

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

September 14, 2010

3:30 P.M. SCHEDULED SESSION

3:33 P.M. MEETING COMMENCED

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

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

INVOCATION

The meeting was opened with prayer by Elder Fred Love from Greater Community Temple COGIC. Chairman Collins presented Elder Love 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 August 24, 2010 with the following motion:

MOTION: Ford
SECOND: Ware

APPROVED, unanimous voice vote

- 1. **RESOLUTION HONORING DETECTIVE APRIL LEATHERWOOD FOR BEING NAMED TENNESSEE ASSOCIATION OF CHIEFS OF POLICE “OFFICER OF THE YEAR” FOR THE WESTERN DIVISION.**

MOTION: Conrad
 SECOND: Ware

APPROVED, unanimous voice vote

- 2. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTH SIDE OF KNIGHT ARNOLD ROAD; +/-300 FEET WEST OF NEW GETWELL ROAD, CONTAINING 7.34 ACRES IN THE SINGLE FAMILY RESIDENTIAL(R-S6) DISTRICT.**

Case No. SUP 10-221

Applicant: Signal Source, LLC
 Marion Threatt – Representative

Request: Special use permit to allow a cellular communications tower one-hundred fifty (150) feet in height with the capacity to accommodate a minimum of four (4) antennae

LUCB and OPD recommendation: APPROVAL, with conditions

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

APPROVED

- 40. **ORDINANCE REGULATING THE ENCROACHMENT OF CABLE AND VIDEO SERVICES IN THE CITY’S RIGHTS-OF WAY, UP FOR T H I R D AND F I N A L READING. (HELD FROM 7/6; 8/10).**

Held until October 12, 2010

- 41. **ORDINANCE TO AMEND CHAPTER 28, ARTICLE VI, DIVISION 3, OF THE CODE OF ORDINANCES, SO AS TO REDUCE THE NUMBER OF ALLOWABLE FALSE ALARMS, INCLUDE COSTS AND ADD NOTIFICATION PROCESS OF ALARM USER OPERATING WITHOUT A PERMIT, UP FOR T H I R D AND F I N A L READING. (HELD FROM 8/24)**

Ordinance No. 5374

Held until September 28, 2010

- 50. **RESOLUTION REQUESTING THE ADMINISTRATION TO PREPARE A REQUEST FOR PROPOSALS TO IDENTIFY INTERESTED PARTIES TO OPERATE THE REMAINING CITY-OWNED COMMUNITY CENTERS IN AN EFFORT TO INCREASE EFFICIENCIES. (HELD FROM 7/20; 8/10) “THIS ITEM WILL BE OFFICIALLY WITHDRAWN BY THE SPONSOR AT TONIGHT’S MEETING.”**

DROPPED

- 3. **RESOLUTION APPROVING A USE VARIANCE LOCATED ON THE EAST SIDE OF NORTH GRAHAM STREET AT QUEENSBURY CIRCLE, CONTAINING 3.88 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT.**

Case No. UV 10-09

Applicant: Streets Ministries
ETI Corporation – Representative

Request: Use variance to allow a Christian Neighborhood Recreation Center

LUCB and OPD recommendation: Approval, with conditions

MOTION: Ford

SECOND: Strickland

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

APPROVED

- 4. **ORDINANCE REZONING THE WEST SIDE OF WHITE STATION ROAD; 255 FEET NORTH OF POPLAR AVENUE, CONTAINING 0.679 ACRE IN THE GENERAL OFFICE (O-G) DISTRICT, UP FOR T H I R D AND F I N A L READING. (HELD FROM 8/10)**

Case No. Z 10-106
Ordinance No. 5369

Applicant: Jack Erb Company
SR Consulting, LLC – Cindy Reaves – Representative

Request: Local Commercial (C-L) District

LUCB and OPD recommendation: APPROVAL

MOTION: Ford

SECOND: Strickland

AYES: Brown, Conrad, Flinn, Ford, Fullilove, Halbert and Ware

Boyd, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins did not cast a vote

APPROVED

CONSENT AGENDA – Items 5 – 14 & 60 may be acted upon by one motion: SEE PAGE 1616 FOR ROLL CALL

5. **ORDINANCE TO AMEND CODE OF ORDINANCES OF THE CITY OF MEMPHIS PERTAINING TO THE BUDGET, SALARIES AND CONTRACTS OF THE MEMPHIS LIGHT, GAS AND WATER DIVISION TO INCREASE THE AMOUNT OF CONTRACTS REQUIRING APPROVAL OF THE CITY COUNCIL TO \$500,000.00, UP FOR F I R S T READING.**

Ordinance No. 5383

APPROVED, on First reading

6. **ORDINANCE TO REPEAL, IN ITS ENTIRETY, PREVIOUS ORDINANCE NO. 4388, CODIFIED AS CITY CODE, CHAPTER 2, DIVISION 5, SECTION 2-325 THRU SECTION 2-331 AND REPLACE WITH THE ATTACHED ORDINANCE INSERTED IN LIEU THEREOF AS A RESULT OF THE FINDINGS OF THE 2010 DISPARITY STUDY AS PERFORMED BY GRIFFIN & STRONG, PC, UP FOR F I R S T READING.**

Ordinance No. 5384

APPROVED, on First reading

7. **ORDINANCE TO AMEND CHAPTER 5, ANIMALS AND FOWL, SECTION 5-60 OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, TO REQUIRE DOG RESTRAINTS BY TIE-OUTS OR OVERHEAD CABLES TO BE IN ADDITION TO TRADITIONAL FENCING AND THAT DOGS RESTRAINED BY TIE-OUTS OR OVERHEAD CABLE RUNS BE SPAYED OR NEUTERED, UP FOR S E C O N D READING.**

Ordinance No. 5378

APPROVED, on Second reading

8. **ORDINANCE TO AMEND CHAPTER 5, ANIMALS AND FOWL, ARTICLE III.5, DANGEROUS/VICIOUS ANIMALS, OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, TO REQUIRE STERILIZATION OF DOGS WHO HAVE BITTEN AND DECLARE VICIOUS DOGS WHO HAVE BITTEN ONCE AND BEEN FOUND RUNNING AT LARGE TWICE, UP FOR S E C O N D READING.**

Ordinance No. 5379

APPROVED, on Second reading

9. **ORDINANCE TO AMEND CHAPTER 5, ANIMALS AND FOWL, OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, TO REQUIRE MANDATORY SPAYING AND NEUTERING OF CATS AND DOGS WEIGHING THIRTY POUNDS OR MORE, UP FOR S E C O N D READING.**

Ordinance No. 5380

APPROVED, on Second reading

10. **ORDINANCE REZONING THE SOUTHWEST CORNER OF NORTH DUNLAP STREET AND MOSBY AVENUE, CONTAINING 2.49 ACRES IN THE MULTIPLE DWELLING RESIDENTIAL (R-MM) AND LOCAL COMMERCIAL (C-L) DISTRICTS AND OVERLAY DISTRICTS: WINCHESTER PARK [WP] AND MEDICAL OVERLAY [MO] DISTRICTS, UP FOR F I R S T READING.**

Case No. Z 10-110
Ordinance No. 5385

APPROVED, on First reading

11. **ORDINANCE TO AMEND THE TEXT OF THE ZONING ORDINANCE, BY ADOPTING THE MIDTOWN DISTRICT OVERLAY AS A ZONING TEXT AMENDMENT, UP FOR S E C O N D READING.**

Case No. ZTA 10-001cc
Ordinance No. 5381

APPROVED, on Second reading

12. **ORDINANCE TO ADOPT THE COMPREHENSIVE REZONING, UP FOR S E C O N D READING.**

Case No. Z 10-112
Ordinance No. 5382

APPROVED, on Second reading

13. **RESOLUTION APPROVING FINAL PLAT OF GASKELL INDUSTRIAL SUBDIVISION, RESUBDIVISION OF LOT 3.**

Case No. S 08-021

Resolution approves the final plat located on the west side of New Getwell Road, south of Premier Avenue.

City Engineer recommends approval

APPROVED

14. **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 10-310 – CVS Pharmacy
- B. Case No PD 10-312 – Frayser Business Center P.D., Amended

Public Hearing Set for September 28, 2010

60. **RESOLUTION RECOGNIZING OCTOBER 4-8, 2010 AS MINORITY ENTERPRISE DEVELOPMENT WEEK.**

APPROVED

ROLL CALL CONSENT ITEMS

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

APPROVED

MLGW FISCAL CONSENT – Items 16 - 37 may be acted upon by one motion:

15. **RESOLUTION AWARDDING CONTRACT NO. 11406, MANAGED PRESCRIPTION DRUG PROGRAM, TO MEDCO HEALTH IN THE FUNDED AMOUNT OF \$53,869,000.00.**

Held until September 28, 2010

16. **RESOLUTION AWARDDING CONTRACT NO. 11424, CERTIFIED LABORATORY FOR DRUG TESTING, TO ADVANCED TOXICOLOGY NETWORK IN THE FUNDED AMOUNT OF \$24,000.00.**

APPROVED

17. **RESOLUTION AWARDDING CONTRACT NO. 11427, AUDIOLOG RECORDERS UPGRADE, TO CAROLINA RECORDING SYSTEM IN THE FUNDED AMOUNT OF \$448,651.00.**

APPROVED

18. **RESOLUTION AWARDDING CONTRACT NO. 11443, TIRE AND TIRE REPAIR SERVICE, TO SOUTHERN TIRE MART, LLC, IN THE FUNDED AMOUNT OF \$532,546.40.**

APPROVED

19. **RESOLUTION AWARDING CONTRACT NO. 11459, LCPTRACKER SOFTWARE, TO LCPTRACKER, INC. IN THE FUNDED AMOUNT OF \$59,935.00.**

APPROVED

20. **RESOLUTION APPROVING CHANGE NO. 8 TO CONTRACT NO. 11028, SECURITY SERVICES, WITH CDA, INC. IN THE FUNDED AMOUNT OF \$651,409.78. (THIS COVERS A 90-DAY EXTENSION, OCTOBER 1, 2010 TO DECEMBER 31, 2010, WITH NO INCREASE IN RATES, CONTINGENT UPON CDA'S ACCEPTANCE OF THE TERMS AND CONDITIONS UNDER THE CURRENT CONTRACT).**

APPROVED

21. **RESOLUTION AWARDING CONTRACT FOR TRANE CHILLER R'NEWAL TO TRANE IN THE AMOUNT OF \$52,362.00.**

APPROVED

22. **RESOLUTION AWARDING CONTRACT FOR MICROSOFT SOFTWARE LICENSES TO DELL MARKETING LP IN THE AMOUNT OF \$117,769.23.**

APPROVED

23. **RESOLUTION AWARDING CONTRACT FOR REMOTE TERMINAL UNITS TO TELVENT USA CORPORATION IN THE AMOUNT OF \$177,250.00.**

APPROVED

24. **RESOLUTION AWARDING CONTRACT FOR SWITCHGEAR TO STUART C. IRBY IN THE AMOUNT OF \$224,636.00.**

APPROVED

25. **RESOLUTION AWARDING CONTRACT FOR RECLOSERS TO G & W ELECTRIC COMPANY C/O POWER CONNECTIONS, INC. IN THE AMOUNT OF \$239,550.00.**

APPROVED

26. **RESOLUTION AWARDING CONTRACT FOR SMART SWITCHES AND CONTROLS TO STUART C. IRBY IN THE AMOUNT OF \$436,200.00.**

APPROVED

27. **RESOLUTION AWARDING CONTRACT NO. 11393, NETWORK MAINTENANCE, TO VENTURE TECHNOLOGIES, INC. IN THE FUNDED AMOUNT OF \$669,311.17.**

APPROVED

28. **RESOLUTION APPROVING CHANGE NO. 9 TO CONTRACT NO. 10765, PRIVATE LABEL SERVICE AGREEMENT, WITH ACLARA SOFTWARE IN THE FUNDED AMOUNT OF \$127,500.00. (THIS CHANGE COVERS CUSTOMIZATION OF RESIDENTIAL LOAD PRESENTMENT MODULE, INCLUDING TIME-BASED ELECTRIC INTERVAL METER DATA PRESENTMENT, ELECTRIC BILL-TO-DATE AND RATE COMPARISON TOOLS IN MY ACCOUNT FOR ACCESS BY HOUSEHOLDS PARTICIPATING IN MLGW'S SMART GRID DEMONSTRATIONS. THIS CHANGE INCLUDES ALL FEES TO HOST THIS TOOL THROUGH DECEMBER 2012).**

APPROVED

29. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11240, INFLUENZA VACCINE, WITH METHODIST HEALTHCARE ALLIANCE HEALTH SERVICES IN THE FUNDED AMOUNT OF \$32,000.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE THIRD OF FOUR RENEWAL TERMS, OCTOBER 20, 2010 TO OCTOBER 19, 2011, WITH NO INCREASE IN RATES).**

APPROVED

30. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11437, EMERGENCY AID AGREEMENT, WITH STANDARD ELECTRIC COMPANY IN THE FUNDED AMOUNT OF \$78,464.13. (THIS CHANGE COVERS WORK PERFORMED AS A RESULT OF THE STORMS ON APRIL 26, 2010 IN THE AMOUNT OF \$50,243.83 AND MAY 2, 2010 IN THE AMOUNT OF \$28,220.30).**

APPROVED

31. **RESOLUTION AWARDING CONTRACT FOR LEAKAGE DETECTION SYSTEM TO FLUID CONSERVATION SYSTEMS IN THE AMOUNT OF \$74,650.00.**

APPROVED

32. **RESOLUTION AWARDING CONTRACT FOR SONET MULTIPLEXERS TO GE CONSUMER & INDUSTRIAL IN THE AMOUNT OF \$206,600.00.**

APPROVED

33. **RESOLUTION APPROVING EMPLOYMENT OF AMERICAN DISABILITIES CONSULTANTS, INC. ON AN AS- NEEDED BASIS AT AGREED-UPON HOURLY RATES.**

APPROVED

34. **RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN MLGW AND BELZ INVESTCO GP FOR PROPERTY LOCATED AT 5791 SUMMER TREES, COVERING A FIVE-YEAR TERM, IN AN AMOUNT NOT TO EXCEED \$1,617,233.00.**

APPROVED

35. **RESOLUTION AWARDED 24-MONTH CONTRACT FOR ACSR WIRE TO UNIVERSAL SCAFFOLDING & EQUIPMENT, LLC IN THE AMOUNT OF \$594,079.38.**

APPROVED

36. **RESOLUTION APPROVING APPROPRIATION OF \$259,160.00 TO PURCHASE SODIUM HYPOCHLORITE.**

APPROVED

37. **RESOLUTION GIVING MLGW'S VICE PRESIDENT AND GENERAL COUNSEL CONTRACT AUTHORITY IN THE AMOUNT OF \$30,404.00 FOR A CLAIMS SETTLEMENT.**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

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

APPROVED

(Councilman Brown did a Special Presentation to International Visitors from Africa)

38. **APPOINTMENTS**

MEMPHIS CITY BEAUTIFUL COMMISSION

REAPPOINTMENTS

CHARLES M. GREEN
THOMAS NOLAN
VALESA S. J. WELLS

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

APPROVED

39. **RESOLUTION ESTABLISHING THE MEMPHIS LIGHT GAS AND WATER DIVISION IN LIEU-OF TAX PAYMENT TO THE CITY OF MEMPHIS FOR FISCAL YEAR 2011. (HELD FROM 6/8; 6/22)**

Held until September 28, 2010

42. **ORDINANCE TO AMEND CHAPTER 2 CODE OF ORDINANCES, CITY OF MEMPHIS TO AMEND CERTAIN SECTIONS OF 2-291 RELATING TO REAL PROPERTY, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5375

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

APPROVED

43. **RESOLUTION APPROPRIATING \$42,000.00 FOR MATA, FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT NUMBER GA03001, SERVICE VEHICLES, TO FUND THE LOCAL SHARE FOR THE PURCHASE OF SERVICE VEHICLES IN FISCAL YEAR 2010 AS PART OF THE FISCAL YEAR 2011 CAPITAL IMPROVEMENT BUDGET.**

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

APPROVED

44. **RESOLUTION APPROPRIATING \$80,000.00 FOR MATA, FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT NUMBER GA03022, ADVANCED PUBLIC TRANSPORTATION SYSTEMS, TO FUND THE LOCAL SHARE OF COSTS AS PART OF THE FISCAL YEAR 2011 CAPITAL IMPROVEMENT BUDGET.**

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

APPROVED

45. **RESOLUTION APPROPRIATING \$5,250,000.00 FOR MATA, FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT NUMBER GA03018, PREVENTIVE MAINTENANCE, TO FUND COSTS FOR MAINTENANCE OF CAPITAL ASSETS FOR MATA IN FISCAL YEAR 2011 AS PART OF THE FISCAL YEAR 2011 CAPITAL IMPROVEMENT BUDGET.**

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

APPROVED

46. **RESOLUTION APPROPRIATING \$400,000.00 IN OTHER PROJECT COST FUNDED BY G.O. BONDS GENERAL TO CONTINUE THE IMPLEMENTATION OF THE URBAN ART PLAN, CIP PROJECT NUMBER EN01003, CHARGEABLE TO THE FY 2011 CAPITAL IMPROVEMENT BUDGET.**

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

APPROVED

47. **RESOLUTION APPROPRIATING THE SUM OF \$2,300,000.00 OF THE FY 2011 CAPITAL IMPROVEMENT BUDGET FOR THE MHA-LEGENDS PARK (DIXIE HOMES) PROJECT TO PROVIDE FUNDING FOR ON-SITE CONSTRUCTION, INFRASTRUCTURE IMPROVEMENTS, SITE PREPARATION AND RELATED ACTIVITIES.**

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

Boyd, Brown and Morrison did not cast a vote

APPROVED

48. **RESOLUTION SUPPORTING THE DEVELOPMENT PLANS FOR LAMAR TERRACE HOPE VI, ALSO KNOWN AS THE UNIVERSITY PLACE REVITALIZATION PROJECT, INCLUDING THE PARCELS AND LAND SET ASIDE FOR A CITY OF MEMPHIS POLICE SUBSTATION.**

MOTION: Fullilove

SECOND: Ford

AYES: Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Ware and Chairman Collins

NAY: Strickland

Boyd, Brown, Lowery and Morrison did not cast a vote

APPROVED

49. **RESOLUTION AMENDING THE FY2011 OPERATING BUDGET TO RE-INSTATE THE PRIOR YEAR FUNDING LEVEL OF THE TUITION REIMBURSEMENT PROGRAM BY TRANSFERRING AN ALLOCATION AND APPROPRIATION OF \$902,211.00 ACROSS THE HUMAN RESOURCES DIVISION LEGAL LEVELS AND OPERATING CATEGORIES. (HELD FROM 8/24).**

Sent Back to Committee on September 28, 2010

51. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$1,000.00 FROM THE COMMUNITY FOUNDATION OF MIDDLE TENNESSEE FOR THE 2010 G.R.E.A.T. SUMMER CAMP PROGRAM. THE CITY OF MEMPHIS DIVISION OF POLICE SERVICES IS THE FISCAL AGENT FOR THE AWARD. RESOLUTION ALSO AMENDS THE FY 2011 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Lowery

SECOND: Fullilove

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

Boyd, Brown and Hedgepeth did not cast a vote

APPROVED

52. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$43,878.00 FROM THE U.S. DEPARTMENT OF JUSTICE – BUREAU OF JUSTICE ASSISTANCE FOR THE 2009 PROJECT SAFE NEIGHBORHOODS (PSN) AWARD. THE AWARD TO THE CITY OF MEMPHIS DIVISION OF POLICE SERVICES IS A SUB AWARD THROUGH THE UNIVERSITY OF MEMPHIS. RESOLUTION ALSO AMENDS THE FY 2011 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT**

FUNDS.

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

APPROVED

53. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$101,875.00 FROM THE U.S. DEPARTMENT OF JUSTICE – BUREAU OF JUSTICE ASSISTANCE FOR THE 2010 PROJECT SAFE NEIGHBORHOODS (PSN) AWARD. THE CITY OF MEMPHIS DIVISION OF POLICE SERVICES IS THE FISCAL AGENT FOR THE AWARD AND WILL SUB AWARD TO THE DISTRICT ATTORNEY GENERAL'S OFFICE. RESOLUTION ALSO AMENDS THE FY 2011 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

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

APPROVED

54. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$323,083.00 FROM THE U.S. DEPARTMENT OF JUSTICE – BUREAU OF JUSTICE ASSISTANCE FOR THE 2009 CONGRESSIONALLY SELECTED AWARD FOR THE PROJECT ENTITLED, "OPERATION SAFE COMMUNITY: DATA DRIVEN STRATEGIES TO REDUCE VIOLENT AND GANG CRIME." THE AWARD TO THE CITY OF MEMPHIS DIVISION OF POLICE SERVICES IS A SUB AWARD THROUGH THE UNIVERSITY OF MEMPHIS. RESOLUTION ALSO AMENDS THE FY 2011 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

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

APPROVED

55. **RESOLUTION REQUESTING THE ADMINISTRATION TO REMOVE FUNDING FROM PROPOSED FY 2011 O&M BUDGET TO COVER COSTS ASSOCIATED WITH VEHICLE INSPECTIONS. (HELD FROM 4/13; 5/11; 6/22; 7/20; 8/10).**

WITHDRAWN

56. **RESOLUTION AMENDING THE FY 2011 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$3,499,722.00 FUNDED BY FEDERAL GRANT FUNDS FROM AMERICAN RECOVERY AND REINVESTMENT ACT FROM ARRA REPAVING, PROJECT NUMBER PW01198 TO ARRA REPAVING GROUP – 3, PROJECT NUMBER PW01205. RESOLUTION ALSO APPROPRIATES \$3,499,722.00 FUNDED BY FEDERAL GRANT FUNDS IN ARRA REPAVING GROUP – 3, PROJECT NUMBER PW01205 FOR A CONSTRUCTION CONTRACT WITH APAC – TENN.**

MOTION: Hedgepeth

SECOND: Morrison

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

APPROVED

57. **RESOLUTION ACCEPTING FEDERAL GRANT FUNDS FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION AND ESTABLISHING AN ALLOCATION IN THE AMOUNT OF \$500,000.00 FOR ENGINEERING ACTIVITIES AND \$975,312.00 FOR CONSTRUCTION IN ELVIS PRESLEY/SHELBY/WINCHESTER, PROJECT NUMBER PW01064. RESOLUTION ALSO AMENDS THE FY 2011 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING ALLOCATIONS AND APPROPRIATIONS IN THE AMOUNT OF \$444,600.00 IN FEDERAL GRANT FUNDS AND \$144,320.00 IN G.O. BONDS GENERAL FROM US 51/ELVIS PRESLEY BLVD., PROJECT NUMBER PW01210 TO ELVIS PRESLEY/SHELBY/WINCHESTER, PROJECT NUMBER PW01064.**

MOTION: Hedgepeth

SECOND: Fullilove

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

APPROVED

58. **RESOLUTION BY THE MEMPHIS CITY COUNCIL THAT THE MEMPHIS COOK CONVENTION CENTER AND THE CONVENTION AND VISITORS BUREAU SUPPORT THE FIRST MEMPHIS COMIC AND FANTASY CONVENTION AND PROVIDE AS MUCH ASSISTANCE AS WE ARE ABLE TO ENSURE THAT THIS EVENT WILL BECOME A YEARLY TRADITION IN OUR CITY WHICH WILL GROW BIGGER THAN THE LAST.**

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

APPROVED

59. **RESOLUTION BY THE MEMPHIS CITY COUNCIL THAT ALL STADIUM STAKEHOLDERS INCLUDING THE UNIVERSITY OF MEMPHIS, SOUTHERN HERITAGE CLASSIC AND THE AUTOZONE LIBERTY BOWL HAVE THE RIGHT AND DISCRETION TO FULL ACCESS TO THE AREA FORMERLY KNOWN AS THE LIBERTYLAND SITE AND TO USE IT AS IT SO DESIRES.**

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

APPROVED

(Special Item #1- Appointment of Dr. William Hickerson to the Healthcare Oversight Committee)

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

APPROVED

(Special Item #2 – Councilwoman Halbert made a motion to add the MCS Budget to tonight’s Agenda. This was seconded by Councilman Lowery)

RESOLUTION APPROVING \$891,717,277.00, AS REQUESTED BY THE BOARD OF EDUCATION OF THE MEMPHIS CITY SCHOOLS, FOR THE 2010-2011 YEARS.

(Special Item #3 – Councilman Flinn offered an amendment and a Substitute Resolution to MCS Budget)

RESOLUTION APPROPRIATING \$9,100,000.00 FOR THE 2010-2011 GENERAL FUND BUDGET FOR MCS, AND MCS SHALL NOT BE AUTHORIZED TO USE ANY ADDITIONAL AMOUNTS FROM ITS ACCUMULATED FUND BALANCE WITHOUT APPROVAL FROM THE CITY COUNCIL.

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

APPROVED, as amended

(Special Item #4 – Same Night Minutes for Items #35, #36, & #37 from tonight’s meeting)

MOTION: Fullilove
 SECOND: Strickland

APPROVED, unanimous voice vote

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

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

ADJOURNED MEETING AT 5:30 P.M.

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

CHAIRMAN

Attest:

Deputy Comptroller/Council Records