

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

December 1, 2009

3:30 P.M. SCHEDULED SESSION

3:35 P.M. MEETING COMMENCED

ROLL CALL: William Boyd, Joe Brown, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Myron Lowery, Bill Morrison, Jim Strickland, Barbara Swearingen Ware and Chairman Harold Collins.

**THE MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with prayer by Councilman Shea Flinn.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council’s deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

- 54. **ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 3, OF THE CODE OF ORDINANCES, TO ESTABLISH REQUIREMENTS FOR A CITY OF MEMPHIS FLEET AND EMPLOYEE TAKE HOME VEHICLES, UP FOR T H I R D AND F I N A L READING.** (Held from 8/4; 8/18; 9/1; 9/15)
Ordinance No. 5323

Held to January 12, 2010

- 55. **ORDINANCE FIXING TAX RATE OF THE CITY OF MEMPHIS FOR THE BOARD OF EDUCATION OF THE MEMPHIS CITY SCHOOLS, UP FOR T H I R D AND F I N A L READING.** (Held from 7/7; 7/21; 8/4; 8/18; 9/1; 9/15; 10/6; 11/3; 11/17)
Ordinance No. 5319

Held to December 15, 2009

- 56. **ORDINANCE TO AMEND CABLE FRANCHISE ORDINANCE NO. 4159, EXTENDING THE FRANCHISE ORDINANCE AS AMENDED, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5331

Held to December 15, 2009

MINUTES

Approval of the Minutes of the regular meeting of November 17, 2009 with the following motion:

MOTION: Ford
 SECOND: Morrison
 AYES: Boyd, Brown, Conrad, Ford, Fullilove, Hedgepeth, Morrison, Strickland, Ware and Chairman Collins
 Flinn, Halbert and Lowery did not cast a vote

APPROVED

- 1. **RESOLUTION CONGRATULATING THE GEORGIAN HILLS MIDDLE SCHOOL FOOTBALL TEAM.**

MOTION: Ware
 SECOND: Fullilove

APPROVED, by unanimous voice vote

- 68. **RESOLUTION CONGRATULATING DEIDRA SHORES.**

MOTION: Lowery
 SECOND: Morrison

APPROVED, by unanimous voice vote

- 2. **RESOLUTION RECOGNIZING THE OUTSTANDING WORK OF “GUNNER” OF THE MEMPHIS POLICE DEPARTMENT K-9 UNIT.**

MOTION: Boyd
 SECOND: Fullilove

APPROVED, by unanimous voice vote

3. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE BEGINNING ON THE WEST SIDE OF WATKINS STREET, 155 FEET SOUTH OF MADISON AVENUE AND EXTENDING WEST 361 FEET, CONTAINING 12 ACRES.**

Case No. SAC 09-607

Applicant: Medical Education and Research Institute
Brenda Solomito – Representative

Request: Close a portion of an existing, improved alley and dedicate and improve a new north/south alley

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Morrison
SECOND: Strickland
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

APPROVED, as amended

4. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTH SIDE OF E. H. CRUMP BOULEVARD, ±252 FEET WEST OF MISSISSIPPI BLVD., CONTAINING 0.40 ACRE IN THE LOCAL COMMERCIAL (C-L) DISTRICT. (Held from 11/17)**

Case No. SUP 09-213

Applicant: Yemaj & Mohamed Abbas

Request: Motor Vehicle Sales

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

MOTION: Morrison
SECOND: Fullilove
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

APPROVED

5. **ORDINANCE REZONING THE SOUTH SIDE OF FRAYSER BOULEVARD, 150 FEET WEST OF THOMAS STREET, CONTAINING 3.49 ACRES IN THE MULTIPLE DWELLING RESIDENTIAL (R-MM) DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Case No. Z 09-104

Ordinance No. 5336

Chairman Collins recognized the following person who spoke from the audience:

Betsy Guinn, 2290 Independence Rd., Millington, TN 38053

Applicant: Christ Community Health Services, Inc.
Ralph Smith, ETI Corp. – Representative

Request: General Office (O-G) District

LUCB and OPD recommendation: APPROVAL

MOTION: Morrison

SECOND: Fullilove

AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,
Strickland, Ware and Chairman Collins
Conrad recused

APPROVED

- 6. **ORDINANCE REZONING THE NORTHEAST CORNER OF LAMAR AVENUE AND TUGGLE ROAD, CONTAINING 18.77 ACRES IN THE HIGHWAY COMMERCIAL (C-H) DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Case No. Z 09-106
Ordinance No. 5337

Applicant: Harbin Enterprises GP
Philip Jones – Representative

Request: Rezoning from Highway Commercial (C-H) District to Light Industrial (I-L) District

LUCB and OPD recommendation: APPROVAL

MOTION: Morrison

SECOND: Ford

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,
Morrison, Strickland, Ware and Chairman Collins

APPROVED

- 65. **RESOLUTION APPROVING A HOTEL/MOTEL WAIVER FOR SPLENDID HOSPITALITY, LOCATED AT 6101 SHELBY OAKS DRIVE.**

Case No. HMW 09-04

MOTION: Morrison

SECOND: Fullilove
 AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins
 Halbert did not cast a vote

APPROVED

CONSENT AGENDA – Items 7-12 & 67 may be acted upon by one motion: SEE PAGE 1319
ROLL CALL

7. **ORDINANCE TO ESTABLISH MEETING DATES FOR CITY COUNCIL MEETINGS IN 2010, UP FOR S E C O N D READING.**

Ordinance No. 5338

APPROVED, on Second reading

8. **ORDINANCE REZONING THE SOUTHWEST CORNER OF SHELBY DRIVE AND RIVERDALE ROAD, CONTAINING +1.75 ACRES IN THE MULTIPLE DWELLING RESIDENTIAL (R-ML) DISTRICT, UP FOR F I R S T READING.**

Ordinance No. 5339
Case No. Z 09-105

APPROVED, on First reading

9. **ORDINANCE TO AMEND THE TEXT OF THE ZONING ORDINANCE. THE FOLLOWING ITEM WAS HEARD AND UNANIMOUSLY APPROVED BY THE LAND USE CONTROL BOARD ON NOVEMBER 12, 2009, UP FOR F I R S T READING.**

Ordinance No. 5340
Case No. ZTA 09-002cc

APPROVED, on First reading

10. **RESOLUTION ACCEPTING SAVE-A-LOT SUBDIVISION, AND AUTHORIZING RELEASE OF BOND.**

Case No. S 06-029
(Contract No. CR-5079)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the northeast side of Delta Road near Third Street. The standard improvement contract was approved on September 6, 2005. Resolution also authorizes the release of the cashier’s check in the amount of \$124,500.00.

City Engineer recommends approval

APPROVED

11. **RESOLUTION APPROVING FINAL PLAT OF GENA L. ROBERTS S/D.**

Case No. S 08-015cc

Resolution approves the final plat located on the northside of Fite Rd., 2,636' west of Rust Rd. Cost of the required improvements to be borne by the Developer. This action is subject to County approval.

City Engineer recommends approval

APPROVED

12. **NOTATIONS FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASES WERE HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

- A. Case No. PD 09-321 – Memphis Builders' Exchange P.D.
- B. Case No. PD 09-324 – Fieldstone PD., 3rd Amendment
- C. Case No. PD 09-325

Public Hearing Set for December 15, 2009

67. **ORDINANCE TO AMEND CHAPTER 25, SECTION 15-181 SO AS TO REVISE AND CLARIFY SECTIONS OF THE PENSION AND RETIREMENT PLAN, UP FOR F I R S T READING.**

Ordinance No. 5341

APPROVED, on First reading

ROLL CALL CONSENT ITEMS

MOTION: Ford
 SECOND: Ware
 AYES: Boyd, Brown, Conrad, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins
 NAYS: Fullilove

APPROVED

MLGW FISCAL CONSENT – Items 13-53 may be acted upon by one motion:

13. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 9547, IBM MAINTENANCE, WITH INTERNATIONAL BUSINESS MACHINES (IBM), IN THE FUNDED AMOUNT OF \$68,629.00. (THIS CHANGE INCLUDES SOFTWARE AND MAINTENANCE FOR THE FIRST YEAR WITH THE MAINTENANCE PERIOD BEING DECEMBER 1, 2009 TO NOVEMBER 30, 2010).**

APPROVED

14. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 10765, PRIVATE LABEL SERVICE AGREEMENT, WITH ACLARA SOFTWARE IN THE FUNDED AMOUNT OF \$20,550.00, FOR A NEW CONTRACT VALUE OF \$1,184,588.25. (THIS CHANGE IS DUE TO THE CHANGE OF THE ELECTRONIC BILL PRESENTMENT AND PAYMENT VENDOR).**

APPROVED

15. **RESOLUTION AWARDDING CONTRACT NO. 11309, INSTALLATION OF GROUND WELLS AT COLLIERVILLE GATE NO. 86, TO M & W DRILLING, LLC, IN THE FUNDED AMOUNT OF \$27,500.00.**

APPROVED

16. **RESOLUTION AWARDDING CONTRACT NO. 11354, DRILLED PIER INSTALLATION SUBSTATION 23, TO CHRIS HILL CONSTRUCTION COMPANY IN THE FUNDED AMOUNT OF \$51,300.00.**

APPROVED

17. **RESOLUTION AWARDDING CONTRACT NO. 11367, SOLID WASTE AND TRASH REMOVAL SERVICES, TO WASTE CONNECTIONS OF TENNESSEE, INC. IN THE FUNDED AMOUNT OF \$636,036.52.**

APPROVED

18. **RESOLUTION AWARDDING CONTRACT NO. 11373, NORTH SERVICE CENTER ETHANOL STORAGE TANK AND DISPENSER SYSTEM, TO COBB ENVIRONMENTAL AND TECHNICAL SERVICES, INC. IN THE FUNDED AMOUNT OF \$69,000.00.**

APPROVED

19. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 10977, TIRES AND TIRE SERVICE, WITH SOUTHERN TIRE MART, LLC, IN THE FUNDED AMOUNT OF \$511,290.16. (THIS CHANGE EXTENDS THE CURRENT CONTRACT FOR 12 MONTHS, JANUARY 1, 2010 TO DECEMBER 31, 2010, TO ALLOW TIME TO REVISE SPECIFICATIONS AND TO RE-BID THE CONTRACT).**

APPROVED

20. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11080, MANAGED PRESCRIPTION DRUG PROGRAM, WITH EXPRESS SCRIPTS, INC. IN THE FUNDED AMOUNT OF \$14,030,681.00.**

(THIS CHANGE EXTENDS THE SERVICE AND INCLUDES THE IMPLEMENTATION OF NEW FINANCIAL TERMS EFFECTIVE JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH ESTIMATED PROJECTED SAVINGS OF \$525,802.00.

APPROVED

FURTHER, THE CONTRACT WILL AUTOMATICALLY RENEW WITH THE SAME TERMS AND CONDITIONS FOR SUCCESSIVE ONE-YEAR RENEWAL TERMS, SUBJECT TO THE RIGHT OF TERMINATION AS OTHERWISE PROVIDED. ALSO, EXPRESS SCRIPTS WILL PROVIDE SERVICES TO MLGW FOR THE RETIREE DRUG SUBSIDY).

APPROVED

21. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11096, MOBILE SWEEPING CLEANING, WITH HORIZON OF MEMPHIS, INC. IN THE FUNDED AMOUNT OF \$71,400.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE FOURTH AND FINAL RENEWAL TERM, MARCH 1, 2010 TO FEBRUARY 28, 2011, AND REPRESENTS A 2.47% DECREASE FROM THE PREVIOUS YEAR.)**

APPROVED

22. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11099, AT&T VOICE AND DATA SERVICES, WITH AT&T BUSINESS SYSTEMS IN THE FUNDED AMOUNT OF \$594,000.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND AND FINAL RENEWAL TERM, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH NO INCREASE IN RATES).**

APPROVED

23. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11107, ELECTRONIC BILL PRESENTMENT AND PAYMENT SERVICES, WITH KUBRA DATA TRANSFER, LTD. IN THE FUNDED AMOUNT OF \$80,000.00. (THIS CHANGE EXTENDS THE CURRENT TERM UNTIL APRIL 30, 2010 WITH NO INCREASE IN RATES).**

APPROVED

24. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 11121, CUSTOMER SATISFACTION SURVEY PROCESS, WITH RENEE ENTERPRISES IN THE FUNDED AMOUNT OF \$35,334.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE THIRD OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH NO INCREASE IN RATES).**

APPROVED

25. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11173, WELD TESTING AND INSPECTION SERVICES, WITH AMERICAN INDUSTRIAL TESTING IN THE FUNDED AMOUNT OF \$24,125.00, FOR A NEW CONTRACT VALUE OF \$70,500.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH NO INCREASE IN RATES).**

APPROVED

26. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11202, ADMINISTRATIVE SERVICES AGREEMENT BETWEEN MLGW AND UNITED HEALTHCARE, IN THE FUNDED AMOUNT OF \$33,938,534.00. (THIS CHANGE EXTENDS THE SERVICE COVERING THE PERIOD JANUARY 1, 2010 TO DECEMBER 31, 2010 AND INCLUDES THE IMPLEMENTATION OF NEW FINANCIAL TERMS).**

APPROVED

27. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11209, MOBILE DOCUMENT SHREDDING SERVICE, WITH VITAL RECORDS CONTROL IN THE FUNDED AMOUNT OF \$48,075.12. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND, THIRD AND FOURTH RENEWAL TERMS, JANUARY 4, 2010 TO JANUARY 3, 2013, IN AN ANNUAL AMOUNT OF \$16,025.04 AND REFLECTS SIZE OF BINS AND REDUCED NUMBER OF ROTATIONS AT SOME LOCATIONS WHICH RESULTED IN A PRICE CHANGE AND NO INCREASE IN RATES).**

APPROVED

28. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11214, INFORMATION SERVICES SUPPORT, WITH DELTA CONSULTING IN THE FUNDED AMOUNT OF \$193,440.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WHICH REPRESENTS A 38.05% DECREASE FROM THE PREVIOUS YEAR).**

APPROVED

29. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11217, TEMPORARY SERVICES, WITH MANPOWER, INC. IN THE FUNDED AMOUNT OF \$184,866.40. (THIS CHANGE RENEWS THE CONTRACT FOR THE THIRD OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR).**

APPROVED

30. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11220, TEMPORARY SERVICES, WITH KELLY SERVICES, INC. IN THE FUNDED AMOUNT OF \$674,912.00.**

(THIS CHANGE RENEWS THE CONTRACT FOR THE THIRD OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH A 1.54% INCREASE IN RATES DUE TO THE MANDATED STATE UNEMPLOYMENT TAXES (SUTA).

APPROVED

31. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11232, MEDICAL INSURANCE PLAN, WITH CIGNA INSURANCE COMPANY IN THE FUNDED AMOUNT OF \$8,359,113.00. (THIS CHANGE REFLECTS THE FIRST OF FOUR RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH A 16% INCREASE IN CONTRACT VALUE AND A 10% PREMIUM INCREASE FROM THE PREVIOUS YEAR).**

APPROVED

32. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11233, EMPLOYEE BENEFIT DENTAL PLAN, WITH DELTA DENTAL OF TENNESSEE IN THE FUNDED AMOUNT OF \$1,857,104.00. (THIS CHANGE EXTENDS THE SERVICE AND REFLECTS THE FIRST OF FOUR RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2010 TO DECEMBER 31, 2010 AND INCLUDES THE IMPLEMENTATION OF NEW FINANCIAL TERMS).**

APPROVED

33. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11250, WASTE MANAGEMENT SERVICES, WITH POLLUTION CONTROL INDUSTRIES IN THE FUNDED AMOUNT OF \$175,000.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE FIRST OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH A 12.50% DECREASE FROM THE PREVIOUS YEAR).**

APPROVED

34. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11266, INFORMATION SERVICES SUPPORT, WITH ZYCRON IN THE FUNDED AMOUNT OF \$185,000.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH A 28.72% DECREASE FROM THE PREVIOUS YEAR).**

APPROVED

35. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11267, INFORMATION SERVICES SUPPORT, WITH STRAGISTICS TECHNOLOGY IN THE FUNDED AMOUNT OF \$209,865.74. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH A 10.41% DECREASE FROM THE PREVIOUS YEAR).**

APPROVED

36. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11268, INFORMATION SERVICES SUPPORT, WITH NEX TECH SOLUTIONS IN THE FUNDED AMOUNT OF \$551,224.20. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH A 24.38% DECREASE FROM THE PREVIOUS YEAR).**

APPROVED

37. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11269, INFORMATION SERVICES SUPPORT, WITH SOFTWARE RESOURCE CONSULTANTS IN THE FUNDED AMOUNT OF \$290,000.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH A 0.62% INCREASE FROM THE PREVIOUS YEAR DUE TO RESOURCES THAT WERE ALLOCATED AS A PART-TIME RESOURCE IN 2009 WILL BE USED AS A FULL-TIME RESOURCE IN 2010).**

APPROVED

38. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11270, INFORMATION SERVICES SUPPORT, WITH COOK SYSTEMS INTERNATIONAL IN THE FUNDED AMOUNT OF \$52,520.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH A 79.24% DECREASE FROM THE PREVIOUS YEAR).**

APPROVED

39. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11271, INFORMATION SERVICES SUPPORT, WITH TEK SYSTEMS IN THE FUNDED AMOUNT OF \$892,056.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH A 2.98% INCREASE FROM THE PREVIOUS YEAR DUE TO ADDITIONAL HOURS ALLOCATED TO TECHNICAL RESOURCES WITH EXPERTISE IN NETWORK SECURITY, NETWORK INFRASTRUCTURE AND LINUX OPERATING SYSTEMS).**

APPROVED

40. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11272, INFORMATION SERVICES SUPPORT, WITH CIBER, INC. IN THE FUNDED AMOUNT OF \$708,240.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, JANUARY 1, 2010 TO DECEMBER 31, 2010, WITH A 16.45% INCREASE FROM THE PREVIOUS YEAR DUE TO RESOURCES THAT WERE ALLOCATED AS A PART-TIME RESOURCE IN 2009 WILL BE USED AS A FULL-TIME RESOURCE IN 2010).**

APPROVED

41. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11303, MEDICAL INSURANCE PLAN, WITH AETNA INSURANCE COMPANY IN THE FUNDED AMOUNT OF \$1,051,390.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE FIRST OF FOUR RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2010 TO DECEMBER 31 2010, WITH A 2.75% INCREASE IN CONTRACT VALUE AND A 19.8% PREMIUM INCREASE FROM THE PREVIOUS YEAR).**

APPROVED

42. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11320, LOCAL DIAL TONE SERVICES, WITH PAETEC IN THE FUNDED AMOUNT OF \$9,750.00, FOR A NEW CONTRACT VALUE OF \$201,750.00. (THIS CHANGE COVERS INSTALLATION OF AN ADDITIONAL T1 FACILITY AT 1665 WHITTEN ROAD TO INCREASE THE CAPACITY OF OUTBOUND CALLING).**

APPROVED

43. **RESOLUTION AWARDED CONTRACT FOR MDS MASTER RADIOS TO EDISON AUTOMATION IN THE AMOUNT OF \$36,250.00.**

APPROVED

44. **RESOLUTION AWARDED CONTRACT FOR ONE CHANNEL PUMP TO DICKOW PUMP COMPANY, INC. IN THE AMOUNT OF \$36,254.00.**

APPROVED

45. **RESOLUTION AWARDED CONTRACT FOR ONE POWER CIRCUIT BREAKER TO SIEMENS C/O UTILITY SALES AGENCY, LLC, IN THE AMOUNT OF \$37,995.00.**

APPROVED

46. **RESOLUTION AWARDED CONTRACT FOR TWO ETHERNET SECURITY APPLIANCES TO CIPHEROPTICS IN THE AMOUNT OF \$49,090.00.**

APPROVED

47. **RESOLUTION AWARDED CONTRACT FOR ONE GAS CHROMATOGRAPH TO DANIEL MEASUREMENT AND CONTROL IN THE AMOUNT OF \$64,335.00.**

APPROVED

48. **RESOLUTION AWARDED CONTRACT FOR WEB APPLICATION SECURITY GATEWAY UPGRADE TO FISHNET SECURITY IN THE AMOUNT OF \$106,175.00.**

APPROVED

- 49. **RESOLUTION AWARDING CONTRACT FOR LOAD BALANCER SOLUTION TO VENTURE TECHNOLOGIES IN THE AMOUNT OF \$114,991.50.**

APPROVED

- 50. **RESOLUTION AWARDING 60-MONTH BLANKET CONTRACT FOR MAINTENANCE AND SUPPORT OF MLGW'S DOCUMENT IMAGING SYSTEM TO IMAGING SOLUTIONS AND SERVICES, INC. IN THE AMOUNT OF \$181,489.97.**

APPROVED

- 51. **RESOLUTION AWARDING 36-MONTH BLANKET CONTRACT FOR CUSTOMER UTILITY BILL PAPER TO WORKFLOWONE IN THE AMOUNT OF \$281,166.76.**

APPROVED

- 52. **RESOLUTION AUTHORIZING PAYMENT OF LOUISIANA TRUNKLINE PERSONAL PROPERTY TAXES FOR THE GAS DIVISION IN THE AMOUNT OF \$252,587.53.**

APPROVED

- 53. **RESOLUTION TO RATIFY AGREEMENT BETWEEN MLGW AND TCI OF ALABAMA, LLC, TO AUTHORIZE PAYMENTS TO TCI FOR PCB TESTING AND DISPOSAL.**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

MOTION: Ware
SECOND: Ford
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins
Brown did not cast a vote

APPROVED

- 66. **RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED SIX HUNDRED MILLION DOLLARS (600,000,000.00) PRINCIPAL AMOUNT OF ELECTRIC SYSTEM REVENUE REFUNDING BONDS, SERIES 2009.**

MOTION: Ware
SECOND: Morrison
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins
Brown did not cast a vote

APPROVED

57. **ORDINANCE TO AMEND CHAPTER 21, CODE OF ORDINANCES, CITY OF MEMPHIS, TO AMEND CERTAIN SECTIONS OF ORDINANCE NO. 5217, ARTICLE III OF THE CODE OF ORDINANCES REGULATING JUNK AND SCRAP METAL DEALERS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5332

MOTION: Hedgepeth
SECOND: Morrison
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

APPROVED

58. **RESOLUTION AMENDING THE 2010 CIP BUDGET BY TRANSFERRING AN ALLOCATION OF \$175,000.00 FROM FS02014 FIRE STATION #57 AND \$75,000.00 FROM FS02010 FIRE STATION #22 TO FS02018 COUNTRYWOOD EADS BERRYHILL FIRE STATION. THE RESOLUTION FURTHER AMENDS THE 2010 CIP BUDGET BY APPROPRIATING \$650,000.00 IN G.O. BONDS AND LAND ACQUISITION IN FS02018 COUNTRYWOOD EADS BERRYHILL.**

MOTION: Hedgepeth
SECOND: Morrison
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

APPROVED

59. **RESOLUTION AUTHORIZING THE SALE OF THE FOLLOWING CITY OWNED PARCELS TO PARTICIPANTS OF DIVERSITY DEVELOPER INCUBATOR INITIATIVE: TATE AVENUE & WALNUT STREET – (011031 00008) DOWNTOWN/MEDICAL DISTRICT, IN THE AMOUNT OF \$1.00.**

MOTION: Ford
SECOND: Morrison
AYES: Boyd, Brown Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

APPROVED

60. **RESOLUTION AUTHORIZING THE SALE OF THE FOLLOWING CITY OWNED PARCELS TO PARTICIPANTS OF DIVERSITY DEVELOPER INCUBATOR INITIATIVE: REDBUD ROAD & CHARLOTTE ROAD – (075058 00008); (075058 00009); (075058 00010); (075058 00011) – WHITEHAVEN/LEVI PLANNING DISTRICT, IN THE AMOUNT OF \$1.00.**

MOTION: Ford
 SECOND: Hedgepeth
 AYES: Boyd, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland, Ware and
 Chairman Collins
 Brown, Conrad and Hedgepeth did not cast a vote

APPROVED

61. **RESOLUTION APPROVING THE BUDGETS FOR THE ELECTRIC, GAS AND WATER DIVISIONS FOR THE 2010 OPERATION AND MAINTENANCE EXPENSES AND THE 2010 CAPITAL EXPENDITURES.** (Held from 11/17).

Chairman Collins recognized the following persons who spoke from the audience:

William S. Crawford, 1716 Forsythe, Collierville, TN 38017
 Bill Hawkins, 4000 Clearpool Cr., Memphis, TN 38118

Friendly Amendment: Ware – do not restore the entire numbers because we do not know how long some positions have been vacant

Councilman Brown did not accept Councilwoman Ware's friendly amendment

Jerry Collins, President of MLGW, stated that he would freeze insurance premiums for retirees living below the poverty line, if it's legally permissible. The estimated cost is \$100,000.00.

MOTION: Brown – Restore 86 positions and take out 1 million dollars for automatic meters
 SECOND: Fullilove
 AYES: Brown, Ford, Fullilove and Ware
 NAYS: Boyd, Conrad, Flinn, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins
 Halbert abstained

FAILED, set up as Special Item #1

Chairman Collins stated that we are now back on the main budget which is to put the two positions back in the budget, restore 1 million dollars for automatic meter reading and the insurance subject to the legality of making such it happen.

MAIN MOTION: Ware
 SECOND: Hedgepeth
 AYES: Boyd, Flinn, Ford, Hedgepeth, Lowery, Morrison, Strickland, Ware and
 Chairman Collins
 NAYS: Brown, Conrad, Fullilove and Halbert

APPROVED, as amended

62. **RESOLUTION REQUESTING CITY COUNCIL APPROVAL TO AMEND THE DIVISION OF PARK SERVICES OPERATIONS' DEPARTMENT FY 2010 OPERATING BUDGET BY \$4,085.00 TO INCLUDE A GRANT RECEIVED FROM THE CARGILL COTTON CITIZENSHIP TEAM TO REPAIR DAMAGED PLAYGROUND EQUIPMENT AT VARIOUS CITY PARK LOCATIONS.**

MOTION: Strickland
SECOND: Flinn
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland, Ware and Chairman Collins
Brown and Hedgepeth did not cast a vote

APPROVED

63. **RESOLUTION APPROVING THE ISSUANCE OF AIRPORT REVENUE BONDS, NOT TO EXCEED \$70,000,000.00, FOR NEW PARKING GARAGE COMPLEX AND OTHER AIRPORT IMPROVEMENTS.**

MOTION: Boyd
SECOND: Ford
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Lowery, Morrison, Strickland, Ware and Chairman Collins
Brown, Halbert and Hedgepeth did not cast a vote

APPROVED

64. **RESOLUTION APPROVING THE ISSUANCE OF AIRPORT AUTHORITY REFUNDING REVENUE BONDS, NOT TO EXCEED \$300,000,000.00, TO REFINANCE EXISTING DEBT FOR INTEREST RATE SAVINGS.**

MOTION: Boyd
SECOND: Strickland
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Lowery, Strickland, Ware and Chairman Collins
Brown, Halbert, Hedgepeth and Morrison did not cast a vote

APPROVED

MINUTES

Approval of the Minutes of the regular meeting of December 1, 2009 for Items 53 & 66 only:

MOTION: Ware
SECOND: Fullilove
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Strickland, Ware and Chairman Collins
Brown, Halbert, Hedgepeth, Lowery and Morrison did not cast a vote

APPROVED, set up as Special Item #2

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Collins recognized the following person who spoke from the audience:

Walter Broady, III, 4256 Ledbetter Cv., Memphis, TN 38109

ADJOURNED MEETING AT 6:30 P.M.

Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

C H A I R M A N

Attest:

Deputy Comptroller/Council Records