regulations:** The City Engineer shall have authority to promulgate and administer rules to implement and enforce the program and to implement the issuance of Permit Parking Districts and the collection of fees for these permits.
- k) **Penalty Provisions:**
  - 1. Unless exempted pursuant to this section, no person shall stand or park a motor vehicle in violation of any parking restrictions established pursuant to this section.
  - 2. No person shall falsely represent himself or herself as eligible for a parking permit or furnish false information in an application for a parking permit to the City Engineer.
  - 3. No permit issued pursuant to this section shall thereafter be assigned, transferred or used for any consideration, monetary or otherwise.
  - 4. No person shall copy, produce or create a facsimile or counterfeit parking permit; nor shall any person use or display a facsimile or counterfeit Permit Parking District Permit.
  - 5. The permit or permits of any person who after a hearing has been found by the City Engineer to have violated any of the provisions of this ordinance shall be revoked by the City Engineer and no new permit shall be issued to that person or household for a period of one year. Such person upon written notification of such revocation, shall surrender the permit or permits to the Department within fifteen days. Use of a revoked parking permit shall be subject to the penalty provisions of Subsection k(1).
- l) **Visitor Permits:** Any resident eligible for an Annual parking permit and whose residence has frontage or side frontage on a block posted within the Permit Parking District may apply to the City Engineer for an annual Visitor Parking Permit for the use of visitors to the person's residence. The owners of a residence under construction and absentee landlords may purchase a maximum of four Visitor Permits for their personal use or for the use of construction service

personnel. The City Engineer shall collect a fee of twenty-five dollars for each Visitor permit issued. No more than four Visitor permits shall be issued for any one dwelling at any one time. These permits shall be valid only on the block or blocks for which they are issued and for a period not to exceed one year. Visitor permits can be replaced at a prorated cost when lost or stolen if the applicant submits written documentation of actual loss to the City Engineer.

- m) **Budget Neutral Program Provisions:** Fees will be revisited each year by the City Engineer and a recommendation for fee adjustment brought before City Council that will allow for the Permit Parking Program to be self-supporting and continue to operate without a shortfall.
- n) **Pilot Program Provisions:** This ordinance shall only be in effect for the streets bound between Cox Street on the East, Morrison Street on the West, Union Avenue on the South, and Jefferson Avenue on the North. The section of Lee Place North of this area is also included. The provisions set forth in this ordinance are effective MM/DD/YYYY and the ordinance shall expire in its entirety on MM/DD/YYYY.



## **Memphis City Council Summary Sheet Instructions**

### **Resolution for City Wide Storm Drainage Infrastructure Rehabilitation, ST03168**

- 1. Project is to repair and maintain all existing drainage facilities.**
- 2. This project is initiated by the Public Works Division in response to the recommendation of the City Engineer.**
- 3. This project is currently in the CIP budget taken from the storm water fund ST03168, and has been approved by the City Council.**
- 4. This project requires a construction contract with Ferrell Paving to perform the required work.**
- 5. This project requires an expenditure of storm water funds as shown in the current CIP 2014 fiscal year budget.**

**This is a resolution appropriating Construction Funds for ST03168 City Wide Drain Rehab**

**WHEREAS**, the Council of the City of Memphis approved Drainage-ST, project number ST03006, as part of the Public Works Fiscal Year 2014 Capital Improvement Budget; and

**WHEREAS**, bids were taken on March 7, 2014 for city wide drainage repairs at City Wide Drain Rehab with the lowest complying bid being \$2,500,000.00 submitted by Ferrell Paving; and

**WHEREAS**, it is necessary to transfer a construction allocation of \$2,750,000.00 funded by G O Bonds – General (Storm Water) from Drainage-ST, project number ST03006, to City Wide Drain Rehab, project number ST03168, for city wide drainage repairs; and

**WHEREAS**, it is necessary to appropriate \$2,750,000.00 funded by G O Bonds – General (Storm Water) in City Wide Drain Rehab, project number ST03168 as follows:

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

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2014 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$2,750,000.00 funded by G O Bonds – General (Storm Water) from Drainage-ST, project number ST03006, to City Wide Drain Rehab, project number ST03168, for city wide drainage repairs.

**BE IT FURTHER RESOLVED**, that there be and is hereby appropriated the sum of \$2,750,000.00 funded by G O Bonds – General (Storm Water) chargeable to the FY 2014 Capital Improvement Budget and credited as follows:

<b>Project Title</b>	<b>City Wide Drain Rehab</b>
<b>Project Number</b>	<b>ST03168</b>
<b>Total Amount</b>	<b>\$2,750,000.00</b>



## **Memphis City Council Summary Sheet Instructions**

Resolution for City Wide Storm Drainage Infrastructure Rehabilitation, ST03168

1. Project is to repair and maintain all existing drainage facilities.
2. This project is initiated by the Public Works Division in response to the recommendation of the City Engineer.
3. This project is currently in the CIP budget taken from the storm water fund ST03168, and has been approved by the City Council.
4. This project requires a construction contract with Ferrell Paving to perform the required work.
5. This project requires an expenditure of storm water funds as shown in the current CIP 2014 fiscal year budget.

**This is a resolution appropriating Construction Funds for ST03168 City Wide Drain Rehab**

**WHEREAS**, the Council of the City of Memphis approved Drainage-ST, project number ST03006, as part of the Public Works Fiscal Year 2014 Capital Improvement Budget; and

**WHEREAS**, bids were taken on March 7, 2014 for city wide drainage repairs at City Wide Drain Rehab with the lowest complying bid being \$39,640.00 submitted by Ferrell Paving; and

**WHEREAS**, it is necessary to transfer a construction allocation of \$42,811.00 funded by G O Bonds – General (Storm Water) from Drainage-ST, project number ST03006, to City Wide Drain Rehab, project number ST03168, for city wide drainage repairs; and

**WHEREAS**, it is necessary to appropriate \$42,811.00 funded by G O Bonds – General (Storm Water) in City Wide Drain Rehab, project number ST03168 as follows:

<b>Contract Amount</b>	<b>\$39,640.00</b>
<b>Project Contingencies</b>	<b><u>3,171.00</u></b>
<b>Total Amount</b>	<b>\$42,811.00</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2014 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$42,811.00 funded by G O Bonds – General (Storm Water) from Drainage-ST, project number ST03006, to City Wide Drain Rehab, project number ST03168, for city wide drainage repairs.

**BE IT FURTHER RESOLVED**, that there be and is hereby appropriated the sum of \$42,811.00 funded by G O Bonds – General (Storm Water) chargeable to the FY 2014 Capital Improvement Budget and credited as follows:

<b>Project Title</b>	<b>City Wide Drain Rehab</b>
<b>Project Number</b>	<b>ST03168</b>
<b>Total Amount</b>	<b>\$42,811.00</b>



**Memphis City Council  
Summary Sheet  
Gray's Creek Interceptor Contract 3**

1. This is a construction project to replace the existing Gray's Creek Forcemain with a gravity interceptor line extending approximately 6,500 feet. This will be a portion of a new 60 inch diameter interceptor sewer.
2. This item is being submitted by Public Works (Environmental Engineering)
3. This item does not change an existing ordinance or resolution.
4. This item does require a new contract.
5. This item requires an expenditure of funds.
6. The MWBE Goal for this project was 9%.

**This is a resolution appropriating Construction Funds for SW04004 Wolf River Interceptor**

**WHEREAS**, the Council of the City of Memphis approved Wolf River Interceptor, project number SW04004, as part of the Public Works Fiscal Year 2014 Capital Improvement Budget; and

**WHEREAS**, bids were taken on February 28, 2014 to install approximately 6,500 feet of 60" sewer with the lowest complying bid of eight bids being \$5,630,616.15 submitted by Argo Construction Corporation; and

**WHEREAS**, it is necessary to reduce Sewer Revenue Bonds in Wolf River Interceptor, project number SW04004 and establish an allocation funded by Capital Pay Go-Sewer in Wolf River Interceptor, project number SW04004 in the amount of \$6,193,678.00; and

**WHEREAS**, it is necessary to appropriate \$6,193,678.00 in construction funded by Capital Pay Go-Sewer in Wolf River Interceptor, project number SW04004 as follows:

<b>Contract Amount</b>	<b>\$5,630,616.00</b>
<b>Project Contingencies</b>	<b>563,062.00</b>
<b>Total Amount</b>	<b>\$6,193,678.00</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2014 Capital Improvement Budget be and is hereby amended by reducing Sewer Revenue Bonds in Wolf River Interceptor, project number SW04004 and establishing an allocation funded by Capital Pay Go-Sewer in Wolf River Interceptor, project number SW04004 in the amount of \$6,193,678.00 to install approximately 6,500 feet of 60" sewer.

**BE IT FURTHER RESOLVED**, that there be and is hereby appropriated the sum of \$6,193,678.00 funded by Capital Pay Go-Sewer chargeable to the FY 2014 Capital Improvement Budget and credited as follows:

<b>Project Title</b>	<b>Wolf River Interceptor</b>
<b>Project Number</b>	<b>SW04004</b>
<b>Total Amount</b>	<b>\$6,193,678.00</b>



**Memphis City Council  
Summary Sheet  
Nonconnah 90" Interceptor Stabilization at Sta  
406+65**

1. This is a construction project for the stabilization of an existing 90" sewer interceptor due to erosion.
2. This item is being submitted by Public Works (Environmental Engineering)
3. This item does not change an existing ordinance or resolution.
4. This item does require a new contract.
5. This item requires an expenditure of funds.
6. The MWBE Goal for this project was 40%.

This resolution appropriate Sewer Cash funds necessary for the stabilization of an existing 90" sewer interceptor due to erosion

**WHEREAS**, the Council of the City of Memphis approved Rehab Existing Sewers, project number SW02001 as part of the Public Works Fiscal Year 2014 Capital Improvement Budget; and

**WHEREAS**, bids were taken on April 11, 2014 for the stabilization of an existing 90" sewer interceptor due to erosion with the lowest complying bid of three bids being 295,060.00 submitted by Chancellor & Son, Inc; and

**WHEREAS**, it is necessary to transfer an allocation of 324,566.00 funded by Capital Pay Go (Sewer Cash) from Rehab Existing Sewers, project number SW02001 to Nonconnah Stabilization at Station 406+65, project number SW02106 for the stabilization of an existing 90" sewer interceptor due to erosion; and

**WHEREAS**, it is necessary to appropriate \$324,566.00 funded by Capital Pay Go (Sewer Cash) in Nonconnah Stabilization at Station 406+65, project number SW02106 as follows:

Contract Amount	\$295,060.00
Project Contingencies	<u>29,506.00</u>
Total	\$324,566.00

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that the Fiscal Year 2014 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$324,566.00 funded by Capital Pay Go (Sewer Cash) from Rehab Existing Sewers, project number SW02001 to Nonconnah Stabilization at Station 406+65, project number SW02106 for the stabilization of an existing 90" sewer interceptor due to erosion.

**BE IT FURTHER RESOLVED**, that there be and is hereby appropriated the sum of \$324,566.00 funded by Capital Pay Go (Sewer Cash) chargeable to the Fiscal Year 2014 Capital Improvement Budget and credited as follows:

<b>Project Title:</b>	<b>Nonconnah Stabilization at Sta 406+65</b>
<b>Project Number</b>	<b>SW02106</b>
<b>Amount:</b>	<b>\$324,566.00</b>



## Memphis City Council Summary Sheet

Resolution for the construction of Sidewalks around Rozelle Elem. School on Roland St., Willett St., Walker Ave., and Felix Ave. PW04066:

1. Project for the construction of sidewalks on Roland, Willett, Walker, and Felix adjacent to Rozelle Elem. School. This project is part of TDOT's Safe Routes To Schools program.
2. This project is initiated by the Public Works Division in response to the recommendation of the City Engineer.
3. This project is currently in the CIP budget Project No. PW04066, which has been approved by the City Council.
4. This project requires a construction contract with Ferrell Paving, Inc. for the construction of sidewalks on Roland, Willett, Walker, and Felix adjacent to Rozelle Elem. School.
5. This project does not require an expenditure of G. O. bonds. It is 100% funded by State Grant funds as shown in the current 2014 fiscal year budget.

**This is a resolution appropriating Construction Funds for PW04066 Safe Route to School-Rozelle**

**WHEREAS**, the Council of the City of Memphis approved Safe Route to School-Rozelle, project number PW04066, as part of the Public Works Fiscal Year 2014 Capital Improvement Budget; and

**WHEREAS**, bids were taken on February 14, 2014 for installation of sidewalks in the Rozelle school area with the lowest complying bid of four bids being \$166,135.25 submitted by Ferrell Paving; and

**WHEREAS**, it is necessary to appropriate \$179,426.00 funded by Federal Grant CIP Funds from the State of Tennessee Department of Transportation in Safe Route to School-Rozelle, project number PW04066 as follows:

<b>Contract Amount</b>	<b>\$166,135.00</b>
<b>Project Contingencies</b>	<b><u>13,291.00</u></b>
<b>Total Amount</b>	<b>\$179,426.00</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$179,426.00 funded by Federal Grant CIP Funds from the State of Tennessee Department of Transportation chargeable to the Fiscal Year 2014 Capital Improvement Budget and credited as follows:

<b>Project Title</b>	<b>Safe Route to School-Rozelle</b>
<b>Project Number</b>	<b>PW04066</b>
<b>Total Amount</b>	<b>\$179,426.00</b>



## Memphis City Council Summary Sheet Instructions

Resolution to accept additional grant funds for the Airways over Nonconnah Bridge Replacement Project ST03111.

1. Project is for the construction to replace the existing Airways Bridge over Nonconnah Creek which is in poor condition.
2. This project is initiated by the Public Works Division in response to the recommendation of the City Engineer.
3. This project is currently in the CIP budget taken from the storm water fund and is designated as project ST03111.
4. This project requires the acceptance of additional Federal Emergency Management Agency (FEMA) grant funds and a Tennessee Emergency Management Agency (TEMA) grant funds under the Hazard Mitigation Grant Program (HMGP). This is a matching grant with 75% federal 12.5% state and 12.5% City of construction funds to replace the existing bridge.
5. This project requires an expenditure of storm water funds as shown in the current CIP 2014 fiscal year budget.

This is a resolution to accept grants funds for the Airways over Nonconnah Bridge replacement project ST03111.

**WHEREAS**, the Council of the City of Memphis approved Airways over Nonconnah, project number ST03111, as part of the Public Works Fiscal Year 2013 Capital Improvement Budget; and

**WHEREAS**, the City of Memphis has entered into a contract with the State of Tennessee Emergency Management Agency; and

**WHEREAS**, the State has submitted a contract amendment for additional grant funds in the amount of \$469,675.00; and

**WHEREAS**, under this contract, the Federal Emergency Management Agency(FEMA) has agreed to fund 75% of the project cost through the Hazard Mitigation Program with the of Tennessee agreeing to match 12.5% and the City providing the remaining local matching share of 12.5% to replace the existing bridge; and

**WHEREAS**, it is necessary to accept these grants and establish allocations in the amount of \$402,579.00 funded by FEMA through the Hazard Mitigation Grant Program and \$67,096.00 funded by the State of Tennessee.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2014 Capital Improvement Budget be and is hereby amended by accepting these grants and establishing allocations in the amount of \$402,579.00 funded by FEMA through the Hazard Mitigation Grant Program and \$67,096.00 funded by the State of Tennessee.

## RESOLUTION

**WHEREAS**, the City's Charter and the City's Master Water Bond Resolution requires MLGW to pay to the City's general fund a sum equal in amount to what would be the city taxes on the properties of the Water Division of MLGW within the limits of the City of Memphis if said properties were privately owned ; and

**WHEREAS**, privately owned water utilities are required to pay property taxes to the City on all operating and non-operating property, real and personal, tangible and intangible, at fifty-five percent (55%) of its fair market value determined by an appraisal of the property as a whole without geographical or functional division of the whole, rather than on depreciated original cost of water system properties and book value of materials;

**WHEREAS**, the Tennessee Municipal Bond Law also permits MLGW to pay to the City's general fund a sum equal in amount to what would be the city taxes on the properties of the Water Division of MLGW within the limits of the City of Memphis if said properties were privately owned; and a return on the City's equity invested in its Water System;

**WHEREAS**, the City and MLGW have agreed to the payment that should be made to the City from the Water Division for the City's fiscal year ending June 30, 2013 but have not been able to reach an agreement on the amount of the payment for the City's fiscal year ending June 30, 2014 and thereafter;

**WHEREAS**, the Council desires to adopt and determine the Water payment due for FY 2014 and instruct the Mayor to negotiate and recommend to the Council for its consideration a payment plan for FY 2015 and thereafter before June 17, 2014.

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that

the annual payment in lieu of taxes made by the Water System in the amount of \$2,500,000 pledged by the City to secure senior revenue bonds issued by the Memphis and Shelby County Sports Authority for the Memphis Arena Project (“Pledged PILOT Payments”) is hereby confirmed, ratified and continued as set forth in the Water PILOT Agreement and MLGW is authorized and directed to continue to make that payment in the same manner and for the same purposes as it has made since 2002 until the completion of the 2028 fiscal year without any further direction from the Council. The Pledged PILOT Payments are unaffected by this resolution.

**BE IT FURTHER RESOLVED** that MLGW is also authorized and directed to pay to the City’s general fund in addition to the Pledged PILOT Payment a payment in lieu of City taxes on the properties of the Water Division of MLGW within the limits of the City of Memphis if said properties were privately owned and a return on the City’s equity invested in its Water System in the amount not less than \$1.8 million for the City’s fiscal year ending June 30, 2014 (“Incremental Water Payment”). Said Incremental Water Payment shall be made on or before June 30, 2014;

**BE IT FURTHER RESOLVED** that in consideration of the Incremental Water Payment provided herein the City hereby waives the right to be supplied with free and sufficient water for all fire hydrants of the City for fire protection, sprinkling of streets and for police stations by the Water Division as required by Section 696 of the City’s Charter and applicable Water Bond Resolutions for FY 2014. The City is authorized to pay all water charges as and when due for fiscal year ending June 30, 2014.

**BE IT FURTHER RESOLVED** that the Mayor is hereby requested to negotiate with MLGW and make a recommendation, for the Council’s consideration by June 17, 2014, of the

amount of the Incremental Water Payment for the City's fiscal year ending June 30, 2015 and subsequent years and a report of the amount the City paid for water in FY 2014. The Council will schedule a discussion of the Water PILOT as an agenda item on June 17, 2014.

JIM STRICKLAND  
Chairman, Budget Committee

EDMUND FORD, JR.  
COUNCIL CHAIRMAN

## Memphis City Council Resolution

**WHEREAS**, members of the Memphis City Council have been inundated with calls from property owners who have received notice pursuant to the "sidewalk ordinance" to repair the sidewalk or walkway abutting on or adjacent to their property; and

**WHEREAS**, owners in receipt of this notice are required to make repairs within 30 days with failure to comply resulting in the city engineer authorizing the said sidewalk or walkway repair and assessing the cost of such work as a lien on the property enforceable through the courts; and

**WHEREAS**, many of the callers, some of which are low-income and elderly, have received notices and expressed their inability to pay for the costs of repairs and have asked for some relief from the provisions of this ordinance; and

**WHEREAS**, the Memphis City Council requests a 60-day moratorium on the issuance of such notices for the repair of the sidewalk or walkway.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL** that a request be made that the city discontinues the issuance of sidewalk notices to property owners for damaged sidewalks for a period of 60 days while a moratorium is in effect.

Harold Collins

Approved May 6, 2014

**Resolution supporting the Plains & Eastern Clean Line**

**WHEREAS, the Memphis City Council is supportive of the application by Plains and Eastern Clean Line LLC to the Tennessee Valley Authority to construct and operate a direct current transmission line in this city and county and thereby increasing our access to renewable energy; and**

**WHEREAS, direct current transmission is an efficient, cost effective technology that allows the movement of large amounts of electricity over long distances with a smaller footprint than alternating current lines; and**

**WHEREAS, recognizing the benefits that renewable energy provides including jobs, clean air and energy security, the Memphis City Council is eager to take advantage of an effective transmission solution that will enhance our opportunities afforded by a clean energy economy; and**

**WHEREAS, the Shelby County Economic Development Growth Engine (EDGE) has approved a payment –in-lieu of taxes incentive to encourage the Plains & Eastern Clean Line which will result in a significant financial capital investment and will benefit not only state, county and local governments in Tennessee, but will also benefit property owners from whom transmission line easements would be sought.**

**NOW, THEREFORE, BE IT RESOLVED THAT THE MEMPHIS CITY COUNCIL supports the construction of a direct current transmission line by Plains and Eastern Clean Line LLC.**

**ADOPTED: June 3, 2014**

**Harold Collins**



March 10, 2014

Honorable James Allison, Chairman  
Honorable Herbert Hilliard, Vice Chairman  
Honorable Kenneth Hill  
Honorable David Jones  
Honorable Robin Bennett

Tennessee Regulatory Authority  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, TN 37243

*RE: Petition of Plains and Eastern Clean Line LLC for Approval of a Certificate of Public Convenience and Necessity (CCN) to Operate as an Electric Transmission Public Utility in the State of Tennessee*

Dear Directors:

I am writing to express my support for the application of Plains and Eastern Clean Line LLC (Plains and Eastern) to operate as a public utility in Tennessee and to construct an interstate transmission line. The Plains & Eastern Clean Line (Plains & Eastern Project) will serve the public interest by lowering electricity costs, expanding inter-regional transmission capacity, improving energy reliability and security, and providing revenues to local jurisdictions in which the project is located.

Approval of Plains and Eastern's application and the construction and operation of the Plains & Eastern Project will strengthen Tennessee's reputation as America's distribution center by enabling the delivery of clean and affordable energy to consumers in the Mid-South and Southeast.

Additionally, the Plains & Eastern Project will contribute to Tennessee's growing record of supporting responsible environmental practices and the sustainability goals and efforts of many Tennessee companies, as well as help to attract new businesses who desire access to low-cost, clean power sources.

Finally, the Plains & Eastern Project will help compensate for the retirement of older, less efficient regional generating facilities and create a more sustainable local environment by reducing water consumption and lowering pollution from fossil fuel plants.

I support Plains and Eastern's application and urge the Tennessee Regulatory Authority to provide the necessary regulatory approval to advance this project in Tennessee.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Herbison', written over a horizontal line.

Mark Herbison  
Senior Vice President, Economic Development