

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

July 3, 2012

3:30 P.M. SCHEDULED SESSION

3:35 P.M. MEETING COMMENCED

ROLL CALL: William Boyd, 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. Joe Brown was absent.

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

INVOCATION

The meeting was opened with prayer by Dr. Michael C. Ellis, Jr., from Impact Baptist Church and Ministries. Councilman Harris presented Dr. Ellis with a certificate naming him 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 June 19, 2012 with the following motion:

**(Councilman Harris made a motion to reconsider item#11 - Z 11-114/Ord. #5447)
(Special Item#1)**

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

NAYS: Hedgepeth and Strickland
Flinn recused
Brown was absent

APPROVED

(Councilman Collins made a motion to hold the reconsideration of item#11 for 2 weeks. After a brief discussion, Councilman Collins withdrew his motion).

(Councilman Harris made a motion to hold Item#11 for 2 weeks – Special Item #2)

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

(Special Item #2 – FAILED)

(Councilman Strickland made a motion without objection, to vote on Item#11, later on in Meeting)

1. **RESOLUTION CONGRATULATING THE LIFELINE TO SUCCESS TEAM MEMBERS ON WINNING THE 2012 LARGE GROUP VOLUNTEER OF THE YEAR AWARD.**

MOTION: Harris
SECOND: Fullilove

APPROVED, unanimous voice vote

2. **RESOLUTION CONGRATULATING DR. MARY MCDONALD, SUPERINTENDENT OF CATHOLIC SCHOOLS, ON HER RETIREMENT.**

MOTION: Strickland
SECOND: Morrison

APPROVED, unanimous voice vote

7. **ORDINANCE REZONING THE SOUTHWEST CORNER OF S. PERKINS ROAD AND KNIGHT ARNOLD ROAD, CONTAINING 10.92 ACRES IN THE COMMERCIAL MIXED USE (CMU-1) DISTRICT, UP FOR T H I R D AND F I N A L READING. (HELD FROM 6/19)**

Case No. Z 12-101
Ordinance No. 5453

(Companion Case No. SUP 12-203)

Applicant: Village Plaza, Inc.
W. H. Porter Consultants, PLLC – Representative

Request: Commercial Mixed Use (CMU-2) District

LUCB and OPD recommendation: APPROVAL

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

FAILED

(Due to item#7 failing, item#3(Companion Case) was dropped because it was moot).

3. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTHWEST CORNER OF S. PERKINS ROAD AND KNIGHT ARNOLD ROAD, CONTAINING 5,000 SQ. FT. TENANT SPACE IN THE COMMERCIAL MIXED USE (CMU-1) DISTRICT. (HELD FROM 6/19)**

Case No. SUP 12-203
(Companion Case Z 12-101)

Applicant: Premier Pawn & Jewelry Shop
W. H. Porter Consultants, PLLC – Representative

Request: Special use permit to allow a pawn shop

LUCB and OPD recommendation: APPROVAL, with conditions

DROPPED

5. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTH SIDE OF N. WATKINS; +/-1,900 FEET WEST OF MILLINGTON ROAD, CONTAINING 144 ACRES IN THE MANUFACTURED HOME PARK (R MP)/FLOODWAY (FW) DISTRICTS.**

Case No. PD 12-303cc

Applicant: Kingsway Green of America, Inc. – (Chris Holloway)
Homer Branan – Representative

Request: A Planned Development for a Travel Trailer/RV Park

LUCB and OPD recommendation: APPROVAL, with conditions

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

APPROVED

- 6. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTH SIDE OF POPLAR AVENUE; +/-92.18 FEET WEST OF MERTON STREET, CONTAINING 1.39 ACRES IN THE COMMERCIAL MIXED USE-1 (CMU-1) DISTRICT.**

Case No. PD 12-309

Applicant: Southbay Properties, LLC - (David Andrews)
SR Consulting, LLC (Cindy Reaves) – Representative

Request: Used auto sales

LUCB and OPD recommendation: APPROVAL, with conditions

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

APPROVED

CONSENT AGENDA – Items 8-13 may be acted upon by one motion: SEE PAGE 2288 FOR ROLL CALL

- 8. **ORDINANCE TO AMEND CHAPTER 2, CODE OF ORDINANCES, CITY OF MEMPHIS, SECTION 2-277, SUBSECTION C.4, TO INCREASE DISCRETIONARY SPENDING AMOUNTS FOR DIVISIONS FROM \$2,500 TO \$5,000, UP FOR F I R S T READING.**

Ordinance No. 5462

APPROVED, on First reading

9. **ORDINANCE TO AMEND CHAPTER 2, SECTION 2-110 OF THE CITY OF MEMPHIS, CODE OF ORDINANCES, TO REMOVE SHELBY COUNTY FROM PARTICIPATION IN THE MEMPHIS AND SHELBY COUNTY CONVENTION CENTER COMMISSION AND TO CHANGE THE NAME AND MEMBERSHIP OF THE COMMISSION, UP FOR F I R S T READING.**

Ordinance No. 5463

APPROVED, on First reading

10. **ORDINANCE TO AMEND THE CHARTER OF THE CITY OF MEMPHIS, THE SAME BEING CHAPTER 11 OF THE ACTS OF 1879, AS AMENDED PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) AND THE ACTS OF 1915, CHAPTER 408 SO AS TO AUTHORIZE THE LEVY AND COLLECTION OF A ONE CENT GASOLINE TAX AND TO AUTHORIZE THE USE OF REVENUE DERIVED THEREFROM AND FOR BUDGET EXPENDITURES FOR PUBLIC TRANSPORTATION AND TO SUBMIT THIS PROPOSED REFERENDUM ORDINANCE TO THE QUALIFIED VOTERS OF THE CITY OF MEMPHIS AT THE FIRST GENERAL STATE ELECTION TO BE HELD NOVEMBER 6, 2012, UP FOR F I R S T READING.**

Ordinance No. 5464

APPROVED, on First reading

11. **ORDINANCE TO ALLOW THE MAXIMUM LOCAL OPTION SALES TAX BE LEVIED IN THE CITY OF MEMPHIS AND TO SUBMIT THIS PROPOSED REFERENDUM ORDINANCE TO THE QUALIFIED VOTERS OF THE CITY OF MEMPHIS AT THE FIRST GENERAL STATE ELECTION TO BE HELD NOVEMBER 6, 2012, UP FOR S E C O N D READING.**

Ordinance No. 5460

APPROVED, on Second reading

12. **ORDINANCE REZONING THE WEST SIDE OF JACK CARLEY AT W. TRIGG AVENUE, CONTAINING 20.63 ACRES IN THE CONSERVATION AGRICULTURE (CA) FLOOD PLAIN [FP] DISTRICT, UP FOR F I R S T READING.**

Case No. Z 12-105

Ordinance No. 5465

APPROVED, on First reading

13. **NOTATION FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. Case No. PD 12-304 – Tournament Center P.D. (4th Amendment)

Public Hearing Set for July 17, 2012**ROLL CALL CONSENT ITEMS**

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

APPROVED

(Item #4 was originally dropped at the beginning of the meeting, but it was added back to the Agenda)

4. **RESOLUTION TO FORM A COMMITTEE TO EVALUATE WHETHER TO INCLUDE VARIOUS TAX-ABATED AND TAX-EXEMPT ENTITIES WITHIN THE CITY OF MEMPHIS PILOT PROGRAM.**

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

APPROVED

36. **RESOLUTION APPROVING THE ACQUISITION AND LEASE OF CITY OWNED PROPERTY LOCATED IN THE OVERTON SQUARE REDEVELOPMENT AREA TO OVERTON SQUARE GARAGE, LLC; AND HATTILOO THEATRE, INC; AND APPROVING THE REINSTATEMENT OF THE MADISON COOPER LAND USE AGREEMENT, IN FURTHERANCE OF THE OVERTON SQUARE REDEVELOPMENT PROJECT.**

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

APPROVED

(Chairman Morrison stated that Same Night Minutes were requested for item#36, without objection. Councilwoman Halbert objected and a vote had to be taken.

(Special Item#3)

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

APPROVED

41. **RESOLUTION APPROVING THE PURCHASE OF PROPERTY LOCATED AT 0 EDWARDS, LOT #7, UNIVERSITY LANE SUBDIVISION, PARCEL ID 041030 00035, AND AMENDING THE FY 2013 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$1,744,536.00 FUNDED BY G.O. BONDS GENERAL (STORM WATER) FROM MAJOR DRAINAGE REHAB/REPLACE, PROJECT NUMBER ST03098, TO CYPRESS CREEK REHAB, PROJECT NUMBER ST03150, FOR A CONSTRUCTION CONTRACT WITH FERRELL PAVING TO REPAIR/REPLACE THE EXISTING CONCRETE CHANNEL LINING AT CYPRESS CREEK, UNIVERSITY TO MCLEAN.**

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

APPROVED

(Special Item #4 Main Motion for Item #11 – Z 11- 114/Ord.#5447, from 6/19/2012 Meeting)

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

APPROVED

MLGW FISCAL CONSENT – Items 14 - 30 may be acted upon by one motion:

14. **RESOLUTION AWARDING CONTRACT NO. 11504, COOLING TOWER REBUILD ADMINISTRATION BUILDING, TO CS3 INC., IN THE FUNDED AMOUNT OF \$623,400.00.**

APPROVED

15. **RESOLUTION AWARDING CONTRACT NO. 11534, BEALE STREET LANDING GARAGE VARIABLE AIR VOLUME (VAV) BOX REPLACEMENT & DIRECT DIGITAL CONTROLS (DDC), TO AIR TECHNICAL SERVICES, IN THE FUNDED AMOUNT OF \$232,400.00.**

APPROVED

16. **RESOLUTION APPROVING CHANGE NO. 9 TO CONTRACT NO. 9955, PARTIAL FUNDING OF POLLUTION CONTROL, GROUND WATER QUALITY CONTROL PROGRAM, WITH MEMPHIS & SHELBY COUNTY HEALTH DEPARTMENT, IN THE FUNDED AMOUNT OF \$139,632.90. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR 2012).**

APPROVED

17. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11399, RIGHT OF WAY MOWING, WITH ROTOLO CONSULTANTS, INC., IN THE FUNDED AMOUNT OF \$236,256.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, AUGUST 9, 2012 THROUGH AUGUST 8, 2013, WHICH INCLUDES A 2.2% INCREASE DUE TO THE GOVERNMENTAL ESTIMATE OF COST OF LIVING (COL) FOR 2011).**

APPROVED

18. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11443, TIRE AND TIRE REPAIR SERVICE, WITH SOUTHERN TIRE MART, IN THE FUNDED AMOUNT OF \$41,157.00, FOR A NEW CONTRACT AMOUNT OF \$635,592.56. (THIS CHANGE IS TO INCREASE THE CURRENT CONTRACT VALUE IN THE FUNDED AMOUNT OF \$41,157.00 TO PROCESS INVOICES FOR WORK PERFORMED THROUGH THE COMPLETION OF THE TERM WHICH ENDED DECEMBER 31, 2011. THIS CHANGE IS DUE TO NON-CONTRACTED AND 2010 CHARGES THAT WERE MISAPPLIED TO THIS CONTRACT WITH NO RECOURSE TO REMOVE THE IDENTIFIED CHARGES. THEREFORE, IN ORDER TO PAY THE INVOICES, THE CONTRACT VALUE OF THIS CONTRACT MUST BE INCREASED BY SAID AMOUNT).**

APPROVED

19. **RESOLUTION AWARDING 36-MONTH BLANKET CONTRACT FOR FLOWABLE FILL TO MEMPHIS READY MIX IN AMOUNT OF \$972,000.00.**

APPROVED

20. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 11070, UTILITY METER DATA APPLICATION, WITH AUTOMATED ENERGY, INC. (AEI), IN THE FUNDED AMOUNT OF \$83,000.00. (THIS CHANGE IS TO ENROLL ADDITIONAL METERS IN THE WEB-BASED METER DATA ANALYSIS PRODUCT KNOWN AS “LOAD PROFILER: BUT MARKETED BY MLGW AS “METER INTELLIGENCE.” THIS CHANGE IS ALSO TO EXTEND THE CURRENT CONTRACT TERM FOR AN ADDITIONAL TERM FOR THE PERIOD COVERING JANUARY 1, 2013 TO DECEMBER 31, 2013. THE PRICE PER UNIT WILL REMAIN \$15 PER METER PER MONTH, UNTIL SUCH TIME MLGW REACHES 250 METERS, AT WHICH POINT A CHANGE ORDER WILL BE REQUESTED TO ACCOMMODATE THE LOWER PRICE POINT. A SET-UP FEE OF \$50 PER METER WILL BE CHARGED FOR EACH NEW METER ADDED TO THE SERVICE).**

APPROVED

21. **RESOLUTION AWARDING CONTRACT NO. 11501, GEOTECHNICAL INVESTIGATION, TO PROFESSIONAL SERVICE INDUSTRIES, INC., IN THE FUNDED AMOUNT OF \$26,057.50.**

APPROVED

22. **RESOLUTION AWARDING CONTRACT NO. NO. 11527, 10 MBPS METRO ETHERNET FOR LNG-ARLINGTON, TO AT&T, INC., IN THE FUNDED AMOUNT OF \$32,400.00.**

APPROVED

23. **RESOLUTION AWARDING CONTRACT FOR REMOTE TERMINAL UNITS TO TELVENT USA, LLC, IN THE AMOUNT OF \$407,700.00.**

APPROVED

24. **RESOLUTION APPROVING PAYMENT OF INVOICE FROM THE AMERICAN PUBLIC POWER ASSOCIATION FOR 2012 ANNUAL MEMBERSHIP DUES IN THE AMOUNT OF \$103,476.90.**

APPROVED

25. **RESOLUTION AWARDING CONTRACT NO. 11544, INTERNAL CONTROLS REVIEW AND FRAUD RISK ASSESSMENT, TO DIXON HUGHES GOODMAN, LLP, IN THE FUNDED AMOUNT OF \$67,000.00.**

APPROVED

26. **RESOLUTION AWARDING CONTRACT FOR CONDUCTOR CABLE TO UNIVERSAL SCAFFOLDING IN THE AMOUNT OF \$451,042.00 AND TO THE OKONITE COMPANY IN THE AMOUNT OF \$94,523.00, FOR A TOTAL AMOUNT OF \$545,565.00.**

APPROVED

27. **RESOLUTION AWARDING CONTRACT FOR SMART SWITCHES TO STUART C. IRBY IN THE AMOUNT OF \$371,316.00.**

APPROVED

28. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11393, NETWORK MAINTENANCE, TO VENTURE TECHNOLOGIES, INC., IN THE FUNDED AMOUNT OF \$638,939.63. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, OCTOBER 15, 2012 THROUGH OCTOBER 14, 2013, WITH NO INCREASE IN RATES. THIS CHANGE ALSO INCREASES THE QUANTITY OF PROFESSIONAL SERVICES SUPPORT DUE TO MLGW'S NERC COMPLIANCE INITIATIVE).**

APPROVED

29. **RESOLUTION AWARDING 60-MONTH BLANKET CONTRACT FOR RUGGEDIZED LAPTOP COMPUTERS AND ACCESSORIES TO USAT CORPORATION, IN AN AMOUNT NOT TO EXCEED \$3,031,218.44.**

APPROVED

30. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11185, ENVIRONMENTAL CONSULTING SERVICES, WITH CENTER FOR TOXICOLOGY AND ENVIRONMENTAL HEALTH, IN THE FUNDED AMOUNT OF \$500,000.00. (THIS CHANGE IS TO INCREASE THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$500,000.00 NEEDED TO MAINTAIN COMPLIANCE WITH APPLICABLE ENVIRONMENTAL REGULATIONS. THE CURRENT CONTRACT TERM WILL REMAIN FOR THE PERIOD COVERING JANUARY 1, 2012 TO DECEMBER 31, 2012).**

APPROVED**MLGW ROLL CALL CONSENT ITEMS**

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

Lowery did not cast a vote
Brown was absent

APPROVED

(Special Item#5 – Item#40/Ord.#5448, was pulled from June 5, 2012 Minutes and held to 7/3/2012)

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

APPROVED

31. **APPOINTMENTS**

Memphis Stormwater Board

Appointments

David Berretta
Brett Dunagen (Held to 7/17)
Daniel Larson
Lori Morris (Held to 7/17)
Chooch Pickard
Robert J. Simpson
Emily Wiggins (Held to 7/17)

Memphis Wastewater Hearing Authority

Appointments

Helen Broughton
Roy E. Gunn
Stephen Patrick Harcourt
Darren Lippert
Shelton McGhee, Jr.
Paul Joseph Palazolo (Held to 7/17)
Kenneth J. Roberts
Lawrence (Larry) J. Smith
Brian Waldron

MOTION: Collins
SECOND: Ford

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

APPROVED, as amended

32. **ORDINANCE TO AMEND THE CITY CHARTER SO AS TO REQUIRE THE MAYOR AND COUNCIL TO ADOPT A FIVE YEAR STRATEGIC BUSINESS PLAN AND A SIX YEAR CONSOLIDATED BUDGET THAT INCLUDES BOTH THE OPERATING AND CAPITAL BUDGETS FOR THE CITY AND TO SUBMIT THE PROPOSED ORDINANCE TO THE QUALIFIED VOTERS OF THE CITY OF MEMPHIS AT THE FIRST GENERAL STATE ELECTION TO BE HELD NOVEMBER 8, 2012, UP FOR T H I R D AND F I N A L READING. (HELD FROM 2/7; 6/5; 6/19).**

Ordinance No. 5437

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

APPROVED, as amended

33. **ORDINANCE AMENDING CHAPTER 21, MOTOR VEHICLES AND TRAFFIC, MOTOR VEHICLE INSPECTION BUREAU, SECTION 21, 309, WAIVER PROVISIONS, TO PROVIDE FOR A FINANCIAL HARDSHIP WAIVER, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5457

(Councilman Hedgepeth made a motion to hold this item for (2) weeks), this was seconded by Councilman Harris. After further discussion, Councilman Hedgepeth withdrew his motion).

(Councilman Collins made a motion stating that if a vehicle fails the Diagnostic Testing, the Emission Tail Pipe test is to be done. If the vehicle passes the Emission, the vehicle passes Inspection. These changes will not be in effect until after the July 17th Meeting).

(Special Item #6)

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

APPROVED

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

APPROVED, as amended

34. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$2,686,989.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR YOUTH PROGRAMS. RESOLUTION ALSO AMENDS THE FY2013 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

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

APPROVED

35. **RESOLUTION APPROVING AND ACCEPTING THE TRANSFER OF THE ASSETS AND OPERATIONS OF THE SHELBY COUNTY HOUSING AUTHORITY TO THE MEMPHIS HOUSING AUTHORITY AND APPROVING THE MERGER OF THE SHELBY COUNTY HOUSING AUTHORITY WITH THE MEMPHIS HOUSING AUTHORITY.**

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

APPROVED

37. **RESOLUTION APPROVING AND RATIFYING PRIVATE CHAPTER NO. 75 OF THE TENNESSEE PRIVATE ACTS OF 2012 ENTITLED, "AN ACT TO AMEND CHAPTER 420 OF THE PRIVATE ACTS OF 1917; AS AMENDED BY CHAPTER 493 OF THE PRIVATE ACTS OF 1929, CHAPTER 372 OF THE PRIVATE ACTS OF 1933, CHAPTER 159 OF THE PRIVATE ACTS OF 1963, CHAPTER 385 OF THE PRIVATE**

ACTS OF 1974; AND ANY OTHER ACTS AMENDATORY THERETO, TO CHANGE THE NAME OF THE MEMPHIS AND SHELBY COUNTY CONVENTION CENTER TO THE MEMPHIS CONVENTION CENTER AND THE NAME OF THE MEMPHIS AND SHELBY COUNTY CONVENTION CENTER COMMISSION TO THE MEMPHIS CONVENTION CENTER COMMISSION, AND TO PROVIDE FOR THE APPOINTMENT OF THE COMMISSIONERS SOLELY BY THE MAYOR OF THE CITY OF MEMPHIS.

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

APPROVED

38. **RESOLUTION APPROVING THE COMPLETION OF PLANS AND SPECIFICATIONS AND TAKING OF BIDS FOR THE HOLMES AND TCHULAHOMA PARK, AS PART OF THE FISCAL YEAR 2012 CAPITAL IMPROVEMENT PROGRAM, CIP PROJECT NUMBER PK07091 AT ESTIMATED CONSTRUCTION COST OF \$1,500,000.00 FUNDED BY G.O. BONDS GENERAL.**

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

APPROVED

39. **RESOLUTION APPROPRIATING FUNDING FOR THE ORGANIZED CRIME UNIT DRUG FUND FOR FISCAL YEAR 2013 IN THE AMOUNT OF \$4,325,950.00.**

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

APPROVED

40. **RESOLUTION AMENDING THE FISCAL YEAR 2012 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$959,077.00 FUNDED BY SEWER REVENUE BONDS FROM REHAB EXISTING SEWERS, PROJECT NUMBER SW02001 TO SIPHON SEWER CLEANING, PROJECT NUMBER SW02100 TO**

INSPECT AND CLEAN SIPHONS WHICH CROSS UNDER WOLF RIVER AND NONCONNAH CREEK. RESOLUTION ALSO APPROPRIATES \$959,077.00 FUNDED BY SEWER REVENUE BONDS FOR SIPHON SEWER CLEANING, PROJECT NUMBER SW02100 FOR A CONSTRUCTION CONTRACT WITH ACE PIPE CLEANING, INC.

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

APPROVED

(Councilwoman Fullilove made a motion to approve Same Night Minutes for Item # 36 & Item #41 from tonight’s Meeting).

(Special Item #7)

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

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

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

Tamara Brown, 8354 Championship Drive, #103, Memphis, Tennessee 38125
Walter Broady, III, 4256 Ledbetter Cove, Memphis, Tennessee 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.

CHAIRMAN

Attest:

Deputy Comptroller/Council Records