



## Memphis City Council Summary Sheet

Resolution to transfer allocations from Fire Station Repair (FS02001) to Fire Station Repair Coverline (FS17100); transfer allocations from Fire Station Repair Coverline (FS17100) and appropriate G. O. Bonds in Capital Project FS17101 Fire Station 24, 37, 59 Alterations in the amount of \$447,728.00.

1. This item is a resolution to transfer an allocation from Fire Station Repair (FS02001) to Fire Station Repair Coverline (FS17100) and to transfer an allocation from Fire Station Repair Coverline (FS17100) and appropriate G. O. Bonds for Fire Station 24,37, 59 Alterations (FS17101).
2. Fire Service is initiating this resolution.
3. The original contract was awarded to Barnes & Brower, Inc.
4. This item requires an appropriation of G.O. Bonds that were allocated in the FY17 Capital Improvement Budget.



## RESOLUTION

**WHEREAS**, the Council of the City of Memphis approved FY17 Fire Station Repair, project number FS02001 as part of the Fiscal Year 2017 Capital Improvement Budget; and

**WHEREAS**, it is necessary to transfer the carry forward amount of \$61,307 and new funding amount of \$1,916,135 from FS02001 to FS17100, a newly established cover line for fire station repairs. This cover line will allow transparency and will be used to fund and identify the fire stations under repair.

**WHEREAS**, \$447,728.00 is needed for alterations at fire station 24, 37, and 59 performed by Fire Services; and

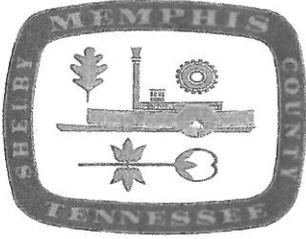
**WHEREAS**, it is necessary to transfer an allocation of \$447,728.00 funded by G.O. Bonds from FY17 Fire Station Repair Coverline FS17100 to FY17 Fire Station 24, 37, and 59 Alterations, project number FS17101; and

**WHEREAS**, it is necessary to appropriate \$447,728.00 funded by G.O. Bonds for FY17 Fire Station 24, 37, and 59 Alterations, project number FS17101

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the Fiscal Year 2017 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$447,728.00 funded by G.O. Bonds from FY17 Fire Station Coverline, project number FS17100 to FY17 Fire Station 24, 37, and 59 Alterations, project number FS17101 performed by Fire Services.

**BE IT FURNER RESOLVED**, that there be and is hereby appropriated the sum of \$447,728.00 in G.O. Bonds chargeable to the Fiscal Year 2017 Capital Improvement Budget and credited as follows:

<b>Project Title:</b>	<b>FY17 Fire Station 24, 37, and 59 Alterations</b>
<b>Project Number:</b>	<b>FS17101</b>
<b>Amount:</b>	<b>\$447,728.00</b>



## Memphis City Council Summary Sheet

**1. Description of the Item ( Resolution, Ordinance, etc)**

**Accept a donation of two (2) 9483 Netclocks, installaton, and configuration from Shelby County 911 District to be used by Fire Communications to provide a dependable, accurate, master time source for all services and computers within the Fire Department.**

**2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**

**Fire Services**

**3. State whether this is a change to an existing ordinance or resolution, if applicable.**

**No change to an existing ordinance or resolution**

**4. State whether this requires a new contract, or amends an existing contract, if applicable.**

**Does not require a new contract or amendment to an existing contract**

**5. State whether this requires an expenditure of funds/requires a budget amendment.**

**Does not require an expenditure of funds or a budget amendment**



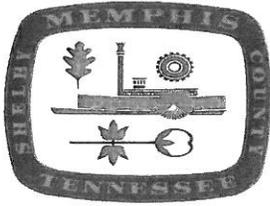
## RESOLUTION

**WHEREAS**, the City of Memphis Division of Fire Services has been awarded a donation of two (2) 9483 Netclocks, installation, and configuration from Shelby County 911 District. All donations have an estimated value of Twenty Thousand Seven Hundred Twenty-Five Dollars (\$20,725.00); and

**WHEREAS**, the donations are designated to be used by Fire Communications to provide a dependable, accurate, master time source for all servers and computers within the Fire Department; and

**WHEREAS**, it is necessary to accept the donation; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the donation of two (2) 9483 Netclocks, installation, and configuration be accepted by the City of Memphis.



## Memphis City Council Summary Sheet

1. Resolution seeking acceptance of a donation in the amount of \$100.00 from Ms. Emma J. Phillips as awarded to the City of Memphis Police Department for funding Police Services' operational activities.
2. The City of Memphis Division of Police Services is awarded these funds and will serve as the fiscal agent.
3. Resolution will not change an existing ordinance or resolution.
4. Resolution will not require a new contract or amendment to an existing contract.
5. Resolution will require an expenditure of funds equal to the amount of the donation but will not require a budget amendment.



## RESOLUTION

**WHEREAS**, the City of Memphis Division of Police Services has been awarded a donation in the amount of One Hundred Dollars and 00/100 (\$100.00) from Ms. Emma J. Phillips; and

**WHEREAS**, the donation is to be used to fund police operational activities; and

**WHEREAS**, it is necessary to accept the donation and amend the Fiscal Year 2017 Operating Budget to establish funds; and

**WHEREAS**, it is necessary to appropriate the funds in the amount of One Hundred Dollars and 00/100 (\$100.00) received from St. Luke's United Methodist Church as stated in this resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that a donation in the amount of One Hundred Dollars and 00/100 (\$100.00) be accepted by the City of Memphis.

**BE IT FURTHER RESOLVED**, that the Fiscal year 2017 Operating Budget be and is hereby amended by appropriating the Revenues for the various donations as follows:

### REVENUES

#### Miscellaneous Revenue (049623)

Raines Precinct	140302-049623	\$100.00
-----------------	---------------	----------

### EXPENDITURES

#### Miscellaneous Revenue (052342)

Raines Precinct	140302-052342	\$100.00
-----------------	---------------	----------



## Memphis City Council Summary Sheet

1. Resolution seeking acceptance of donations in the amount of \$200.00 from B&P Beauty Supply 2 as awarded to the City of Memphis Police Department for funding Police Services' operational activities.
2. The City of Memphis Division of Police Services is awarded these funds and will serve as the fiscal agent.
3. Resolution will not change an existing ordinance or resolution.
4. Resolution will not require a new contract or amendment to an existing contract.
5. Resolution will require an expenditure of funds equal to the amount of the donation but will not require a budget amendment.



## RESOLUTION

**WHEREAS**, the city of Memphis Division of Police Services has been awarded a donation in the amount of two hundred dollars and 0/100 (\$200.00) from B&P Beauty Supply 2; and

**WHEREAS**, the donation is to be used to fund police operational activities; and

**WHEREAS**, it is necessary to accept the donation and amend the Fiscal Year 2017 Operating Budget to establish funds; and

**WHEREAS**, it is necessary to appropriate the funds in the amount of two hundred dollars 0/100 (\$200.00) received from B&P Beauty Supply 2 as stated in this resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the donation in the amount of two hundred 0/100(\$200.00); be accepted by the City of Memphis.

**BE IT FURTHER RESOLVED**, that the Fiscal year 2017 Operating Budget be and is hereby amended by appropriating the Revenues for the various donations as follows:

### REVENUES

#### Miscellaneous Revenue (049623)

Ridgeway Precinct	140311-049623	\$200.00
-------------------	---------------	----------

### EXPENDITURES

#### Miscellaneous Services (052950)

Ridgeway Precinct	140311-052950	\$200.00
-------------------	---------------	----------

**ATTACHMENT A**

<b>Donor</b>	<b>Amount</b>	<b>Purpose</b>	<b>Recipient Unit</b>
B&P Beauty Supply 2	\$200.00	Donation	Ridgeway Station



## Memphis City Council Summary Sheet

1. Resolution seeking acceptance of a donation:

- It is the intent of J.M. Smucker Company, to purchase (1) SkyCop Security Enclosure w/(2) Pan/tilt/Zoom cameras, flashing blue lights and SkyCop Logos
- (1) Verizon Wireless Cellular
- (2) MLGW-Pole Permit Fees
- The cumulative total of the complete donation has an estimated value of Seven Thousand Two Hundred Six Dollars and 36/100 (\$7,206.36) after installation.
- The donor is the Memphis/Shelby County Law Enforcement Foundation. **(See Exhibit A)**

2. The City of Memphis Division of Police Services is awarded the equipment valued at Seven Thousand Two Hundred Six Dollars and 36/100 (\$7,206.36) and will serve as the fiscal agent.

3. Resolution will not change an existing ordinance or resolution.

4. Resolution will not require a new contract or amendment to an existing contract.

5. Resolution will not require an expenditure of funds or a budget amendment.



## RESOLUTION

**WHEREAS**, it is the intent of J.M. Smucker Company, to purchase one (1) SkyCop Security Enclosure w/ Cameras, compatible with existing MPD equipment, to be installed at the corner of Edison cove and Cromwell, 38118. Through the agreement with SkyCop, Inc., J.M. Smucker Company, will obtain the camera system and donate the equipment to MPD through the Memphis/Shelby County Law Enforcement Foundation.

**WHEREAS**, the City of Memphis Division of Police Services Real Time Crime Center has been awarded (1) SkyCop® Security Enclosure w/Cameras, (1) Verizon Wireless Service, and (1) MLGW pole permit. The cumulative total of the complete donation has an estimated value Seven Thousand Two Hundred Six Dollars and 36/100 (\$7,206.36) after installation. The donor is the Memphis/Shelby County Law Enforcement Foundation. **(See Exhibit A)**

**WHEREAS**, the equipment becomes the property of MPD after one year warranty period, and

**WHEREAS**, the donations are designated for use at 4789 Cromwell, 38118; and

**WHEREAS**, it is necessary to accept the donations; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the donation of SkyCop® cameras with a total value of Seven Thousand Two Hundred Six Dollars and 36/100 (\$7,206.36); be accepted by the City of Memphis

## EXHIBIT A



Kim Newton  
4740 Burbank Road  
Memphis, TN 38118  
(901) 542-5830  
[kim.newton@jmsmucker.com](mailto:kim.newton@jmsmucker.com)

*Since 1897*

08/31/2016

Director of Police Services  
Memphis Police Department  
201 Poplar Avenue, Ste. 12-16  
Memphis TN, 38103-1945  
(901) 636-3700

Dear Director Michael W. Rallings,

Subject: Donation of SkyCop Systems

For more than 40 years, The J.M. Smucker Company has been pleased to be a part of the Memphis business community. In 2012, we announced the decision to consolidate our fruit spread production and close the Memphis facility. However, in 2013, due to increased production requirements for our peanut butter products, we made the decision to continue operations in Memphis and expand manufacturing to focus on peanut butter. This significant investment included increasing production, updating our facilities, and committing to retain more than 100 jobs. While we remain dedicated to the region, we are extremely concerned by the increasing crime rate near our Memphis campus, especially our property located at 4789 Cromwell Avenue.

The safety of our employees, visitors, and the community is of paramount importance to us. In recent years, we have witnessed the dramatic increase of serious crimes in this area, and in response, have taken a number of steps to improve security on our grounds. Protective measures include the hiring of additional security personnel, the construction of an eight-foot-fence around the perimeter of our facility, restricting access to our employee parking lot, and updating our exterior lighting. In addition, we are working closely with the Manager of Corporate Security at our headquarters in Ohio to identify other ways in which we can improve security at our Memphis campus to ensure the safety of our employees.

Adding to our concern, the night club at 4798 Cromwell Avenue has reopened. The club, formerly operating under the name El Paraiso Del Amor, was closed in 2008 following recurring issues related to gun violence, gang activity, and vandalism. While El Paraiso Del Amor was open, our property at 4789 Cromwell Avenue was struck by gunfire on numerous occasions. It is



*Since 1897*

our fear that increased foot traffic and night life activity will contribute negatively to crimes committed near, and to, our facility.

We will continue to do all that we can to uphold our commitment to providing our employees a safe working environment. We believe that implementing SkyCop Security Cameras will discourage dangerous activity, and assist law enforcement in identifying violators should it continue.

Through an agreement with SkyCop, Inc., we will obtain the security systems with a one-year warranty. We will donate the camera equipment to MPD through the Memphis and Shelby County Law Enforcement Foundation. All camera signals and video data will be provided directly to MPD for its access. We will also donate funds to cover 12 months of MPD's Verizon wireless service plan, at \$39.99 per month, for connectivity to the Real Time Crime Center.

We request your approval of the donation and confirmation that the systems will remain in this area.

Sincerely,

Kim Newton

Plant Manager, Memphis  
The J.M. Smucker Company

Thank you,



# Quote

Quote Number: 476

Payment Terms: 50% Down Payment with 50% Due upon Completion  
Expiration Date: 09/28/2016

### Quote Prepared For

David Peterson  
J.M. Smucker Company  
One Strawberry Lane  
Orrville, OH 44667  
Phone:(330) 684-3740  
Dave.Peterson@jmsmucker.com

### Quote Prepared By

Ken Shackelford  
SCI TECHNOLOGIES INC  
3736 Getwell Cove  
Memphis, Tennessee 38118  
Phone:9014102151  
Fax:  
[Kshackelford@skycopinc.com](mailto:Kshackelford@skycopinc.com)  
TN License # 1899

Item#	Quantity	Item	Unit Price	Unit Discount	Adjusted Unit Price	Extended Price
<b>One-Time Items</b>						
1)	1	SC-123-2PTZ-2TB SkyCop Patented Security Enclosure w/ (2) 1080P Pan/Tilt/Zoom Cameras, Edge Recording w/ 2TB Hard Drive, Surge Protection, Industrial-Grade 4G LTE Embedded Router, Flashing Blue Lights, and MPD/SkyCop Logos	\$6,238.27	\$0.00	\$6,238.27	\$6,238.27
2)	1	MLG&W Pole Permit Fee This is a one time charge from MLGW	\$488.09	\$0.00	\$488.09	\$488.09
3)	1	Verizon Wireless Cellular Service 12 Months of Verizon Wireless Service (MPD Data Plan)	\$480.00	\$0.00	\$480.00	\$480.00
<b>One-Time Subtotal</b>						<b>\$7,206.36</b>
<b>Total</b>						<b>\$7,206.36</b>

Authorizing Signature

Date

08/30/2016

Interest Charges on Past Due Accounts and Collection Costs Overdue amounts shall be subject to a monthly finance charge. In addition, customer shall reimburse all costs and expenses for attorney's fees incurred in collecting any amounts past due. Additional training or Professional Services can be provided at our standard rates.



## Memphis City Council Summary Sheet

1. Resolution seeking acceptance of a donation:

- It is the intent of Andrew J. Groveman, Ransom Lane to purchase (2) SkyCop Security Enclosure w/(2) fixed, (1) License Plate Reader (LPR) cameras, flashing blue lights and SkyCop Logos
- (1) Integrated Automatic License Plate Recognition (ALPR)
- (2) Verizon Wireless MPD air card
- (2) MLGW-Pole Permit Fees
- (2) SkyCop System Health Monitoring
- The cumulative total of the complete donation has an estimated value of Twenty One Thousand Six Hundred Fifty Five Dollars and 87/100 (\$21,655.87) after installation.
- The donor is the Memphis/Shelby County Law Enforcement Foundation. **(See Exhibit A)**

2. The City of Memphis Division of Police Services is awarded the equipment valued at Twenty One Thousand Six Hundred Fifty Five Dollars and 87/100 (\$21,655.87) and will serve as the fiscal agent.

3. Resolution will not change an existing ordinance or resolution.

4. Resolution will not require a new contract or amendment to an existing contract.

5. Resolution will not require an expenditure of funds or a budget amendment.



## RESOLUTION

**WHEREAS**, it is the intent of Andrew Groveman, Ransom Lane, 38120 to purchase two (2) SkyCop Security Enclosure w/ Cameras, compatible with existing MPD equipment, to be installed on Ransom Lane, 38120 . Through the agreement with SkyCop, Inc., Ransom Lane Residents, will obtain the camera system and donate the equipment to MPD through the Memphis/Shelby County Law Enforcement Foundation.

**WHEREAS**, the City of Memphis Division of Police Services Real Time Crime Center has been awarded (2) SkyCop® Security Enclosure w/Cameras, one (1) with License Plate Reader (LPR), flashing blue lights and SkyCops Logos, (1) Integrated Automatic License Plate Recognition (ALPR), (2) Verizon Wireless MPD air cards, (2) MLGW pole permits and (2) SkyCop System Health Monitoring. The cumulative total of the complete donation has an estimated value Twenty One Thousand Six Hundred Fifty Five Dollars and 87/100 (\$21,655.87) after installation. The donor is the Memphis/Shelby County Law Enforcement Foundation. **(See Exhibit A)**

**WHEREAS**, the equipment becomes the property of MPD after one year warranty period, and

**WHEREAS**, the donations are designated for use at Ransom Lane, 38120; and

**WHEREAS**, it is necessary to accept the donations; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the donation of SkyCop® cameras with a total value of Twenty One Thousand Six Hundred Fifty Five Dollars and 87/100 (\$21,655.87); be accepted by the City of Memphis

## **EXHIBIT A**

**Andrew J. Groveman  
330 Ransom Lane  
Memphis, Tennessee 38120**

August 1, 2016

Director Michael W. Rallings  
Memphis Police Department  
201 Poplar Avenue  
Memphis, Tennessee 38103

Subject: Donation of SkyCop System

Dear Director Rallings,

The residents of Ransom Lane appreciate the brave officers of the Memphis Police Department and the Appling Farms Station precinct who work diligently to protect our community.

We have worked hard to raise funding to procure two SkyCop camera systems for our neighborhood in a desire to improve its security. We believe that implementing the additional SkyCop Security Cameras will help deter crime, while providing your department with valuable equipment that may not otherwise be available.

Through an agreement with SkyCop, Inc., we will obtain the security system with a one-year warranty. We will donate the camera equipment to MPD through the Memphis and Shelby County Law Enforcement Foundation.

All camera signals and video data will be provided directly to MPD for its access. We will also donate funds to cover 12 months of MPD's Verizon wireless service plan, at \$39.99 per month, for connectivity to the Real Time Crime Center.

We request your approval of the donation and confirmation that the system will remain in place for use and access by your department.

Sincerely,



Andrew J. Groveman

Enclosure

cc: Lieutenant Joseph Patty



# Quote

Quote Number: 444

Payment Terms:  
Expiration Date: 08/24/2016

## Quote Prepared For

**Andy Groveman**  
Ransom Lane  
330 Ransom LN.  
Memphis, TN 38120  
Phone:(901)484-1344  
andy.groveman@belz.com

## Quote Prepared By

**Ken Shackelford**  
**SCI TECHNOLOGIES INC**  
3736 Getwell Cove  
Memphis, Tennessee 38118  
Phone:9014102151  
Fax:  
[Kshackelford@skycopinc.com](mailto:Kshackelford@skycopinc.com)  
TN License #1899

Item#	Quantity	Item	Unit Price	Unit Discount	Adjusted Unit Price	Extended Price
<b>One-Time Items</b>						
1)	1	SC-123-2F-1080P-5-50MZ-8TB-4G SkyCop Patented Pro Enclosure System w/ (2) flashing blue lights, MPD/ SkyCop Logos (2) Fixed 2.1MP Bullet Cameras, DVR w/ 8TB storage, Power & Surge Protection, 4G LTE Embedded SIM Card Wireless Broadband Router for communications to the MPD Real Time Crime Center.	\$5,906.63	\$0.00	\$5,906.63	\$5,906.63
2)	1	SC-123-1F-1080P-5-50MZ-8TB-4G SkyCop Patented Pro Enclosure System w/ (2) flashing blue lights, MPD/ SkyCop Logos (1) Fixed 2.1MP Bullet Cameras, DVR w/ 8TB storage, Power & Surge Protection, 4G LTE Embedded SIM Card Wireless Broadband Router for communications to the MPD Real Time Crime Center. Configured for LPR	\$5,573.30	\$0.00	\$5,573.30	\$5,573.30
3)	1	SC-ALPR-SHARP2 Integrated automatic license plate recognition (ALPR) camera and onboard processing. Includes license for connectivity to MPD server.	\$8,000.00	\$0.00	\$8,000.00	\$8,000.00
4)	2	MPD - Verizon Wireless MPD air card donation for one year. (1) each SkyCop Security Enclosure	\$480.00	\$0.00	\$480.00	\$960.00
5)	2	MLGW-FEES MLG&W Pole Permit Fee	\$488.09	\$0.00	\$488.09	\$976.18

Interest Charges on Past Due Accounts and Collection Costs Overdue amounts shall be subject to a monthly finance charge. In addition, customer shall reimburse all costs and expenses for attorney's fees incurred in collecting any amounts past due. Additional training or Professional Services can be provided at our standard rates.

Item#	Quantity	Item	Unit Price	Unit Discount	Adjusted Unit Price	Extended Price
6)	2	SC-HEALTH-SYS (12) Months - SkyCop System Health Monitoring	\$119.88	\$0.00	\$119.88	\$239.76
		Each SkyCop system is checked (4) times daily for for the following: Internet Connectivity Hard Drive Health Video Loss Recording				

**One-Time Subtotal**                      **\$21,655.87**

**Total**                                      **\$21,655.87**

Authorizing Signature   
Date 8/1/2016

Interest Charges on Past Due Accounts and Collection Costs Overdue amounts shall be subject to a monthly finance charge. In addition, customer shall reimburse all costs and expenses for attorney's fees incurred in collecting any amounts past due. Additional training or Professional Services can be provided at our standard rates.

**ORDINANCE NO. 5631**  
**ORDINANCE TO ADD ARTICLE VII, CHAPTER 36, SECTION 36-130 OF THE CITY**  
**OF MEMPHIS, CODE OF ORDINANCE TO ESTABLISH RULES AND**  
**REGULATIONS RELATING TO THE**  
**OPERATION, REGISTRATION AND REGULATION OF SHORT TERM RENTALS IN**  
**MEMPHIS**

**WHEREAS**, pursuant to Article 40 Section 353 of the Memphis City Charter the City Council shall have the power to pass, for the government of the City, any ordinance not in conflict with the Constitution or laws of the United States or of the State of Tennessee; and

**WHEREAS**, the City Council has the power to pass any ordinance regulating the assessment, levy and collection of all City taxes not inconsistent with the provisions of the Constitution and laws of the United States and of the State of Tennessee; and

**WHEREAS**, the City Council finds that this ordinance is not inconsistent with the provisions of the Constitution and laws of the United States and of the State of Tennessee; and

**WHEREAS**, regulations of short-term rentals establish a reliable way for City of Memphis to identify and contact the short-term rental owner, make the tax collection and remittance obligation efficiently; and

**WHEREAS**, the City Council finds that it is in the public's interest to establish rules and regulations relating to the operation of short-term rentals in the City Memphis to protect the public health, safety, and general welfare of individuals and the community at large; to monitor and provide reasonable means for citizens to mitigate impacts created by occupancy of short-term rental units; and to implement rationally based, reasonably tailored regulations to protect the integrity of the City's neighborhoods.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS**, that the findings and recitations set out in the preamble to this ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

**BE IT FURTHER ORDAINED** that the various sections of this ordinance are severable, and that any portion declared unlawful shall not affect the remaining portions.

**BE IT FURTHER ORDAINED** that this ordinance shall become effective \_\_\_\_\_.

**Section 1. SHORT TITLE**

This Ordinance shall be known as "Short Term Rental Ordinance".

**Section 2. DEFINITIONS AND GENERAL PROVISIONS**

The following words and phrases when used when used in this ordinance shall have the meanings as set out herein:

- 1) "Short term rental property" means a residential dwelling unit or detached accessory dwelling unit containing not more than four (4) sleeping rooms which are used and/or advertised for rent for transient occupancy by guests. A residential dwelling unit or detached accessory unit rented to the same occupant for more than thirty continuous days, bed and breakfast establishments, boarding houses, hotels, and motels shall not be considered short term rental property.
- 2) "Owner" means a person or entity that holds the legal title of the short term rental property and resides or is located within twenty-five miles of the short term rental property.
- 3) "Permit holder" means a person to whom a permit for a short term rental property has been issued by the Permits Office.
- 4) "Hosting platform" means a person or entity that participates in short term rental business by providing a means through which an owner may offer a short term rental property for transient use. This business service is usually, though not necessarily, provided through an online platform that allows an owner to advertise through a website or mobile application and provides a means for potential tourist or transient users to arrange transient use and payment, whether the transient pays directly to the owner or to the hosting platform.
- 5) "Transient" means any natural person, who exercises occupancy or is entitled to occupancy for any rooms, lodging or accommodation.
- 6) "Occupancy" means the use or possession, or the right to the use or possession, of any rooms, lodging, or accommodation.
- 7) "Dwelling" means any building or structure or part thereof, including single, two-family, and multi-family dwellings, used and occupied for human habitation or intended to be so used including any accessory building and appurtenances (right-of-way, i.e. driveway) belonging there or usually enjoyed therewith.
- 8) "Dwelling unit" means a single unit within a dwelling, with one or more rooms arranged for the use of one or more individuals, with access to common area (i.e. cooking, living sanitary and sleeping facilities).

### **Section 3. SHORT TERM RENTAL AGENT**

- 1) An owner shall designate either himself, herself, and/or other persons as "Short Term Rental Agent(s)". The Short Term Rental Agent(s) shall be a natural person, at least twenty-one (21) years of age, designated by the owner of a Short Term Rental on the Short Term Rental Application. The Short Term Rental Agent(s) or the owner shall comply with the requirements of this section on behalf of the owner.

- 2) The duties of the Short Term Rental Agent(s) are to:
  - a) Be reasonably available to handle any problems arising from use of the Short Term Rental Property.
  - b) Appear on the premises of any Short Term Rental Unit within two (2) hours following notification from the City of issues related to the use or occupancy of the premises. This includes, but is not limited to, notification that occupants of the Short Term Rental Property have created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of the City of Memphis Code of Ordinances or other applicable law pertaining to noise, disorderly conduct, overcrowding, consumption of alcohol, or use of illegal drugs.
  - c) Receive and accept service of any notice of violation related to the use or occupancy of the premises.
  - d) Monitor the Short Term Rental Unit for compliance with this Ordinance.
  - e) An owner may change his or her designation of the Short Term Rental Agent temporarily or permanently at any given time by mail or by electronic means. To change the designated agent(s), the owner shall notify the City in writing of the new Agent's identity, together with all information regarding such person as required by the applicable provisions.
  - f) Such person shall be available for and responsive to contact at all times, and be customarily present at a location within the City of Memphis for purposes of transacting business.
  - g) Failure of the agent to timely appear after two or more complaints regarding violations may be grounds for penalties as set forth in this Ordinance. This is not intended to impose a duty to act as a peace officer or otherwise require the Agent to place himself or herself in a perilous situation.
  - h) The owner shall not be relieved from any personal responsibility or personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the residential dwelling unit as a Short Term Rental Unit, regardless of whether such noncompliance was committed by the owner's authorized Short Term Rental Agent or the occupants of the owner's Short Term Rental Unit or their guests.

#### **Section 4. PERMIT REQUIRED**

- 1) No person or entity shall operate a short term rental property or advertise a residential property for use as a short term rental property without the owner of the property first having obtained a Short Term Rental Property Permit issued by the City of Memphis Permit Office within forty-five (45) business days of the adoption of this ordinance. Any owner of more than one short term rental property shall be required to obtain a permit for each short term rental property. If more than one short term rental property exists within a dwelling, each short term rental property, as defined herein, shall be treated as one unit, and a permit shall be required for each unit. Any advertising or description of a short term rental property on any internet website, mobile application, or other hosting platform must display a permit number for the short term rental unit issued by the Permit Office.

## Section 5. SHORT TERM RENTAL PERMIT APPLICATION

- 1) No Short Term Rental Permit issued under this Ordinance may be transferred to or assigned to or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued.
- 2) Applicants for a Short Term Rental Permit shall submit, on an annual basis, an application for a Short Term Rental Permit to the City of Memphis. The application shall be furnished under oath on a form specified by the City of Memphis, accompanied by a non-refundable application fee of seventy-five dollars (\$75.00).
- 3) Such application shall include:
  - a) The name, address, telephone number and email address of the owner(s) of record of the dwelling unit for which a Permit is sought. If such owner is not a natural person, the application shall identify all partners, officers and/or directors of any such entity, including personal contact information;
  - b) The address of the unit to be used as a Short Term Rental Unit;
  - c) The name, address, telephone number and email address of the Short Term Rental Agent(s), which shall constitute his or her twenty-four (24) hour contact information;
  - d) The owner's sworn acknowledgement that he or she has received a copy of this ordinance, has reviewed it, and understands its requirements;
  - e) The maximum number of Short Term Rental Occupants;
  - f) The owner's agreement to use his or her best efforts to assure that use of the premises by Short Term Rental Occupants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties;
  - g) Attached to and concurrent with submission of the application described in this section, the owner shall provide;
  - h) The owner's sworn "Code Compliance Verification Form", a document executed by a Short Term Rental owner certifying that the Short Term Rental Unit complies with applicable building, health, and life safety code provisions. No person shall allow occupancy or possession of any Short Term Rental Unit if the premises are in violation of any applicable building, zoning, health, or life safety code provisions;
  - i) That the operation as proposed by the applicant, if permitted, will contemporaneously comply with this ordinance, as well as the city's current building and zoning regulations and required insurance coverages;
  - j) Proof of the owner's current ownership of the Short Term Rental Property; and
  - k) Proof of hazard and liability insurance no less than \$1,000,000.00 coverage.
- 4) Permit holder shall publish a Short Term Rental Permit number in every print, digital, or internet advertisement and any property listing in which the Short Term Rental Unit is advertised.

- 5) That the applicant has not had a similar permit denied, revoked or suspended for any cause by any city or state agency within one-hundred and eighty days (180) days preceding the filing of the application; and
- 6) That the applicant has not knowingly made any false, misleading or fraudulent statement of fact in the permit application or in any document required by the city in conjunction therewith; and
- 7) That the applicant has no unpaid assessed civil penalties related to this ordinance.
- 8) Review of an application shall be conducted in accordance with due process principles and shall be granted unless the applicant fails to meet the conditions and requirements of this Ordinance, or otherwise fails to demonstrate the ability to comply with local, state, or federal law. Any false statements or information provided in the application are grounds for revocation, suspension and/or imposition of penalties, including denial of future applications

#### **Section 6. REGULATIONS**

- 1) All short term rental property permit holders and their transient guests shall abide by all applicable noise control restrictions of Memphis City Code §22-1 and garbage collection and disposal provisions of Ordinance No. 4840 of the City of Memphis Ordinances.
- 2) The permit holder shall meet all applicable requirements of the state and local building and fire safety codes, including, but not limited to, having approved smoke alarms meeting Underwriters Laboratory (UL) 217 standards meeting applicable state law standards installed as follows:
  - a) In all sleeping areas.
  - b) In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
- 3) The permit holder shall meet all applicable requirements of the state and local building and fire safety codes, including, but not limited to, having approved carbon monoxide detectors meeting applicable state law standards installed on every habitable floor.
- 4) It is the intent of the Council of the City of Memphis that short term rental properties should not require inspection for food or beverage contamination, spoilage, adulteration, or misbranding. As of the effective date of this ordinance, during the rental period transients shall only be provided food and beverages which are packaged, sealed and nonperishable.
- 5) The principal renter of a short term rental property unit shall be at least eighteen (18) years of age.

- 6) The permit holder shall not receive any compensation or remuneration to permit occupancy of a short term rental property for a period of less than twenty-four (24) hours.
- 7) A property owner may rent a detached accessory dwelling unit that complies with Ordinance No. 4232 governing the minimum conditions of property as short term rental property provided the detached accessory dwelling unit contains not more than four (4) sleeping rooms.
- 8) A Short Term Rental unit is permitted as an accessory use in all zoning districts that allow residential use, provided a Short Term Rental Permit has been issued for operation of the property as a Short Term Rental Unit pursuant to Section 5.
- 9) The name and telephone number of the local responsible party shall be conspicuously posted within the short term rental property unit. The responsible party shall answer calls twenty-four (24) hours a day, seven (7) days a week for the duration of each short term rental period to address problems or complaints associated with the short term rental property.
- 10) A Short Term Rental Property Permit shall expire three hundred sixty-five (365) days after it is issued. Short Term Rental Property Permits may be renewed upon the payment of seventy-five dollars (\$50.00) renewal fee to the City Permits Office.
- 11) A Short Term Rental Property Permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a short term rental property on the property.
- 12) It is the intent of the Council of the City of Memphis that all owners, permit holders, hosting platforms and responsible parties refrain from discrimination against any person in the terms, conditions, or privileges of the rental of short term rental property because some or all of the transients are members of classes protected by the Tennessee Human Rights Act.

#### **Section 7. SHORT-TERM RENTAL PROPERTY REGULATION PROCEDURES**

- 1) To ensure the continued application of the intent and purpose of this Chapter, the Permits Office shall notify the owner of a short-term Property rental unit of all instances in which nuisance behavior of the rental guest or the conduct of his or her short-term Property rental unit agent results in a citation for a code violation or other legal infraction.
- 2) Permits Office shall maintain in each short-term Property rental location file a record of all code violation charges, founded accusations and convictions occurring at or relating

to a short-term Property rental unit. When a property owner has accumulated three code violations for a particular property within a period of twelve (12) consecutive months, the City may revoke any pending permits and reject all applications for the subject premises for a period of twelve consecutive months.

- 3) If a short-term Property rental unit owner has been cited and found to be in violation of any zoning, building, health or life safety code provision, the owner must demonstrate compliance with the applicable code prior to being eligible to receive a short-term Property rental certificate.
- 4) Citations for code violations and any other violation of the City Code of Ordinances shall adhere to existing legal process for all residential properties.
- 5) Any permit holder issued a citation under the provisions of this ordinance may be subject to an administrative penalty of no more than fifty dollars (\$50.00) per day per incident for each day of violations. Each day of violation may constitute a separate violation.
- 6) Any applicant shall have the right to appeal the denial, revocation, or suspension of a Short Term Rental permit to the Short Term Rental Appeals Board. The denied applicant shall make the appeal within thirty calendar days after receipt of the denial by filing a written notice with the permit office.
- 7) Nothing in this section shall limit the City from enforcement of its code, state or federal law by any other legal remedy available to the City. Nothing in this section shall be construed to limit or supplant the power of any City inspector, or other duly empowered officer under the City's ordinances, rules and regulations and the authority granted under state law, as amended, to take necessary action, consistent with the law, to protect the public from property which constitutes a public nuisance or to abate a nuisance by any other lawful means of proceedings.

**Section 8. MEMPHIS SHORT TERM RENTAL APPEALS BOARD**

- 1) There is hereby created and established the Memphis Short Term Rental Appeals Board (hereafter "board") to hear appeals filed by any Short Term Rental Owner relating to a denial, revocation, or nonrenewal of a Short Term Rental Permit by the City of Memphis Permit Office.
- 2) The membership of the board shall consist of five (5) members as follows:

Representative Group (# of members)	Initial Length of Term	Subsequent Length of Term
-------------------------------------	------------------------	---------------------------

Short Term Rental Host (1)	1	2
Short Term Rental Host (1)	2	2
Private Citizenry (1)	2	2
Hotel Industry (1)	1	2
Hotel Industry (1)	2	2

- 3) The members shall be appointed by the mayor and confirmed by the council.
- 4) Each member appointed by the mayor must have been a resident of Memphis for not less than one (1) year, and shall continue to maintain such residency throughout such member's term.
- 5) Each member shall serve without compensation and may be reappointed, but do not succeed themselves automatically.
- 6) Each member shall serve for a term of two (2) years. However, the initial term of one of the original members representing the Short Term Rental Owners group and one of the original members representing the Hotel Industry group shall expire after one (1) year and the term of the remaining original members shall expire after two (2) years. Subsequent terms for every group shall expire after two years.
- 7) The board shall annually select one of its members to serve as chair and another member to serve as vice chair for a period of one year upon a majority vote of all members.
- 8) The board shall keep complete and accurate records of the proceedings of all meetings and the city permits administrator or his designee shall serve as the board's technical secretary.
- 9) No member shall participate in the appeal of any matter in which the member has a direct personal or financial interest.
- 10) Three members shall constitute a quorum, and the concurrence of a majority of the board present and voting in any matter shall be required for a determination.
- 11) Members may be removed from the board for continued absence from meetings or other just cause in accordance with the procedure for removal of board or commission members set forth within Home Rule Ordinance No. 1852 of the City Charter.
- 12) An appeal may be taken from any final order or other final determination of the board by any party who is or may be adversely affected thereby, to the chancery court pursuant to the common writ of certiorari set out in T.C.A. § 27-8-101 within sixty (60) days from the date such order or determination is made.
- 13) Each member of the board shall take an oath to faithfully perform the duties imposed upon him without fear or favor, and in full accordance with the constitution and laws of the state and the ordinances of the City of Memphis.

**Section 9. ASSESSMENTS AND PRIVILEGE TAX ON SHORT TERM RENTAL PROPERTIES**

- 1) A hosting platform, under a voluntary collection agreement with the city, which facilitates a transaction between a permit holder and a transient for lodging accommodations shall be solely responsible and liable for collecting and remitting all occupancy and sale taxes to the city; and a permit holder who is not the hosting platform shall not be responsible for collecting and remitting occupancy and sales tax to the city on any transaction for which it has received confirmation that the hosting platform has collected the aforementioned taxes and remitted them to the city, pursuant to a voluntary collection agreement; otherwise, owners of short term rental properties shall be liable for the collection and remittance of occupancy and sales taxes, if no such voluntary collection agreement between a hosting platform and the city has been executed.
- 2) The city shall impose an assessment of two dollars (\$2.00) per paid occupied room night on short term rental properties in the city. This assessment shall be dedicated to destination marketing and to provide supplemental funding for marketing programs above and beyond that currently provided, pursuant to Ordinance 5595.
- 3) The city levies a privilege tax upon the privilege of occupancy in a short term rental property of each transient. Such tax shall be in the amount of three and one-half percent (3.5%) of the consideration charged by the owner for such occupancy. Such tax is a privilege tax upon the transient occupying such short term unit and is to be collected as provided in this chapter pursuant to Ordinance 4824.

EDMUND FORD, JR.  
Councilman

KEMP CONRAD  
Chairman



## Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**  
Resolution to approve the Economic Impact Plan for the University District – Highland Strip as required by TCA § 7-53-312.
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**  
EDGE – Economic Development Growth Engine for Memphis & Shelby County
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**  
NO
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**  
NIETHER
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**  
NO

## **To approve an Economic Impact Plan for The University District – Highland Strip**

**WHEREAS**, Industrial Development Corporations (“IDBs”) are authorized by state law (TCA § 7-53-312) to prepare and submit to cities and counties an economic impact plan with respect to areas for projects relating to Tax Increment Financing Districts (TIFs);

**WHEREAS**, the Economic Development Growth Engine (EDGE) board, acting in its capacity as an IDB, after conducting a duly called public hearing, approved the Economic Impact Plan (the “Plan”) for the creation of a TIF district within the Plan Area described in the Plan which abuts the University of Memphis;

**WHEREAS**, state law requires that the Plan be approved by the Memphis City Council for such Plan to be effective as to ad valorem real property taxes levied by the City of Memphis;

**WHEREAS**, the EDGE board has considered the Plan and requested that the Memphis City Council approve the Plan;

**NOW, THEREFORE, BE IT RESOLVED** *that the Memphis City Council hereby approves the Economic Impact Plan for The University District – Highland Strip as required by TCA § 7-53-312.*

**THE ECONOMIC DEVELOPMENT GROWTH ENGINE  
INDUSTRIAL DEVELOPMENT BOARD OF  
THE CITY OF MEMPHIS AND COUNTY OF SHELBY, TENNESSEE**

**ECONOMIC IMPACT PLAN  
FOR  
THE UNIVERSITY DISTRICT – HIGHLAND STRIP**

**I. Introduction**

The University Neighborhood Development Corporation, a Tennessee nonprofit corporation (“UNDC”), is a private, neighborhood-based organization engaged in formulating a community and economic development strategy for the area surrounding the University of Memphis (the “University District”) that is closely coordinated with the University of Memphis. UNDC’s vision is that “[t]he University District...be the most vibrant, diverse and fun campus/community environment in the Mid-South, where a major urban university and its surrounding community seamlessly connect and together form attractive, safe, walkable neighborhoods and a unique mix of retail, office, restaurant and civic establishments.” To help achieve this vision, UNDC has requested assistance from the Economic Development Growth Engine Industrial Development Board of the City of Memphis and County of Shelby, Tennessee, a public nonprofit corporation organized under Tenn. Code Ann. §§ 7-53-101, *et. seq.* (“EDGE”), in connection with a redevelopment project in the University District, as more particularly described below.

What follows is an economic impact plan for the redevelopment of the area known as the Highland strip in the University District (the “Plan”). First, the Plan explains the statutory authority for financial assistance from EDGE (Section II). Second, the Plan describes the redevelopment project, the area subject to this Plan, and the requested financial assistance from EDGE in the form of tax increment financing (Sections III, IV, and V). Third, the Plan discusses the expected benefits to the City of Memphis and Shelby County from the redevelopment project (Section VI). Finally, the Plan explains the mechanics of the requested tax increment financing and the public approval process for the Plan (Sections VII and VIII).

**II. Authority for Economic Impact Plan**

EDGE is an “industrial development corporation” under Tenn. Code Ann. § 7-53-101 *et. seq.* (an “IDB”). An IDB is authorized under Tenn. Code Ann. §§ 7-53-312 to prepare and submit to cities and counties an economic impact plan with respect to an area that includes a project within the meaning of Tenn. Code Ann. § 7-53-101 and such other properties that the IDB determines will be directly improved or benefited due to the undertaking of such project. Tennessee Code Annotated § 7-53-312 also authorizes cities and counties to apply and pledge new incremental tax revenues that arise from the area subject to the economic impact plan to the IDB to promote economic development, to pay the cost of projects, or to pay debt service on bonds, notes, or other obligations issued by the IDB to pay the costs of projects.

Incentive and consistent with this Plan (the "Development Agreement"). EDGE will pay for, reimburse UNDC for, or repay the debt (principal and interest) or other financing of (as applicable) the Eligible Costs upon receipt of adequate documentation of such costs expenses, as more particularly set forth in the Development Agreement. EDGE is hereby authorized to issue and sell bonds, notes, or other obligations for purposes of paying the Eligible Costs, subject to the terms and conditions set forth in Section VII.b. below.

Tenn. Code Ann. § 9-23-108 does not permit the application of incremental tax revenues pursuant to this Plan to pay certain costs relating to privately-owned land without first receiving a written determination from the Comptroller of the State of Tennessee (the "State") and the Commissioner of Economic and Community Development of the State that the use of tax increment revenues for such purposes is in the best interest of the State. EDGE will not apply any tax increment revenues to pay costs as to which such a written determination is required without first obtaining such written determination.

#### **VI. Expected Benefits to City and County**

There are numerous expected benefits to the City and the County from the implementation of the Project. A primary benefit of the Project and related redevelopment of the Plan Area will be to create and foster a vibrant, walkable, mixed-use neighborhood around the University of Memphis that will help attract and retain talented students and workers in the City. The University of Memphis views the Project and the Planned Improvements as crucial to University's success in increasing student enrollment and has expressed its support of the Tax Increment Incentive. The Project is also expected to preserve and create jobs within the City and the County. The Project and early phases of the Future Redevelopment are expected to support approximately 235 jobs in the area.

In addition to the benefits realized from maintaining a vibrant University District and expanding the job base, the City and County are also expected to receive substantial additional taxes as a result of the redevelopment of the Plan Area. Redevelopment of the Plan Area will increase the value of the real property within the Plan Area, leading to an increase in ad valorem real property taxes. Following the completion of early phases of the redevelopment of the Plan Area, the aggregate property taxes payable to the City and the County during the term of the Tax Increment Incentive are expected to increase by approximately \$37.0 million.

Seventy-five percent (75%) of the tax increment revenues resulting from the completion of early phases of the redevelopment of the Plan Area (approximately \$21.1 million) will, except as described below, be applied during the term of the Tax Increment Incentive to pay for Eligible Costs. The remaining twenty-five percent (25%) of the tax increment revenues resulting from the completion of early phases of the redevelopment of the Plan Area (approximately \$7.0 million) will, except as described below, continue to be paid to the City and the County during the term of the Tax Increment Incentive. Also, during the term of the Tax Increment Incentive, the City and County will receive additional property taxes to pay debt service on their indebtedness as provided by State law in the amount of approximately \$8.9 million. Following the expiration of the Tax Increment Incentive, the City and County will benefit from the entire increase in the property taxes. The Project and portion of the Future Redevelopment are also expected to generate additional local

TIF Revenues relating to each tax year commencing January 1, 2016, shall be paid to EDGE, to the extent received by the City or County, within ninety (90) days after the respective dates that taxes would be delinquent to the City and County for such tax year. TIF Revenues received by the City and County as delinquent taxes shall be paid to EDGE by the City and the County within thirty (30) days of receipt.

b. TIF Obligations. In order to pay for Eligible Costs of the Project, EDGE may, upon request by UNDC issue and sell bonds, notes, or other obligations and use TIF Revenues to pay debt service on such bonds, notes, or other obligations incurred to finance the Eligible Cost (each, a “TIF Obligation”). EDGE may pledge all or any portion of the TIF Revenues to the payment of any TIF Obligation. In no event will any such TIF Obligation issued by EDGE be considered a debt or obligation of the City or County in any manner whatsoever, and the source of the funds to satisfy the EDGE’s payment obligations thereunder shall be limited solely to the TIF Revenues.

c. Time Period. Taxes on the real and personal property within the Plan Area will be divided and distributed as provided in this Section of the Plan for a period, as to each parcel of property in the Plan Area, not in excess of twenty (20) years as to any parcel but, in any event, such allocations shall cease when there are not Eligible Costs, including debt service on TIF Obligations, to be paid from the TIF Revenues.

d. Qualified Use. EDGE, the City, and the County, by the adoption of this Plan, find that the use of the TIF Revenues as described herein is in furtherance of promoting economic development in the City and County and that costs and expenses to be financed as described herein are costs of the Project.

### **VIII. Approval Process**

Pursuant to Tenn. Code Ann. § 7-53-312, the process for the approval of this Plan is as follows:

a. EDGE holds a public hearing relating to the proposed Plan after publishing notice of such hearing in a newspaper of general circulation in the City and County at least two (2) weeks prior to the date of the public hearing. The notice must include the time, place and purpose of the hearing as well as notice of how a map of the subject area may be viewed by the public. Following such public hearing, EDGE may submit the Plan to the City and County for their approval.

b. The governing bodies of the City and County must approve the Plan to be effective as to both the City and the County. The Plan may be approved by resolutions of the City Council of the City and County Commission of the County, whether or not the local charter provisions of the governing bodies provide otherwise. If the governing body of the City approves this Plan but the governing body of the County does not approve this Plan, this Plan shall still be effective as to the City, and all references to allocating TIF Revenues of the County shall be deemed deleted. If the governing body of the County approves this Plan but the governing body of the City does not approve this Plan, this Plan shall still be effective as to the County, and all references to allocating TIF Revenues of the City shall be deemed deleted.

**EXHIBIT A**  
**Map of Plan Area**



046002 00011  
046002 00026  
046003 00007  
046003 00009  
046003 00011  
046003 00015  
045119 A00065  
046012 00006  
046024 00004  
046012 00007  
045119 00001  
046012 00023  
046024 00025  
045119 00032  
046012 A00008  
046012 A00004  
046012 A00010  
046012 A00006  
046024 00023  
045119 00031  
046012 A00009  
046011 00020  
046012 A00024  
046012 A00032  
046011 00016  
045119 A00040  
045119 A00044  
045119 A00048  
046011 00015  
045119 A00050  
045119 00028  
045119 A00011  
046024 A00015  
045119 A00030  
045119 A00054  
046024 A00014  
046024 A00016  
046012 00016  
045119 A00009  
045119 A00008  
046024 A00031  
045119 A00035  
045119 A00037

046002 00018  
046003 00016  
046005 00001  
046005 00004  
046006 00001  
046006 00008C  
046005 00014  
046005 00012  
046005 00011  
046006 00026  
046008 00005  
046007 00021  
046007 00007  
046007 00009  
046007 00012  
045120 00049  
046012 00004  
045121 00019  
046011 00002  
045121 00020  
046012 00026  
046010 00022  
046010 00022C  
046010 00026  
046010 00010C  
046013 00001  
046013 00002  
046013 00012  
046013 00015  
045118 00010  
046013 00032  
046013 00025  
046013 00027  
046013 00023  
046013 00022  
046013 00021  
045118 00028  
046013 00017  
045118 00027  
045118 00035  
045118 00021  
045118 00033  
046015 00001

046001 00004  
046001 00009  
046001 00005  
046001 00008  
046002 00009  
046002 00010  
046002 00012  
046002 00030  
046002 00028  
046002 00027  
046002 00025  
046002 00024  
046002 00023  
046002 00022  
046002 00021  
046002 00020  
046002 00019  
044054 00003  
044055 00077  
044055 00073  
044055 00076  
044055 00074  
046002 00001C  
046002 00006C  
044055 00076Z  
044055 00074Z  
044055 A00001  
045125 00021  
046001 00044  
046001 00036  
046002 00014  
046002 00015  
046002 00016  
046002 00017  
046002 00031  
046002 00029  
046003 00001  
046003 00002  
046003 00003  
046003 00004  
046003 00005  
046003 00006  
046003 00008

046008 00021  
046008 00018  
046008 00012C  
046008 00025  
045120 00013  
046009 00002  
046009 00003  
046009 00005  
046009 00006  
045120 00052  
046011 00022C  
046003 00012  
046003 00013  
046003 00017  
046003 00014  
046005 00002  
046005 00003  
046006 00007  
046005 00013  
046006 00023  
046006 00015  
046006 00014  
046006 00012  
046006 00024  
046006 00013  
045120 00007  
045120 00008  
046007 00008  
045120 00012  
045120 00041  
046007 00011  
045120 00017  
046012 00003  
046011 00006  
046011 00004  
045120 00055  
045121 00021  
046010 00004  
046024 00030  
046024 00007  
046011 00009  
046024 00026  
046024 00008

046024 00013  
045119 A00013  
045119 A00046  
045119 A00052  
046011 00014  
046012 00018  
045119 A00025  
045119 A00012  
046012 00012  
045119 A00024  
046024 A00011  
046024 A00012  
046024 A00013  
046010 00015  
046024 A00017  
046024 A00035  
046024 A00036  
046024 00017  
045119 A00023  
045119 A00010  
046024 00014  
046024 A00018  
045119 A00029  
046012 00017  
046024 A00009  
046024 A00010  
045119 A00053  
045119 A00022  
046024 A00033  
046024 A00034  
045119 A00021  
045119 A00031  
045119 A00033  
045119 A00039  
045119 A00041  
046024 A00007  
045119 A00049  
046024 A00008  
045119 A00020  
045119 A00007  
045119 00017  
046024 A00029  
046024 A00030

046013 00024  
046013 00018  
046013 00016  
046013 00020  
046013 00019  
045118 00025  
045118 00024  
045118 00020  
045118 00019  
045118 00034  
045118 00032  
045118 00031  
045118 00030  
046012 00020C  
046011 00010C  
046012 00028  
045118 00003C  
045118 00007C  
045118 00014C  
046015 00003  
045115 00008  
046016 00056  
045115 00009  
046010 00027  
046010 00024  
046010 00025  
045119 00015C  
045115 00003C  
046015 00002  
046016 00001C  
046016 00055  
045115 00013  
046017 00049  
046017 00047  
045114 00033  
045114 00035  
045115 00014  
046017 00048  
045114 00034  
045114 00036  
058001 00010C

## EXHIBIT C

### Planned Improvements

Highland: Central to Mynders:

Landscape Forms/ VS
Bench
Landscape Forms/ Metro 40 Loop B.R.
District Branding Signage
Tree
Street Tree Site Prep
Tree Grate
Acorn Lamp (Independent)
Acorn Lamp (Pedestrian Mount)
Replacement of sidewalk
Curb & Gutter Repair, Demo + New
Concrete Driveway Apron Demo + New
Parking Improvements
Activated Crosswalk (HAWK)
Thermoplast
Gateway Feature
Utility Relocation

Highland: Mynders to Spottswood:

Landscape Forms/ VS
Bench
Landscape Forms/ Metro 40 Loop B.R.
District Branding Signage
Tree
Street Tree Site Prep
Tree Grate
General Landscape
Acorn Lamp (Independent)
Acorn Lamp (Pedestrian Mount)
Replacement of sidewalk
Curb & Gutter Repair, Demo + New
Concrete Driveway Apron Demo + New
Parking Improvements
Activated Crosswalk (HAWK)
Full Intersection
Railroad Crossing Improvements-A
Thermoplast
Gateway Feature

Central – Southern (including Central and Southern):

Landscape Forms/ VS
Bench
Landscape Forms/ Metro 40 Loop B.R.
District Branding Signage
Tree
Street Tree Site Prep
Tree Grate
General Landscape
Acorn Lamp (Independent)
Acorn Lamp (Pedestrian Mount)
Replacement of sidewalk
Curb & Gutter Repair, Demo + New
Concrete Driveway Apron Demo + New
Parking Improvements
Activated Crosswalk (HAWK)
Railroad Crossing Improvements-B
Railroad Crossing Improvements-C
Thermoplast
Gateway Feature

South of Southern:

Landscape Forms/ VS
Bench
Landscape Forms/ Metro 40 Loop B.R.
District Branding Signage
Tree
Street Tree Site Prep
Tree Grate
Acorn Lamp (Independent)
Acorn Lamp (Pedestrian Mount)
Replacement of sidewalk
Curb & Gutter Repair, Demo + New
Concrete Driveway Apron Demo + New
Parking Improvements
Thermoplast
Gateway Feature

18783783.12

ORDINANCE NO. 5625

**ORDINANCE TO AMEND ORDINANCE NO. 5515 RELATIVE TO OPERATION AND MAINTENCE OF STREET LIGHTS AND OTHER PUBLIC SAFETY MEASURES WITHIN THE CORPORATE LIMITS OF THE CITY AND AUTHORIZING THE BOARD OF COMMISSIONERS OF THE MEMPHIS LIGHT GAS AND WATER DIVISION TO MAKE A SCHEDULE OF RATES OR FEES FOR STREET LIGHTING AND OTHER PUBLIC SAFETY MEASURES FOR APPROVAL BY THE COUNCIL IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN SECTION 680 OF THE CHARTER**

WHEREAS, pursuant to Home Rule Charter Amendment No 3054, adopted by referendum vote on November 4, 1980, the City Council was authorized to assign the management and control over energy systems to MLGW upon such terms and conditions as the Council may prescribe and the Council was authorized to prescribe by ordinance other functions to be performed by MLGW;

WHEREAS, MLGW is also authorized by the City's Charter § 677 to operate and maintain within the corporate limits of the City an electric plant or system, including without limitation, transmission lines, poles, conduits, wires, cables, lamps, fixtures, accessory apparatus, rights of way and easements for the purpose of furnishing electric power and energy for lighting and other purposes for which electric power may be used;

WHEREAS, the Council did by Substitute Ordinance 5515 assign all rights of ownership and rights to control and manage all street lights within the City limits to MLGW and authorized and directed MLGW's Board of Commissioners to make a schedule of fees for street lighting to be paid by MLGW ratepayers within the City for approval by the Council using the process set forth in section 680 of the Charter at the earliest practicable date;

WHEREAS, the Council has approved the installation of Police security cameras on MLGW utility poles located within the City limits as a measure, like street lighting, designed to enhance public safety throughout the City;

WHEREAS, Council desires to authorize and direct MLGW's Board of Commissioners to include in the schedule of fees for street lighting, the costs to MLGW of other public safety measures approved by the Council, such as Police security cameras installed on MLGW utility poles within the City limits, for approval by the Council using the process set forth in Substitute Ordinance 5515 at the earliest practicable date

NOW, THEREFORE BE IT ORDAINED BY THE MEMPHIS CITY COUNCIL THAT ORDINANCE NO. 5515 BE AMENDED AS FOLLOWS::

1. Section 2 of Ordinance No. 5515 is hereby amended to read as follows:

**Section 2. Schedule of Lighting Fees.** The Council does hereby authorize and direct MLGW's Board of Commissioners to make a schedule of fees for street lighting and other public safety measures approved by the Council, such as Police security cameras installed on MLGW utility poles within the City limits, which will apportion the aggregate annual charges presently billed to the City of Memphis pursuant to Electric Service Schedule LS and the Utility Costs for other public safety measures approved by the Council from time to time among MLGW ratepayers within the City on a basis that is equitable, which schedule shall be submitted to the Council for approval in accordance with the procedure set forth in section 680 of the Charter at the earliest practicable date. For the purposes of this Section the Utility Costs for other public safety measures may include any costs incurred by MLGW to facilitate installation and operation of such measures, including but not limited to costs of installation on utility poles, the costs to make the poles ready for such installations and power costs.

**Section 3. Effect of Amendment.** As modified hereby, Ordinance No. 5515 is confirmed and ratified in all other respects.

Section 4. Severability. The provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

Section 5. Effective Date. This Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

SPONSOR: Chairman, MLGW Committee.

KEMP CONRAD.  
Council Chairman

Attest:

\_\_\_\_\_  
Comptroller

THE FOREGOING ORDINANCE  
# 5625 PASSED

1st Reading 7-19-2016

2nd Reading 8-09-2016

3rd Reading 8-23-2016

Approved "FAILED"  
Chairman of Council

Date Signed: "FAILED"

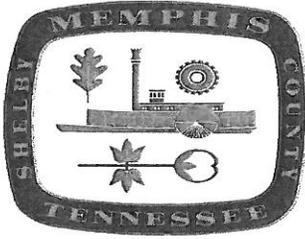
Approved: "FAILED"  
Mayor, City of Memphis

Date Signed: "FAILED"

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.

"FAILED"  
Comptroller

(FAILED on 8/23/16)



## Memphis City Council Summary Sheet

1. This Resolution seeks approval to appropriate FY17 funding in accordance with the Management Agreement contract between the City of Memphis and Memphis Zoological Society.
2. The initiating party is the Division of Parks and Neighborhoods.
3. This Resolution does not change any existing Ordinance or Resolution.
4. This Resolution does not require a new contract.
5. This Resolution does require an expenditure of funds in the amount of \$250,000.00.



***Resolution appropriates funds for improvements and to address major maintenance issues at the Memphis Zoo.***

**WHEREAS**, the Council of the City of Memphis did include Zoo Major Maintenance, CIP Project Number PK09002 as part of the Fiscal Year 2017 Capital Improvement Program; and

**WHEREAS**, the City of Memphis has entered into an agreement with the Memphis Zoological Society which provides for the procedures for the use and payment of the current and future Capital Appropriation; and

**WHEREAS** it is necessary to appropriate \$250,000.00 funded by G.O. Bonds General, in Construction funds for Zoo Major Maintenance, CIP Project Number PK09002.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$250,000.00, in Construction funds, funded by G. O. Bonds General, chargeable to the Fiscal Year 2017 Capital Improvement Budget; with said appropriations being credited as follows:

<b>Project Title:</b>	<b>Zoo Major Maintenance</b>
<b>Project Number:</b>	<b>PK09002</b>
<b>Amount:</b>	<b>\$250,000.00</b>



## Memphis City Council Summary Sheet

1. This Resolution seeks approval to appropriate funds in Furniture, Fixtures and Equipment in PK07114 – Parks Cover Line to purchase FF&E items for multiple community centers.
2. The initiating party is the Division of Parks and Neighborhoods.
3. This Resolution does not change any existing Ordinance or Resolution.
4. This Resolution does not require a new contract.
5. This Resolution does require an expenditure of funds in the amount of \$280,000.00.



***A Resolution to appropriate Furniture, Fixtures and Equipment funds in the Parks Cover Line project.***

**WHEREAS**, the Council of the City of Memphis did include Parks Cover Line, CIP Project Number PK07114, as part of the Fiscal Year 2017 Capital Improvement Budget; and

**WHEREAS**, the Council of the City of Memphis did provide an allocation of \$280,000 for Furniture, Fixtures and Equipment, as part of the Fiscal Year 2017 Capital Improvement Budget; and

**WHEREAS**, the Administration desires to purchase Furniture, Fixtures and Equipment for multiple community centers; and

**WHEREAS**, after procurement, the Administration will return to the Park Committee with a report on purchase and distribution of FF&E items.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that it hereby approves the appropriation of funds in the amount of \$280,000 in CIP Project Number PK07114, Park Cover Line, Furniture, Fixtures and Equipment Rehabilitation, funded by G.O. Bonds General.

**Project Title: Parks Cover Line**

**CIP Project Number: PK07114**

**Amount: \$280,000.00**



## Memphis City Council Summary Sheet

**1. Description of the Item (Resolution, Ordinance, etc.)**

This resolution amends the Fiscal Year 2017 Capital Improvement Budget by appropriating funds for the Railroad Quiet Zone Project.

**2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**

This project is being initiated by the Division of Engineering.

**3. State whether this is a change to an existing ordinance or resolution, if applicable.**

This project does not involve a change to an existing ordinance or resolution.

**4. State whether this requires a new contract, or amends an existing contract, if applicable.**

The Railroad Quiet Zone project will require a new contract with Norfolk Southern Railroad

**5. State whether this requires an expenditure of funds/requires a budget amendment.**

A new contract and expenditure of funds are required.



*A Resolution appropriating Funds for EN01074 – Railroad Quiet Zone*

**WHEREAS**, the Council of the City of Memphis did include Railroad Quiet Zone, Project Number EN01074 as part of the Engineering Fiscal Year 2017 Capital Improvement Budget; and

**WHEREAS**, The process for establishing a Railroad Quiet Zone requires that the local government provide funding to the Railroad agency to make the necessary safety improvements required to minimize the risk associated with eliminating horn noise; and

**WHEREAS**, \$200,000.00 has been allocated in the Engineering Fiscal Year 2017 Capital Improvement Budget for Preliminary Engineering and Construction work to be performed by Norfolk Southern Railroad; and

**WHEREAS**, it is necessary to appropriate \$200,000.00 funded by G.O. Bonds for payment to Norfolk Southern Railroad for work associated with the Railroad Quiet Zone Project, Project Number EN01074:

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby appropriated a sum of \$200,000.00, funded by G.O. Bonds, chargeable to the Fiscal Year 2017 Capital Improvement Budget for Railroad Quiet Zone, Project Number EN01074 and credited as follows:

<b>Project Title</b>	<b>Railroad Quiet Zone</b>
<b>Project Number</b>	<b>EN01074</b>
<b>Total Amount</b>	<b>\$200,000.00</b>

**Council Resolution Caption (Railroad Quiet Zone EN01074)**

A Resolution amending the FY17 Capital Improvement Budget by appropriating \$200,000.00 in G.O. Bonds for the Railroad Quiet Zone project (Project Number EN01074)

MEMORANDUM

From: Manny Belen, PE, Interim Director of Engineering, 

To: Jim Strickland, Mayor

Via: Doug McGowen, Chief Operation Officer

DATE: September 9, 2016

SUBJECT: Resolution

Parts of the Decision Brief/Memo

**1. Problem Statement or Opportunity**

This resolution amends the Fiscal Year 2017 Capital Improvement Budget by appropriating funds (\$200,000.00) for the Railroad Quiet Zone Project (EN01074) to provide payment to Norfolk Southern Railroad for Preliminary Engineering and Construction work.

**2. Recommendation**

The Division of Engineering recommends approval.

**3. Prior Coordination**

The City of Memphis, Division of Engineering has been working to establish a Railroad Quiet Zone at (2) locations along the Norfolk Southern (NS) Rail Line. The two locations are listed below.

**Location 1**

Crossing Number	Street Name	Railroad Milepost
732176G	Oak Court Drive	543.61
732175A	S. Goodlett Street	544.24

**Location 2**

Crossing Number	Street Name	Railroad Milepost
732186M	S. Cooper Street	547.90

732187U	Rembert Street	548.25
732189H	Kyle Street	548.60
732190C	Rozelle Street	548.70
732192R	McLemore Avenue (Rayner St.)	549.10

These locations were identified as the most viable segments along the NS rail line by a Quiet Zone study conducted by a City consultant (Parsons). The City has sent an official Notice of Intent to the Tennessee Department of Transportation (TDOT) and Norfolk Southern Railroad to officially start the process and engage the Railroad about any required improvements necessary for Quiet Zone establishment. The process for establishing a Quiet Zone requires the local government to provide funding to the Railroad agency for Preliminary Engineering and Construction work required to improve safety at the crossings that will be included in the Quiet Zone. A Quiet Zone is an area along the rail line where train horn noise will be limited to emergency situations.

#### 4. Additional Information

Please see the attached Resolution documentation.



## Memphis City Council Summary Sheet

**1. Description of the Item (Resolution, Ordinance, etc.)**

This item is a resolution to accept grant funds in the amount of \$1,526.40 from the State of Tennessee Emergency Management Agency for cleanup of debris caused by event DR-1978-TN (April 2011 storm).

**2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**

Public Works Division

**3. State whether this is a change to an existing ordinance or resolution, if applicable.**

This is an amendment to an existing grant to accept additional funds. Original award approved FY2012.

**4. State whether this requires a new contract, or amends an existing contract, if applicable.**

This amends an existing contract.

**5. State whether this requires an expenditure of funds/requires a budget amendment.**

This resolution amends the FY17 Public Works Street Maintenance Operating Budget and requires a budget amendment to reflect the receipt of funds.



# RESOLUTION

This is a resolution to accept, allocate and appropriate grants funds in the amount of one thousand, five hundred and twenty-six dollars and forty cent (\$1526.40) from the State of Tennessee Emergency Management Agency.

**WHEREAS**, the State submitted a contract amendment to an existing grant for the under/overrun of expenses incurred by the Division of Public Works Street Maintenance for the cleanup of debris caused by event DR-1978-TN, April 2011 Storm; and

**WHEREAS**, the Council of the City of Memphis approved original grant award in FY2012; and

**WHEREAS**, it is necessary to accept additional grant funds and amend the Fiscal Year 2017 Operating Budget to establish funds for the Division of Public Works Street Maintenance; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that additional grant funds in the amount of one thousand, five hundred and twenty-six dollars and forty cent (\$1,526.40) from the State of Tennessee Emergency Management be accepted by the City of Memphis.

**BE IT FURTHER RESOLVED**, that the Fiscal Year 2017 Public Works Street Maintenance Operating Budget be and is hereby amended by allocating and appropriating the Revenue and Expenditures for the Division of Public Works Street Maintenance in the amount of one thousand, five hundred, twenty-six dollars and forty cent (\$1,526.40) as follows:

## Revenue

046118 - State of Tennessee	\$1,526.40
-----------------------------	------------

## Expenses

056299 - Expense Recovery	\$1,526.40
---------------------------	------------



## Memphis City Council Summary Sheet

**1. Description of the Item (Resolution, Ordinance, etc.)**

This is a Resolution requesting the approval of the sale of a City-owned parcel acquired by Warranty Deed # 04038374 on the 8th of March 2004, located in the Shelby County Register of Deeds office. The parcel is located at 659 Provine Avenue in Memphis, Shelby County, Tennessee also known as Parcel # 014006 00050. The proposed sale is to an adjoining property owner and may be conveyed without necessity of competitive bidding, for approval by the City Council with one reading per City Ordinance 2-291.

**2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**

General Services

**3. State whether this is a change to an existing ordinance or resolution, if applicable.**

This item is not a change to an existing ordinance.

**4. State whether this requires a new contract, or amends an existing contract, if applicable.**

This item does not require a new contract or amend an existing contract.

**5. State whether this requires an expenditure of funds/requires a budget amendment.**

This item does not require any expenditure of funds, or budget amendment.

## RESOLUTION

**WHEREAS**, the City of Memphis has ownership of a certain parcel of real property located at 659 Provine Avenue, identified by the Shelby County Assessor's Office as Parcel Id # 014006 00050, and acquired by the City of Memphis by Warranty Deed on March 8, 2004, as recorded in Instrument # 04038374, in the Shelby County Register's Office, Tennessee; and,

**WHEREAS**, Frank McCollins is an adjoining property owner and desires to acquire 659 Provine Avenue, hereinafter referred to as the "Subject Property", and has submitted an offer of \$200.00, based upon comparable sales and approval by the City's Real Estate Manager; and,

**WHEREAS**, the sale of the Subject Property will increase the City's General Fund, generate tax revenue, and benefit the purchaser, Frank McCollins, in the development of his adjoining property; and,

**WHEREAS**, it is deemed to be in the best interest of the Citizens of the City of Memphis and County of Shelby that said sale be accepted subject to City Ordinance 2-291 as well as the terms and conditions in the Offer to Purchase.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS** that the City will accept the offer made by Frank McCollins for the Subject Property, subject to the City Ordinance 2-291 which states in part, "the City Real Estate Manager shall be authorized to convey property to a selected adjacent property owner, without necessity of competitive bidding, for approval by the City Council with one reading under the following circumstances: ... the selected adjacent property owner is willing and capable or paying the value of the adjacent property to be acquired based on valuation determined by the City Real Estate Department."

**BE IT FURTHER RESOLVED** that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.

# My Map



## TOM LEATHERWOOD, REGISTER OF DEEDS SHELBY COUNTY, TENNESSEE

DISCLAIMER: PROPERTY TAX MAPS AND PARCEL BOUNDARIES DO NOT REFLECT ACCURATE SURVEY INFORMATION OR EXACT LEGAL OWNERSHIP BOUNDARIES, AND ARE ONLY PROVIDED FOR GENERAL INFORMATION PURPOSES. THEREFORE, THEY SHOULD NOT BE RELIED UPON AS A REPRESENTATION OF ANY PROPERTY FOR ANY PURPOSE.

MAP DATE: September 13, 2016

