

Minutes of Items 21 and 27 of the
Regular Meeting of the City Council
City of Memphis

May 3, 2011

After the meeting was opened for the transaction of business and a quorum was declared present the Council considered the items on the agenda, including Items 21 and 27 to wit:

21. **APPOINTMENTS**

Memphis Area Transit Authority

Appointment

Sean Healy

Memphis & Shelby County Land Use Control Board

Appointment

Russell E. Linkous III

Reappointment

Loyal E. Featherstone

Margaret Pritchard

Mary W. Sharp

MOTION: Collins

SECOND: Strickland

AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth and Morrison

RECUSED:

ABSTAIN:

NAYS:

Lowery was absent.

Brown and Strickland did not vote.

APPROVED.

27. RESOLUTION extending a Moratorium on the issuance of dance hall permits by the Memphis Alcohol Commission and Permits Office, until July 6, 2011, applicable to all pending applications and all permits applied for from and after the date of this resolution.

MOTION: Collins

SECOND: Ford

AYES: Boyd, Brown, Collins, Ford, Fullilove, Halbert, Hedgepeth, Morrison and Strickland



RECUSED: Conrad and Flinn

ABSTAIN:

NAYS: None.

Lowery was absent.

APPROVED.

Whereupon Fullilove moved that the minutes for the foregoing items be approved on the date the matter was approved. Boyd seconded the motion. The motion was called for a vote as follows:

AYES: Boyd, Brown, Flinn, Ford, Halbert, Morrison and Strickland

RECUSED:

ABSTAIN:

NAYS: None.

Lowery was absent.

Collins, Conrad, Fullilove and Hedgepeth did not vote

APPROVED

Chairman: Bill Morrison

Date: 5-3-11

Attest:

Valerie C. Srupes
Deputy Comptroller/Council Records



MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

May 3, 2011

3:30 P.M. SCHEDULED SESSION

3:33 P.M. MEETING COMMENCED

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

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

INVOCATION

The meeting was opened with prayer by Councilman Harold Collins.

(Councilman Collins recognized some students from Downtown Elementary School).

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.

- 1. **RESOLUTION HONORING RANDY WADE FOR HIS HEROIC ACTIONS. (HELD FROM 4/19).**

Held until May 17, 2011

- 12. A. **CASE NO. PD 06-332 – STEVE ROAD PLANNED DEVELOPMENT, AMENDED (HELD FROM 4/19)**

Held until July 19, 2011

- 6. **ORDINANCE REZONING THE WEST SIDE OF HOLLYWOOD STREET; +/-176.52 FEET NORTH OF CHELSEA AVENUE, CONTAINING 0.21 ACRE IN THE DUPLEX RESIDENTIAL (R-D) DISTRICT, UP FOR THIRD AND FINAL READING.**

Case No. Z 10-117
Ordinance No. 5396

Held until May 17, 2011

MINUTES

Approval of the Minutes of the regular meeting of April 19, 2011 with the following motion:

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

APPROVED

(Councilman Ford recognized Ashley Walker's students from Carver High School Environmental Science Class. The students did a presentation for the City Council).

- 2. **RESOLUTION APPLAUDING THE CONTRIBUTIONS OF AL BELL IN THE MEMPHIS MUSIC INDUSTRY.**

MOTION: Boyd
 SECOND: Brown

APPROVED, unanimous voice vote

(Item #3 was called and put on hold until City Council Attorney Alan Wade returned to the Council Meeting).

- 3. **RESOLUTION APPROVING AN APPEAL LOCATED ON THE WEST SIDE OF MACON ROAD; +/-180.97 FEET SOUTH OF MACON TERRACE, CONTAINING 0.98 ACRE (42,689 SQ. FT.) AND IS CURRENTLY GOVERNED BY CORDOVA GROVE PLANNED DEVELOPMENT, AMENDED (P.D. 03-303).**

Case No. PD 03-303

Appellant: The Law Offices of Lawrence M. Magdovitz
 Lawrence 'Larry' M. Magdovitz, II – Representative

Request: Appeal Site Plan Condition 1 to dedicate and improve Macon Road in accordance with Subdivision Regulations as approved by the Land Use Control board on March 10, 2011

LUCB recommendation: Approval with three (3) conditions

OPD recommendation: Approval with four (4) conditions

MOTION: Ford

SECOND: Fullilove

AYES: Brown, Collins, Conrad, Flinn, Fullilove, Strickland and Co-Chairman Morrison

NAY: Boyd

Hedgepeth recused

Ford and Halbert did not cast a vote

Chairman Lowery and Ware were absent

APPROVED

- 4. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTH SIDE OF KNIGHT ARNOLD ROAD; +/-120 FEET WEST OF DANVILLE ROAD, CONTAINING 3,025 SQ. FT. OF 4.00 ACRES, IN THE SINGLE FAMILY RESIDENTIAL (R-6) DISTRICT.**

Case No. SUP 10-231

Applicants: Tower Ventures V, LLC & TV6-W, LLC
The Prime Development Group, Inc. - Representative

Request: Special use permit to allow a cellular communications tower one-hundred thirty (130) feet in height of concealed canister monopole design with the capacity to accommodate a minimum of three (3) antennae

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

MOTION: Ford

SECOND: Hedgepeth

AYES: Boyd, Brown, Collins, Conrad, Ford, Fullilove, Halbert, Hedgepeth, Strickland and Co-Chairman Morrison

Flinn recused

Chairman Lowery and Ware were absent

APPROVED

- 5. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE CORNER OF HIGHWAY 51 AND N. WATKINS STREET, CONTAINING 4.00 ACRES IN THE COMMERCIAL MIXED USE-3 (CMU-3) AND COMMERCIAL MIXED USE-3 FLOODPLAIN (CMU-3 [FP]) DISTRICTS.**

Case No. SUP 11-202

Applicant: Express Mini Storage, LLC (Ray Hearn)
Tim McCaskill – Representative

Request: Self-service, Mini-storage Warehouse

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Ford

SECOND: Collins

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

APPROVED

CONSENT AGENDA – Items 7 – 11 & 12B & C, may be acted upon by one motion: SEE PAGE 1844 FOR ROLL CALL

- 7. **ORDINANCE ESTABLISHING THE FISCAL YEAR 2012 OPERATING BUDGET FOR THE CITY OF MEMPHIS, UP FOR F I R S T READING.**

Ordinance No. 5398

APPROVED, on First reading

- 8. **ORDINANCE TO AMEND CHAPTER 25, CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO INCREASE PENSION BENEFITS FOR EXISTING RETIREES UNDER SECTION 25-95 AND SECTION 25-195, UP FOR F I R S T READING.**

Ordinance No. 5399

APPROVED, on First reading

- 9. **ORDINANCE TO FIX THE TAX RATE FOR THE CITY OF MEMPHIS FOR FISCAL YEAR 2012, UP FOR F I R S T READING.**

Ordinance No. 5400

APPROVED, on First reading

- 10. **ORDINANCE TO AMEND TITLE 11 – VEHICLES AND TRAFFIC, CHAPTER 11-28 – PEDESTRIANS, OF THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, UP FOR F I R S T READING.**

Ordinance No. 5401

APPROVED, on First reading

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

- B. Case No. PD 11-302
- C. Case No. SAC 11-602

Public Hearing Set for May 17, 2011

ROLL CALL CONSENT ITEMS

- MOTION: Ford
- SECOND: Flinn
- AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Hedgepeth, Morrison, Strickland and Co-Chairman Morrison
- Halbert abstained
- Chairman Lowery and Ware were absent

APPROVED

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

- 13. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11367, SOLID WASTE/TRASH REMOVAL SERVICES, WITH WASTE CONNECTIONS OF TENNESSEE, INC., IN THE FUNDED AMOUNT OF \$8,240.31, FOR A NEW CONTRACT VALUE OF \$644,276.83. (THIS ADDS AN ADDITIONAL UNIT FOR COLLECTION SERVICES AT 5791 SUMMER TREES).**

APPROVED

- 14. **RESOLUTION AWARDDING CONTRACT FOR FIVE DIGGER DERRICKS TO TAG TRUCK CENTER IN THE AMOUNT OF \$1,067,250.00.**

APPROVED

- 15. **RESOLUTION AWARDDING CONTRACT NO. 11470, WIRELESS COMMUNICATIONS SERVICE, TO CELLULAR SOUTH FOR VOICE PLAN AND BLACKBERRY SERVICES IN THE FUNDED AMOUNT OF \$658,000.00.**

APPROVED

16. RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 10699, ACCESS AGREEMENT, WITH LAWYERS TITLE INSURANCE CORPORATION IN THE AMOUNT OF \$12,250.00, FOR A NEW CONTRACT VALUE OF \$222,250.00. (THIS COVERS A NAME CHANGE FROM LAWYERS TITLE INSURANCE CORPORATION TO FIDELITY NATIONAL TITLE GROUP; RATIFIES PAYMENTS OF INVOICES FOR THE PERIOD AUGUST 3, 2010 TO NOVEMBER 30, 2010 IN THE AMOUNT OF \$3,500.00; AND APPROVES PAYMENTS OF INVOICES FOR THE PERIOD DECEMBER 1, 2010 TO FEBRUARY 28, 2011 IN THE AMOUNT OF \$8,750.00. THIS ALSO ALLOWS STAFF TO UTILIZE THESE SERVICES AFTER FEBRUARY 28, 2011, UNTIL THE RENEWAL IS PRESENTED AND APPROVED. ALL PAYMENTS DURING THIS PERIOD WILL BE RATIFIED).

APPROVED

17. RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 10793, PROFESSIONAL PORTFOLIO SOFTWARE, WITH ADVENT SOFTWARE, INC., IN THE FUNDED AMOUNT OF \$28,444.77, FOR A NEW CONTRACT VALUE OF \$292,008.46. (THIS RENEWS THE CONTRACT FOR THE PERIOD MAY 11, 2011 THROUGH MAY 10, 2012, WITH A 3.25% INCREASE FROM THE PREVIOUS YEAR DUE TO THE AXYS LICENSE FEE).

APPROVED

18. RESOLUTION APPROVING CHANGE TO THE INVESTMENT MANAGEMENT AGREEMENT WITH SECTOR CAPITAL MANAGEMENT WHEREBY SECTOR HAS BEEN ACQUIRED BY ARGENT FINANCIAL GROUP, INC., WITH NO CHANGE IN CONTRACT TERMS FOR BENEFIT OF THE OPEB TRUST FUND.

APPROVED

19. RESOLUTION APPROVING CHANGE TO THE INVESTMENT MANAGEMENT AGREEMENT WITH SECTOR CAPITAL MANAGEMENT WHEREBY SECTOR HAS BEEN ACQUIRED BY ARGENT FINANCIAL GROUP, INC., WITH NO CHANGE IN CONTRACT TERMS FOR BENEFIT OF THE RETIREMENT AND PENSION FUND.

APPROVED

20. RESOLUTION AWARDED CONTRACT TO UC4 SOFTWARE, INC. COVERING ANNUAL MAINTENANCE RENEWAL FOR UC4 APPLICATIONS MANAGER SOFTWARE IN THE AMOUNT OF \$31,784.00.

APPROVED

MLGW ROLL CALL CONSENT ITEMS

MOTION: Fullilove
SECOND: Strickland
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Strickland
and Co-Chairman Morrison
Conrad recused on item#15 only
Chairman Lowery and Ware were absent

APPROVED

37. **RESOLUTION APPROVING THE EMPLOYMENT OF MS. LASHELL M. VAUGHN AS VICE PRESIDENT AND CHIEF TECHNOLOGY OFFICER FOR MLGW AT AN ANNUAL SALARY OF \$146,016.00.**

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

APPROVED

36. **RESOLUTION REQUESTING THE ADMINISTRATION TO SUSPEND CITY EMPLOYEE LAY-OFFS AND/OR ABOLISHMENT OF POSITIONS UNTIL THE FY2012 BUDGET HAS BEEN ADOPTED.**

Co-Chairman Morrison recognized the following people who spoke from the audience:

- Michael R. Williams, 1784 Myrna Lane, Memphis, Tennessee, 38117
- Carolyn Scott, 7733 October Rose, Memphis, Tennessee, 38119
- Frederick Boyd, 2866 Flowerwood Road, Memphis, Tennessee, 38134
- Shelley Seebert, 485 Beale Street, Memphis, Tennessee, 38103
- Robert Koamen, 5250 Stage Road, Memphis, Tennessee, 38134

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

APPROVED

21. APPOINTMENTS

MEMPHIS AREA TRANSIT AUTHORITY

APPOINTMENT

SEAN HEALY

MEMPHIS & SHELBY COUNTY LAND USE CONTROL BOARD

APPOINTMENT

RUSSELL E. LINKOUS III

REAPPOINTMENTS

LOYAL E. FEATHERSTONE
MARGARET PRITCHARD
MARY W. SHARP

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

APPROVED

22. **RESOLUTION REQUESTING THE CITY COUNCIL TO ADOPT THE SHELBY COUNTY HAZARD MITIGATION PLAN UPDATE FOR COMPLIANCE WITH THE FEDERAL HAZARD MITIGATION PLANNING STANDARDS.**

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

APPROVED

27. **RESOLUTION ESTABLISHING A MORATORIUM ON THE ISSUANCE OF DANCE HALL PERMITS BY THE MEMPHIS ALCOHOL COMMISSION AND PERMITS OFFICE, UNTIL JULY 6, 2011, APPLICABLE TO ALL PENDING APPLICATIONS AND ALL PERMITS APPLIED FOR FROM AND AFTER THE DATE OF THIS**

RESOLUTION.

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

APPROVED, as amended

23. **RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED THIRTY MILLION DOLLARS (\$30,000,000.00) PRINCIPAL AMOUNT OF CITY OF MEMPHIS, TENNESSEE, GENERAL IMPROVEMENT BONDS FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING GENERAL IMPROVEMENT BONDS OF THE CITY.**

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

APPROVED

24. **RESOLUTION OF THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED SIXTY FIVE MILLION DOLLARS (\$65,000,000.00) PRINCIPAL AMOUNT OF THE CITY OF MEMPHIS, TENNESSEE, GENERAL IMPROVEMENT BONDS FOR THE PURPOSE OF FINANCING VARIOUS PUBLIC WORKS PROJECTS OF THE CITY.**

Held until May 17, 2011

25. **RESOLUTION IN SUPPORT OF THE CONVEYANCE OF TWO TRACTS OF LAND TOTALING 366.83 ACRES IN SIZE, LOCATED IN FAYETTE COUNTY ALONG THE WOLF RIVER, BETWEEN ROSSVILLE AND MOSCOW, TO THE STATE OF TENNESSEE, FOR THE USE AND BENEFIT OF THE TENNESSEE WILDLIFE RESOURCES AGENCY.**

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

Chairman Lowery and Ware were absent

APPROVED

- 26. **RESOLUTION APPROVING THE FY2012 CONSOLIDATED PLAN AND ACCEPTING AND APPROPRIATING ANTICIPATED FY2012 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$8,768,683.00, CDBG PROGRAM INCOME IN THE AMOUNT OF \$2,203,420.00, CDBG FLOAT FUND REPAYMENT IN THE AMOUNT OF \$3,200,000.00; SECTION 108 LOA REPAYMENT IN THE AMOUNT OF \$11,914,000.00, HOME FUNDS IN THE AMOUNT OF \$4,921,520.00, HOME PROGRAM INCOME IN THE AMOUNT OF \$20,000.00, EMERGENCY SHELTER GRANT (ESG) FUNDS IN THE AMOUNT OF \$357,054.00 AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) FUNDS IN THE AMOUNT OF \$1,701,000.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO THE FY2011 BUDGET FOR THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT.**

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

APPROVED

- 28. **RESOLUTION SEEKS APPROVAL OF A SECOND AND FINAL FIVE (5) YEAR RENEWAL OPTION OF PARK SERVICES DIVISION'S TENNIS MANAGEMENT AGREEMENT WITH TENNIS MEMPHIS, INC., TO CONTINUE MANAGEMENT AND OPERATIONS OF THE CITY'S SEVEN TENNIS CENTER FACILITIES (LEFTWICH, WOLBRECHT, WHITEHAVEN, BELLEVUE, RALEIGH, FRAYSER AND WOODDALE). THE FIVE YEAR RENEWAL WILL END IN JUNE 2016 AND THE ANNUAL EXPENDITURES WILL BE PRESENTED FOR APPROVAL WITHIN THE CITY'S BUDGETARY PROCESS.**

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

APPROVED

29. **RESOLUTION ACCEPTING GRANT FUNDS FROM THE DEPARTMENT OF HOMELAND SECURITY, FEMA, FY2011 AMERICAN RECOVERY AND REINVESTMENT ACT PORT SECURITY GRANT PROGRAM (ARRA PSGP) PROJECT, IN THE AMOUNT OF \$2,383,083.00. RESOLUTION ALSO AMENDS THE FY2011 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE \$2,383,083.00 IN GRANT FUNDS.**

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

APPROVED

30. **RESOLUTION ACCEPTING AND APPROPRIATING GRANT FUNDS IN THE AMOUNT OF \$58,766.00 FROM THE SHELBY COUNTY SHERIFF'S OFFICE FOR THE CITY OF MEMPHIS POLICE DEPARTMENT. RESOLUTION ALSO AMENDS THE FY2011 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE \$58,766.00 IN GRANT FUNDS FOR FY2011.**

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

APPROVED

31. **RESOLUTION APPROPRIATING \$21,000.00 FUNDED BY G.O. BONDS GENERAL IN SOUTH PERKINS AT OLD LAMAR, PROJECT NUMBER PW01217, FOR A CONSTRUCTION CONTRACT BEING ADMINISTERED BY THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION. RESOLUTION ALSO STATES THAT ANY FUTURE LOCAL GOVERNMENT INVESTMENT POOL EXPENDITURES FOR THIS PROJECT BE ALLOCATED AND APPROPRIATED WITH THE SOURCE OF FUNDING BEING LOCAL GOVERNMENT INVESTMENT POOL EARNINGS.**

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

APPROVED

32. **RESOLUTION AMENDING THE FY2011 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$2,500,000.00 FUNDED BY G.O. BONDS (STORM WATER) FROM MAJOR DRAINAGE REHAB/REPLACE, PROJECT NUMBER ST03098, TO TRENCHLESS REHAB FY09, PROJECT NUMBER ST03114, FOR REHAB OF TRENCHLESS STORMWATER STRUCTURES. RESOLUTION ALSO APPROPRIATES \$2,500,000.00 FUNDED BY G.O. BONDS (STORM WATER) FOR TRENCHLESS REHAB FY09, PROJECT NUMBER ST03114, FOR A CONSTRUCTION CONTRACT EXTENSION WITH MOORE CONSTRUCTION COMPANY, INC.**

MOTION: Hedgepeth

SECOND: Fullilove

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

APPROVED

33. **RESOLUTION AMENDING THE FY2011 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$1,000,000.00 (80% FEDERAL GRANT AND 20% G.O. BONDS) FROM CONTRACT CONSTRUCTION TO ARCHITECTURE AND ENGINEERING IN STP REPAVING, PROJECT NUMBER PW01199.**

MOTION: Hedgepeth

SECOND: Fullilove

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

APPROVED

34. **RESOLUTION ACCEPTING GRANT FUNDS FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION AND ESTABLISHES AN ALLOCATION IN THE AMOUNT OF \$2,344,000.00. RESOLUTION AMENDING THE FY2011 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING A CONSTRUCTION ALLOCATION OF \$591,000.00 FROM ADA CURB RAMP, PW04007 FOR ARCHITECTURE AND ENGINEERING (\$161,313.00) AND CONSTRUCTION (\$429,687.00) IN ADA CURB RAMP GROUP 43, PW04081. RESOLUTION ALSO APPROPRIATES \$429,687.00 IN ADA CURB RAMP GROUP 43, PW04081. RESOLUTION ALLOCATES AND APPROPRIATES FUTURE LOCAL GOVERNMENT INVESTMENT POOL EXPENDITURES WITH THE SOURCE OF FUNDS BEING LOCAL GOVERNMENT INVESTMENT POOL EARNINGS.**

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

APPROVED

35. **RESOLUTION MODIFYING THE FY2011 CAPITAL IMPROVEMENT BUDGET BY CREATING SAFETY IMPROVEMENTS – APPLING AT I-40, PROJECT NUMBER PW01233. RESOLUTION AMENDING THE FY2011 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING A CONSTRUCTION ALLOCATION OF \$14,900.00 FROM SOUTH PERKINS AT OLD LAMAR, PROJECT NUMBER PW01217 TO SAFETY IMPROVEMENTS – APPLING AT I-40, PROJECT NUMBER PW01233. RESOLUTION ALSO APPROPRIATES \$14,900.00 FUNDED BY G.O. BONDS GENERAL IN SAFETY IMPROVEMENTS –APPLING AT I-40, PROJECT NUMBER PW01233 FOR A CONSTRUCTION CONTRACT BEING ADMINISTERED BY THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION. RESOLUTION STATES THAT ANY FUTURE LOCAL GOVERNMENT INVESTMENT POOL EXPENDITURES FOR THIS PROJECT BE ALLOCATED AND APPROPRIATED WITH THE SOURCE OF FUNDING BEING LOCAL GOVERNMENT INVESTMENT POOL EARNINGS.**

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

APPROVED

(Councilwoman Fullilove made a motion to approved Same Night Minutes for items #21 & #27 from tonight’s meeting)

(Special Item #1- Minutes for items #21 & #27)

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

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Co-Chairman Morrison recognized the following people who spoke from the audience:

Stephen Ross, 2007 Vinton Avenue, Memphis, Tennessee, 38104

Walter Broady, III, 4256 Ledbetter Cove, Memphis, Tennessee, 38109

ADJOURNED MEETING AT 6:51 P.M.

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

Bill Morrison

CHAIRMAN

Attest:

Valerie C. Sipes

Deputy Comptroller/Council Records