

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING A SCHEDULE OF CHARGES FOR COPIES
AND DUPLICATION OF PUBLIC RECORDS PURSUANT TO
THE TENNESSEE PUBLIC RECORDS ACT**

WHEREAS, the Tennessee Public Records Act ("TPRA") grants Tennessee citizens the right to request a copy of a public record to which access is granted under state law; and

WHEREAS, Section 10-7-503(a)(7)(A) of the TPRA, expressly prohibits a records custodian from charging a fee for inspection under the TPRA unless otherwise required by law; and

WHEREAS, Section 10-7-506 of the TPRA authorizes records custodians to charge for copies or duplication pursuant to properly adopted reasonable rules as authorized by the governmental entity's governing authority; and

WHEREAS, the City of Memphis feels that the costs of retrieving, reviewing, producing, redacting and removing confidential or exempt information as allowed by law and copying same should not be borne by the taxpayers, but should be paid by the requesting party; and

WHEREAS, under the City's Charter, the City Council, as the City's legislative body, is required to adopt all policies governing the receipt and disbursement of funds by the City; and

WHEREAS, in accordance with the TPRA, the Memphis City Council has determined the need to establish a schedule of reasonable charges for copies and duplication of public records.

SECTION 1. NOW THEREFORE, BE IT ORDAINED BY THE MEMPHIS CITY COUNCIL, that there is hereby established a Schedule of Charges for Copies and Duplicates of Public Records which shall provide as follows:

A. Purpose. The City of Memphis and its employees shall:

1. Comply with the Tennessee Public Records Act (T.C.A. § 10-7-503 *et seq.*) by permitting the inspection and copying of the public records of the City Government.
2. Provide any citizen of Tennessee the opportunity to inspect all records of the City Government that are not confidential, exceptions to the Tennessee Public Records Act, or otherwise protected from disclosure by law.
3. Provide citizens of Tennessee the opportunity to copy or have provided to them a copy of records of the City Government that are not confidential, exceptions to the Tennessee Public Records Act, or otherwise protected from disclosure by law for a fee in compliance with state law that recovers for the City Government the reasonable cost of producing and delivering the copies.

B. Definitions. For purposes of this section:

1. "Confidential record" means any record, or part of a record, which is defined by the Tennessee Public Records Act, or other state or federal law, as being exempt from public inspection, including, but not limited to, those records listed in T.C.A., § 10-7-504.
2. "Labor" means the time reasonably necessary to produce the requested records and includes the time spent locating, retrieving, reviewing, redacting and reproducing records.
3. "Public record or records" means all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by the City of Memphis Government.
4. "Open Records Coordinator" means the individual designated by the administration to process all requests related to public records and information and shall also include the Open Records Coordinator's designee(s).

C. Schedule of Charges.

1. **Inspection.** No charge shall be assessed to a requestor for inspecting a public record unless otherwise required by law.

2. **Copy Charges.** Charges for physical copies of records may be imposed by the City as follows:
 - a. Standard 8 ½ x 11 or 8 ½ x 14 black and white copy: \$.15 per page for each produced.
 - b. Standard 8 ½ x 11 or 8 ½ x 14 color copy: \$.50 per page for each produced, if color copy is requested after being advised of the increased charge.
 - c. Accident reports: \$.15 per page for each standard 8 ½ x 11 or 8 ½ x 14 black and white copy produced.
 - d. Maps, plats, electronic data, audio discs, video discs, and all other materials not otherwise specified shall be charged the actual cost to the City to duplicate.
 - e. The estimated cost of providing copies requested shall be calculated by the Open Records Coordinator and provided in writing to the requestor. Payment may be required for the requested copies or duplication prior to the production of the copies or duplication.

3. **Labor Charges.** The Open Records Coordinator may charge the requestor for employee labor that is reasonably necessary to produce the requested records. However, no charge shall accrue for the first one (1) hour incurred by personnel in producing the requested material. Requests for copies of records may not be separated into multiple requests for the same information in order to qualify for the first fee hour. Costs are charged based on the hourly wage of the employee(s) (not including benefits). For salaried employees, the hourly wage is determined by dividing the employee's annual salary by the required hours to be worked per year (salary/ [52 weeks per year x hours worked per week]). The Open Records Coordinator shall determine the number of hours each employee spent producing a request and then subtract one (1) hour from the highest paid employee. The Open Records Coordinator will then multiply each employee's hourly wage by the total number of labor hours worked by that

employee. Finally, the total labor hours for all employees will be added together to determine the total labor amount to charge.

4. Delivery Charges. Requestors will retrieve requested records by hand delivery when they return to the custodian's office. If the requestor requests delivery by means of the United States Postal Service, or through any other delivery means agreed to by the Open Records Coordinator, costs incurred in delivering the copies will be assessed in addition to other permitted charges. The requestor shall pay the costs before the copies are provided to the requestor.
5. Reduction or Waiver of Costs. The Open Records Coordinator has discretion to reduce or waive payment of costs. A decision to reduce or waive costs shall be made in such manner so as to be in the best interests of the City, shall be in compliance with all federal, state, and local laws, shall be made with complete impartiality and shall not be made in a way to give the appearance of preferential treatment. However, the Open Records Coordinator may waive any or all payment by Public Officials where the waiver is in the best interest of the City.
6. Commercial Reproduction of Copies.
 - (a) Where it is not practical or possible for the City's copying equipment to prepare the copies of the records requested, the Open Records Coordinator shall immediately notify the requestor. The requestor may then request the Open Records Coordinator to determine and advise the requestor in writing of the estimated cost to commercially reproduce a copy of the records. After the requestor pays the estimated commercial reproduction costs, the Open Records Coordinator shall arrange the commercial reproduction of the documents for the requestor. The requestor shall pay any costs exceeding the estimated cost before the copies are provided to the requestor.
 - (b) Where it is not reasonably possible for the Open Records Coordinator to prepare the copies within the time frame the requestor needs, the Open Records Coordinator shall immediately notify the requestor. The requestor may then request the Open Records Coordinator to determine and advise the requestor of the estimated cost to commercially reproduce a copy of the records. After the requestor pays the estimated commercial reproduction costs, the Open Records Coordinator

shall arrange the commercial reproduction of the documents for the requestor. The requestor shall pay any costs exceeding the estimated cost before the copies are provided to the requestor.

7. **Archived Records.** Where the Open Records Coordinator will be assessed a charge to retrieve requested records from archives, or any other entity having possession of the requested records, the Open Records Coordinator shall immediately notify the requestor. After the requestor pays the estimated retrieval costs, the Open Records Coordinator shall arrange for the retrieval and reproduction of the documents for the requestor. The requestor shall pay any costs exceeding the estimated cost before the copies are provided to the requestor.
 8. **Special Formatting.** The Open Records Coordinator shall give the requestor the option of receiving information in any format in which it is maintained by the City, including electronic format consistent with Tennessee Code Title 10, Chapter 7, Part 1. In the event a requestor makes a request for a record or information in a specific format in which such information is not currently maintained by the City, a charge equivalent to the actual costs incurred by the City for such special formatting shall be borne by the requestor.
 9. **Large-Volume Requests.** When large-volume requests are involved, the Open Records Coordinator shall provide the information in the most efficient and cost effective manner, including but not limited to permitting the requestor to provide copying equipment or an electronic scanner when reasonable.
- D. *Annual Review of Costs.*** The schedule of charges provided herein shall be reviewed at least annually by the Council for proposed modifications in accordance with state law or as otherwise determined as needed upon request of the administration.
- E. *Payment of Charges.*** Payments to be made hereunder by the requestor may be required up front and shall be tendered as directed by the Open Records Coordinator.

SECTION 2. BE IT FURTHER ORDAINED, That this Council hereby ratifies all charges for copies and duplication of public records authorized by state law or regulation and imposed by the City prior to the adoption of this Ordinance.

SECTION 3. 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.

SECTION 4. BE IT FURTHER ORDAINED, that 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.

JIM STRICKLAND
Chairman of the Council

Attest:
Comptroller



**Memphis City Council
Summary Sheet
Gray's Creek Interceptor Contract 3**

1. This is a construction project to replace the existing Gray's Creek Forcemain with a gravity interceptor line extending approximately 6,500 feet. This will be a portion of a new 60 inch diameter interceptor sewer.
2. This item is being submitted by Public Works (Environmental Engineering)
3. This item does not change an existing ordinance or resolution.
4. This item does require a new contract.
5. This item requires an expenditure of funds.
6. The MWBE Goal for this project was 9%.

This is a resolution appropriating Construction Funds for SW04004 Wolf River Interceptor

WHEREAS, the Council of the City of Memphis approved Wolf River Interceptor, project number SW04004, as part of the Public Works Fiscal Year 2014 Capital Improvement Budget; and

WHEREAS, bids were taken on February 28, 2014 to install approximately 6,500 feet of 60" sewer with the lowest complying bid of eight bids being \$5,630,616.15 submitted by Argo Construction Corporation; and

WHEREAS, it is necessary to reduce Sewer Revenue Bonds in Wolf River Interceptor, project number SW04004 and establish an allocation funded by Capital Pay Go-Sewer in Wolf River Interceptor, project number SW04004 in the amount of \$6,193,678.00; and

WHEREAS, it is necessary to appropriate \$6,193,678.00 in construction funded by Capital Pay Go-Sewer in Wolf River Interceptor, project number SW04004 as follows:

Contract Amount	\$5,630,616.00
Project Contingencies	563,062.00
Total Amount	\$6,193,678.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2014 Capital Improvement Budget be and is hereby amended by reducing Sewer Revenue Bonds in Wolf River Interceptor, project number SW04004 and establishing an allocation funded by Capital Pay Go-Sewer in Wolf River Interceptor, project number SW04004 in the amount of \$6,193,678.00 to install approximately 6,500 feet of 60" sewer.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$6,193,678.00 funded by Capital Pay Go-Sewer chargeable to the FY 2014 Capital Improvement Budget and credited as follows:

Project Title	Wolf River Interceptor
Project Number	SW04004
Total Amount	\$6,193,678.00



**Memphis City Council
Summary Sheet
CIPP Annual Contract 2014**

1. This is an annual construction project to repair and rehab existing damaged sanitary sewer pipe using cured in place technology at various locations.
2. This item is being submitted by Public Works (Environmental Engineering)
3. This item does not change an existing ordinance or resolution.
4. This item does require a new contract.
5. This item requires an expenditure of funds.
6. The MWBE Goal for this project was 4%.

This resolution appropriates construction funds for Install CIPP Annual 2014

WHEREAS, the Council of the City of Memphis approved Rehab Existing Sewers, project number SW02001, as part of the Public Works Fiscal Year 2014 Capital Improvement Budget; and

WHEREAS, bids were taken on February 28, 2014 to repair/rehab existing damaged sanitary sewer pipe using CIPP process with the lowest complying bid of four bids being \$750,000.00 submitted by Moore Construction Co.; and

WHEREAS, it is necessary to transfer a construction allocation of \$825,000.00 funded by Capital Pay Go-Sewer in Rehab Existing Sewers, project number SW02001 to Install CIPP Annual 2014, project number SW02126; and

WHEREAS, it is necessary to appropriate \$825,000.00 funded by Capital Pay Go-Sewer in Install CIPP Annual 2014, project number SW02126 as follows:

Contract Amount	\$750,000.00
Project Contingencies	<u>75,000.00</u>
Total Amount	\$825,000.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2014 Capital Improvement Budget be and is hereby amended by transferring a construction allocation of \$825,000.00 funded by Capital Pay Go-Sewer in Rehab Existing Sewers, project number SW02001 to Install CIPP Annual 2014, project number SW02126 repair/rehab existing damaged sanitary sewer pipe using CIPP process.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$825,000.00 funded by Capital Pay Go-Sewer chargeable to the FY 2014 Capital Improvement Budget and credited as follows:

Project Title	Install CIPP Annual 2014
Project Number	SW02126
Total Amount	\$825,000.00

City Council Resolution

WHEREAS, the State of Tennessee maintains the full regulatory authority for the various Weights and Measures functions (*T.C.A. 47-26-101 et seq*); and

WHEREAS, the City of Memphis is the only municipality within Tennessee, Arkansas, Mississippi and Kentucky that operates a Weights and Measures program; the other programs are operated by the States; and

WHEREAS, the FY2014 personnel and operating cost for Weights and Measures is \$582,223 with anticipated revenues of \$100,000 and while the program generates some revenue, it continues to maintain a deficit; and

WHEREAS, it is patently unfair that the citizens of Memphis carry the burden of providing services that the State provides for all other Tennesseans.

NOW, THEREFORE, BE IT RESOLVED THAT based on the City's financial constraints and duplication of regulatory functions that our program shares with the State of Tennessee Weights and Measures Program, the City of Memphis will no longer operate a Weights and Measures Program effective July 1, 2014 and will instead allow the State of Tennessee to assume responsibility for the operation of the Weights and Measures Program.

March 18, 2014

Jim Strickland

City Council Resolution

WHEREAS, the City of Memphis has over 6,750 lane miles of roadway within the City limits; and

WHEREAS, the condition of our roadways is a quality of life issue for Memphians and the current condition of many of our roads causes damage to cars and tires and is unacceptable; and

WHEREAS, the City has been on a repaving cycle of 70 years (97 lane miles per year) which means most Memphians won't live to see their streets repaved; and

WHEREAS, the Memphis City Council has shown its commitment to providing additional funding as evidenced by its reallocating funds in the Mayor's proposed CIP Budget last year so an additional \$4.5 million was added to the Fiscal Year 2014 budget for street repaving; and

WHEREAS, it is the desire of the Council to increase the number of lane miles repaved each year to 337.5 miles and therefore, reduce the repaving cycle to 20 years.

NOW, THEREFORE, BE IT RESOLVED THAT The Memphis City Council requests the Mayor to reduce the repaving cycle to 20 years in his FY 2015 CIP Budget proposal to address this quality of life issue for Memphians.

March 18, 2014

Jim Strickland
Chairman

CITY COUNCIL RESOLUTION

WHEREAS, tourism is one of the largest, most important, and growing sectors of our economy and the economic impact in Memphis and Shelby County is widely known; as of February 2013, Memphis boasts more than 10 million visitors a year, 25,000 jobs in tourism and hospitality with a \$590 million payroll, \$3.1 billion in visitor expenditures, and \$127.4 million in local and state taxes; over 4 million visitors go to Beale Street Historic District each year, making it the most visited attraction in Tennessee; and

WHEREAS, the Memphis Rock 'n' Soul Museum is the only museum which tells the complete story of Memphis music history, as researched by the Smithsonian Institution; A Memphis Must See, the museum tells of the musical pioneers and legends of all racial and socio-economic backgrounds who, for the love of music, overcame obstacles to create the musical sound that changed the world; Rock 'n' Soul teams up with several other Memphis tourist attractions to offer visitors a fun, educational and comprehensive Memphis music experience; and

WHEREAS, Beale Street must expand geographically to the east and west as well as become more vibrant and grow activity, particularly for families, during the daytime hours to drive lunch and retail traffic; Beale Street needs to further develop the museum system on the street to tell its story; 26 of the current 38 Memphis Music Hall of Fame inductees have direct ties to Beale Street; and

WHEREAS, the Memphis Rock and Soul Museum, administrators of the Memphis Music Hall of Fame established in 2012, are working to expand to include the Hall of Fame in their scope and will operate it, curate it, and build and an information center that will promote all the Beale Street merchants and provide a better access / starting point for all local tours; and the new museum will donate a minimum of 1,000 comp admissions to Memphis Title I School students each year; and

WHEREAS, the new Memphis Rock and Soul Museum / Memphis Music Hall of Fame will locate above the future Memphis Hard Rock Café location at 126 Beale Street (formerly Elvis Presley's Memphis); the museum administrators have raised over half the funds already and are seeking a match from the City of Memphis.

NOW, THEREFORE BE IT RESOLVED, by the Memphis City Council, that \$250,000 from the Midtown Corridor Study funds be allocated and appropriated to the Memphis Rock and Soul Museum for the purposes of expanding the museum, establishing a physical home for the Memphis Music Hall of Fame, and relocation to 126 Beale Street.

Myron Lowery
Memphis City Council

Considerations for the Establishment of The Memphis Music Hall of Fame on Beale Street

Rock Hall went to Cleveland in 1995. The Los Angeles Grammy Museum now plans a satellite museum in Cleveland, MS. Yet Memphis is one of, if not the only city worldwide whose legacy of multiple musical genres is deserving of a Music Hall of Fame. Currently, Beale Street, one of the most famous musical streets in the world, and the largest tourist attraction in Memphis, TN, boasts 21 eateries, 6 shops, 1 spa, and 1 pool hall. Its only museum is the W.C. Handy house.

- Beale Street needs to expand, both West and East. Westward expansion connects it to the trolley line, the riverfront and Main Street. It helps bridge a north / south connection between the South Main Arts District and the developments to the north, particularly the Bass Pro development.
- Where on Beale Street do tourists stop for answers? Beale Street needs a tourism welcome center which can effectively, efficiently and professionally answer all tourist questions regarding Beale Street amenities, hotels, special events, entertainment... and one which possesses the customer service skills to promote Beale Street opportunities to guests and tourists.
- To further build on the street's unique history, impact and legacy, Beale Street needs a proven museum system established on the street to professionally tell the Beale Street story. With 26 of the current 38 Memphis Music Hall of Fame inductees having direct ties to the Beale Street story, and given the proven track record of the Memphis Rock 'n' Soul Museum, the administrators of the Memphis Music Hall of Fame, this exhibition can be best presented by them.
- This attraction on Beale Street affords Memphis a unique entity which almost no other city on the map can boast. Memphis' unique role as the epicenter of modern music mandates a tangible Music Hall of Fame experience and an immediately identifiable brand for Beale.
- If Beale Street is the musical epicenter of Memphis tourism, then every tourist's personal Memphis Music Pilgrimage should begin from this point. Via Backbeat Tours, Sun Studio Shuttle, Memphis' Hop On Bus, American Dream Safari tours, tour buses, even horse carriages... tourists will come to Beale and the Hall of Fame to launch their pilgrimage to Graceland, Stax, Rock 'n' Soul, Sun Studio, National Civil Rights Museum, and more. Tickets, transportation, and tourist information conveniently available on Beale, making it more than a dining and drinking destination.
- Beale Street needs daytime appeal and energy... to drive stronger lunch traffic and retail traffic.
- The Memphis Music Hall of Fame's annual inductee announcement and its annual Induction Ceremony, each supported by professional PR campaigns, will generate national and international publicity each year for Beale Street and for Memphis.
- The Memphis Rock 'n' Soul Museum, administrators of the long-overdue Memphis Music Hall of Fame tribute, established in 2012, is willing to work with us ... and to bring and build this museum experience to Beale Street. In fact, they've committed to curating the exhibit, operating the museum and information center, even raising 50% of the total build out cost. They'll also promote every Beale Street merchant, and, as they do at Rock 'n' Soul, will donate a minimum of 1,000 comp admissions to Memphis Title 1 school students annually.
- The Hall of Fame's trained group sales staff will immediately incorporate the many Beale Street amenities into their calls and pitches to dozens of group tour operators, as well as soliciting Beale Street visits with each national and international tourism conference they attend, providing Beale Street with an immediate sales force.



February 25, 2014

Memphis City Council
City Hall
125 N Main St. Room 514
Memphis, TN 38103

Dear Memphis City Council,

We are writing on behalf of the Memphis Music Hall of Fame and asking you to support its inclusion in the Hard Rock Café relocation plans.

Beale Street, we believe, will benefit greatly from this addition. This westward expansion connects it to the trolley line, the riverfront and Main Street. It also helps bridge a north / south connection between the South Main Arts District and the developments to the north, particularly the Bass Pro development.

This would add to Beale Street's unique history, impact and legacy, solidifying a museum system established on the street to professionally tell the Beale Street story. 26 of the current 38 Memphis Music Hall of Fame inductees have direct ties to the Beale Street story. Given the proven track record of the Memphis Rock 'n' Soul Museum, the administrators of the Memphis Music Hall of Fame, we believe this exhibition can be best presented by them.

The establishment of this attraction on Beale Street affords Memphis a unique entity which almost no other city on the map can boast. Memphis' unique role as the epicenter of modern music mandates a tangible Memphis Music Hall of Fame experience and an immediately identifiable brand for Beale.

Via services like Backbeat Tours, Sun Studio Shuttle, Memphis' Hop On Bus, American Dream Safari tours, tour bus, even horse carriage... tourists will come to Beale and the Memphis Music Hall of Fame to launch their music pilgrimage to Graceland, Stax, Rock 'n' Soul, Sun Studio, National Civil Rights Museum, and more. Distributing attraction tickets, arranging transportation, and distributing tourist information would be convenient, and for the first time, available from Beale, making it much more than a dining and drinking destination.

As Mayor Wharton highlighted earlier in the month, Beale Street needs daytime appeal and this destination would certainly drive stronger lunch and retail traffic.

Finally, the Memphis Music Hall of Fame's annual inductee announcement and its annual Induction Ceremony, each supported by professional PR campaigns, will generate national and international publicity each year for Beale Street and for Memphis.

The Memphis Rock 'n' Soul Museum, administrators of the long-overdue Memphis Music Hall of Fame tribute, established in 2012, has committed to operating the museum and will curate the exhibit and information center. They have also committed to raising 50% of the total build out cost. In addition they will promote every Beale Street merchant, and will donate a minimum of 1,000 comp admissions to Memphis Title 1 school students annually.

We ask that you strongly consider the support of this plan and are available for further discussion should you have any questions or concerns.

Sincerely,



Kevin Kane
Memphis Convention & Visitors Bureau



Paul Morris
Downtown Memphis Commission

A RESOLUTION REQUESTING THE MAYOR IN HIS 2015 BUDGET CREATE A "SCHOOLS LITIGATION FUND" AND PLACE IN SUCH FUND THE FIRST OF TWELVE ANNUAL INSTALLMENTS OF \$4,800,000 IN THE EVENT THE CITY OF MEMPHIS IS ORDERED TO SATISFY THE CLAIM BY SHELBY COUNTY SCHOOLS (FORMERLY MEMPHIS CITY SCHOOLS) OR A SETTLEMENT IS REACHED THAT OBLIGATES THE CITY OF MEMPHIS TO MAKE PAYMENT TO SHELBY COUNTY SCHOOLS

WHEREAS, the Chancery Court for Shelby County found that the City of Memphis owes \$57.5 Million for the 2008-2009 school year; and

WHEREAS, specifically the Chancellor of that Court ordered the City to provide "additional funding for the 2008-2009 school year in the amount of \$57,460,947 to meet its statutory obligation as required by the 'maintenance of effort' provisions of our state's education statutes."

WHEREAS, the Court of Appeals of Tennessee has affirmed the decision of the Chancery Court; and

WHEREAS, an appeal by the City of Memphis to the Tennessee Supreme Court was denied in 2010; and

WHEREAS, this claim held by the Shelby County School system (formerly the Memphis City Schools) has appeared on the City of Memphis' 2009, 2010, 2011, 2012, and 2013 Annual Financial Reports as a contingent liability; and

WHEREAS, there is currently no financial plan in place to cover this contingent liability in the event that either the City of Memphis is ultimately unable to avoid this claim through further litigation or in the event that a settlement is reached whereby the City of Memphis agrees to make payment to Shelby County Schools; and

WHEREAS, a \$57.5 Million expense (if the city's counterclaims are unsuccessful) or any sizable settlement (if one is reached) paid by the City of Memphis to the Shelby County Schools in a single budget year would require either significant budget cuts, depletion of the city's reserve, or new borrowing; and

WHEREAS, if a Schools Litigation Fund is not created now and budget cuts are required to meet this outstanding obligation to Shelby County Schools, it would place a significant hardship on the citizens and employees of the City of Memphis; and

WHEREAS, it is prudent to plan for an eventual payment to Shelby County Schools in the event that either the City of Memphis is ultimately unable to avoid this outstanding claim through further litigation or in the event that a settlement is reached whereby the City of Memphis agrees to make payment to Shelby County Schools;

NOW, THEREFORE, BE IT RESOLVED the Memphis City Council respectfully requests that the Mayor in his FY2015 budget create a “Schools Litigation Fund” for the purpose of holding, preserving, and setting aside installment payments for the benefit of Shelby County Schools.

FURTHERMORE, BE IT RESOLVED THAT the Council respectfully requests that the Mayor budget, allocate, and set aside the first annual installment in the amount of four million, eight hundred thousand dollars (\$4,800,000) and place the first installment in the Schools Litigation Fund.

ALSO, BE IT RESOLVED THAT if such a fund is recommended by the Mayor and approved by the Council in the FY2015 budget, any funds deposited in the Schools Litigation Fund shall only be used to make payment to the Shelby County Schools, in the event the City of Memphis is ultimately unable to avoid this outstanding claim through further litigation or in the event that a settlement is reached whereby the City of Memphis agrees to make any payment to Shelby County Schools.

FINALLY, BE IT RESOLVED that if some pending or future litigation relieves the City of Memphis’ of the obligation of paying the outstanding judgment to Shelby County Schools, the Schools Litigation Fund shall be terminated and the balance of such fund, if any, shall be returned to the general fund of the City of Memphis.

Lee Harris
Council Member

Date of last update: 3/16/14

ORDINANCE NO.: _____

AN ORDINANCE TO REQUIRE INSTALLATION OF INDIVIDUAL WATER METERS ON ALL NEW CONSTRUCTED RESIDENTIAL RENTAL UNITS

WHEREAS, there are 88,000 residential rental unit complexes within the City of Memphis limits; and

WHEREAS, MLG&W Utility Company currently bill residential rental units through one or several master meters; and

WHEREAS, charges for water are allocated and included in the tenants' monthly rent and they do not receive a water bill from the water provider directly which leaves them, in some cases, vulnerable to the mismanagement of their bill payment to the owner and or manager; and

WHEREAS, many residential rental unit complexes are blighted and may experience numerous water leaks that are of large magnitude; and

WHEREAS, the time and location of water leaks will be more readily detected by individual customers if their water usage is measured by individual meters which will in turn encourage conservation, faster repairs, and reduce the needless waste of water; and

WHEREAS, property owners of and managers within these complexes which are constructed with a master meter are not willing to take the responsibility to repair these private property leaks thus requiring MLG&W to issue emergency water cut-off notices to the tenants.

NOW, THEREFORE, BE IT ORDAINED That the City of Memphis Codes of Ordinances be amended as follows:

SECTION 1. DEFINITIONS

"Residential Rental Unit" means one or more rooms with a private bath and kitchen facilities comprising an independent self-contained residential unit in a building(s)

"Newly Constructed Residential Rental Unit" means any structure for which a building permit for construction of a residential rental unit is issued after _____, 2014

SECTION 2. INSTALLATION OF INDIVIDUAL METERS FOR NEWLY CONSTRUCTED RESIDENTIAL RENTAL UNITS

1. Any new or renovated residential rental units will be individually metered. MLGW will not allow water master-metered designs for all newly constructed residential rental unit buildings.

SECTION 3. BE IT FURTHER ORDAINED That 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 4. BE IT FURTHER ORDAINED That 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.

MYRON LOWERY
Council Member

JIM STRICKLAND
Council Chairman

Attest:
Patrice Thomas, Comptroller

AN ORDINANCE TO EXPAND THE CLASS OF CONTRACTS COVERED UNDER THE PREVAILING WAGE ORDINANCE, ALIGN CITY OF MEMPHIS PREVAILING WAGE ORDINANCE WITH STATE-LEVEL PREVAILING WAGE REQUIREMENTS, AND AMEND SECTION 5-4-12(A) AND 5-4-12(F-1).

(PREVAILING WAGE)

*****Summary of Proposed Ordinance**

Under the current prevailing wage ordinance, firms that contract with the City of Memphis are required to pay local prevailing wages for workmen, mechanics, and other laborers on City projects. However, the current ordinance requires that firms pay prevailing wages only for contracts in excess of \$500,000. As a consequence, one problem is that under the current ordinance, firms that contract with the City of Memphis could possibly avoid paying the prevailing wage by piecing out work into sections of just under \$500,000.

The Proposed Ordinance expands the class of contracts that are required to comply with the City's current Prevailing Wage Ordinance. The Proposed Ordinance requires that firms receiving contracts in excess of \$50,000 pay prevailing wages. In addition to setting a lower threshold for contracts subject to the prevailing wage, the Proposed Ordinance updates some language in the City's Prevailing Wage ordinance. It is also worth noting that the Proposed Ordinance matches the State threshold for contracts subject to the State requirement for Prevailing Wage, which is also set to apply for state contracts in excess of \$50,000.

A copy of the Proposed Ordinance follows. Changes to the current ordinance are typed in Red.

ORDINANCE NO. _____

AN ORDINANCE TO EXPAND THE CLASS OF CONTRACTS COVERED UNDER THE PREVAILING WAGE ORDINANCE, ALIGN THE CITY OF MEMPHIS PREVAILING WAGE ORDINANCE WITH STATE-LEVEL PREVAILING WAGE REQUIREMENTS, AND AMEND SECTION 5-4-12(A) AND 5-4-12(F-1) (PREVAILING WAGE)

WHEREAS, the existing City Code of Ordinances, Chapter 5, Article 4, Section 12(A), commonly known as the "Prevailing Wage," regulates the minimum wage of construction workers associated with City projects; and

WHEREAS, the "Prevailing Wage" establishes the requirement that city of Memphis construction contracts pay the local prevailing wage for laborers, workmen, mechanics or other listed classifications for Memphis, Tennessee; and

WHEREAS, the "Prevailing Wage" applies to any construction project involving city funds in excess of \$500,000; and

WHEREAS, as a consequence of the high \$500,000 requirement for the prevailing wage to apply, there is a real potential for abuse; and

WHEREAS, the State of Tennessee has dealt the potential for abuse by greatly expanding the range of state contracts that are subject to state prevailing wage requirements; and

WHEREAS, Tennessee Code Annotated, Title 12, Chapter 4, Section 402-415, the "Prevailing Wage Law" for the state of Tennessee provides that the state prevailing wage requirement shall apply to contractors who perform a state contract in excess of \$50,000;

NOW THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that the Code of Ordinances Chapter 5, Article 4, Sections 12(A) and 12(F-1) are hereby amended to read as follows:

Sec. 5-4-12. Prevailing wage.

- A. Any firm, individual, partnership, corporation, contractor, or subcontractor that is awarded a contract in excess of fifty thousand dollars (\$50,000) by the city for the construction of, improvement, enlargement, alteration or replacement of a public work or any project involving city funds in excess of fifty thousand dollars (\$50,000) (hereinafter referred to as "recipient"), shall be required to pay local prevailing wages for laborers, workmen, mechanics or other listed classifications for Memphis, Tennessee.
- B. Contracts for the construction of, demolition, improvement, enlargement, alteration or replacement of a public work or project shall not be deliberately divided into multiple contracts for the sole purpose of circumventing the

prevailing wage ordinance.

- C. The term "wage(s)" and "prevailing wage(s)" shall be defined as the rate of pay as determined according to the provisions of this section.
- D. There shall be a prevailing wage commission composed of nine members, including the city finance director or his or her designee, who shall serve as chairperson of the committee, and the city public works director or his or her designee. The chairperson of the city council or another councilmember designated by the city council chairperson shall also serve on the commission. Six members shall be appointed by the mayor and approved by the city council and shall serve terms of two years (two shall be representatives of the Memphis Building and Construction Trades Council, two shall be representatives of the West Tennessee Chapter of the Associated Builders and Contractors, Inc. or their designees, and two shall be representatives of a local minority contractor association). The commission shall meet as required and shall have oversight responsibility for the prevailing wage ordinance to ensure it is properly and fairly enforced. The commission shall have no authority in the establishment of wages or job descriptions.
- E. Determination of local prevailing wage. For purposes of this section, the prevailing wage rate shall be determined as follows:
 - 1. The prevailing wage rate for the city shall be the most current State of Tennessee prevailing wage rates established for Region 1, which includes Memphis and Shelby County, plus benefits as described in the published schedule issued by the Memphis and Shelby County Building Trades Council in effect on the date this subdivision is adopted by the council.
- F. Filing scheduled wages; employment of apprentices.
 - 1. It shall be required that any recipient performing under the terms of this section file with the city a schedule of the wages to be paid to such laborers, workmen, mechanics or employees working other classifications.
 - 2. The schedule shall not be less than the state prevailing wages for the class of work being performed by each laborer, workman or mechanic. Such schedule of prevailing wages shall be clearly posted on the job site during construction. (Any construction, improvement, enlargement, alteration or replacement of a public work project, as provided hereof, shall require that a contractor employs apprentices who are properly indentured into a joint labor management apprenticeship training program or an equivalent program that is registered and certified with the U.S. Department of Labor, Bureau of Apprenticeship Training.)

3. Pre-apprentices/helpers may be utilized if indentured apprentices are not available.
- G. Proof of compliance. The city and/or its authorized representative shall have the power and authority to request and receive information which would substantiate proper compliance under this section. The recipient of the contract shall supply the requested documents or information to the city or its designee within 30 working days of receipt of this request. Failure to comply with the request shall result in a fine equal to the maximum amount allowable under the law after the 30 working days response period has elapsed. If determination is made by the city that the recipient is not in compliance with the prevailing wage ordinance, the recipient will be provided seven working days to begin and to diligently pursue rectifying the compliance violation. If recipient fails to comply with this request within 21 working days, then documentation will be forwarded to the prevailing wage commission for final disposition. A majority vote of members present will be final, with a minimum of five members in attendance.
- H. Violations, penalties and sanctions. Any recipient which knowingly or willfully fails to comply with the provisions of the ordinance as determined by the prevailing wage commission shall be fined not less than the maximum amount allowable under the law for each violation. Any recipient which is found to have committed two violations of this section in any 24-month period shall be prohibited from being awarded a contract by the city for any public work or project for a period of 24 months of adjudication of the second violation.

SECTION 2. BE IT FURTHER ORDAINED, That the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases or parts is held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect from and after the date it shall have been passed by the City Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

Lee Harris
Council Member

Dr. Edmund Ford, Jr.
Chairman

Attest:
Patrice Thomas, Comptroller

Date of Last Update: November 13, 2013

*****CURRENT ORDINANCE:**

Sec. 5-4-12. Prevailing wage.

- A. Any firm, individual, partnership or corporation that is awarded a contract by the city for the construction of, improvement, enlargement, alteration or replacement of a public work or any project involving city funds in excess of \$500,000.00 and any subcontractors of such public work or project involving city funds in excess of \$50,000.00 (hereinafter referred to as "recipient"), shall be required by the city to pay local prevailing wages for laborers, workmen, mechanics or other listed classifications for Memphis, Tennessee.
- B. Contracts for the construction of, demolition, improvement, enlargement, alteration or replacement of a public work or project shall not be deliberately divided into multiple contracts for the sole purpose of circumventing the prevailing wage ordinance.
- C. The term "wage(s)" and "prevailing wage(s)" shall be defined as the rate of pay as determined according to the provisions of this section.
- D. There shall be a prevailing wage commission composed of nine members, including the city finance director or his or her designee, who shall serve as chairperson of the committee, and the city public works director or his or her designee. The chairperson of the city council or another councilmember designated by the city council chairperson shall also serve on the commission. Six members shall be appointed by the mayor and approved by the city council and shall serve terms of two years (two shall be representatives of the Memphis Building and Construction Trades Council, two shall be representatives of the West Tennessee Chapter of the Associated Builders and Contractors, Inc. or their designees, and two shall be representatives of a local minority contractor association). The commission shall meet as required and shall have oversight responsibility for the prevailing wage ordinance to ensure it is properly and fairly enforced. The commission shall have no authority in the establishment of wages or job descriptions.
- E. Determination of local prevailing wage. For purposes of this section, the prevailing wage rate shall be determined as follows:
 - 1. The prevailing wage rate for the city shall be the most current State of Tennessee prevailing wage rates established for Region 1, which includes Memphis and Shelby County, plus benefits as described in the published schedule issued by the Memphis and Shelby County Building Trades

Council in effect on the date this subdivision is adopted by the council.

- F. Filing scheduled wages; employment of apprentices.
1. It shall be required that any contractor or subcontractor performing under the terms of this section file with the city a schedule of the wages to be paid to such laborers, workmen, mechanics or employees working other classifications.
 2. The schedule shall not be less than the state prevailing wages for the class of work being performed by each laborer, workman or mechanic. Such schedule of prevailing wages shall be clearly posted on the job site during construction. (Any construction, improvement, enlargement, alteration or replacement of a public work project, as provided hereof, shall require that a contractor employs apprentices who are properly indentured into a joint labor management apprenticeship training program or an equivalent program, that is registered and certified with the U.S. Department of Labor, Bureau of Apprenticeship Training.)
 3. Pre-apprentices/helpers may be utilized if indentured apprentices are not available.
- G. Proof of compliance. The city and/or its authorized representative shall have the power and authority to request and receive information which would substantiate proper compliance under this section. The recipient of the contract shall supply the requested documents or information to the city or its designee within 30 working days of receipt of this request. Failure to comply with the request shall result in a fine equal to the maximum amount allowable under the law after the 30 working days response period has elapsed. If determination is made by the city that the recipient is not in compliance with the prevailing wage ordinance, the recipient will be provided seven working days to begin and to diligently pursue rectifying the compliance violation. If recipient fails to comply with this request within 21 working days, then documentation will be forwarded to the prevailing wage commission for final disposition. A majority vote of members present will be final, with a minimum of five members in attendance.
- H. Violations, penalties and sanctions. Any recipient which knowingly or willfully fails to comply with the provisions of the ordinance as determined by the prevailing wage commission shall be fined not less than the maximum amount allowable under the law for each violation. Any recipient which is found to have committed two violations of this section in any 24-month period shall be prohibited from being awarded a contract by the city for any public work or project for a period of 24 months of adjudication of the second violation.



Memphis City Council Summary Sheet

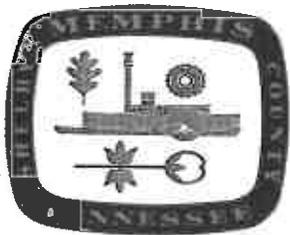
Please provide a brief summary of the item, in bullet form, not to exceed one page:

1. Item is a resolution authorizing the acceptance of conference sponsorships, donations, and registration and exhibition fees for the 2014 Neighborhood Redevelopment Conference. The city of Memphis is excited to host the inaugural regional Neighborhood Redevelopment Conference (NRC), which will be held **April 16-18, 2014 at the Memphis Cook Convention Center**. This year's theme is *Healthy Communities - Redevelopment from the Inside-OUT*. We look forward to the opportunity to showcase Memphis' diverse neighborhoods and initiatives.

During this three-day event, volunteers, corporations, governments, and community leaders, will meet to share invaluable knowledge that will assist in building and transforming communities of all sizes. Attendees can look forward to a wide variety of workshops about innovative approaches to neighborhood redevelopment and community building, expert speakers, entertainment, and fun

2. The initiating party is the Division of Housing and Community Development.
3. Resolution is not a change to an existing ordinance or resolution.
4. A new contract or an amendment to an existing contract is not required.
5. An expenditure of funds will be required.

Resolution-Division of Housing and Community Development



RESOLUTION AUTHORIZING THE ACCEPTANCE OF CONFERENCE SPONSORSHIPS, DONATIONS, AND REGISTRATION AND EXHIBIT FEES FOR THE 2014 NEIGHBORHOOD REDEVELOPMENT CONFERENCE IN THE AMOUNT OF APPROXIMATELY \$85,000.00 AND THE SUBMISSION OF ALL REQUIRED DOCUMENTS TO COLLECT, OBLIGATE AND EXPEND CONFERENCE REVENUE.

WHEREAS, the City of Memphis' Division of Housing and Community Development (HCD) is hosting a 2014 Neighborhood Redevelopment Conference and anticipates collecting and expending funds in the amount of \$85,000.00 for the Neighborhood Redevelopment Conference; and

WHEREAS, HCD is hosting a three-day regional conference; and

WHEREAS, the conference will convene over two hundred citizens of Memphis, neighborhood leaders, nonprofit organizations, corporations, educators, and governments; and

WHEREAS, the purpose of the conference is for people to attend a wide-variety of workshops about innovative approaches to neighborhood redevelopment, community building, and applying holistic approaches to leveraging public private partnerships; and

WHEREAS, invaluable knowledge will be shared to assist in building and transforming communities of all sizes.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the above fees and expenditures are hereby approved to be accepted, obligated and expended for the 2014 Neighborhood Redevelopment Conference.

CITY OF MEMPHIS
INVESTMENT & REDEVELOPMENT PORTFOLIO

By creating a way to a community development
 Memphis, Tennessee

NEIGHBORHOOD REDEVELOPMENT CONFERENCE | NEIGHBORHOODS USA | NEIGHBORHOOD CONNECT NEWSLETTER | Facebook

AC Wharton, Jr. Mayor, City of Memphis
 Robert Lipscomb, Director, Housing and Community Development

2014 NEIGHBORHOOD REDEVELOPMENT CONFERENCE

[NEIGHBORHOOD REDEVELOPMENT CONFERENCE](#) | [NEIGHBORHOODS USA](#) | [NEIGHBORHOOD CONNECT NEWSLETTER](#) | [NRC FACEBOOK PAGE](#)
[NRC GUEST REGISTRATION](#) | [NRC VENDOR/EXHIBITORS REGISTRATION](#) | [CONFERENCE AGENDA](#) | [CONFERENCE SPEAKERS & PRESENTERS](#)

Conference Dates: April 16-18, 2014

Memphis Cook Convention Center
 255 N Main Street | Memphis, TN 38103 | Phone: (901) 576-1200
[Click here for driving directions](#)

There is an air of excitement here in Memphis centered upon a holistic approach to leveraging public private partnerships to build our communities. We recognize that in order for us to be a "City of Choice," we must first have "Neighborhoods of Choice". We are committed to developing sustainable and effervescent neighborhoods; as well as celebrating the uniqueness of over thirty-five targeted neighborhoods and more than two-hundred registered neighborhoods associations.

To this end, the city of Memphis is excited to host the Inaugural Neighborhood Regional Conference (NRC), which will be held April 16-18, 2014. This year's theme is *Healthy Communities - Redevelopment from the Inside-OUT*. We look forward to the opportunity to showcase Memphis' diverse neighborhoods and initiatives.

During this three-day event volunteers, corporations, governments, and community leaders, will meet to share invaluable knowledge that will assist in building and transforming communities of all sizes. Attendees can look forward to a wide variety of workshops about innovative approaches to neighborhood redevelopment and community building, expert speakers, fun and entertainment.



Congratulations!

Memphis has become a national laboratory for urban solutions that is being watched closely by an unprecedented number of national foundations, public policy organizations, and the White House.

That's why there is no better place for next year's Inaugural Neighborhood Redevelopment Conference (NRC) April 16-18, 2014. The conference theme is *Healthy Communities - Redevelopment from the Inside-OUT* and that is precisely what we've been doing in Memphis.

We have reinvented public housing, we have developed an innovative prosperity program to reduce poverty, we have rebuilt declining neighborhoods, and we have entered into a historic number of partnerships as we pursue our unique "City of Choice" vision for Memphis. We are developing sustainable and vibrant neighborhoods and celebrating the distinctiveness of our more than 35 targeted neighborhoods and more than 200 neighborhood associations.

We are proud to host the Neighborhood Redevelopment Conference's three days of information-sharing between colleagues and innovators, workshops about creative approaches to neighborhood redevelopment and community-building and special programs showcasing our rich music heritage and proving why our city deserves to be called "mythic Memphis."

We are honored to have this special opportunity to welcome volunteers, companies, governments, and community leaders as we continue our dedication to building strong neighborhoods for every citizen of our cities. Make plans now to join us April 16-18, 2014, for the first Neighborhood Redevelopment Conference!

Robert Lipscomb
 Director, Housing & Community Development
 Executive Director, Memphis Housing Authority

Click Below to Register as a Guest or Vendor / Exhibitor Via Paypal (MC, VISA, Amex or Discover)



CONFERENCE GUESTS registration	CONFERENCE SPEAKERS chairpersons & facilitators
EXHIBITORS / VENDORS registration	CONFERENCE AGENDA
SPONSORSHIP	HOTEL RESERVATIONS special conference rate



Yes, She's Coming Back!
 A Framework for Understanding Economic Classes:
 Workshop Presented by Dr. Ruby Payne / March 11, 2014 / Free to attend
 Now you go on classes to learn how to help all those people who are wash and dry
 their lives when you work. You may forward this information to them
[CLICK HERE FOR MORE INFO OR REGISTER](#)

TERMS OF USE

All information and data provided in this site are for informational purposes only. All material in this site is provided 'as is' and without any warranties of any kind, either expressed or implied. To the fullest extent permissible pursuant to applicable law, The City of Memphis Division of Housing and Community Development disclaim all warranties, expressed or implied, including but not limited to implied warranties of merchantability and fitness for a particular purpose. The City of Memphis Division of Housing and Community Development does not warrant that the functions contained in the materials will be uninterrupted or error free, that defects will be corrected or that this site or the server that makes it available are free of viruses or other harmful components. The City of Memphis Division of Housing and Community Development do not warrant or make any representation regarding the use or the results there from of the materials in this site as to their correctness, accuracy, reliability or otherwise. You, the user, assume the entire cost of all servicing, repair or correction as a result of your use of any information or data from this site. Under no circumstances, including but not limited to negligence, shall The City of Memphis Division of Housing and Community Development be liable for any special or consequential damages that result from the use of or inability to use the information or data in this site. By using this site, you agree to the terms.

City of Memphis Investment & Redevelopment Portfolio

[Home](#) | [Introduction](#) | [Memphis Major Projects](#) | [Media / Videos](#) | [Resources & Links](#) | [Blog](#) | [Contact Us](#)

TWEET US JOIN US

PROJECTS, REVENUE & IMPACTS	RED EDITION PROJECTS	2014 MAJOR PROJECTS

NEIGHBORHOOD REDEVELOPMENT ESTIMATED BUDGET 2014 CONFERENCE

GENERAL INCOME		EXPENSES	
REGISTRATION	\$ 200.00	200 ATTENDEES	\$40,000.00
SPONSORS		COOK CONVENTION CENTER	\$ 25,000.00
EXHIBITORS	\$ 750.00	REGISTRATION	\$ 10,000.00
IN-KIND		Meals	\$ 10,000.00
		Exhibit hall/props/decoration	\$ 10,000.00
		Staging/entertainment	\$ 9,000.00
		Speakers	\$ 15,000.00
		Printed materials	\$ 6,000.00
			\$ 85,000.00
			\$ 85,000.00

HOTEL ACCOMMODATIONS TO BE PAID BY ATTENDEES.

**\$99.00 PER NIGHT
PLUS TAXES**

CITY COUNCIL RESOLUTION

Whereas, Chad Horning will transfer ownership to Inland Suites located at 1218 Winchester Road, Memphis, Tennessee 38116;

WHEREAS, this motel is fully constructed and operated for many years; and

WHEREAS, this is a legitimate and reputable hotel; and

WHEREAS, the City has instituted a waiver policy to ensure that change of ownership for hotels/motels does not cause undue harm to these businesses.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council waives the requirements for a Special Use Permit for the operation of Inland Suites located at 1218 Winchester Road, Memphis, Tennessee 38116.

BE IT FURTHER RESOLVED that the Memphis City Council instructs the Office of Construction Code Enforcement to issue an occupancy permit to Inland Suites located at 1218 Winchester Road Memphis, Tennessee 38116, assuming other requirements have been met and conditioned upon the owner executing the approved Waiver Agreement (in recordable form), in which the applicant agrees to be bound by the provisions of the Waiver Agreement, Resolution and application

April 1, 2014

Harold Collins
Chairman, Planning & Zoning Committee

HMW 14-01
Inland Suites
1218 Winchester
Memphis, TN 38116

CITY COUNCIL RESOLUTION

Whereas, Chad Horning will transfer ownership to Inland Suites located at 3913 Lamar Avenue, Memphis, Tennessee 38118;

WHEREAS, this motel is fully constructed and operated for many years; and

WHEREAS, this is a legitimate and reputable hotel; and

WHEREAS, the City has instituted a waiver policy to ensure that change of ownership for hotels/motels does not cause undue harm to these businesses.

NOW, THEREFORE, BE IT RESOVED that the Memphis City Council waives the requirements for a Special Use Permit for the operation of Inland Suites located at 3913 Lamar Avenue, Memphis, Tennessee 38118.

BE IT FURTHER RESOLVED that the Memphis City Council instructs the Office of Construction Code Enforcement to issue an occupancy permit to Inland Suites, located at 3913 Lamar Avenue Memphis, Tennessee 38118, assuming other requirements have been met and conditioned upon the owner executing the approved Waiver Agreement (in recordable form), in which the applicant agrees to be bound by the provisions of the Waiver Agreement, Resolution and application

April 1, 2014

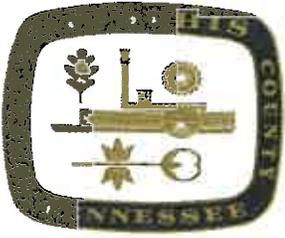
Harold Collins
Chairman, Planning & Zoning Committee

**HMW 14-02
Inland Suites
3913 Lamar Avenue
Memphis, TN 38118**



Memphis City Council Summary Sheet

1. This item is a resolution to accept state grant funds from the Tennessee Historical Commission in the amount of \$4,500.00 specifically for the Landmarks Commissioners Training Grant.
2. The City of Memphis Division of Planning and Development – Landmarks Commission was the applicant for the Landmarks Commissioners Training Grant.
3. This is a new grant award pending Council acceptance.
4. Acceptance and appropriation of the state funds will require a contract with the Tennessee Historical Commission.
5. Acceptance will require an amendment to the 2014 Operating Budget to appropriate the funds.



A Resolution to accept grant funds in the amount of Four Thousand Five Hundred Dollars (\$4,500.00) from the Tennessee Historical Commission.

WHEREAS, the City of Memphis Division of Planning and Development - Landmarks Commission has received grant funds in the amount of Four Thousand Five Hundred Dollars (\$4,500.00) from the Tennessee Historical Commission; and

WHEREAS, these funds will be used to take at least six Landmarks Commissioners and/or staff to the National Alliance of Preservation Commissions Forum 2014 in Philadelphia PA, July 16-20, 2014; and

WHEREAS, it is necessary to provide matching funds in the amount of Three Thousand Dollars (\$3,000.00) from the Memphis Landmarks Commission; and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2014 Operating Budget to establish funds for the Landmarks Commissioners Training Grant; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Four Thousand Five Hundred Dollars (\$4,500.00) and matching funds in the amount of Three Thousand Dollars (\$3,000.00) for the Landmarks Commissioners Training Grant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Memphis Landmark Commissioners Training Grant funds in the amount of Four Thousand Five Hundred Dollars (\$4,500.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2014 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Landmarks Commissioners Training Grant in the amount of Four Thousand Five Hundred Dollars (\$4,500.00) as follows:

Revenue

Tennessee Historical Commission	\$4,500.00
Operating Transfer In	<u>\$3,000.00</u>
TOTAL	\$7,500.00

Expenditures

Seminars/Training/Education	\$1,500.00
Travel Expense	<u>\$6,000.00</u>
TOTAL	\$7,500.00