Minutes of Items 1, 36, 49, 50, 64 and 65 of the Regular Meeting of the City Council City of Memphis

December 4, 2012

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 1, 36, 49, 50, 64 and 65 to wit:

1. RESOLUTION approving a planned development located at 4965 Brunswick, on the southwest corner of Baylor Road and Brunswick Road, containing 4.61 acres in the Residential Single Family-10 (R-10) District.

   MOTION: Ford
   SECOND: Brown
   AYES: Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison and Strickland
   ABSTAIN:
   NAYS: Boyd and Harris
   APPROVED

36. RESOLUTION awarding Contract No. 11548, MSS ERP Replacement System, to Rolta International, in the funded amount of $31,199,068.00.

   MOTION: Fullilove
   SECOND: Strickland
   AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison and Strickland
   ABSTAIN:
   NAYS:
   RECUSED: Harris
   APPROVED

49. RESOLUTION accepting grant funds in the amount of $2,202,300.00 from the State of Tennessee Department of Labor and Workforce Development Division for WIA Title I Grant Adult Program.

   MOTION: Halbert
   SECOND: Fullilove
   AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Strickland
   ABSTAIN:
   NAYS: None
   APPROVED

50. RESOLUTION accepting grant funds in the amount of $2,357,830.00 from the State of Tennessee Department of Labor and Workforce Development Division for WIA Title I Grant for the Dislocated Worker.

MOTION: Halbert
SECOND: Fullilove
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Strickland
ABSTAIN:
NAYS: None
APPROVED

64. RESOLUTION approving final calculation and distribution of MLGW Electric system payments in lieu of taxes for fiscal year ending June 30, 2013.

MOTION: Fullilove
SECOND: Strickland
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Strickland
ABSTAIN:
NAYS: None
APPROVED

65. RESOLUTION approving final calculation and distribution of MLGW Gas system payments in lieu of taxes for fiscal year ending June 30, 2013.

MOTION: Fullilove
SECOND: Strickland
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Strickland
ABSTAIN:
NAYS: None
APPROVED

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

AYES: Brown, Collins, Conrad, Flinn, Ford, Halbert, Lowery, Morrison and Strickland
NAYS: None.
ABSTAIN: None.
RECUSED: None
Boyd, Fullilove, Harris and Hedgepeth did not vote.
APPROVED

Chairman: Bill Morrison

Date: 12-4-12

2419
~~2417~~

Attest:
Valerie C. Szupsi
Deputy Comptroller/Council Records

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

December 4, 2012

3:30 P.M. SCHEDULED SESSION

3:33 P.M. MEETING COMMENCED

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

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

INVOCATION

The meeting was opened with prayer by Pastor James Nelson from Light House Fellowship Christian Church. Councilman Lowery presented Pastor Nelson with a certificate naming them Chaplain of the day.

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.

MINUTES

Approval of the Minutes of the regular meeting of November 20, 2012 with the following motion:

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

APPROVED

2. **RESOLUTION REQUESTING THE LAND USE CONTROL BOARD TO HEAR THE VANCE AVENUE COLLABORATIVE PLAN.** (Held from 11/6)

DROPPED

48. **ORDINANCE AMENDING CHAPTER 48 OF THE CITY OF MEMPHIS CODE OF ORDINANCES, BY ADDING SECTIONS 48-23 THRU 48-28 TO INCLUDE "PROPERTY REGISTRATION REQUIREMENTS" THAT WILL REQUIRE OWNERS OF REAL PROPERTIES, INCLUDING CONDOMINIUMS, TO MAINTAIN ON FILE WITH THE COUNTY REGISTER OR OTHER DESIGNEE OF THE CITY, AN ACCURATE NAME AND MAILING ADDRESS OF ONE OR MORE OF THE OWNERS FOR PURPOSES OF NOTICE AND SERVICE OF PROCESS AND TO REQUIRE REGISTRATION BY A MORTGAGEE OR MORTGAGEE'S AGENT UPON NOTICE OF DEFAULT OR VACANCY BY A MORTGAGOR REGARDING SINGLE FAMILY RESIDENTIAL REAL PROPERTY INCLUDING CONDOMINIUMS LOCATED IN THE MUNICIPAL BOUNDARIES OF THE CITY OF MEMPHIS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5477

Held until January 8, 2013

47. **ORDINANCE TO AMEND CABLE FRANCHISE ORDINANCE NO. 5331 TO BE CONSISTENT WITH COUNCIL'S AUTHORITY AND INTENT, UP FOR T H I R D AND F I N A L READING.** (Held from 10/2; 11/6)

Ordinance No. 5473

Held until December 18, 2012

57. **RESOLUTION TO CEASE FUNDING FOR ANY STAND-ALONE SIGNS FOR BIKE LANES.**

Held until December 18, 2012

58. **RESOLUTION CREATING A BLIGHT AND RENTAL PROPERTY REPORTING HOTLINE.**

Held until January 22, 2013

60. **RESOLUTION THANKING MARIA FUHRMANN FOR HER SERVICE TO THE MEMPHIS CITY COUNCIL.**

MOTION: Flinn
SECOND: Strickland

APPROVED, by unanimous voice vote

1. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED AT 4965 BRUNSWICK, ON THE SOUTHWEST CORNER OF BAYLOR ROAD AND BRUNSWICK ROAD, CONTAINING 4.61 ACRES IN THE RESIDENTIAL SINGLE FAMILY-10 (R-10) DISTRICT.**

Case No. PD 12-310cc

Applicant: Ms. Eschonixhunetta Kikina & Mary Louis Knight
Delinor Smith – Representative

Request: Allow a residential home for the elderly, assisted living facility within the R-10 (Residential Single-Family-10) District

LUCB recommendation: REJECTION

OPD recommendation: APPROVAL

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

APPROVED

3. **ORDINANCE REZONING THE NORTHWEST CORNER OF NEW FRAYSER BOULEVARD AND NEW ALLEN ROAD, CONTAINING 37.13 ACRES IN THE COMMERCIAL MIXED USE (CMU-3) DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5476
Case No. Z 12-106

Applicant: Belz Investco, GP
Burch-Porter-Johnson, PLLC – Representative

Request: Employment (EMP) District

LUCB and OPD recommendation: APPROVAL

29 NOTICES WERE MAILED ON NOVEMBER 21, 2012

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

APPROVED

61. **RESOLUTION APPROVING A HOTEL/MOTEL WAIVER FOR RODEWAY INN, LOCATED AT 5119 AMERICAN WAY.**

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

APPROVED

62. **RESOLUTION APPROVING A HOTEL/MOTEL WAIVER FOR MOTEL 6, LOCATED AT 4300 AMERICAN WAY.**

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

APPROVED

63. **RESOLUTION APPROVING A HOTEL/MOTEL WAIVER FOR MOTEL 6, LOCATED AT 210 S. PAULINE.**

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

APPROVED

CONSENT AGENDA – Items 1 – 17 & 59 may be acted upon by one motion: SEE PAGE 2426 FOR ROLL CALL

4. **ORDINANCE TO AMEND NO. 4934, OF THE CITY CODE OF ORDINANCES, CHAPTER 2, ARTICLE III, DIVISION 4, PUBLIC ART – PUBLIC ART PROGRAM FOR THE CITY OF MEMPHIS, UP FOR F I R S T READING.**

Ordinance No. 5488

APPROVED, on First reading

5. **ORDINANCE AMENDING TITLE 6, BUSINESS LICENSES AND REGULATION, OF THE MEMPHIS, TENNESSEE, CODE OF ORDINANCES TO ADD CHAPTER 105, PROHIBITING WAGE THEFT, PROVIDING ADMINISTRATIVE PROCEDURES FOR WAGE THEFT, AND ALLOWING SHELBY COUNTY GOVERNMENT TO IMPOSE PENALTIES AGAINST THOSE EMPLOYERS FOUND GUILTY OF WAGE THEFT, UP FOR S E C O N D READING.**

Ordinance No. 5478

APPROVED, on Second reading

6. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY EXISTING BUILDING CODE BY ADOPTION OF INTERNATIONAL CODE COUNCIL 2012 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE WITH LOCAL AMENDMENTS, UP FOR S E C O N D READING.**

Ordinance No. 5479

APPROVED, on Second reading

7. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY RESIDENTIAL CODE BY ADOPTION OF THE INTERNATIONAL CODE COUNCIL 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS, UP FOR S E C O N D READING.**

Ordinance No. 5480

APPROVED, on Second reading

8. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY FUEL GAS CODE BY ADOPTION OF THE 2009 EDITION OF THE INTERNATIONAL CODE COUNCIL FUEL GAS CODE WITH LOCAL AMENDMENTS, UP FOR S E C O N D READING.**

Ordinance No. 5481

APPROVED, on Second reading

9. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY PLUMBING CODE BY ADOPTION OF THE 2009 EDITION OF THE INTERNATIONAL CODE COUNCIL PLUMBING CODE WITH LOCAL AMENDMENTS, UP FOR S E C O N D READING.**

Ordinance No. 5482

APPROVED, on Second reading

10. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY ENERGY CONSERVATION CODE BY ADOPTION OF THE INTERNATIONAL CODE COUNCIL 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE WITH LOCAL AMENDMENTS, UP FOR S E C O N D READING.**

Ordinance No. 5483

APPROVED, on Second reading

11. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY ELECTRICAL CODE BY ADOPTION OF THE 2008 NATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS, UP FOR S E C O N D READING.**

Ordinance No. 5484

APPROVED, on Second reading

12. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY MECHANICAL CODE BY ADOPTION OF THE 2009 EDITION OF THE INTERNATIONAL CODE COUNCIL MECHANICAL CODE WITH LOCAL AMENDMENTS, UP FOR S E C O N D READING.**

Ordinance No. 5485

APPROVED, on Second reading

13. **ORDINANCE ADOPTING THE 2009 INTERNATIONAL FIRE CODE (PUBLISHED BY INTERNATIONAL CODE COUNCIL) WITH LOCAL AMENDMENTS, TO REPLACE THE CURRENTLY ADOPTED 2003 INTERNATIONAL FIRE CODE, TO BE THE ENFORCED DOCUMENT FOR FIRE AND LIFE SAFETY WITHIN THE CITY OF MEMPHIS. SEE EXISTING ORDINANCE NO. 5225, UP FOR S E C O N D READING.**

Ordinance No. 5486

APPROVED, on Second reading

14. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY BUILDING CODE BY ADOPTION OF CHAPTERS 14-25 AND CHAPTER 34 OF THE 2012 INTERNATIONAL CODE COUNCIL 2012 EDITION OF THE INTERNATIONAL BUILDING CODE AND CHAPTERS 1-13, 26-33 AND CHAPTER 35 OF THE 2009 EDITION OF THE INTERNATIONAL CODE COUNCIL INTERNATIONAL BUILDING CODE WITH LOCAL AMENDMENTS, UP FOR S E C O N D READING.**

APPROVED, on Second reading

15. **RESOLUTION APPROVING ASSIGNMENT, ASSUMPTION AND GUARANTEE OF CONTRACT PERFORMANCE FOR CEDAR CREEK SANITARY SEWER EXTENSION AND ACCOMPANYING BOND AND RELEASING OLD BOND.**

Contract No. CR-5029AM

Resolution approves the assignment assumption and guarantee of contract performance located outside of the City of Memphis. Resolution also authorizes the proper officials to execute the attached Assignment, Assumption and Guarantee of Contract Performance with accompanying bond and authorizes release of initial performance bond in the amount of $238,000.00.

APPROVED

16. **RESOLUTION APPROVING THE SUPPLEMENTAL AGREEMENT #1 TO CEDAR CREEK PD, SANITARY SEWER EXTENSION.**

Contract No. CR-5029AM

Resolution approves the supplemental agreement #1, located on the south side of Latting Road, 2,476' east of Pisgah Road. Cost of the required improvements to be shared between the City and the Developer. Resolution also authorizes the proper officials to execute the attached Supplemental Agreement #1. City Engineer recommends approval.

APPROVED

17. **RESOLUTION APPROVING THE SUPPLEMENTAL AGREEMENT #2 TO WOLF RIVER BLUFFS P.D., PHASE 1.**

Case No. PD 05-377
Contract No. CR-5083AM

Resolution approves the supplemental agreement #2, located on the north side of James Road at McLean Blvd. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached Supplemental Agreement #2.

APPROVED

59. **ORDINANCE TO ESTABLISH MEETING DATES FOR CITY COUNCIL MEETINGS IN 2013, UP FOR F I R S T READING.**

Ordinance No. 5489

APPROVED, on First reading

ROLL CALL CONSENT ITEMS

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

APPROVED

Council Ford requested same night minutes for Item #1. Chairman Morrison stated that without objection we will have same night minutes for Item #1.

MLGW FISCAL CONSENT – Items 18-30 and 34-45 may be acted upon by one motion:

18. **RESOLUTION AWARDING CONTRACT TO TUF-TUG PRODUCTS, FOR TRANSMISSION POLE FALL ARREST PROTECTION SYSTEMS IN AN ESTIMATED AMOUNT OF $162,613.20.**

APPROVED

19. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11486, GROUNDS MAINTENANCE AND LANDSCAPING SERVICES, WITH THE ROBERTS COMPANY LTD. OF TENNESSEE, D/B/A ENVIRONMENTAL LANDSCAPE SERVICES IN THE FUNDED AMOUNT OF $72,581.50. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS FOR THE PERIOD COVERING MAY 4, 2013 TO MAY 3, 2014 IN THE FUNDED AMOUNT OF $67,566.50 WHICH REFLECTS NO INCREASE IN RATES FROM THE PREVIOUS YEAR. THIS CHANGE ALSO REFLECTS THE REMOVAL OF THE MAIN STREET PARKING LOT WHICH REFLECTS A DECREASE OF ($385.00) AND THE ADDITION AT WHITTEN ROAD WITHIN THE SCOPE OF CONTRACT IN THE FUNDED AMOUNT OF $5,400.00).**

APPROVED

20. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11502, GROUNDS MAINTENANCE WELL LOTS, WITH BEAN AND PRINCE CONTRACTORS, INCORPORATED, IN THE FUNDED AMOUNT OF $67,599.14. (THIS CHANGE IS TO RENEW THE CONTRACT FOR THE FIRST OF FOUR RENEWAL TERMS BEGINNING MAY 17, 2013 TO MAY 16, 2014 WITH NO INCREASE IN RATES).**

APPROVED

21. **RESOLUTION AWARDING CONTRACT NO. 11592, UNIVERSITY GROUND WATER INSTITUTE TO THE UNIVERSITY OF MEMPHIS IN THE FUNDED AMOUNT OF $1,250,000.00.**

APPROVED

22. **RESOLUTION AUTHORIZING PAYMENT OF $107,390.76 OF PERSONAL PROPERTY TAXES ON 2.25 BILLION CUBIC FEET OF NATURAL GAS IN THE EPPS STORAGE FIELD IN EAST AND WEST CARROLL PARISHES IN LOUISIANA, STORED PER THE GENERAL TERMS AND CONDITIONS OF THE TRUNKLINE TARIFF APPROVED BY FERC AUGUST 1, 2003.**

APPROVED

23. **RESOLUTION AMENDING PURCHASE ORDER NO. 144184 WITH PATTERSON WELDING COMPANY FOR REPAIRS AND FABRICATION OF SUBSTATION EQUIPMENT IN THE AMOUNT OF $42,000.00, FOR A NEW CONTRACT VALUE OF $135,000.00. (THIS AMENDMENT IS TO INCREASE THE VALUE OF THE PURCHASE ORDER AND GAIN APPROVAL AFTER THE FACT TO PAY ADDITIONAL INVOICES IN THE AMOUNT OF $32,798.12 FOR WORK PREVIOUSLY PERFORMED; THE REMAINING $9,201.88 WILL BE ALLOCATED TO PAY ANY ADDITIONAL FABRICATION OR REPAIRS THAT MAY ARISE WITHIN THE 2012 BUDGET YEAR).**

APPROVED

24. **RESOLUTION APPROVING A CONTRACT BETWEEN MEMPHIS LIGHT, GAS AND WATER AND THE ELECTRIC POWER RESEARCH INSTITUTE, INC. (EPRI) FOR PROFESSIONAL TECHNICAL SERVICES TO ASSIST MLGW WITH RESEARCH AND DEVELOPMENT OF "WHOLE PRODUCT PERFORMANCE FOR LED STREET AND AREA LIGHTING FIXTURES" IN AN AMOUNT NOT TO EXCEED $53,250.00.**

APPROVED

25. **RESOLUTION AWARDING 36-MONTH BLANKET CONTRACT, TO RUFFIN AND ASSOCIATES, FOR CONCRETE STANDARDS IN THE AMOUNT OF $2,270,119.76.**

APPROVED

26. **RESOLUTION AWARDING 12-MONTH BLANKET CONTRACT TO BRIGHTER DAYS AND NITES, LLC, FOR CABLE, IN THE AMOUNT OF $401,445.00.**

APPROVED

27. **RESOLUTION AWARDING 24-MONTH BLANKET CONTRACT TO HD SUPPLY POWER SOLUTIONS FOR WEDGE-TAP CONNECTORS, IN THE AMOUNT OF $541,195.59.**

APPROVED

28. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11370, ELECTRONIC BILL PRESENTATION AND PAYMENT SERVICES, WITH FIDELITY NATIONAL INFORMATION SERVICES INCORPORATED (FIS) IN THE FUNDED AMOUNT OF $1,400,000.00. (THIS CHANGE IS TO INCREASE THE CURRENT CONTRACT VALUE DUE TO THE INCREASE IN THE NUMBER OF TRANSACTIONS OVER THE PERIOD OF THE CONTRACT).**

APPROVED

29. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 11279, THIRD PARTY ADMINISTRATOR FOR WORKER'S COMPENSATION, WITH BRENTWOOD SERVICES ADMINISTRATORS, INCORPORATED, IN THE FUNDED AMOUNT OF $125,000.00. (THIS CHANGE IS TO RENEW THE CONTRACT FOR THE FOURTH OF SIX RENEWAL TERMS BEGINNING JANUARY 1, 2013 TO DECEMBER 31, 2013 WITH NO INCREASE IN RATES).**

APPROVED

30. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11465, CONTRACT SECURITY SERVICES, WITH CDA, IN THE FUNDED AMOUNT OF $2,944,716.72. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2013 TO DECEMBER 31, 2013. IN ADDITION, THIS CHANGE REFLECTS AN INCREASE IN THE NUMBER OF HOURS FOR ARMED GUARDS AT THE NETTERS BUSINESS CENTER FROM 96 TO 168 AS A RESULT OF THE NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION (NERC) REQUIREMENT).**

APPROVED

34. **RESOLUTION AWARDING CONTRACT TO VENTURE TECHNOLOGIES, FOR A CORPORATE NETWORK UPGRADE, IN THE AMOUNT OF $610,553.90.**

APPROVED

35. **RESOLUTION AWARDING CONTRACT NO. 11537, PROFESSIONAL SERVICES SUPPORT, TO NEXTECH SOLUTIONS, IN THE FUNDED AMOUNT OF $599,957.00.**

APPROVED

36. **RESOLUTION AWARDING CONTRACT NO. 11548, MSS ERP REPLACEMENT SYSTEM, TO ROLTA INTERNATIONAL, IN THE FUNDED AMOUNT OF $31,199,068.00.**

APPROVED

37. **RESOLUTION AWARDING CONTRACT NO. 11586, PROFESSIONAL SERVICES SUPPORT, TO VACO MID SOUTH, IN THE FUNDED AMOUNT OF $599,957.00.**

APPROVED

38. **RESOLUTION AWARDING CONTRACT NO. 11587, PROFESSIONAL SERVICES SUPPORT, TO ZYCRON, INCORPORATED IN THE FUNDED AMOUNT OF $599,957.00.**

APPROVED

39. **RESOLUTION AWARDING CONTRACT NO. 11588, PROFESSIONAL SERVICES SUPPORT, TO COOK SYSTEMS INTERNATIONAL, INC. IN THE FUNDED AMOUNT OF $599,957.00.**

APPROVED

40. **RESOLUTION AWARDING CONTRACT NO. 11589, PROFESSIONAL SERVICES SUPPORT, TO TEK SYSTEM, IN THE FUNDED AMOUNT OF $599,957.00.**

APPROVED

41. **RESOLUTION AWARDING CONTRACT NO. 11590, PROFESSIONAL SERVICES SUPPORT, TO CONCH TECHNOLOGIES INCORPORATED, IN THE FUNDED AMOUNT OF $599,957.00.**

APPROVED

42. **RESOLUTION AWARDING CONTRACT NO. 11591, PROFESSIONAL SERVICES SUPPORT, TO STRAGISTICS TECHNOLOGY INCORPORATED, IN THE FUNDED AMOUNT OF $599,957.00.**

APPROVED

43. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 11185, ENVIRONMENTAL CONSULTING SERVICES, WITH CENTER FOR TOXICOLOGY AND ENVIRONMENTAL HEALTH, IN THE FUNDED AMOUNT OF $587,500.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FOURTH AND FINAL ANNUAL RENEWAL TERM COVERING THE PERIOD JANUARY 1, 2013 TO DECEMBER 31, 2013 WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR).**

APPROVED

44. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 11250, WASTE MANAGEMENT SERVICES, WITH TRADEBE, IN THE FUNDED AMOUNT OF $175, 000.00. (THIS CHANGE IS TO RENEW THE CONTRACT FOR THE FOURTH AND FINAL RENEWAL TERM FOR THE PERIOD COVERING JANUARY 1, 2013 TO DECEMBER 31, 2013, WITH NO INCREASE IN UNIT PRICES FROM THE PREVIOUS YEAR).**

APPROVED

45. **RESOLUTION AWARDING CONTRACT NO. 11543, ENVIRONMENTAL ABATEMENT SERVICES, TO GENERAL CONSTRUCTION SERVICES INCORPORATED, IN THE FUNDED AMOUNT OF $7,734,500.00.**

APPROVED

MLGW ROLL CALL CONSENT ITEMS (ITEMS 18-30 and 34-45 ONLY)

Councilman Harris requested that Items 31-33 be voted on separately

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

APPROVED, with the exception of Items 31-33. (See vote below)

MLGW Items 31-33 were voted on separately below

MLGW FISCAL CONSENT – Items 31-33 only

31. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11499, TEMPORARY SERVICE FOR GENERAL LABOR, WITH PRIDESTAFF, IN THE FUNDED AMOUNT OF $746,533.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR RENEWAL TERMS WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR FOR THE PERIOD COVERING JANUARY 4, 2013 TO JANUARY 3, 2014 IN THE FUNDED AMOUNT OF $677,352.00.**

APPROVED

IN ADDITION, MLGW IS REQUESTING THE APPROVAL OF CONTINGENCY FUNDS IN THE AMOUNT OF $69,181.00 FOR UNFORESEEN VACANCIES).

APPROVED

32. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11500, TEMPORARY SERVICE FOR CLERICAL SUPPORT, WITH KELLY SERVICES, INCORPORATED, IN THE FUNDED AMOUNT OF $400,325.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR RENEWAL TERMS WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR FOR THE PERIOD COVERING JANUARY 4, 2013 TO JANUARY 3, 2014 IN THE FUNDED AMOUNT OF $314,993.00. IN ADDITION, MLGW IS REQUESTING THE APPROVAL OF CONTINGENCY FUNDS IN THE AMOUNT OF $85,332.00 IN THE EVENT OF UNFORESEEN VACANCIES).**

APPROVED

33. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11529, TEMPORARY SERVICE FOR SKILLED CRAFTSMAN, WITH PRIDESTAFF, IN THE FUNDED AMOUNT OF $129,180.80.**

(THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR RENEWAL TERMS WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR FOR THE PERIOD COVERING JANUARY 4, 2013 TO JANUARY 3, 2014 IN THE FUNDED AMOUNT OF $60,000.00. IN ADDITION, MLGW IS REQUESTING THE APPROVAL OF CONTINGENCY FUNDS IN THE AMOUNT OF $69,190.80 IN THE EVENT OF UNFORESEEN VACANCIES).

APPROVED

MLGW ROLL CALL CONSENT ITEMS (ITEMS 31-33 ONLY)

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

APPROVED, Items 31-33 only. Set up as Special Item #1

Chairman Morrison objected to same night minutes request for Item #36, so the following vote below was taken

MOTION: Fullilove – Same night minutes for Item #36
SECOND: Strickland
AYES: Boyd, Brown, Flinn, Ford, Fullilove and Lowery
NAYS: Conrad, Harris and Chairman Morrison
Collins, Halbert, Hedgepeth and Strickland did not cast a vote

APPROVED, set up as Special Item #2

46. **APPOINTMENTS**

MEMPHIS CONVENTION CENTER COMMISSION

Appointment

Hal J. Lansky

MINORITY BUSINESS DEVELOPMENT AND OVERSIGHT COMMISSION

Appointment

Judith Black Moore

MOTION: Collins
SECOND: Fullilove

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

APPROVED

49. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF $2,202,300.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE I GRANT ADULT PROGRAM.**

Councilwoman Halbert requested same night minutes for Item #49. Chairman Morrison stated that without objection, we will have same night minutes.

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

APPROVED

50. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF $2,357,830.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE I GRANT FOR THE DISLOCATED WORKER.**

Councilwoman Halbert requested same night minutes for Item #50. Chairman Morrison stated that without objection, we will have same night minutes.

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

APPROVED

64. **RESOLUTION APPROVING FINAL CALCULATION AND DISTRIBUTION OF MLGW ELECTRIC SYSTEM PAYMENTS IN LIEU OF TAXES FOR FISCAL YEAR ENDING JUNE 30, 2013.**

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

APPROVED

65. **RESOLUTION APPROVING FINAL CALCULATION AND DISTRIBUTION OF MLGW GAS SYSTEM PAYMENTS IN LIEU OF TAXES FOR FISCAL YEAR ENDING JUNE 30, 2013.**

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

APPROVED

51. **RESOLUTION APPROPRIATING $117,724.23 CHARGEABLE TO AND AMEND THE FY2013 FEDERAL OPERATING BUDGET, BY APPROPRIATING FUNDS TO THE MHA LOW INCOME HOUSING PROGRAM ACCOUNT.**

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

APPROVED

52. **RESOLUTION CLOSING WHITEHAVEN GOLF COURSE FOR THE WINTER MONTHS, INCREASING GOLF CART RENTAL FEES AND ESTABLISHING A NON-SHELBY COUNTY USER FEE.** (Held from 11/6)

MOTION: Halbert - Leave all golf courses open during the winter months and fund them in the upcoming budget
SECOND: Fullilove

MOTION WITHDRAWN. Special Item #4 dropped

Friendly Amendment: Exclude rental fees

MOTION: Harris

Councilman Brown did not accept Councilman Harris' Friendly Amendment

MOTION WITHDRAWN

After a second was made, Chairman Morrison stated that without objection, we will hold this item to December 18, 2012. Councilman Harris had objection. A vote below was taken.

MAIN MOTION: Brown – Hold until December 18, 2012
SECOND: Ford
AYES: Brown, Collins, Ford, Halbert, Hedgepeth, Strickland and Chairman Morrison

NAYS: Boyd, Conrad, Flinn, Harris and Lowery
Fullilove did not cast a vote

APPROVED, item held until December 18, 2012, set up as Special Item #3

53. **RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY OF MEMPHIS THROUGH ITS DIVISION OF PARKS AND NEIGHBORHOODS AND SAVE ONE FOUNDATION DBA MEMPHIS LITTLE LEAGUE (MLL) TO MANAGE AND OPERATE WILL CARRUTHERS BASEBALL COMPLEX.**

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

APPROVED

54. **RESOLUTION APPROPRIATING $102,210.00 IN CONSTRUCTION FUNDS IN CIP PROJECT NUMBER, GA01008-MUD ISLAND MAJOR MAINTENANCE FOR THE CAULKING OF THE MUD ISLAND RIVER MODEL.**

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

APPROVED

55. **RESOLUTION AMENDING THE FY 2013 CAPITAL IMPROVEMENT BUDGET BY REDUCING SEWER REVENUE BONDS, PROJECT NUMBER SW02001 AND ESTABLISH AN ALLOCATION FUNDED BY SEWER OPERATING-CIP IN CONCRETE REPLACEMENT 2013, PROJECT NUMBER SW02105 IN THE AMOUNT OF $200,000.00, TO REPLACE CURBS, GUTTERS, AND SIDEWALKS AT VARIOUS LOCATIONS WITHIN THE CITY.**

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

APPROVED

56. **RESOLUTION TO ACCEPT GRANT FUNDS AND TO ESTABLISH AN ALLOCATION IN THE AMOUNT OF $3,722,177.00 FUNDED BY FEMA THROUGH THE HAZARD MITIGATION GRANT PROGRAM AND $620,363.00 FUNDED BY THE STATE OF TENNESSEE TO REPLACE THE EXISTING AIRWAYS BRIDGE OVER NONCONNAH CREEK.**

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

APPROVED

MINUTES

Approval of the Minutes of the regular meeting of December 4, 2012 for Items 1, 36, 49, 50, 64 and 65 with the following motion:

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

APPROVED, set up as Special Item #5

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Morrison recognized the following person who spoke from the audience

Steven Simmons, 781 Leath St., Memphis, TN 38107

ADJOURNED MEETING AT 5:57 P.M.

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

Bill Morrison
CHAIRMAN

Attest:

Valerie C. Sapio 12/18/12
Deputy Comptroller/Council Records

Minutes of Items 39, 40, 41, 49 and 50 of the Regular Meeting of the City Council City of Memphis

December 18, 2012

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 39, 40, 41, 49 and 50 to wit:

39. RESOLUTION accepting grant funds from the Governor's Highway Safety Office (GHSO) of the State of Tennessee Department of Transportation in the amount of $15,000.00. Resolution also amends the FY 2013 Operating Budget to establish and appropriate $15,000.00 in grant funds for FY 2013.

MOTION: Conrad
SECOND: Ford
AYES: Collins, Conrad, Ford, Halbert, Hedgepeth, Lowery, Strickland and Morrison
ABSTAIN:
NAYS: None
Boyd, Brown, Flinn and Fullilove did not vote.
Harris was absent.
APPROVED.

40. RESOLUTION accepting grant funds from the Governor's Highway Safety Office (GHSO) of the State of Tennessee Department of Transportation in the amount of $107,029.42 for Comprehensive Alcohol Risk Reduction (C.A.R.D.). Resolution also amends FY 2013 Operating Budget to establish and appropriate $107,029.42 in grant Funds for FY 2013.

MOTION: Conrad
SECOND: Hedgepeth
AYES: Boyd, Collins, Conrad, Ford, Hedgepeth, Lowery, Morrison and Strickland
ABSTAIN:
NAYS: None
.Brown, Flinn, Fullilove and Halbert did not vote.
Harris was absent.
APPROVED

41. RESOLUTION accepting grant funds from the Governor's Highway Safety Office (GHSO) of the State of Tennessee Department of Transportation in the amount of $398,472.98 for Alcohol Saturation Patrols. Resolution also amends FY 2013 Operating Budget to establish and appropriate $398,472.98 in grant funds for FY 2013.

MOTION: Conrad
SECOND: Strickland
AYES: Boyd, Conrad, Ford, Halbert, Hedgepeth, Lowery, Morrison and Strickland
ABSTAIN:
NAYS: None

Brown, Collins, Flinn and Fullilove did not vote.
Harris was absent.
APPROVED

49. Resolution accepting funds from the Center City Revenue Finance Corporation for the Main Street to Main Street Multimodal Connector in the amount of $311,704 and appropriating those funds

MOTION: Hedgepeth
SECOND: Strickland
AYES: Boyd, Conrad, Ford, Halbert, Hedgepeth, Lowery, Morrison and Strickland
ABSTAIN:
NAYS: None
Brown, Collins, Flinn and Fullilove did not vote.
Harris was absent.
APPROVED

50. Resolution accepting funds from the Charles McVean and the Hyde Family Foundation for the Main Street to Main Street Multimodal Connector in the amount of $650,000 and appropriating those funds to project number PW04090 for the Design of the Harahan Bridge Trail

MOTION: Hedgepeth
SECOND: Strickland
AYES: Boyd, Collins, Conrad, Ford, Halbert, Hedgepeth, Lowery, Morrison and Strickland
ABSTAIN:
NAYS: None
Brown, Flinn and Fullilove did not vote.
Harris was absent.
APPROVED

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

AYES: Boyd, Collins, Ford, Halbert, Hedgepeth, Lowery, Strickland and Morrison
NAYS: None.
ABSTAIN: None.
RECUSED: None
Brown, Conrad, Flinn and Fullilove did not vote.
Harris was absent.
APPROVED

Chairman: Bill Morrison

Date: 12-18-12

Attest:
Deputy Comptroller/Council Records Valerie C. Grapis
12/18/12