



Memphis City Council Summary Sheet Instructions

Resolution to replace the Airways Bridge over Nonconnah Creek ST03111:

1. Project is to replace the poor rated bridge (scour related problems) on Airways over Nonconnah Creek.
2. This project is initiated by the Public Works Division in response to the recommendation of the City Engineer.
3. This project is currently in the CIP budget taken from the storm water fund ST03111, and has been approved by the City Council.
4. This project requires a construction contract with Chris-Hill Construction to replace the existing bridge.
5. This project requires an expenditure of storm water funds as shown in the current CIP 2013 fiscal year budget. This project also has a Federal FEMA and State TEMA grants.

This is a resolution appropriating Construction Funds for ST03111 Airways over Nonconnah

WHEREAS, the Council of the City of Memphis approved Airways over Nonconnah, project number ST03111, as part of the Public Works Fiscal Year 2013 Capital Improvement Budget; and

WHEREAS, bids were taken on February 15, 2013 for bridge repair of Airways bridge over Nonconnah Creek with the lowest complying bid of three bids being \$5,499,674.75 submitted by Chris Hill Construction; and

WHEREAS, it is necessary to appropriate \$1,707,103 funded by G.O. Bonds, \$3,722,177 funded by Federal Emergency Management Agency and \$620,363 funded by Tennessee Emergency Management Agency in Airways over Nonconnah, project number ST03111 as follows:

Contract Amount	\$5,499,675.00
Project Contingencies	<u>549,968.00</u>
Total Amount	\$6,049,643.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$1,707,103 funded by G.O. Bonds, \$3,722,177 funded by Federal Emergency Management Agency and \$620,363 funded by Tennessee Emergency Management Agency chargeable to the Fiscal Year 2013 Capital Improvement Budget and credited as follows:

Project Title	Airways over Nonconnah
Project Number	ST03111
Total Amount	\$6,049,643.00



Memphis City Council Summary Sheet Instructions

Resolution to fund the Contract for A.D.A. Curb Ramps Group 47

1. Resolution funding the A.D.A. Curb Ramp contract for the construction of four hundred (400) curb ramps City wide.
2. This Resolution is initiated by Public Works Division in response to City's requirement to fulfill the Federal Settlement Agreement with the U.S. Department of Justice.
3. This project is currently in the CIP 2013 fiscal year listed under project PW04092.
4. This project will require a construction contract with GCM, Inc. who is a 100% MWBE Contractor.
5. This project is requesting a 5% contingency.
6. This project requires an expenditure of G. O. bonds.

This is a resolution appropriating Construction Funds for PW04092 Curb Ramp Program Group 47

WHEREAS, the Council of the City of Memphis approved ADA Curb Ramp, project number PW04007, as part of the Public Works Fiscal Year 2013 Capital Improvement Budget; and

WHEREAS, bids were taken on March 8, 2013 to install handicap ramps at various locations throughout the city with the lowest complying bid of four bids being \$769,352.00 submitted by GCM, Inc; and

WHEREAS, it is necessary transfer an allocation of \$807,820.00 funded by G.O. bonds from ADA Curb Ramp, project number PW04007 to Curb Ramp Program Group 47, project number PW04092 to install handicap ramps at various locations throughout the city; and

WHEREAS, it is necessary to appropriate \$807,820.00 funded by G.O. Bonds in Curb Ramp Program Group 47, project number PW04092 as follows:

Contract Amount	\$769,352.00
Project Contingencies	<u>38,468.00</u>
Total Amount	\$807,820.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2013 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$807,820.00 funded by G.O. bonds from ADA Curb Ramp, project number PW04007 to Curb Ramp Program Group 47, project number PW04092 to install handicap ramps at various locations throughout the city; and

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$807,820.00 funded by G.O. Bonds chargeable to the FY 2013 Capital Improvement Budget and credited as follows:

Project Title	Curb Ramp Program Group 47
Project Number	PW04092
Total Amount	\$807,820.00



Memphis City Council Summary Sheet

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

Resolution transferring \$8,000 from the Construction line item to the A/E line item. This money is needed to cover some design changes that were the result of a change in the project funding and scope of work.

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

Engineering

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

None

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

No new contracts or grants are required. This project is in the FY '13 budget.

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

There is no net increase in funds needed. This is just a transfer of State funds from Construction to A/E.

This is a resolution appropriating Construction Funds for PW04029 U of M Crosswalk

WHEREAS, the Council of the City of Memphis approved U of M Crosswalk, project number PW04029, as part of the Public Works Fiscal Year 2013 Capital Improvement Budget; and

WHEREAS, additional funds are needed to cover design changes that were the result of a change in the scope of work; and

WHEREAS, it is necessary to transfer a construction allocation of \$8,000.00 funded by State Grants to architecture and engineering in U of M Crosswalk, project number PW04029; and

WHEREAS, it is necessary to appropriate \$8,000.00 funded by State Grants in U of M Crosswalk, project number PW04029 as follows:

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2013 Capital Improvement Budget be and is hereby amended by transferring a construction allocation of \$8,000.00 funded by State Grants to architecture and engineering in U of M Crosswalk, project number PW04029 for design changes.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$8,000.00 funded by State Grants chargeable to the FY 2013 Capital Improvement Budget.



Memphis City Council Summary Sheet

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

This ordinance amends the existing annual emissions fee charged to businesses holding air pollution permits in Memphis. The amount collected is based on the actual tons of regulated pollutants emitted by that air pollution source. The current fee, \$29.65 per ton, would increase to \$43.00 per ton. Further, the amendment would establish a new minimum annual emissions fee for sources regulated under the Major Source Rules, also referred to as Title V sources and synthetic minor sources. This new minimum emissions fee charged to Major Sources would be \$1,000 annually. Finally there are fee adjustments to all other fees charged based on the amounts recommended by the Memphis and Shelby County Air Pollution Control Board. These adjustments were determined based on the effects of inflation and program cost increases since the fees were last raised in 1992, rounded to the nearest \$5.00 amount.

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

Shelby County Health Department, Pollution Control Section.

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

This is a change to an existing ordinance.

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

N/A

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

This will not require any additional expenditure of funds or a budget amendment.

ORDINANCE #: _____

**ORDINANCE BY THE COUNCIL OF THE CITY OF MEMPHIS,
TENNESSEE TO AMEND CHAPTER 9-12 OF THE MEMPHIS
CODE OF ORDINANCES TO ADJUST THE ANNUAL
EMISSIONS FEE AMOUNT, TO ESTABLISH A MINIMUM
EMISSIONS FEE FOR ANY SOURCE SUBJECT TO TITLE V
MAJOR SOURCE REGULATIONS UNDER THE CLEAN AIR
ACT OF 1990 AND TO ADJUST OTHER SCHEDULED FEES FOR
INFLATION AND PROGRAM COST INCREASES.**

WHEREAS, On June 30, 1969 the operation of the local air pollution program was established, and it has served to protect air quality in Memphis and Shelby County and efficiently meet the needs of those regulated by air pollution control laws; and

WHEREAS, Title V of the Clean Air Act of 1990 requires air pollution control programs that decide to operate a major source operating permit program to establish a fee structure sufficient to fund all direct and indirect costs of such a program; and

WHEREAS, The Council of the City of Memphis has previously established a fee system to administer and collect emissions fees, annual inspection/operating fees and associated fees based on the cost of providing this regulatory oversight, which has also been adopted in unincorporated Shelby County and all other municipalities in Shelby County; and

WHEREAS, The Memphis and Shelby County Air Pollution Control Board met on April 23, 2012 and reviewed various options for amending the Emissions Fee and Permit Fee charged to major stationary sources and voted to recommend an increase of the yearly Emissions Fee to \$43.00 per ton of regulated emissions (excluding carbon monoxide) for 2011 calendar year emissions, with the fee amount to be collected in 2013; and

WHEREAS, The Memphis and Shelby County Air Pollution Control Board further recommended that a minimum emissions fee be established in recognition that all sources regulated under the Major Source, or Title V, Regulations pay a fair share of the costs of such program as envisioned by the Clean Air Act, and

WHEREAS, The Memphis and Shelby County Air Pollution Control Board recommended that the scheduled fees be increased to adjust for inflation since these non-emissions related fees have remained unchanged since they were adopted in 1992.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, That the Memphis Code of Ordinances, Section 9-12-36, entitled *Emissions Fee for Stationary Sources*, show an annual emissions fee of

\$43.00 per ton of actual emissions emitted during calendar year 2011 to be collected beginning in 2013.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Sec. 9-12-36 (C) is deleted, as no longer applicable, and is replaced by a new Subsection (C) entitled “Minimum Annual Emissions Fee” that shall read as follows:

(C) Minimum Annual Emissions Fee. - Air Pollution Sources issued a permit under Title 40, Code of Federal Regulations, Section 70, to include Title V and synthetic minor sources, being those sources of air pollution with actual emissions over the major source threshold or who have the potential to be a major source under Title V, but which have limited that potential by permit, and as further defined in the City of Memphis Air Code Section, shall pay a minimum annual emissions fee of no less than \$1,000.00.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, Section 9-12-35 is amended by the changes in amounts of fees owed in the various categories and the establishment of four new fees for “Name change”, “Ownership change”, “Address change” and “Permit Revision” in Subsection (C), Items (d), (e), (f) and (g), so that when amended the Section shall read as follows:

Sec. 9-12-35. - Permit fee schedule.

Fees for permits are hereinafter set out as follows, and shall apply to any person as defined in this article:

A. Construction permits.

1. Any person making application to the Shelby County Health Department for a construction permit shall pay an initial filing fee of \$200.00 per permit unit. This filing fee shall not be refundable if the permit is denied or if the application is withdrawn, nor shall it be applied to any subsequent application.

2. In addition to the fees in subsection (A)(1) of this section, the largest of the following fees, if applicable, shall be paid:

a.	Prevention of significant deterioration (PSD) review	\$3,960.00
b.	Major source or major modification review, except PSD sources review, requiring modeling	\$2,640.00
c.	Minor source or minor modification review, requiring modeling	\$660.00
d.	New resource performance standard (NSPS) source review, per permit unit	\$660.00
e.	National Emission Standards for Hazardous Air Pollutant (NESHAP) source review, per permit unit	\$660.00

B. Inspection/operating permit.

1. Any person making application to the Shelby County Health Department for an inspection/operating permit shall pay the larger of the applicable fees in accordance with the following schedule:

a.	Asbestos demolition/renovation removal, per notice	\$130.00
b.	Air curtain destructor, per permit unit	\$130.00
c.	NSPS source, per permit unit	\$130.00
d.	NESHAP source, per permit unit	\$130.00
e.	Any source issued a permit pursuant to local rules implementing Title 40, Code of Federal Regulations, Section 70 (Major Source Permits)	\$1,000.00
f.	Any permit unit with actual emissions of 50 tons or more a year, but less than 100 tons per year of any single pollutant	\$130.00
g.	Any permit unit with actual emissions of 25 tons or more per year, but less than 50 tons per year of a single pollutant	\$100.00
h.	Any permit unit with actual emissions of less than 25 tons per year of a single pollutant	\$65.00
i.	Any permit issued as the result of a permit by rule or annual notification and general standards application to a particular business or business group	\$130.00
j.	Any source issued an operating permit for which a construction permit was never obtained (Enforcement action may also apply)	\$265.00

2. No portion of the inspection/operating fee shall be refundable in the event the source discontinues operation or service during the permitted period.

C. Modification of a permit.

1. Any person making application to the Shelby County Health Department for the modification of a permit shall pay a fee for each permit unit being modified, except that no fee is required for modification of a permit to correct clerical, typographical, or calculations errors. This fee shall be set out as follows:

a.	If the modification is anticipated to result in an increase in all pollutants less than 10 tons per year	\$130.00
b.	If the modification is anticipated to result in an increase in all pollutants equal to or greater than 10 tons per year, but less than 50 tons per year	\$330.00
c.	If the modification is anticipated to result in an increase in all pollutants equal to or greater than 50 tons per year	\$660.00
d.	Name Change	\$130.00
e.	Ownership Change -- New owner pays Inspection and Operating Fees(based on tonnage)	Varies based on Tonnage Fees
f.	Address Change -- New owner pays Inspection and Operating Fees(based on tonnage) for the new address	\$265.00 Plus Tonnage Fees
g.	Permit Revision (with no emissions consequences)	\$130.00

D. Stack sampling.

1. If a source is required to demonstrate compliance by stack sampling its emissions, it shall pay the following additional fees:

a.	Any testing requiring U.S./EPA Methods 1 through 4 only, per stack test	\$130.00
b.	Particulate emissions testing requiring U.S./EPA Method 5, per stack test	\$400.00
c.	Any other pollution testing by methods other than U.S./EPA Method 5, (excepting those subject to subsection (D)(1)(a) of this section, per stack test)	\$660.00

2. Any retest required to demonstrate compliance shall be subject to the fee schedule as stated in subsections (D)(1)(a) through (c) of this section.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, The provisions of this ordinance are hereby declared to be severable. Should any of these sections, provisions, sentences, clauses, phases, words or parts be held unconstitutional or void, the remaining provisions shall continue in full force and effect

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, That except as amended by this ordinance, the other sections of this Chapter in the Memphis Code of Ordinances shall remain in full force and effect.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, That this ordinance shall take effect on the later of: after it is passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller or becomes effective as otherwise provided by law.

THE FOREGOING ORDINANCE

_____ PASSED

1st Reading _____

2nd Reading _____

3rd Reading _____

Approved _____

Edmund H. Ford, Jr., Chairman of Council

Approved: _____

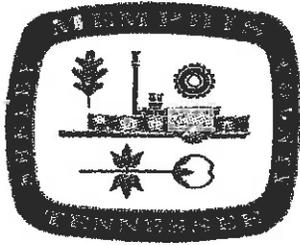
Mayor, City of Memphis

Date Signed: _____

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 in-

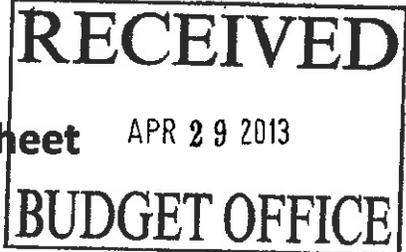
icated and Approved by the Mayor .

Comptroller



City Council Item Routing Sheet

APR 29 2013



Division Public Works

Committee Public Works

Hearing Date May 7, 2013

T143

Ordinance

Resolution

Grant Acceptance

Budget Amendment

Commendation

Other: Click here to enter text.

Item Description (Not the caption, but what does it do): This is an ordinance to amend the sanitary sewer fee to reduce the residential maximum sewer charge from \$50.00 per month to \$35.00 per month during the months of June, July, August, and September for a seasonal adjustment to the sewer fee due to the increased sewer volumetric charges and water consumption levels resulting for those residential customers that irrigate their lawns and plants with metered water that does not enter the sanitary sewer system.

Recommended Council Action: Approved

Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken:

Does this item require city expenditure?

\$

Amount

\$

Revenue to be received

Source and Amount of Funds

\$

Operating Budget

\$

CIP Project.

\$

Federal/State/Other

Approvals

Director [Signature] Date 4/29/13

Chief Administrative Officer

Director _____ Date _____

Budget Manager [Signature] Date 5/1/13

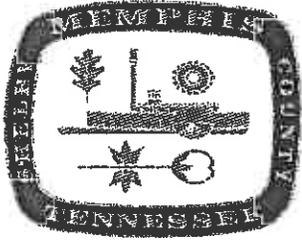
_____ Date _____

Finance Director [Signature] Date 5-1-13

Council Committee Chair

City Attorney _____ Date _____

_____ Date _____



City Council Item Routing Sheet

RECEIVED
 APR 29 2013
BUDGET OFFICE

Division Engineering Committee Public Works Hearing Date April 16, 2013

T136

- Ordinance
 Resolution
 Grant Acceptance
 Budget Amendment
 Commendation
 Other: Tick here to enter text.

Item Description (Not the caption, but what does it do): Appropriate construction funds to replace sidewalks that have been identified as defective and a notice to replace/repair have been issued.

Recommended Council Action: Approve

Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: N/A

Does this item require city expenditure? Yes		Source and Amount of Funds	
\$ 94,910.00	Amount	\$	Operating Budget
\$	Revenue received	\$ 94,910.00	CIP Project # PWD4024
		\$	Federal/State/Other

Approvals

Director *B. J. Lewis* Date 4/26/13

Director *Wendy...* Date 4/26/13

Budget Manager *Keith...* Date 5/1/13

Finance Director *[Signature]* Date 5-1-13

City Attorney _____ Date _____

Chief Administrative Officer
 _____ Date _____

Council Committee Chair
 _____ Date _____



Memphis City Council Summary Sheet

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

A resolution for the City of Memphis to transfer its ½ interest ownership in the jointly owned tax parcels known as 1000 Haynes Rd, Parcel ID# 059005 00068, portion of Cawthorn Health Loop Clinic and 1064 Breedlove St, Parcel ID# 021047 00055, portion of Guthrie Health Loop Clinic, to Shelby County Government

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

General Services – Real Estate, at the request of Shelby County

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

There will be no changes to existing ordinance.

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

N/A

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

The process will not require an expenditure of funds or require a budget amendment.



A resolution for the City of Memphis to transfer its ½ interest ownership in the jointly owned tax parcels known as 1000 Haynes Rd, Parcel ID# 059005 00068, portion of Cawthorn Health Loop Clinic and 1064 Breedlove St, Parcel ID# 021047 00055, portion of Guthrie Health Loop Clinic, to Shelby County Government

WHEREAS, up until June 30, 2009, the City of Memphis (City) and Shelby County (County) Jointly funded the Memphis and Shelby County Health Department and jointly developed a number of public health clinics throughout the City of Memphis known as the Health Loop Clinics; and

WHEREAS, on July 1, 2009 the City officially transferred complete responsibility and funding for the Health Department and the Health Loop Clinics over to the County; and

WHEREAS, these Health Loop Clinics were generally built upon sites composed of an assemblage of parcels, some owned by the City, some owned by the County, and some jointly owned by City and County; and

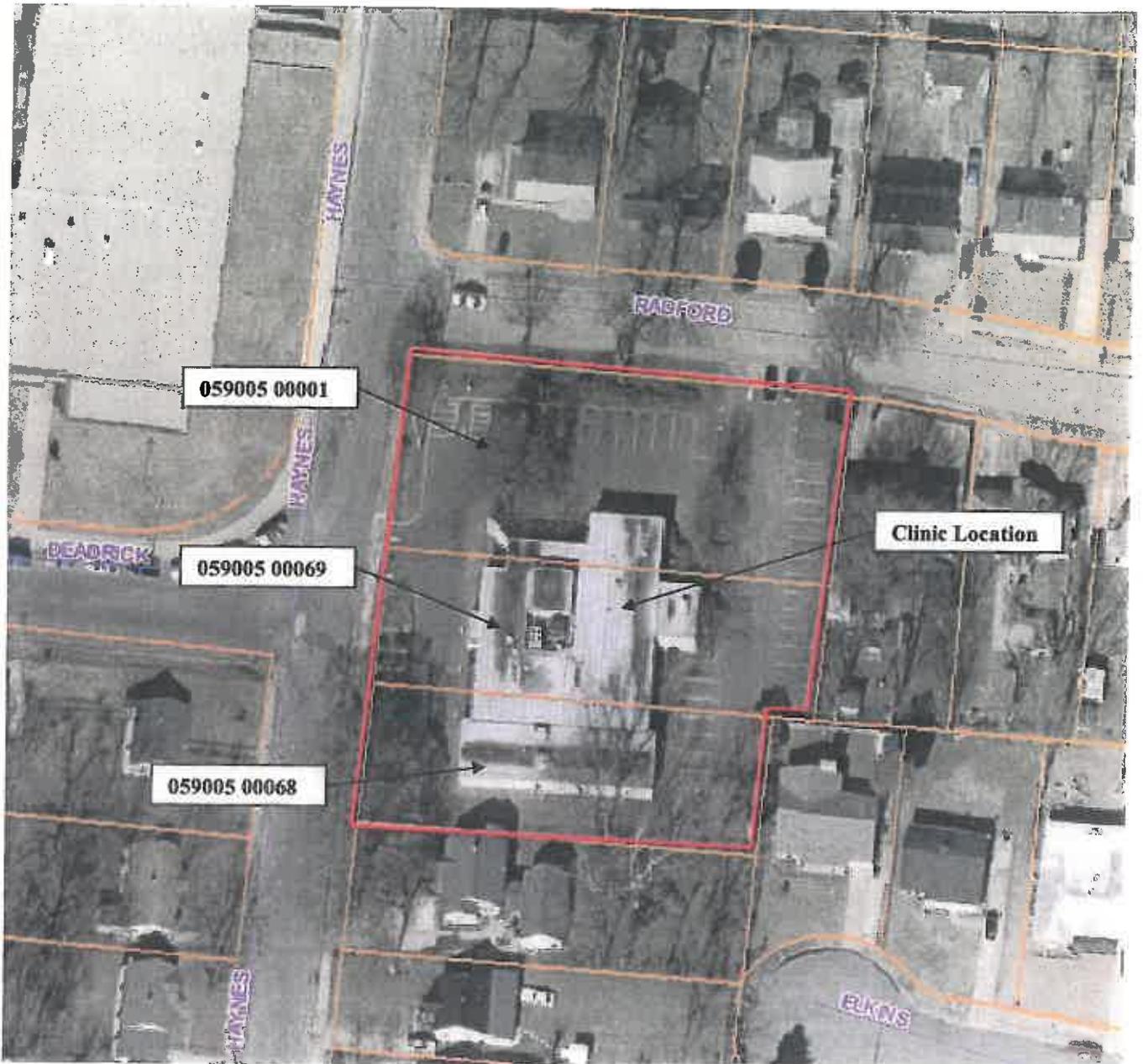
WHEREAS, the Cawthorn Health Loop Clinic and the Guthrie Health Loop Clinic are two such Clinics in which a portion of the sites are jointly owned by the City and County, namely parcel 059005 00068, 1000 Haynes Rd, of the Cawthorn Clinic and 021047 00055, 1064 Breedlove St. of the Guthrie Clinic; and

WHEREAS, the County, in its efforts to manage the Health Loop Clinics more efficiently, is requesting that the City transfer its ownership of the above noted parcels to the County.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS that the transfer of the afore mentioned parcels to the County be hereby accepted.

BE IT FURTHER RESOLVED, that the Mayor of the City of Memphis is hereby duly authorized to execute such documents as may be necessary to transfer these parcels on behalf of the City.

Shelby County Health Loop Clinics
Cawthon Clinic – 1000 Haynes Rd.



Building Name	Address	Tax Parcel Nos.	Deed Instrument Nos.	Property Owner
Cawthon Clinic	1000 Haynes Rd.	059005 00001	H9 3851	Shelby County, for the use and benefit of the Memphis & Shelby County Health Dept.
		059005 00069	H9 3850	Shelby County, for the use and benefit of the Memphis & Shelby County Health Dept.
		059005 00068	J4 1817	City of Memphis & Shelby County, for the use and benefit of the Memphis & Shelby County Health Dept.

Deed Instrument No. J4 1817

Tom Leatherwood, Shelby County Register of Deeds: Instr # J41817

J4 1817, J3 2572

This instrument prepared by: Michael T. Feltus, Attorney, 100 N. Main Bldg., Memphis, Tennessee 1/2

THIS INSTRUMENT, made and entered into this 10th day of December, 1973

by and between LYNDALE B. JONES, a Widow, as the surviving Tenant by the entirety, party of the first part, and

SHELBY COUNTY, TENNESSEE, a political subdivision of the State of Tennessee and the City of Memphis, a municipal corporation for the use and benefit of the Memphis and Shelby County Health Department, of the second part

WITNESSETH: That for the consideration hereinafter expressed the said party of the first part has hereby bought, sold, conveyed and confirmed unto the said party of the second part the following described real estate, situated and being in the County of Shelby, State of Tennessee, to-wit:

The north half of Lot 19 of the Ella H. Hopkins Subdivision a part of the V. H. Kieball 45 acre tract as recorded in the deed of record Book 187, page 280 and plat of record Book 8, Page 51 Shelby County Register's Office, Shelby County, Tennessee and more particularly described as follows: Beginning at a point in the east line of Baynes Street approximately 145 feet south of the south line of South Radford Street; thence, north 48° 38' 05.9" east along the north line of the Hopkins Subdivision a distance of 200.0 feet to a point in the west line of Lot 1 of the Hopkins Subdivision; thence, south 2° 38' 35.1" west along said line a distance of 62.5 feet to a point; thence, north 88° 58' 05.9" west along the north line of the south half of Lot 18 a distance of 200.0 feet to a point in the east line of Baynes Street; thence, north 2° 35' 40.0" east along said line a distance of 62.5 feet to the point of beginning.

This being all and the same property as conveyed to Arch G. Jones and wife, Lyndale B. Jones by deed of record in Book 1941, Page 371 in Register's Office. Arch G. Jones having died on or about October 29, 1964 in Shelby County, Tennessee. The said Lyndale B. Jones one of the grantees in the above mentioned deed covenants that at the time of the death of Arch G. Jones they were man and wife, having been continuously married since the date of acquisition to the property herein conveyed, and that she hereby conveys as surviving tenant by the entirety.

This instrument is being re-recorded for the purpose of correcting the description as set forth in deed of record at Register's No. J3 2572, which recording through inadvertence contained an erroneous description of the property intended to have been conveyed. This instrument is given for the purpose of correcting the description of the property set forth and described in said deed.

TO HAVE AND TO HOLD the above and more, together with all the appurtenances and hereditaments thereto belonging or in any way appertaining unto the said party of the second part, their heirs and assigns in fee simple forever.

And the said party of the first part do hereby covenant with the said party of the second part that she is lawfully seized in fee of the aforescribed real estate that she has a good right to sell and convey the same; that the same is unencumbered, except 1974 city and county taxes, not yet due and payable; Subject to that part of property conveyed to the City of Memphis by Warranty Deed in Book 4036, Page 590 in Register's Office;

and that the title and quiet possession thereof shall warrant and forever defend against the lawful claims of all persons.

THE CONSIDERATION for the conveyance is as follows:

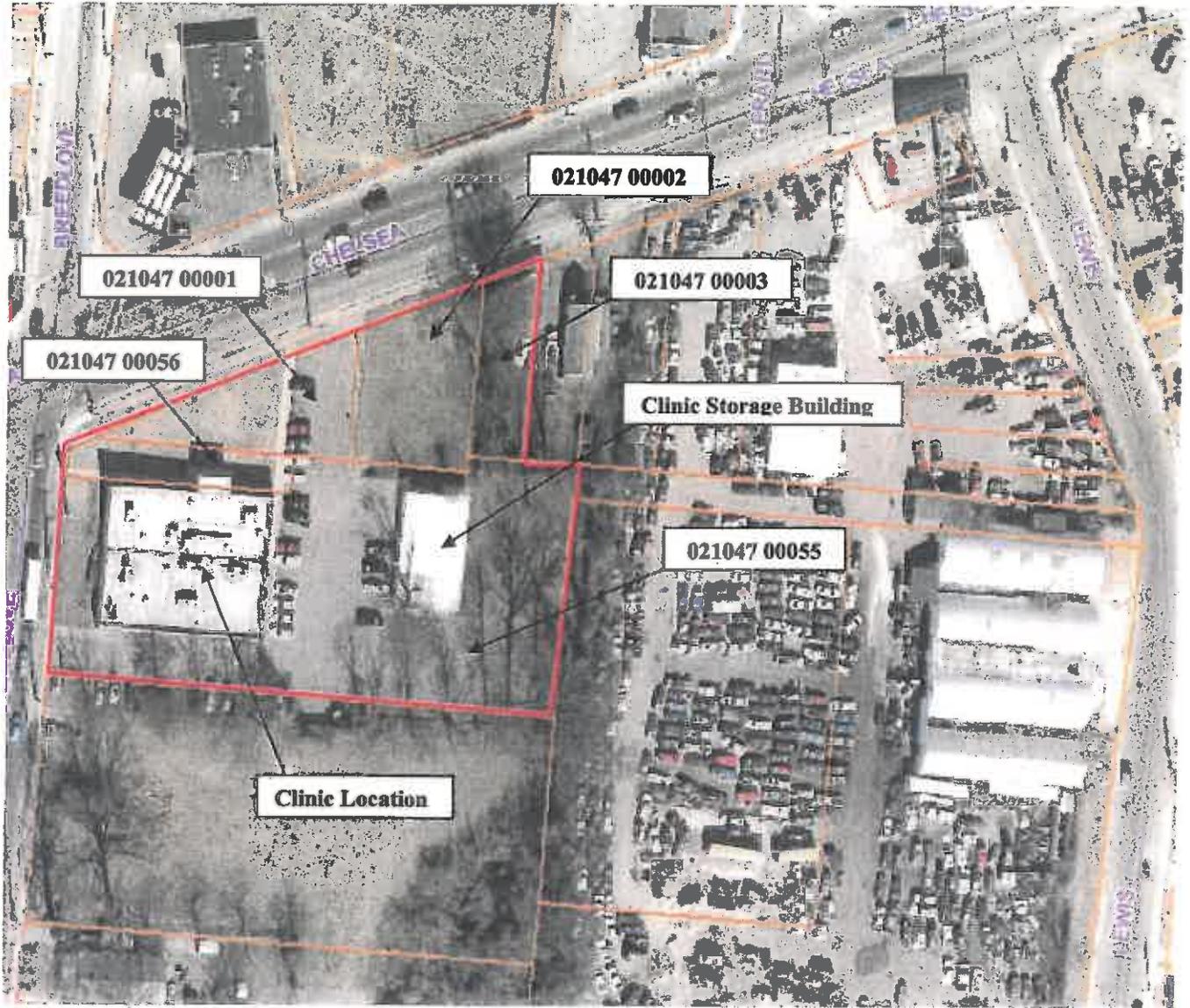
TEN DOLLARS (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged.

WITNESS the signatures of the said party of the first part this day and year first above written.

Lyndale B. Jones
Lyndale B. Jones

RECORDS SECTION
MEMPHIS, TENNESSEE
REGISTRY OF RECORDS, TESTING OR PRINTING
UNSATISFACTORY IN THIS DOCUMENT
1973

Shelby County Health Loop Clinics
Guthrie Clinic – 1064 Breedlove St.



Building Name	Address	Tax Parcel Nos.	Deed Instrument Nos.	Property Owner
Guthrie Clinic	1064 Breedlove St.	021047 00055	Bk. 6006, Pg. 19	Jointly owned by the City of Memphis and Shelby County
		021047 00056	EK 4065	Shelby County
		021047 00001	Tax Sale # 85.2 Exhibit # 1393	Shelby County
		021047 00002	Tax Sale # 85.2 Exhibit # 1394	Shelby County
		021047 00003	Tax Sale # 82.1 Exhibit # 1715	Shelby County

Tom Leatherwood, Shelby County Register of Deeds: Book 6006 Page 019

BOOK 6006 PAGE 19

WARRANTY DEED

THIS INSTRUMENT made and entered into this 18th day of August 1966 by and between
 HAZEL M. GUNZI and EMMA C. GUNZI, parties of the first part, and
 CITY OF MEMPHIS, a Municipal Corporation, and COUNTY OF SHELBY, a Political Subdivision of the State of Tennessee, parties of the second part.

WITNESSETH: That for and in consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said parties of the first part have, bargained and sold unto the said party of the second part, all, convey and confirm unto the said parties of the second part the following described real estate, situated and being in the City of Memphis, in the County of Shelby, State of Tennessee, to-wit:-
 The Guntzi unad part of the Charles Kay 2 1/2 acres of the A. L. Case 1.58 acres of the N. C. Book 10 acres of the John N. Gill 60 acres, being more particularly described as follows: Beginning at a point in the east line of Broadlove Street 96.50 feet south of the south line of Chelsea Avenue (as same existed August 1, 1966) measured along the east line of Broadlove Street (the said east line of Broadlove Street is 10.5 feet east of and parallel to the east curb thereof, said south line of Chelsea Avenue is 7 feet southwardly from the south curb thereof and parallel thereto, said 7 feet measurement being taken at right angles to said curb) said beginning point being further described as being 129.01 feet north of the present south line of Guntzi property, including a 2 foot strip required immediately south of the original south line of the Guntzi property; thence southwardly with the east line of Broadlove Street 129.01 feet to a point; thence eastwardly 319.8 feet to a point; thence northwardly 153 feet to a point; thence westwardly 69 feet to a point; thence southwardly 10 feet to a point; thence westwardly 1 1/2 feet, more or less, to the southwest corner of lot conveyed by Annie Mary Guntzi to George W. Guntzi and Frederick W. Guntzi by deed of record in Book 1216, Page 188, in the Register's Office, Shelby County, Tennessee; thence southwardly with the east line of said lot, 28 feet to the southeast corner of said lot; thence westwardly along the south line of said lot, 140 feet to the point of beginning.

TO HAVE AND TO HOLD the above and unto, together with all the appurtenances and benefits thereto in anywise appertaining unto the said parties of the second part, their heirs and assigns forever.

And the said parties of the first part do hereby covenant with the said parties of the second part that they have a good right to sell and convey the same; that the same is unincumbered except 1966 City and County taxes.

And that the title and quiet possession thereof shall forever stand upon the behalf of the said parties of the second part.

4 per the day and year first above written.
 Hazel M. Guntzi
 Emma C. Guntzi

STATE OF TENNESSEE, COUNTY OF SHELBY
 I, the undersigned, being duly sworn in and for said State and County, duly authorized and qualified, personally appeared HAZEL M. GUNTZI and EMMA C. GUNTZI, who are known to be the persons described in and who executed the foregoing instrument, and do hereby certify that they executed the same on their free will and deed.
 WITNESSETH: My hand and official seal at office this 18th day of August 1966.
 My commission expires August 1, 1967.
 (FOR REGISTERING DEEDS ONLY)
 State Tax \$ 15
 Clerk's Fee \$.50
 Total \$ 15.50
 Paid Deputy County Clerk
 Recorder's Office
 Recording Fee \$ 5
 T. N. # TM 130702
 61100V
 The instrument prepared by G. D. Henderson, Attorney, Commercial Title Bldg., Memphis, Tennessee



Memphis City Council Summary Sheet

Resolution approving a Time-of-Use Residential Rate and requesting the Memphis City Council to convene as a ratemaking body for the purpose of approving the Time-of-Use Residential Rate.

1. Describe item (Resolution, Ordinance, etc.)

This is a time-of-use residential rate that requires rate making action by the City Council.

2. Identify initiating party (e.g., Public Works; at request of City Council, etc.)

MLGW requests the ratemaking authority of the City Council to enact this rate action.

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

No change.

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

Not applicable.

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

None.



WHEREAS, pursuant to Section 7 of Chapter 381 of the Private Acts of 1939, which amended the Charter of the City of Memphis, and which section was codified as City of Memphis Charter Section 680 ("Rate-making Charter Provisions"), authority is granted to the governing body of the City of Memphis to convene as a Rate-making Board to finally approve the Time-of-Use Residential Rate for Memphis Light, Gas and Water Division ("MLGW"); and

WHEREAS, the Board of Commissioners of MLGW has made application under said Rate-making Charter Provisions and the City Charter for the Council to hold a public hearing at which time the Council will convene as a Rate-making Board to consider approval by the Council of the Time-of-Use Residential Rate recommended by MLGW;

WHEREAS, the City Council, as authorized by the Rate-making Charter Provisions, convened a public hearing as a Rate-making Board for the purpose of considering approval of the Time-of-Use Residential Rate as proposed by MLGW;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis, properly convened and sitting as a Rate-making Board pursuant to Rate-making Charter Provisions and the Charter as a whole, that the rate application of the Memphis Light, Gas and Water Division consisting of correspondence, written statements and exhibits filed herewith and the resolution of the Board of Light, Gas and Water Commissioners recommending said rates ("MLGW Rate Application") is hereby approved and the Time-of-Use Residential Rate is hereby approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 18, 2013

The President submitted for consideration of the Board a Time-of-Use Residential Rate beginning 10/1/2013. The Time-of-Use Residential Rate will be available to those residential customers who have a smart meter and have elected the voluntary rate. The Time-of-Use Residential Rate features "on-peak" and "off-peak" hours during the Summer and Winter billing months. Electricity prices are higher during on-peak hours and lower during off-peak hours as well as during Transition billing months. Saturdays and Sundays, as well as six designated Federal holidays, are considered off-peak during all billing months.

The Time-of-Use Residential Rate uses price signals to encourage conservation and load shifting from high-cost/high-demand periods to low-cost/low-demand periods. The customer's ability to respond determines the electricity cost savings.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Time-of-Use Residential Rate as outlined in the foregoing preamble, is hereby approved in substantially the form attached as Exhibit A hereto.

BE IT FURTHER RESOLVED THAT the Time-of-Use Residential Rate is recommended for approval by the Memphis City Council and the President is directed to submit the Time-of-Use Residential Rate to the Memphis City Council for approval.

BE IT FURTHER RESOLVED THAT the Memphis City Council is hereby requested to convene as a ratemaking body for the purpose of approving the Time-of-Use Residential Rate.

BE IT FURTHER RESOLVED THAT the President is directed to cause to be published in a newspaper of general circulation in Shelby County, Tennessee a public notice of the intention of MLGW to seek approval from the Memphis City Council of the Time-of-Use Residential Rate at a ratemaking hearing to be convened for that purpose as determined by the City Council.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - ~~special~~ meeting held on 18th day of April, 2013, at which a quorum was present.



Secretary - Treasurer

**EXHIBIT A
MEMPHIS LIGHT, GAS AND WATER DIVISION
CITY OF MEMPHIS
TIME-OF-USE RESIDENTIAL RATE**

AVAILABILITY

The Time-of-Use Residential Rate will be available to those residential customers who have a smart meter and have elected the voluntary rate and for electric service to a single-family dwelling (including its appurtenances if served through the same meter), where the major use of electricity is for domestic purposes such as lighting, household appliances, and the personal comfort and convenience of those residing therein.

Electricity supplied under the Time-of-Use Residential Electric Rate Agreement is for the exclusive use of the Customer and shall not be resold or shared with others.

CHARACTER OF SERVICE

Alternating current, single-phase, 60 hertz. Power shall be delivered at a service voltage available in the vicinity or agreed to by MLGW. Multi-phase service shall be supplied in accordance with MLGW's standard policy.

BASE CHARGES

Customer Charge: \$11.20 per month, less
Hydro Allocation Credit: \$1.60 per month

Energy Charge:

Summer On-Peak kWh per month	\$0.11583
Summer Off-Peak kWh per month	\$0.05051
Winter On-Peak kWh per month	\$0.07907
Winter Off-Peak kWh per month	\$0.05378
Transition kWh per month	\$0.05378

DETERMINATION OF SEASONAL PERIODS

Summer Period shall mean the June, July, August, and September calendar months. Winter Period shall mean the December, January, February, and March calendar months. Transition Period shall mean the April, May, October, and November calendar months.

DETERMINATION OF ON-PEAK AND OFF-PEAK HOURS

Except for Saturdays and Sundays and the weekdays that are observed as Federal holidays for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, on-peak hours for each day shall be (a) from 12 p.m. to 8 p.m. during the Summer Period and (b) from 4 a.m. to 10 a.m. during the Winter Period. All other hours of each day and all hours of such excepted days shall be off-peak hours. Such times shall be Central Standard Time or Central Daylight Time, whichever is then in effect.

TENNESSEE VALLEY AUTHORITY FUEL COST AND PURCHASED POWER ADJUSTMENT RIDER

The above rates are subject to adjustment under the provisions of the Tennessee Valley Authority Fuel Cost and Purchased Power Adjustment Rider.

ADJUSTMENT

The base energy charge shall be increased or decreased in accordance with the current Adjustment Addendum published by TVA. (In addition, the base energy charge and the hydro allocation credit shall be increased or decreased to correspond to increases or decreases determined by TVA in the value of the hydro generation benefit allocated to residential customers.)

MINIMUM MONTHLY BILL

The base customer charge, as reduced by the hydro allocation credit, constitutes the minimum monthly bill for the Customer unless the Customer is one for whom a higher minimum monthly bill is required under MLGW's standard policy because of special circumstances affecting MLGW's cost of rendering service.

PAYMENT

Bills will be rendered monthly. The above rates are net, the gross rates being 5% higher. In the event the current monthly bill is not paid on or before delinquent date shown on the bill, the gross shall apply.

SINGLE-POINT DELIVERY

The charges under this rate schedule are based upon the supply of service through a single delivery and metering point, and at a single voltage.

Service is subject to the Rules and Regulations of MLGW.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 18, 2013 approved Change No. 11 to Contract No. 10765, Private Label Service Agreement, with Aclara Software, in the funded amount of \$100,750.00, and is now recommending to the Council of the City of Memphis that it approve said Change as approved in the MLGW 2013 fiscal year budget and the subsequent year budget as proposed; and

WHEREAS, the project scope is to provide Bill Prism applications which will enable MLGW to provide comprehensive, consistent and authoritative responses to customer inquiries regarding changes in billing amounts; hereby, improving customer communications, customer trust and customer satisfaction. This change is to add the Goals and Alerts functionality with email notification to My Account in the funded amount of \$100,750.00. This change will allow MLGW residential customers with smart meters to utilize this tool. The term will remain through December 31, 2014. This change complies with all applicable laws and policies. The new contract value is \$3,402,085.50; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved Change No. 10 to Contract No. 10765, Private Label Service Agreement, with Aclara Software, in the funded amount of \$100,750.00, chargeable to the approved MLGW 2013 year budget and 2014 budget as proposed.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 18, 2013

The Manager of Procurement and Contracts has recommended to the Board of Light, Gas and Water Commissioners, Change No. 11 to Contract No. 10765, Private Label Service Agreement, with Aclara Software to change the current contract in the funded amount of \$100,750.00.

The project scope is to provide Bill Prism applications which will enable MLGW to provide comprehensive, consistent and authoritative responses to customer inquiries regarding changes in billing amounts; hereby, improving customer communications, customer trust and customer satisfaction. This change is to add the Goals and Alerts functionality with email notification to My Account in the funded amount of \$100,750.00. This change will allow MLGW residential customers with smart meters to utilize this tool. The term will remain through December 31, 2014. This change complies with all applicable laws and policies. The new contract value is \$3,402,085.50.

The 2013 budgeted amount for Customer Metering & Billing Department Smart Meters is \$2,000,000.00; of which, \$55,750.00 will be spent in 2013 for this contract as approved. The remaining \$45,000.00 will be spent in 2014 for this contract as proposed.

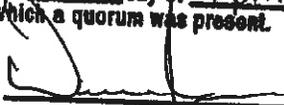
NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas

and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, Change No. 11 to Contract No. 10765, Private Label Service Agreement, with Aclara Software, to change the current contract in the funded amount of \$100,750.00 as outlined in the above preamble is approved; and further,

THAT, The President or his designated representative is authorized to execute the Change.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a ~~regular~~ ^{special} meeting held on 18th day of April, 20 13, at which a quorum was present.


Secretary - Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 18, 2013, awarded Contract No. 11618, Smart Meter Solution to Elster Solutions, LLC in the funded amount of \$10,150,000.00, and is now recommending to the Council of the City of Memphis that it approve said award in the MLGW 2013 year budget as approved and the 2014 budget as proposed; and

WHEREAS, the project scope is to purchase and implement a Smart Meter Solution, to include a combined 60,000 residential electric, gas and water smart meters, plus associated telecommunications infrastructure and systems for remotely communicating with meters; and

WHEREAS, Notice to Bidders was advertised on February 4, 2013; MLGW solicited 30 proposals; received seven (7) proposals on March 12, 2013, with the most responsive proposal being from Elster Solutions, LLC in the amount of \$9,648,964.21. In addition, MLGW is requesting the approval of contingency funds in the amount of \$501,035.79 for unforeseen conditions to include, but not limited to, additional prepay fees, variation of electric, gas and water meter needs and prepay enrollment. Further, any use of contingency funds will require adherence of the change order process as outlined in the contract documents. This award complies with all applicable laws and policies. The term of this contract is from the date of Notice to Proceed through December 31, 2014; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 11618, Smart Meter Solution to Elster Solutions, LLC in the funded amount of \$10,150,000.00, chargeable to the MLGW year 2013 budget as approved and 2014 budget as proposed.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 18, 2013

The Manager of Procurement and Contracts has recommended to the Board of Light, Gas and Water Commissioners that it award Contract No. 11618, Smart Meter Solution to Elster Solutions, LLC in the funded amount of \$10,150,000.00.

The project scope is to purchase and implement a Smart Meter Solution, to include a combined 60,000 residential electric, gas and water smart meters, plus associated telecommunications infrastructure and systems for remotely communicating with meters.

The Notice to Bidders was advertised on February 4, 2013; MLGW solicited 30 proposals; received seven (7) proposals on March 12, 2013, with the most responsive proposal being from Elster Solutions, LLC in the amount of \$9,648,964.21. In addition, MLGW is requesting the approval of contingency funds in the amount of \$501,035.79 for unforeseen conditions to include, but not limited to, additional prepay fees, variation of electric, gas and water meter needs and prepay enrollment. Further, any use of contingency funds will require adherence of the change order process as outlined in the contract documents. This award complies with all applicable laws and policies. The term of this contract is from the date of Notice to Proceed through December 31, 2014.

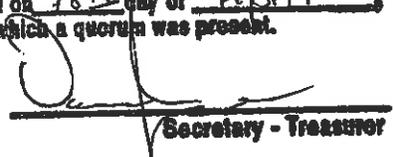
The 2013 budgeted amount for Customer Metering & Billing Department Smart Meters is \$26,433,000.00; the amount spent to date is \$274,806.00; leaving a balance of \$26,158,194.00 of which \$9,648,964.21 will be spent on this contract in 2013 as approved and the remaining \$501,035.79 will be spend in 2014 as proposed.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of Smart Meter Solution to Elster Solutions, LLC in the funded amount of \$10,150,000.00, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the Award.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular ~~meeting~~ meeting held on 18th day of April 2013, at which a quorum was present.

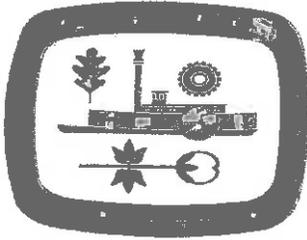

Secretary - Treasurer



Memphis City Council Summary Sheet

Resolution to accept and appropriate grant funds from YALSA for digital resources for teen customers.

1. Describe item (Resolution, Ordinance, etc.)
Resolution to accept and appropriate funding for digital resources for teen library patrons for Memphis Public Library from YALSA/Best Buy.
2. Identify initiating party (e.g., Public Works; at request of City Council, etc.) Division of Parks and Neighborhoods/Memphis Public Library has drafted this resolution and is recommending City Council Approval.
3. State whether this is a change to an existing ordinance or resolution, if applicable. N/A
4. State whether this requires a new contract, or amends an existing contract, if applicable. This requires a new contract between Memphis Public Library and Young Adult Library Services Association.
5. State whether this requires an expenditure of funds/requires a budget amendment. This resolution requires a budget amendment.



Memphis City Council Summary Sheet

Resolution seeking to accept sub-award grant funds in the amount of \$72,263.00 from the Shelby County District Attorney General's Office through the U. S. Department of Justice , Bureau of Justice Assistance Program.

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

The City of Memphis Police Department at the request of Shelby County District Attorney General's Office.

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

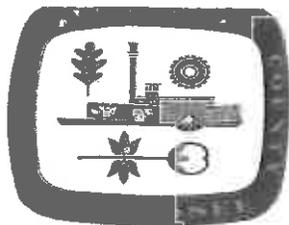
This is not a change to an existing ordinance or Resolution.

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

This resolution requires a new contract between the Shelby County District Attorney General's Office and the City of Memphis.

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

This Resolution requires an expenditure of funds and it also requires a budget amendment.



A Resolution to accept grant funds in the amount of Seventy Two Thousand, Two Hundred and Sixty Three Dollars, (\$72,263.00) from the Shelby County District Attorney General's Office through the U. S. Department of Justice, Bureau of Justice Assistance Program.

WHEREAS, the City of Memphis Division of Police Services has been awarded grant funds in the amount of Seventy Two Thousand, Two Hundred and Sixty Three Dollars, (\$72,263.00) from the Shelby County District Attorney General's Office through the U. S. Department of Justice, Bureau of Justice Assistance Program for the Project Safe Neighborhood/Anti-Gang Initiative (PSN); and

WHEREAS, these funds will be used to reduce gun and gang crime in Memphis and Shelby County through a multi-faceted approach that includes law enforcement, intervention and prevention strategies. PSN carries out these strategies through the development of partnerships among Federal, State and Local government; and

WHEREAS, it is necessary to accept the grant funding and amend FY 2013 Operating Budget to establish funds for the Project Safe Neighborhood Program; and

WHEREAS, it is necessary to appropriate the 2013 grant funds in the amount of Seventy Two Thousand, Two Hundred and Sixty Three Dollars (\$72,263.00.) for the Project Safe Neighborhood Program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Project Safe Neighborhood Program in the amount of Seventy Two Thousand, Two Hundred and Sixty Three Dollars (\$72,263.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2013 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Project Safe Neighborhood Program in the amount of Seventy Two Thousand, Two Hundred and Sixty Three Dollars (\$72,263.00.) as follows:

REVENUES

Shelby County District Attorney General **\$72,263.00**

Total **\$72,263.00**

EXPENDITURES

Equipment Costs **\$ 72,263.00**

Total **\$72,263.00**