



**Memphis City Council
Summary Sheet
Jack Carley Pump Station Rehabilitation**

1. This is a construction project to replace three (3) sanitary sewer pumps and certain other appurtenances at the Jack Carley Pump Station.
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 28%.

This is a resolution appropriating Construction Funds for SW02113 Jack Carley Pump Station Rehab

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 July 26, 2013 for replacement of (3) sanitary sewer pumps and other appurtenances with the lowest complying bid of four bids being \$710,925.00 submitted by Hemphill Construction Co, Inc; and

WHEREAS, it is necessary to reduce Sewer Revenue Bonds in Rehab Existing Sewers, project number SW02001 and establish an allocation funded by Capital Pay Go-Sewer in Jack Carley Pump Station Rehab, project number SW02113 in the amount of \$782,018.00; and

WHEREAS, it is necessary transfer a construction allocation of \$782,018.00 from Rehab Existing Sewers, project number SW02001 to Jack Carley Pump Station Rehab, project number SW02113; and

WHEREAS, it is necessary to appropriate \$782,018.00 funded by Capital Pay Go-Sewer in Jack Carley Pump Station Rehab, project number SW02113 as follows:

Contract Amount	\$710,925.00
Project Contingencies	<u>71,093.00</u>
Total Amount	\$782,018.00

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 reducing Sewer Revenue Bonds in Rehab Existing Sewers, project number SW02001 and establishing an allocation funded by Capital Pay Go-Sewer in Jack Carley Pump Station Rehab, project number SW02113 in the amount of \$782,018.00 for replacement of 3 sanitary sewer pumps and other appurtenances

BE IT FURTHER RESOLVED that the Fiscal Year 2014 Capital Improvement Budget be and is hereby amended by transferring a construction allocation of \$782,018.00 from Rehab Existing Sewers, project number SW02001 to Jack Carley Pump Station Rehab, project number SW02113.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$782,018.00 funded by Capital Pay Go-Sewer chargeable to the FY 2014 Capital Improvement Budget and credited as follows:

Project Title	Jack Carley Pump Station Rehab
Project Number	SW02113
Total Amount	\$782,018.00

City of Memphis



Inter-Office Memorandum

TO: City Council

FROM: John E. Cameron, City Engineer 

DATE: 08/05/13

SUBJECT: Parking Meter Modernization Update

Summary:

The Parking Meter Modernization program is moving forward. Council action is required on several items. On Tuesday August 6, a resolution authorizing the Mayor to enter into a lease / purchase agreement with the vendor will be before full Council. The ordinance authorizing "kiosk" type multi-space meters and forms of payment other than coins will also be up for second reading. Two additional resolutions adjusting the FY 14 Operating Budget and authorizing the execution of a financing package with J.P. Morgan / Chase will be sent to Council Committee on August 20th.

If these follow the regular course of Council action, and are approved by Council, the final executed agreements will be in place by mid- to late-September. Parking meter installation would commence shortly thereafter taking 6 to 8 weeks to complete.

The Details:

The City and the selected vendor, Parkeon, are finalizing the equipment delivery and operating agreement. Parkeon does not directly finance equipment. The City has selected J.P. Morgan / Chase to enter in to a lease purchase agreement to fund the purchase. This separate agreement requires a separate resolution.

The operating budget also has to be adjusted to reflect the annual operating cost and debt service for the system. A summary of expenditures and revenues are attached. These are based on conservative forecasts that show that the system will more than pay for itself through increased payment compliance, an increase in number of metered parking spots and an increase in meter rates from \$1.00 an hour to \$1.25 an hour. Under this very conservative approach a modest increase in revenues will be recognized.

Once the ordinance revision allowing use of the new equipment is passed, an additional revision allowing more flexibility in the days and hours of meter operations will be brought forward. Certain areas, such as the entertainment district, would benefit from management of the on-street parking assets beyond the current five day a week, business hours only approach.

The current resolution concerning the vendor agreement will be heard August 6 and if approved have minutes read August 20.

The ordinance revision will have its third reading August 20th and minutes approved September 2.

The additional resolutions will be brought to Council Committee August 20th, Full Council September 2 and, if approved, have minutes read September 16th.

All agreements should be executed by September 23rd and vendor notice to proceed issued concurrently.

Installation should take place over October and November.

If it is Council's desire, the minutes for the additional resolutions could be read September 2 (same night as full Council discussion) shortening the process by two weeks.

Parking Meter Modernization

Annual Expenditures

5-year Lease Purchase Agreement	\$340,000
Annual operating expenses	\$250,000
Approximate Expenditure Increase	<hr/> \$590,000

Annual Revenue

Baseline Meter Revenues @ Current Compliance Rates (17%)	\$450,000
Increased Compliance rate to 35%	\$476,000
Add 200 metered spaces	\$148,000
Raise meter rates to \$1.25 / hr (from current \$1.00 / hr)	\$268,000
Approximate Revenue Increase	<hr/> \$892,000

PARKING METER MARKET RATES

On-street parking meter rates were adjusted city-wide in 2011 from \$0.75 per hour to \$1.00 per hour. The maximum parking time allowed varies by location, and includes 10-minute loading zones, 30-minute, 60-minute, two (2) hour and four (4) hour meters. Walker surveyed the following 14 cities to assess market rates. This list is not exhaustive, but is judged to provide a reasonable indication of market rate for Memphis.

Table 14: On-Street Meter Rates of Comparable Cities

City	Core CBD On-Street Meter Rate/Hour	Neighborhood/Transitional Meter Rate/Hour
Baltimore, MD	\$2.00	\$0.75
Cincinnati, OH	\$2.00	\$0.50
Pittsburgh, PA	\$2.00	\$0.50
Washington, DC	\$2.00	\$0.50
Indianapolis, IN	\$1.50	\$1.00
Nashville, TN	\$1.50	\$1.00
New Orleans, LA	\$1.50	\$1.00
Denver, CO	\$1.00	\$1.00
Cleveland, OH	\$1.00	\$1.00
Kansas City, MO	\$1.00	\$1.00
St. Louis, MO	\$1.00	\$1.00
Louisville, KY	\$1.00	\$0.75
Charlotte, NC	\$1.00	\$0.50
Columbus, OH	\$1.00	\$0.50
Mean	\$1.39	\$0.78

Source: Walker Parking Consultants, July 2012

Walker recommends that on-street parking meter rates be increased to reflect the relative value of the most valued parking opportunity desired by the customer. These rates should be consistent within zones, and not vary from block face to block face, or in proximity to one specific generator. In addition to rate, many municipalities also restrict parking durations by zone, with the shortest times imposed in the most congested areas, and longer durations allowed in more peripheral areas.

The current rate of \$1.00 per hour is less than the mean of the comparables (\$1.39 per hour). The maximum rate among comparables is \$2.00 per hour. The minimum rate among the comparables is \$1.00 per hour. The Standard Deviation among these comparables is \$0.45. Thus, one standard deviation above the mean would be \$1.84 per hour.

From our analysis, it appears reasonable to consider increases in the hourly CBD parking rates to achieve at least \$1.50 in the near-term five-year projection period and increase to \$2.00 per hour in the CBD over the year five to year ten projection period for those sub-areas that exceed 85% occupancy. It is also judged to be reasonable to hold sub-areas with lower occupancies and transitional areas to \$1.00/hr. over the initial projection period, which is more consistent with the mean of the comparable neighborhood rates, and re-analyze this rate in the future.



A Resolution approving an overall project budget for the grant-funded Main Street to Main Street Multimodal Connector project numbers PW04090, PW04093, ST03161, ST03158, and ST03162

WHEREAS, the Main Street to Main Street Multimodal Connector Project (the “M2M Project”) is a federal transportation grant funded ten-mile regional, multimodal corridor that will make needed ADA, drainage, and other repairs to Memphis’ Main Street; increase and improve alternative transportation options in the Memphis metro area, and connect Tennessee to Arkansas via a bicycle and pedestrian trail over the Mississippi River via the historic Harahan Bridge;

WHEREAS, the M2M Project will leverage federal and other funding sources to make long-needed ADA, drainage, and other repairs and improvements to Main Street in Downtown Memphis from Uptown to South Main including the Main Street Mall and Civic Center Plaza;

WHEREAS, the M2M Project will link South Main to the Harahan Bridge via existing roadways, which will be improved to comply with ADA and better accommodate bicycle and pedestrian traffic

WHEREAS, the M2M Project will restore the historic Harahan Bridge and convert it into a bicycle and pedestrian trail over the Mississippi River with a unique view of the Mississippi River, stunning views of the Memphis skyline, and provide an internationally significant amenity for Memphis;

WHEREAS, the M2M Project will connect the Harahan Bridge to West Memphis’s main street, called Broadway;

WHEREAS, the M2M Project is supported by many public and private sector partners including the cities of Memphis and West Memphis; the counties of Shelby and Crittenden; the states of Tennessee and Arkansas; Mr. Charlie McVean working through the Harahan Bridge Project; the Hyde Foundation; the Community Redevelopment Agency; the Downtown Memphis Commission and many others;

WHEREAS, the M2M Project won the very competitive Federal Transportation Investment Generating Economic Recovery (TIGER) IV Grant in the amount of \$14,939,000, thereby distinguishing the M2M Project as one of the top 5% of TIGER IV Grant applications nationally;

WHEREAS, on November 20, 2012, the Memphis City Council by Resolution adopted an expedited approval process for items related to the M2M Project (the “M2M Expedited Process Resolution”) due to the need to meet tight deadlines imposed by the federal government;

WHEREAS, the M2M Expedited Process Resolution provides that the Memphis City Council will first approve an overall project budget and then a special M2M Project Coordinating Committee, including three Council members appointed by the Chair, will review construction contracts relating to the M2M Project before execution by the Mayor;

WHEREAS, by memorandum dated August 9, 2013, the Mayor provided the Memphis City Council with a detailed update on the M2M Project including current cost estimates, which memorandum is attached hereto as EXHIBIT A;

WHEREAS, attached hereto as EXHIBIT B is the overall project budget for the M2M Project;

WHEREAS, requests for bids on all construction components of the M2M Project are currently being advertised and federally imposed deadlines require that contracts be approved in September and that construction begin in October;

NOW, THEREFORE, BE IT RESOLVED That the Memphis City Council approves the overall project budget for the M2M Project as reflected at EXHIBIT B hereto for project numbers PW04090, PW04093, ST03161, ST03158 and ST03162, but that if after bids are received the overall estimated project expenses exceed the amount reflected in EXHIBIT B by more than 7%, then this approval is no longer applicable and the administration is directed to return to City Council for reconsideration of the overall project budget before executing construction contracts.

EXHIBIT B

PROJECT BUDGET
Main Street to Main Street Multimodal Connector Project
August 13, 2013

Funding Sources (as of July 2013)

Federal Funds - TIGER IV	Federal Funds -- Arkansas CMAQ	State Funds - TDOT	Shelby County CIP Funds	Storm Water Funds, Memphis	City of Memphis Funds – FY13 CIP	CRA Tax Increment Financing (TIF)	Center City Revenue Finance Corp (CCRFC)	Private Contributions	Federal FTA Funds	Total All Sources
\$14,939,000	\$850,000	\$2,000,000	\$1,000,000	\$5,496,932	\$422,720	\$2,000,000	\$2,000,000	\$1,000,000 plus	\$2,170,130	\$31,878,782

Segment Budgets (See Note 1)

	Segment 1 Uptown	Segment 2 Main Street Mall	Segment 3 South Main	Segment 4 Harahan Bridge and Approaches	Segment 5 Arkansas Trail	Total All Segments
Design	\$148,000	\$296,000	\$183,000	\$878,011	\$154,036	\$1,659,047
Const Engineering and Inspection	\$329,200	\$634,520	\$307,430	\$1,188,010	\$282,760	\$2,741,920
Tech Project Management	\$79,600	\$153,000	\$73,400	\$244,800	\$61,200	\$612,000
Construction	\$2,261,883	\$4,006,959	\$3,264,089	\$19,305,830	\$3,498,073	\$32,336,834
Mobilization / Clearing & Grubbing	107,363	24,149	129,500	950,236	150,609	1,361,857
Earthwork	19,666	0	14,761	209,538	430,323	674,288
Drainage	299,534	1,743,919	348,163	232,485	37,287	2,661,388
Paving	712,683	365,610	1,282,575	721,829	1,481,765	4,564,462
Utilities	120,750	958,650	236,250	2,525,250	14,070	3,854,970
Structural/Bridge	0	0	0	13,248,126	1,130,620	14,378,746
Streetscaping	1,001,887	914,631	1,252,840	1,418,366	253,399	4,841,123
Segment Totals	\$2,818,683	\$5,090,479	\$3,827,919	\$21,616,651	\$3,996,069	\$37,349,801

Note 1: Construction budgets are based on designer's estimate of cost at the "95% Design Submittal".



Memphis City Council Summary Sheet

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

- This resolution is to accept and appropriate funding from Humanities TN for Memphis Public Library in the amount of three thousand dollars (\$3,000.00) for scholar expenses and promotion of the public program Bridging Cultures: Muslim Contributions to the US Since 1776.

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

- The initiating party is Memphis Public Library and Information Center.

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

N/A

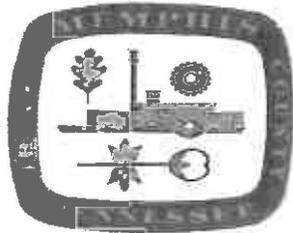
4. State whether this requires a new contract, or amends an existing contract, if applicable.

- This requires a new contract with Humanities TN.

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

- This program requires a FY14 budget amendment to accept and appropriate grant funds for scholar expenses and promotion of the program.

RECEIVED
JUN 24 2013
BY: 3469



A resolution to accept funding for Memphis Public Library from Humanities TN for the public program Bridging Cultures: Muslim Contributions to the US Since 1776.

WHEREAS, the City of Memphis, Division of Parks and Neighborhoods, Memphis Public Library and Information Center have received grant funds in the amount of \$3,000.00 from Humanities TN; and

WHEREAS, all these funds will be used for scholar expenses and promotion of the public program Bridging Cultures: Muslim Contributions to the US Since 1776; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Three Thousand dollars (\$3,000.00) for scholar expenses and promotion; and

NOW, THEREFORE, BE IT RESOLVED by the council of the City of Memphis \$3,000 for scholar expenses and promotion of the public program Bridging Cultures: Muslim Contributions to the US Since 1776 be accepted by the City of Memphis

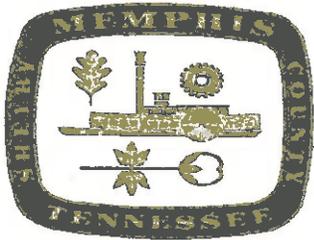
BE IT FURTHER RESOLVED, that the Fiscal Year 2014 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for Bridging Cultures: Muslim Contributions to the US Since 1776 in the amount of (\$3000.00) as follows:

Revenue

Humanities TN	\$3,000.00
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Expense

Scholar stipend and promotional expenses	\$3,000.00
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Memphis City Council Summary Sheet

1. This item is a resolution seeking Council approval to transfer \$440,000.00 in Construction from CIP Project Number PK07012 – Greenway Improvements to Constuction in CIP Project Number PK07089 – Charjean Park Improvements.
2. The initiating party is the Division of Parks and Neighborhoods.
3. This Resolution does not change any existing Ordinance or Resolution.
4. This Resolution does not require a new contract.
5. This Resolution does not require an expenditure of funds.

RECEIVED
JUL 31 2013
BY: 4176



RECEIVED
JUL 31 2013
BY: 476

A Resolution to transfer Construction funds from Greenway Improvements to Charjean Park Improvements.

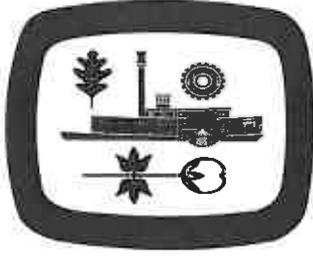
WHEREAS, the Council of the City of Memphis did include Charjean Park Improvements, CIP Project Number PK07089, \$582,618 for Construction as part of the Fiscal Year 2014 Capital Budget; and

WHEREAS, the Administration proposes to renovate Charjean Park, located at Ketchum and Crosby Roads, at an estimated construction cost of \$1,022,618; and

WHEREAS, the Administration proposes to transfer \$440,000 of excess Construction funding from CIP Project Number PK07012 Greenway Improvements to CIP Project Number PK07089, Charjean Park.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis, that the Administration is hereby approved to transfer \$440,000 of excess Construction funding from CIP Project Number PK07012 Greenway Improvements to CIP Project Number PK07089, Charjean Park for additional Construction funding.

Project Title:	Charjean Park Improvements
CIP Project Number:	PK07109
Amount:	\$1,022,618.00



Memphis City Council Summary Sheet

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

Resolution requesting the City Council to approve the Schedule of Fees for Street Lighting Service.

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

Memphis Light, Gas and Water Division

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

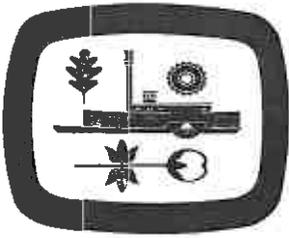
There is no change to an existing Resolution or Ordinance.

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

This Resolution does not require a new contract, or amends an existing contract.

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

No Contracts, expenditure of funds, or budget amendments are required.



A Resolution to approve the 2014 Street Light Schedule of Fees

WHEREAS, as authorized and directed pursuant to Ordinance 5515, the Board of Light, Gas and Water Commissioners has approved and submitted a proposed Schedule of Fees for City of Memphis Street Lighting;

WHEREAS, the Council has, through its MLGW Committee and other interested members of the Council, reviewed the Schedule of Fees for City of Memphis Street Lighting Service as contemplated in Ordinance 5515;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the attached Schedule of Fees for City of Memphis Street Lighting Service is approved.

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Schedule of Fees for City of Memphis Street Lighting Service be charged to MLGW electric ratepayers within the limits of the City of Memphis effective with Cycle 1 of January 2014.

FURTHER RESOLVED by the Council of the City of Memphis that said Schedule of Fees shall be adjusted annually by the Board of Light, Gas and Water Commissioners to reflect the total costs (calculated in a manner consistent with the then current MLGW Electric Service Schedule LS) of operating and maintaining the street lighting system for the City of Memphis, and that MLGW shall report on any effects of the implementation of the Schedule of Fees for Memphis Street Lighting Service on the MLGW Budget during MLGW's annual budget presentation.

Exhibit A

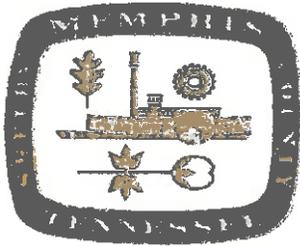
Schedule of Monthly Fees for Street Lighting Service for the City of Memphis

Effective January 1, 2014

Residential Apartment Charge: \$1.08 per month

Residential Non-Apartment Charge: \$4.32 per month

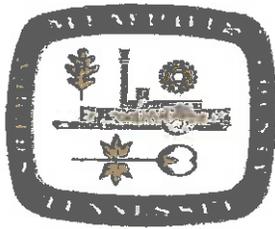
Commercial Charge: \$8.65 per month



Memphis City Council Summary Sheet

- **This item is a resolution to accept the renewal of the HUD Shelter Plus Care Grant in the amount of \$134,585.00.**
- **The initiating party is the Division of Housing and Community Development Special Needs Department.**
- **The resolution is not a change to an existing ordinance or resolution.**
- **The resolution will require a new contract.**
- **An expenditure of funds will be required.**

Resolution-Housing and Community Development/Special Needs



RESOLUTION

A resolution to accept the renewal of the HUD Shelter Plus Care Grant in the amount of \$134,585.00 by the City of Memphis.

WHEREAS, the Division of Housing and Community Development (HCD) continues to implement programs that provide housing assistance to low income, homeless and special needs populations; and

WHEREAS, the Division of Housing and Community Development on behalf of the City of Memphis submitted a grant application to the U.S. Department of Housing and Urban Development (HUD) as part of Memphis' Continuum of Care 2012 application for the continuance of the Shelter Plus Care Grant, Project Number TN0016L4J011205, which is implemented by Friends for Life, Inc.; and

WHEREAS, the City of Memphis was awarded a ONE HUNDRED ANDTHIRTY-FOUR THOUSAND, FIVE HUNDRED AND EIGHTY-FIVE DOLLARS (\$134,585.00) grant from HUD for a period commencing on March 1, 2013 and ending February 28, 2014; and

WHEREAS, the City of Memphis Division of Housing and Community Development in the grant application proposed to award said funds to the project sponsor, Friends for Life Inc., to ensure the continuation of the existing project based rental assistance program which provides funding for a 16 unit apartment facility.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the HUD Shelter Plus Care grant renewal in the amount of ONE HUNDRED AND THIRTY-FOUR THOUSAND, FIVE HUNDRED AND EIGHTY-FIVE DOLLARS (\$134,585.00) be accepted by the City of Memphis.

Resolution-Housing and Community Development/Special Needs

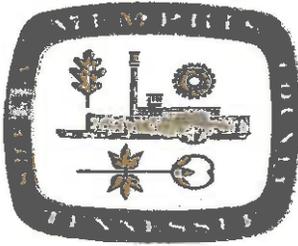
BE IT FURTHER RESOLVED, that the Fiscal Year 2014 Operating Budget be and is hereby amended by appropriating the Revenues and Expenditures for this Shelter Plus Care program in the amount of ONE HUNDRED AND THIRTY-FOUR THOUSAND, FIVE HUNDRED AND EIGHTY-FIVE DOLLARS (\$134,585.00) as follows:

Revenue

<u>HUD Shelter Plus Care Grant</u>	<u>\$134,585.00</u>
Total	\$134,585.00

Expense

<u>Friends for Life SPC (CD90021)</u>	<u>\$134,585.00</u>
Total	\$134,585.00



Memphis City Council Summary Sheet

- This item is a resolution to accept the renewal of the HUD Shelter Plus Care Grant in the amount of \$199,623.00.
- The initiating party is the Division of Housing and Community Development Special Needs Department.
- The resolution is not a change to an existing ordinance or resolution.
- The resolution will require a new contract.
- An expenditure of funds will be required.

Resolution-Housing and Community Development/Special Needs



A resolution to accept the renewal of the HUD Shelter Plus Care Grant in the amount of \$199,623.00 by the City of Memphis.

WHEREAS, the Division of Housing and Community Development (HCD) continues to implement programs that provide housing assistance to low income, homeless and special needs populations; and

WHEREAS, the Division of Housing and Community Development on behalf of the City of Memphis submitted a grant application to the U.S. Department of Housing and Urban Development (HUD) as part of Memphis' Continuum of Care 2012 application for the continuance of the Shelter Plus Care Grant, Project Number TN0111L4J011204, which is implemented by SHIELD, Inc.; and

WHEREAS, the City of Memphis was awarded a ONE HUNDRED AND NINETY-NINE THOUSAND, SIX HUNDRED AND TWENTY-THREE DOLLARS (\$199,623.00) grant from HUD for a period commencing on March 1, 2013 and ending February 28, 2014; and

WHEREAS, the City of Memphis Division of Housing and Community Development in the grant application proposed to award said funds to the project sponsor, SHIELD, Inc., to ensure the continuation of the existing project based rental assistance program which provides rental assistance for 24 households for the contract period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the HUD Shelter Plus Care grant renewal in the amount of ONE HUNDRED AND NINETY-NINE THOUSAND, SIX HUNDRED AND TWENTY-THREE DOLLARS (\$199,623.00) be accepted by the City of Memphis.

Resolution-Housing and Community Development/Special Needs

BE IT FURTHER RESOLVED, that the Fiscal Year 2014 Operating Budget be and is hereby amended by appropriating the Revenues and Expenditures for this Shelter Plus Care program in the amount of ONE HUNDRED AND NINETY-NINE THOUSAND, SIX HUNDRED AND TWENTY-THREE DOLLARS (\$199,623.00) as follows:

Revenue

HUD Shelter Plus Care Grant

\$199,623.00

Total

\$199,623.00

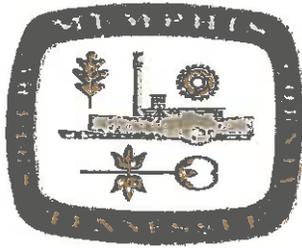
Expense

SHIELD, Inc. SPC (CD90021)

\$199,623.00

Total

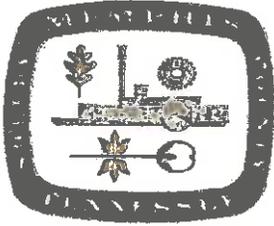
\$199,623.00



Memphis City Council Summary Sheet

- This item is a resolution to accept the renewal of the HUD Shelter Plus Care Grant in the amount of \$342,043.00.
- The initiating party is the Division of Housing and Community Development Special Needs Department.
- The resolution is not a change to an existing ordinance or resolution.
- The resolution will require a new contract.
- An expenditure of funds will be required.

Resolution-Housing and Community Development/Special Needs



A resolution to accept the renewal of the HUD Shelter Plus Care Grant in the amount of \$342,043.00 by the City of Memphis.

WHEREAS, the Division of Housing and Community Development (HCD) continues to implement programs that provide housing assistance to low income, homeless and special needs populations; and

WHEREAS, the Division of Housing and Community Development on behalf of the City of Memphis submitted a grant application to the U.S. Department of Housing and Urban Development (HUD) as part of Memphis' Continuum of Care 2012 application for the continuance of the Shelter Plus Care Grant, Project Number TN0024L4J011205, which is implemented by Case Management, Inc.; and

WHEREAS, the City of Memphis was awarded a THREE HUNDRED AND FOURTY-TWO THOUSAND AND FOURTY-THREE DOLLARS (\$342,043.00) grant from HUD for a period commencing on March 1, 2013 and ending February 28, 2014; and

WHEREAS, the City of Memphis Division of Housing and Community Development in the grant application proposed to award said funds to the project sponsor, Case Management, Inc., to ensure the continuation of the existing sponsor based rental assistance program which provides funding for a 32 units of housing.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the HUD Shelter Plus Care grant renewal in the amount of THREE HUNDRED AND FOURTY-TWO THOUSAND AND FOURTY-THREE DOLLARS (\$342,043.00) be accepted by the City of Memphis.

Resolution-Housing and Community Development/Special Needs

BE IT FURTHER RESOLVED, that the Fiscal Year 2014 Operating Budget be and is hereby amended by appropriating the Revenues and Expenditures for this Shelter Plus Care program in the amount of **THREE HUNDRED AND FOURTY-TWO THOUSAND AND FOURTY-THREE DOLLARS (\$342,043.00)** as follows:

Revenue

HUD Shelter Plus Care Grant

\$342,043.00

Total

\$342,043.00

Expense

Case Management SPC (CD90021)

\$342,043.00

Total

\$342,043.00



Memphis City Council Summary Sheet

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

This item is a resolution to accept grant funds from the State of Tennessee Department of Labor and Workforce Development in the amount of \$43,752.00. These funds will be used for the WIA Resource Sharing Agreement.

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

The State of Tennessee Department of Labor and Workforce Development which acts as a pass-through for the U.S. Department of Labor, allocated these grant funds to the Workforce Investment Network.

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

This is a new grant award, pending council acceptance.

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

Acceptance of these funds will require a new contract between the State of Tennessee and the City of Memphis, which acts as the administrative entity for the Workforce Investment Network.

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

Acceptance of these will require an amendment to the FY2014 operating budget to appropriate the funds.



A Resolution to accept WIA Title Resource Sharing Agreement funds for the State of Tennessee Department of Labor and Workforce Development.

WHEREAS, the City of Memphis Workforce Investment Network has received grant funds in the amount of Forty Three Thousand Seven Hundred Fifty Two Dollars, (\$43,752.00) from the State of Tennessee Department of Labor and Workforce Development; and

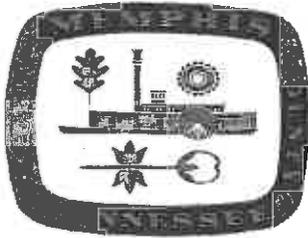
WHEREAS, these funds will be used to provide a contingency fund for WIA Resource Sharing Agreement and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2014 Operating Budget to establish funds for the WIA Resource Sharing Agreement; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Forty Three Thousand Seven Hundred Fifty Two Dollars, (\$43,752.00) for WIA Resource Sharing Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the WIA Resource Sharing Agreement in the amount of Forty Three Thousand Seven Hundred Fifty Two Dollars, (\$43,752.00) be accepted by the City of Memphis

BE IT FURTHER RESOLVED, that the Fiscal Year 2014 Operating Budget be and is hereby amended by appropriation the Expenditures and Revenues for the WIA Resource Sharing Agreement in the amount of Forty Three Thousand Seven Hundred Fifty Two Dollars, (\$43,752.00).



Memphis City Council Summary Sheet

1. Description of the Item:

This is Joint Ordinance amending the original text of the 2012 Edition of the ICC *International Building Code* related to the requirements for seismic retrofitting and upgrades to existing structures when Chapter 34 of the Building Code is used as the basis for compliance with applicable code requirements. This ordinance also establishes a new effective date for all the structural provisions of this Code that had previously been extended until December 31, 2013. The new effective date would be October 1, 2013 or when adopted by both the County Commission and the City Council, whichever is later. No changes to the code provisions that were made effective in December of 2012 are included.

2. Initiating Party :

Memphis and Shelby County Office of Construction Code Enforcement thorough the Division of Planning and Development

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

This is an amendment to an existing ordinance.

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

This is not a new contract, nor does it amend an existing contract

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

This item does not require an expenditure of funds or a budget amendment.



ORDINANCE NO: _____

A JOINT ORDINANCE AMENDING CHAPTER 34 OF THE 2012 JOINT BUILDING CODE FOR MEMPHIS AND SHELBY COUNTY PREVIOUSLY ADOPTED BY THE SHELBY COUNTY BOARD OF COMMISSIONERS AND THE MEMPHIS CITY COUNCIL, BY MODIFYING APPLICABILITY REQUIREMENTS FOR THE RETROFITTING OF EXISTING COMMERCIAL BUILDINGS UNDERGOING ALTERATIONS OR CHANGES IN OCCUPANCY WHICH WOULD MANDATE COMPLIANCE WITH CHAPTER 34 REQUIREMENTS RELATED TO SEISMIC PROTECTION AND SETTING A NEW EFFECTIVE DATE FOR ALL OF THE STRUCTURAL PROVISION OF THAT CODE.

WHEREAS, The Shelby County Board of Commissioners and the Council of the City of Memphis seek to adopt and maintain a comprehensive set of coordinated Technical Codes and to update those Codes to assure the safe and effective construction of commercial buildings and structures in the Community; and

WHEREAS, The Shelby County Board of Commissioners and the Council of the City of Memphis adopted various chapters from the 2012 edition of *the ICC International Building Code* to address structural requirements for new or renovated commercial buildings, but has delayed the effective date for the implementation of these structural provisions in order to allow for a more complete evaluation of their impact on the building design and construction industry; and

WHEREAS, Memphis and Shelby County Building Code Advisory Board has recently met and considered certain amendments to the provisions of Chapter 34 of the *2012 Joint Building Code For Memphis And Shelby County* related to the renovation of existing buildings and has made recommendations that those provisions be amended to better meet the needs of this jurisdiction and those regulated by this Code, including owners, contractors and other design

professionals; and

WHEREAS, The Building Official for Memphis and Shelby County has reviewed those proposed amendments recommended by the Memphis and Shelby County Building Code Advisory Board and found that they reflect the goals and aims of the building code to provide for the effective and efficient reuse of existing structures while recognizing the difficult compliance issues which can arise from such reuse and repurposing of these existing structures and he supports the proposed amendments; and

WHEREAS, The adoption of this amendment to the *2012 Joint Building Code For Memphis And Shelby County* will require the affirmative vote of the majority of the Shelby County Board of Commissioners and the Council of the City of Memphis.

NOW, THEREFORE BE IT ORDAINED BY THE BY THE CITY COUNCIL FOR THE CITY OF MEMPHIS, TENNESSEE That Section 3408.4 of the *2012 Joint Building Code For Memphis And Shelby County* is amended by adding the phrase “as defined by Table 1604.5,” after the word “category” in the first sentence and by adding a new exception number 3 to that Section so that when amended the entire Section shall read as follows (Amendments shown in underline):

3408.4 Seismic

When a change in occupancy results in a structure being reclassified to a higher risk category, as defined by Table 1604.5, the structure shall conform to the seismic requirement for a new structure of the higher risk category.

Exceptions:

1. Specific seismic detailing requirements of Section 1613 for a new structure shall not be required to be met where the seismic performance is shown to be equivalent to that of a new structure. A demonstration of equivalence shall consider the regularity, overstrength, redundancy, and ductility of the structure.
2. When a change of use results in a structure being reclassified from Risk Category I or II to Risk Category III and the structure is located where the seismic coefficient, S_{DS} is less than 0.33, compliance with the seismic requirement of

Section 1613 are not required.

3. Where there are no structural modifications being made to the exiting structure in excess of those allowed by Section 3404.3 and 3404.4. This exception shall not apply when changing to Risk Category IV.

BE IT FURTHER ORDAINED, That all other provisions of the *2012 Joint Building Code for Memphis and Shelby County* as adopted by the Shelby County Commission on October 8, 2012 in Ordinance 423 and the Memphis City Council on December 18, 2012 in Ordinance 5487 shall remain unchanged.

BE IT FURTHER ORDAINED, That should any part of this ordinance or code be found to be unconstitutional or unenforceable by a court of competent jurisdiction that such a determination will have no effect on the other portions of the adopted Code and the amendments thereto.

BE IT FURTHER ORDAINED, That the provisions of this Joint Ordinance shall take effect in the City of Memphis and the unincorporated areas of Shelby County on October 1, 2013 by virtue of the concurring and separate passage thereof by the Memphis City Council and by the Board of Commissioners of Shelby County or, if not adopted by each legislative body by that date, at the date of such adoption by the second body.

The foregoing Ordinance

_____ PASSED

1st Reading _____

2nd Reading _____

3rd Reading _____

Approved _____

Chairman of Council

Date Signed: _____

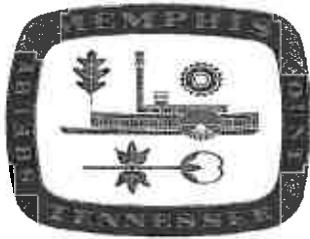
Approved: _____

Mayor, City of Memphis

Date Signed: _____

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.

Comptroller



Memphis City Council Summary Sheet

1. Description of the Item

This is Joint Ordinance by the Memphis City Council and the Shelby County Board of Commissioners amending the original text of the 2012 Edition of the *International Code Council Existing Building Code* related to the requirements for seismic retrofitting and upgrades to existing structures when the *Existing Building Code* is used as the basis for compliance with applicable code requirements. This ordinance also establishes a new effective date for the structural provisions of this Code that had previously been extended until December 31, 2013. No changes to the code provisions that were made effective in December of 2012 are included. The new effective date would be October 1, 2013 or when adopted by both the County Commission and the City Council, whichever is later.

2. Initiating Party

Memphis and Shelby County Office of Construction Code Enforcement through the Division of Planning and Development

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

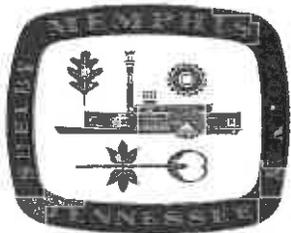
This is an amendment to an existing ordinance.

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

This is not a new contract, nor does it amend an existing contract

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

This item does not require an expenditure of funds or a budget amendment.



JOINT ORDINANCE NO. _____

A JOINT ORDINANCE AMENDING THE 2012 JOINT EXISTING BUILDING CODE FOR MEMPHIS AND SHELBY COUNTY BY MODIFYING REQUIREMENTS FOR THE RETROFITTING OF CERTAIN EXISTING COMMERCIAL BUILDINGS UNDERGOING ALTERATIONS OR CHANGES IN OCCUPANCY WHICH WOULD MANDATE COMPLIANCE WITH SEISMIC PROTECTION REQUIREMENTS AND SETTING A NEW EFFECTIVE DATE FOR ALL OF THE STRUCTURAL PROVISION OF THAT CODE.

WHEREAS, The operation of a local permitting and inspection program for alteration or repair of existing buildings, in lieu of state operation of such a program, is both desirable and in the best interests of this community; and

WHEREAS, The economic and efficient reuse and redevelopment of the existing buildings and structures in Memphis and Shelby County is critical to the continued growth of our community, the elimination of urban blight and to the economic health of the entire Mid-South region; and

WHEREAS, The Board of Commissioners of Shelby County, Tennessee, and the Memphis City Council have previously adopted the 2012 Edition of the *International Code Council International Existing Building Code* with certain local amendments thereto, now collectively known as the *2012 Joint Existing Building Code of Memphis and Shelby County*; and

WHEREAS, The Board of Commissioners of Shelby County, Tennessee, and the Memphis City Council delayed the effective date of the structural provisions of the *2012 Joint Existing Building Code for Memphis and Shelby County* until December 31, 2013 in order to allow time for these structural provisions to be further reviewed for their potential impact on the redevelopment and reuse of existing structures and buildings; and

WHEREAS, The review of these provisions has been conducted by the Memphis and Shelby County Building Code Advisory Board which has recommended certain limited amendments to these provisions be adopted in order to meet the needs of our community while assuring the reuse of buildings by the use of these standards continues to meet the life safety and structural integrity goals these repairs and alterations must assure; and

WHEREAS, The Building Official for Memphis and Shelby County has reviewed those proposed amendments recommended by the Memphis and Shelby County Building Code Advisory Board and found that they reflect the goals and aims of the existing building code to provide for the effective and efficient reuse of existing structures while recognizing the difficult compliance issues which can arise from such reuse and repurposing of these existing structures and he supports the proposed amendments; and

WHEREAS, The adoption of amendments to the *2012 Joint Existing Building Code for Memphis and Shelby County* requires the affirmative vote of the majority of the Shelby County Board of Commissioners and the Council of the City of Memphis; and

WHEREAS, An effective date for the adoption of these new amendments to this code must be timed so as to allow a seamless and smooth transition for the design professionals and contractors who must work with that code.

NOW, THEREFORE BE IT ORDAINED BY Memphis City Council, THAT Chapter 10, Section 1007.3.1 of the *2012 Joint Existing Building Code for Memphis and Shelby County* is amended by modifying the first and second exceptions to that Section and by adding a new Exception 5, so that when amended the Exceptions provisions of that Section shall read as follows:
(Amendments are underlined)

Exceptions:

1. Group B, M, or S occupancies being changed to Group A, E, I-1, R-1, R-2 or R-4 occupancy for buildings less than six stories in height and in Seismic Design Category A, B or C. This exception is allowed in Seismic Design Category D when a site specific study is performed and it can be shown the site is equivalent to a Seismic Design Category C.

2. Where approved by the code official, specific detailing provisions required for a new structure are not required to be met where it can be shown that an equivalent level of performance and seismic safety is obtained for the applicable risk category based on the provisions for reduced International Building Code level seismic force as specified in Section 301.1.4.2.

3. Where the area of the new occupancy with a higher hazard category is less than or equal to 10 percent of the total building floor area and the new occupancy is not classified as Risk Category IV. For the purpose of this exception, buildings occupied by two or more occupancies not include in the same Risk Category shall be subject to the provisions of Section 1604.5.1 of *the International Building Code*. The cumulative effect of the area of occupancy changes shall be considered for the purpose of this exception.

4. Unreinforced masonry bearing wall buildings in Risk Category III when assigned to Seismic Design Category A or B shall be allowed to be strengthened to meet the requirements of Appendix A1 of this code.

5. Where there are no structural modifications being made to the exiting structure in excess of those allowed by Section 403.3 and 403.4. This exception shall not apply when changing occupancy to a Risk Category IV.

BE IT FURTHER ORDAINED, That all other provisions of the *2012 Joint Existing Building Code for Memphis and Shelby County* as adopted by the Shelby County Commission on October 8, 2012 in Ordinance 424 and the Memphis City Council on December 18, 2012 in Ordinance 5479 shall remain unchanged.

BE IT FURTHER ORDAINED, That should any part of this ordinance or code amendment be found to be unconstitutional or unenforceable by a court of competent jurisdiction that such a determination will have no effect on the other portions of the adopted Code and the amendments thereto.

BE IT FURTHER ORDAINED, That the included amendments to the *2012 Existing Building Code for Memphis and Shelby County* shall take effect in the City of Memphis and the unincorporated areas of Shelby County on October 1, 2013 by virtue of the concurring and separate passage thereof by the Memphis City Council and by the Board of Commissioners of

Shelby County or if not adopted by each legislative body by that date, at the date of such adoption by the second body.

The foregoing Ordinance

_____ PASSED

1st Reading _____

2nd Reading _____

3rd Reading _____

Approved _____

Chairman of Council

Date Signed: _____

Approved: _____

Mayor, City of Memphis

Date Signed: _____

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.

Comptroller

A RESOLUTION ESTABLISHING A FOUR MONTH MORATORIUM ON DEMOLITION OF STRUCTURES LISTED IN THE NATIONAL REGISTRY OF HISTORIC PLACES

WHEREAS, the preservation of historic structures is in the public interest; and

WHEREAS, such preservation must be done pursuant to a settled plan, which must be updated from time to time; and

WHEREAS, in 1997 the City of Memphis established a historic Preservation Plan in 1997, but it has not been updated.

NOW THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL, that a moratorium is imposed for a period of 120 days on the demolition of properties listed on the U.S. Park Service's National Register of Historic Places.

BE IT FURTHER RESOLVED, that this moratorium will apply to all demolition applications pending or applied for during this time period, but will not apply to partial demolition (e.g., of a wall) done as part of a restoration effort approved by the appropriate authorities.

BE IT FURTHER RESOLVED, that during this moratorium period, exceptions can be made by the Office of Planning and Development upon finding that such an exception is required by an imminent threat to public health or safety.

BE IT FURTHER RESOLVED, that this moratorium is not subject to renewal.

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

BE IT FURTHER RESOLVED, that this resolution will take effect immediately upon passage, the public welfare requiring it.

Janis Fullilove

Council Member