

City of Memphis

TENNESSEE

A C WHARTON, JR.
MAYOR

September 2, 2014

The Honorable Shea Flinn, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

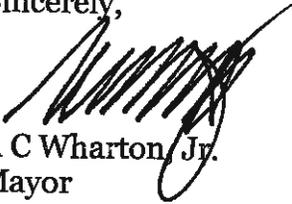
Subject to Council approval, it is my recommendation that:

Carlee M. McCullough

be appointed to the Memphis Light, Gas and Water Commission with a term
expiring October 30, 2016.

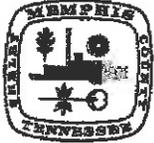
I have attached biographical information.

Sincerely,


A C Wharton, Jr.
Mayor

ACW/lar

c: Council Members



City of Memphis

BIOGRAPHICAL INFORMATION APPOINTMENT TO BOARD/COMMISSION

Memphis Light Gas and Water
BOARD/COMMISSION

Name: Carlee Marie McCullough Race Black M F X

E-Mail Address: jstce4all@aol.com Fax 901.328.5153

Profession/Employer: McCullough Law, PLLC (Attorney)

Business Address: 2887 S. Mendenhall Road #2 Zip 38115 Phone: 901.795.0050

Education: Howard University (BBA)/Loyola Law School - Los Angeles, CA (JD)

Name of Spouse: _____ Number of Children: 1

Home Address: 7615 Chapel Creek Parkway South Phone: 901.674.5272

City: Cordova State: TN Zip: 38016

I certify that I am a resident of the City of Memphis (Unincorporated areas and surrounding counties are not considered). Yes or No _____
If yes, how long? Lifelong

Professional Organization/Associations:

Other Organizations/Association:

Other Interests:

Signature

Date

8-14-14

Carlee M. McCullough, Esq.
2887 S. Mendenhall Road, Suite 2, Memphis, TN 38115
Jstce4all@aol.com 901.795.0050

EDUCATION

BBA Accounting, **Howard University**, School of Business May 1991
Former Certified Public Accountant
Juris Doctorate, **Loyola Law School**, Los Angeles, California May 1998
Licensed in Tennessee

EMPLOYMENT

Carlee McCullough, Esq. dba McCullough Law, Los Angeles, California and Memphis, TN - General Counsel 1998-date
Responsible for the oversight, business development and growth of a boutique law firm with concentrations in Diversity, Business, Entertainment, Personal Injury, Family Law, Wills, Probate and Non-Profits.

City of Memphis, Executive Division-Memphis, TN - Contract Compliance Officer/Title VI Coordinator 2000-2012
Responsible for the enforcement and administration of the City of Memphis' Minority and Women Business Enterprise Program by monitoring contracts for compliance throughout the contract term, setting goals for projects, providing information and assistance to M/WBEs to increase their ability to compete effectively for city contracts, and monitoring the city's progress toward achievement of M/WBE program goals. Provided oversight for a disparity study conducted by the City. Creator of the Diversity Developer Incubator (DDI), a comprehensive instructional program designed to increase minorities and women in real estate development. Also served as legal advisor to the Memphis & Shelby County Film & Music Commissions.

Abbott Laboratories, Ross Products Division-Los Angeles, California - Territory Manager 1993-1998
Responsible for managing \$9,000,000 worth of business by appropriately designing and effectively implementing the budgeting, selling, positioning, and marketing strategies pertaining to the nutritional product lines Ensure, Glucerna, and Advera directly to physicians.

Law Offices of Darryl Thompson-Los Angeles, California - Summer Associate Summer 97
Responsible for the creation of corporations and limited liability companies for record labels, management companies, and publishing companies. Prepared recording contracts, production agreements, and management contracts as they pertained to musicians, writers and producers.

Buchalter, Nemer, Fields, and Younger-Los Angeles, California - Summer Associate Summer 96
Researched issues related to UCC, Intellectual Property, Bankruptcy and Business Law. Formed corporations and limited liability companies for various business entities.

Baxter International, Pharmaseal Division-Valencia, California - Tax Analyst 1991-1993
Responsible for monthly reporting of managed taxes, assessment of sales and use taxes, and the quarterly transfer price adjustments for foreign facilities. Supervised the completion of audit requests from Price Waterhouse. Prepared the 1992 year end tax package for a \$500,000,000 division.

Baxter International, Pharmaseal Division-Valencia, California - RAS Cost Accountant
Managed the 1993 Standard Cost Database. Monitored intra-company accounts receivables and payables. Prepared a manual of Excess and Obsolete Inventory. Prepared inventory analysis of the Albonito, Jayaya, and Cartago plants.

Baxter International, Global Businesses-Deerfield, Illinois - Financial Planning Analyst
Tracked global capital spending. Prepared manual for a D-Base capital spending program. Assisted in 1991 Financial Forecasts. Responsible for the consolidation, accuracy and analysis of 1992 budgets for Baxter Japan, Italy, Spain/Portugal, and the Nordic countries.

MCI Corporation-Washington, DC - Tax Intern 1990-1991
Prepared city and state income and franchise tax returns, extensions, and estimated tax payments. Assisted in the preparation of the Federal returns and estimated tax payments.

Arthur Andersen & Co.-Washington, DC - Accounting Intern 1988-1989
Audited travel and expense/time reports. Distributed petty cash, recorded accounts payable and receivables transactions to the general ledger system. Prepared bank reconciliations.

ACCOMPLISHMENTS

Recognized by Memphis Woman Magazine as "50 Women Who Make a Difference"
Recognized by Tri-State Defender "50 Women of Excellence Award"
Past Adjunct Professor of Business Law - LeMoyne Owen College
Current Weekly Business Columnist for Tri-State Defender Newspaper

References available upon request

MEMPHIS LIGHT, GAS & WATER COMMISSION
5 Member Board
Oath of Office Required
3 Year Term

Cobbins, Darrell	M/B	10-30-16	3yr. Term
Evans, V. Lynn - resigned	F/B	10-30-13	3yr. Term
Masson, Rick	M/W	06-30-16	3yr. Term
Sisnett, Derwin	M/B	07-30-14	3yr. Term
Wishnia, Steven	M/W	11-01-16	3yr. Term

Myron Lowery (City Council Liaison)

City of Memphis

TENNESSEE

A C WHARTON, JR.
MAYOR

August 19, 2014

The Honorable Shea Flinn, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

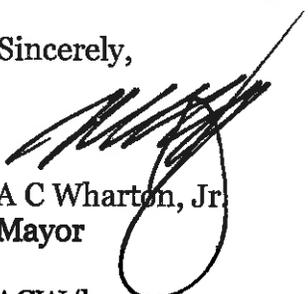
Subject to Council approval, it is my recommendation that:

David M. Schuermann

be appointed to the Minority Business Development and Oversight Committee
with a term expiring July 1, 2016.

I have attached biographical information.

Sincerely,


A C Wharton, Jr.
Mayor

ACW/lar

c: Council Members



City of Memphis

**BIOGRAPHICAL INFORMATION
APPOINTMENT TO BOARD/COMMISSION**
Minority Business Development Oversight
BOARD/COMMISSION

Name: David M. Schuermann, AIA, NCARB Race Caucasian M F

E-Mail Address: david@archincmemphis.com Fax 901-526-5081

Profession/Employer: Architect & President of Architecture, Incorporated

Business Address: 88 Union Center, Suite 106
Memphis, TN Zip 38103 Phone: 901-526-5080

Education: Bachelor of Architecture - University of Tennessee 1975 with Honors

Name of Spouse: n/a Number of Children: 0

Home Address: 372 Mulberry Street Phone: 901-359-5080

City: Memphis State: TN Zip: 38103

I certify that I am a resident of the City of Memphis (Unincorporated areas and surrounding counties are not considered). Yes or No If yes, how long? Lifetime

Professional Organization/Associations:

American Institute of Architects (AIA), Downtown Memphis Commission (DMC) Design Review Board (current Chair), National Council of Architectural Licensing Boards & Tennessee State Board of Architectural and Engineering Examiners (2004-2012)

Other Organizations/Association:

Memphis Heritage, National Trust for Historic Preservation, Chair of Beale Street West Study Committee (AIA + DMC), Art Museum of the University of Memphis (Board Chair), The Maria Montessori School, Board of Directors.

Other Interests:

Art, Architecture, Drawing, Sketching, Early Childhood Education, Preservation. Project Architect for University Place and Legends Park and Restoration Architect for the Hunt Phelan Mansion.

Signature David M. Schuermann Date 03-05-14

DAVID M. SCHUERMANN, AIA, NCARB

Principal, Architecture Incorporated.....Resume Continued

Project Experience

University Place, Memphis, TN. Complete architectural services for a new 287 unit multi-family mixed income development and neighborhood. Development includes new housing, infrastructure, playgrounds, park space and secured parking. LEED for Neighborhoods certified, LEED for Homes Certified.

Legends Park, Memphis, TN. Complete architectural services for a new 234 unit multi-family mixed income development and neighborhood. Mixed-Use building to include management office, rentable tenant space and one and two bedroom apartment units. Development includes new housing, infrastructure, playgrounds, park space, and secured parking.

The Nettleton Condominiums, Memphis, TN. Architectural services for the adaptive reuse of an existing grocery store warehouse.

The Dixie Carter Performing Arts Center, Huntingdon, TN. Complete architectural services for a new 450 seat, state-of-the-art performing arts center on the town's Court Square.

The Hunt Phelan House Museum, Memphis, TN. Complete restoration services for the preservation and restoration of the 1830 antebellum mansion as Memphis' premier historic house museum, now used as restaurant and bed and breakfast.

Lane College Historic District, Jackson, TN. Architectural services for the renovation and restoration in multiple phases of six buildings comprising the historic District: Cleaves Dormitory, Saunders Hall, President's Home, Daniel's Hall, Bray Administration Building, and the Power House.

The Barton Building Flats, Memphis, TN. Complete architectural services for the adaptive reuse of the F. G. Barton historic cotton warehouse in downtown Memphis as contemporary urban condominiums.

Ericson Group Corporate Offices, Memphis, TN. Complete architectural services for the adaptive reuse of the original Farrell Calhoun paint warehouse in downtown Memphis as corporate offices for an entertainment marketing company.

SOUTHBANK, Corinth, MS. Architectural services and interior space planning for the adaptive use of the 1913/1929 Downtown Post Office for the main banking facility. SOUTHBANK branch offices in Huntsville, AL and Corinth, MS and ADA analysis of 10 branch banks.

The 1814 Leroy Pope House, Huntsville, AL. Renovations and restorations to the oldest documented house in the state of Alabama. The project included master planning of the seven acre estate incorporating existing and new out buildings.

The Sandy Vogel Lewis House Neighborhood Day Care Center, Memphis, TN. Architectural and space planning services for the adaptive use of the old Lauderdale Courts Housing Administration Building as a day care center.

Union City Train Depot, Union City, TN. Architectural services for restoration of the Mobile and Ohio Train Depot to serve as offices for the Obion County Chamber of Commerce. The project was funded in part with Intermodal Surface Transport Enhancement Act monies.

89 South Front Street, Memphis, TN. Adaptive use of an 1850's cotton classing warehouse for a 20,000 square foot private residence with three bed and breakfast units and downtown Memphis first "green roof" with pool.

MINORITY BUSINESS DEVELOPMENT AND OVERSIGHT COMMISSION
9 Member Board & 2 Ex Officio Members
3 Year Term

Avant, Shante	B/F	07-01-16	3yr. Term
Black, Anita	W/F	07-01-16	3yr. Term
Daniels, Cynthia	B/F	07-01-16	3yr. Term
Hearn, Christopher	B/M	07-01-16	3yr. Term
Hill, Marcel	B/F	07-01-16	3yr. Term
Moore, Judith Black	B/F	07-01-16	3yr. Term
Scott, Clarence R.	B/M	07-01-16	3yr. Term
Vacancy			
Vacancy			

Janis Fullilove (Council Liaison)

RESOLUTION

WHEREAS, the Council of the City of Memphis did include Traffic Signals, Project Number EN01004 as part of the Fiscal Year 2015 Capital Improvement Budget; and

WHEREAS, bids are taken during the year for various purchases of traffic signal equipment needed in traffic control; and

WHEREAS, to expedite these bids and purchases the Engineering Division requests that this years allocation be appropriated; and

WHEREAS, it is necessary to appropriate \$340,000.00 to Traffic Signals, Project number EN01004 in Furniture, Fixtures and Equipment funded by G. O. General Bond funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$340,000.00 chargeable to the 2015 Capital Improvement Budget, with said appropriation to be funded from G. O. General Bond funds and the resulting appropriation being credited as follows:

G. O. General Bond Funds	\$340,000.00
Furniture Fixture & Equipment	\$340,000.00

CITY OF MEMPHIS

Report Date: Wednesday, August 20 2014
 CMEM Capital Project Report (MGR)
 For the Period Ending: August 31, 2014
 Project Status:

City Engineering

EN01004 Traffic Signals

Description	Current Allocations	Total Appropriations	Current Mth Cost	Project Cost	Encumbered Commitments	Unencumbered Appropriations	Unappropriated Allocations
Funding Sources							
General Obligation	11,623,229	10,784,790	0	0	0	0	838,439
Bonds							
Total Funding Sources	11,623,229	10,784,790	0	0	0	0	838,439
Planning							
Architecture and Engineering	858,165	567,943	0	173,114	21,583	373,246	290,222
Land Acquisition	70,000	0	0	78	0	<78>	70,000
Total Planning	928,165	567,943	0	173,192	21,583	373,168	360,222
Construction							
Contract Construction	2,924,483	2,807,483	0	8,103	0	2,799,380	117,000
Furniture Fixture	7,749,364	7,409,364	23,698	6,530,367	867,377	11,619	340,000
Equipment							
Other Cost	0	0	0	10,343	0	<10,343>	0
Total Construction	10,673,847	10,216,847	23,698	6,548,813	867,377	2,800,657	457,000
Capital Acquisition							
Equipment CAP	21,217	0	0	204,028	0	<204,028>	21,217
Total Capital Acquisition	21,217	0	0	204,028	0	<204,028>	21,217
Total Project Costs:	11,623,229	10,784,790	23,698	6,926,033	888,960	2,969,797	838,439
Net Funding & Costs:	0	0	<23,698>	<6,926,033>	<888,960>	<2,969,797>	0



**Memphis City Council
Summary Sheet
Mallory Lift Station Rehabilitation**

1. This is a construction project to rehabilitate a sanitary sewer lift station with four (4) sanitary sewer pumps, installation of approximately 5,200 feet of 10 inch sewer, and certain other appurtenances at the Mallory Bayou Lift Station.
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 29% MBE and 4% WBE.

This resolution appropriates construction funds to rehabilitate a sanitary sewer lift station with four (4) sanitary sewer pumps, installation of approximately 5,200 feet of 10 inch sewer and certain other appurtenances at the Mallory Bayou Lift Station

WHEREAS, the Council of the City of Memphis approved Rehab Existing Sewers, project number SW02121, as part of the Public Works Fiscal Year 2015 Capital Improvement Budget; and

WHEREAS, bids were taken on July 11, 2014 for the rehab of sanitary sewer lift station with the only complying bid being \$1,086,459.10 submitted by Argo Construction Corporation; and

WHEREAS, it is necessary to transfer a construction allocation of \$1,195,105.00 funded by Capital Pay Go-Sewer in Rehab Existing Sewers, project number SW02001 to Mallory Lift Station Rehab, project number SW02121; and

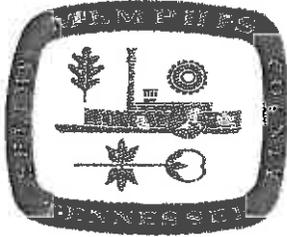
WHEREAS, it is necessary to appropriate \$1,195,105.00 funded by Capital Pay Go-Sewer in Mallory Lift Station Rehab, project number SW02121 as follows:

Contract Amount	\$1,086,459.10
Project Contingencies	<u>108,645.90</u>
Total Amount	\$1,195,105.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2015 Capital Improvement Budget be and is hereby amended by transferring a construction allocation of \$1,195,105.00 funded by Capital Pay Go-Sewer in Rehab Existing Sewers, project number SW02001 to Mallory Lift Station Rehab, project number SW02121 to rehabilitate a sanitary sewer at the Mallory Bayou Lift Station

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$1,195,105.00 funded by Capital Pay Go-Sewer chargeable to the FY 2015 Capital Improvement Budget and credited as follows:

Project Title	Mallory Lift Station Rehab
Project Number	SW02121
Total Amount	\$1,195,105.00



City Council Item Routing Sheet

7028

Division General Services
enter text.

Committee Captial Improvement

Hearing Date Click here to

Ordinance

Resolution

Grant Acceptance

Budget Amendment

Commendation

Other: Click here to enter text.

Item Description (Not the caption, but what does it do): A resolution appropriating a total of \$1,800,000 in Contract Construction funded by G O Bonds – General in CIP Project number GS01007, to fund various repair projects in City Hall.

Recommended Council Action: Approval

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

Does this item require city expenditure?

\$Click here to enter text.**Amount**

\$Click here to enter text.**Revenue to be received**

Source and Amount of Funds

FY 2015 Program Budget

\$1,800,000 CIP Project #GS01007

\$Click here to enter text.**Federal/State/Other**

Approvals

Director  Date 8-22-14

Director _____ Date _____

Budget Manager _____ Date _____

Finance Director _____ Date _____

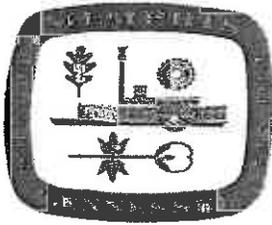
City Attorney _____ Date _____

Chief Administrative Officer

_____ Date _____

Council Committee Chair

_____ Date _____



City Council Item Routing Sheet

Division Public Works

Committee Public Works

Hearing Date September 16, 2014

T027

Ordinance

Resolution

Grant Acceptance

Budget Amendment

Commendation

Other:

Item Description (Not the caption, but what does it do): This is a construction project for moving an existing sewer line to make room for a new development.

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: N/A

Does this item require city expenditure? Yes

\$ 150,452.00 Amount

\$ Revenue to be received

Source and Amount of Funds

\$ Operating Budget

\$ 150,452.00 CIP Project# SW02127

\$ Federal/State/Other

Approvals

Director: *[Signature]*

Date: *8/21/14*

Chief Administrative Officer Date

Director: _____

Date: _____

Budget Manager: _____

Date: _____

Finance Director: _____

Date: _____

Council Committee Chair Date

City Attorney: _____

Date: _____

ORDINANCE NO. _____

An Ordinance to Amend Title 6, Chapter 44 – Business Licenses and Regulations of the City of Memphis, Code of Ordinances to Govern Certain Non-Profit Organizations Providing Transportation Services

WHEREAS, The Memphis City Council (“the Council”) has an interest in ensuring that seniors and visually impaired residents in Memphis have affordable and convenient means of transportation and “door through door” assistance where necessary, so that they may access grocery stores, doctors’ offices, and other locations in the community; and

WHEREAS, non-profit organizations can offer these transportation and related services to seniors and visually impaired residents at an affordable rate because they use volunteer drivers and receive donations; and

WHEREAS, current public vehicle licensing requirements complicate the ability of non-profit organizations to use volunteer drivers in order to keep the cost of their transportation services low; and

WHEREAS, The Council wishes to ensure the safety of seniors and visually impaired persons who use these services by imposing certain restrictions;

NOW THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Section 6-44-1, of the City of Memphis Code of Ordinances be amended to incorporate the following definition:

Charitable Non-Profit Transportation Provider “CNPTP” means an organization that has obtained tax-exempt status under state law, pursuant to Tennessee Code Annotated § 67-5-212 (2014), or under federal law, pursuant to 26 U.S.C. § 501(c)(3), and is dedicated, at least in part, to helping meet the special transportation needs of individuals in the City of Memphis, and is chartered under the laws of the State of Tennessee with the specific stated focus on individuals with special needs.

Charitable Non-Profit Transportation Vehicle means a vehicle for hire provided by a local non-profit charitable organization affiliated with a State or national non-profit charitable organization to transport persons who are elderly or visually impaired.

SECTION 2. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Title 6, Chapter 44, of the City of Memphis Code of Ordinances be amended to incorporate the following article:

ARTICLE 6: CHARITABLE NON-PROFIT TRANSPORTATION PROVIDERS

SECTION 3. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Title 6, Chapter 44, Article 6, of the City of Memphis Code of Ordinances incorporate the following sections:

Sec. 6-44-38. Qualifying Organizations.

Organizations eligible for permits under this Article must be Charitable Non-Profit Transportation Providers, and they must be 501(c)(3) non-profit organizations chartered under the laws of the State of Tennessee, with the specific stated focus on individuals with special needs, such as elderly and visually impaired, accountable to federal and state government.

Sec. 6-44-39. Permits.

- A. Qualifying organizations must obtain a CNPTP permit which would have to be renewed annually, with a copy of the affiliate agreement with the State or national organization.
- B. Applications for a CNPTP permit shall be made to the Permits Office of the City of Memphis upon forms provided by the City of Memphis. At a minimum, these forms shall set forth the name and address of the applicant, the class of each vehicle for which a license is desired, the seating capacity, the design, color scheme, and lettering and marks, if any, to be used on the vehicle, and any other information required by the City of Memphis. Upon the first application, the applicant shall pay to the city treasurer upon filing for each such public vehicle license the sum of \$10 which fee shall not be refunded. If the application is approved, the applicant shall furnish the city treasurer prior to the issuance of the decal information covering the particular vehicle to be licensed the make, the state license number, where applicable, the length of time the vehicle has been in use, and the name and address of the person from whom the vehicle was purchased, and any other information required by the City of Memphis, pertinent to the issuance of a license. When an unpaid, citizen volunteer drives his or her own personal vehicle to assist the CNPTP with rides for the special transportation needs of individuals, this license requirement shall not apply. The applicant will provide names of all drivers to the City of Memphis.
- C. There shall be a fifty dollar (\$50.00) annual fee to obtain and renew CNPTP permits.

Sec. 6-44-40. Insurance.

- A. Insurance certification is required to operate as a CNPTP, and the City of Memphis is exempted and indemnified against all claims.
- B. Each CNPTP shall maintain the following insurance:
1. Director's and Officer's Insurance
 2. General Liability/Business Owner's Insurance: Minimum coverage of \$1 million for each injury, \$1 million for all injuries, and \$1 million property damage.
 3. Auto Insurance: This insurance protects the CNPTP and CNPTP employees. Vehicles owned by the CNPTP will be covered under an automobile liability policy with limits of one million dollars (\$1,000,000) combined single limits auto liability-bodily injury and property damage and one million dollars (\$1,000,000) uninsured motorist, property damage and bodily injury.
 4. Auto Insurance – Hired and Non-Owned: This insurance will be carried only if it is available in the Geographic Service Area. This insurance protects the CNPTP, not the drivers. The driver's own insurance is primary in an accident. The Hired coverage protects the CNPTP when there is use of a rental/leased vehicle by the CNPTP. The Non-owned coverage protects the CNPTP in the event a volunteer driver has an accident in a vehicle not owned by the CNPTP and damages exceed coverage under his/her primary insurance policy. The limits for hired and non-owned will be one million dollars (\$1,000,000) should this coverage be available.
 5. Worker's Compensation Insurance: As required under Tennessee law.
- C. Each qualifying organization shall obtain and at all times during the term of this Agreement maintain in force and pay the premiums for comprehensive general liability insurance, including complete operations coverage and, unless such coverage is not available in the Geographic Service Area, non-owned automobile coverage, with an established and reputable insurer, with limits of liability for bodily injury of not less than one million dollars (\$1,000,000) for each injury and one million dollars (\$1,000,000) for property damage in each occurrence.
- D. Volunteer drivers must carry their own automobile coverage at or above the state level. The volunteer driver's insurance is primary.

Sec. 6-44-41. Regulation of Drivers.

Regulation of Drivers shall be the province of the non-profit organization, and said organization must provide satisfactory certification and supervision of its drivers. State of Tennessee driver's license and approved safety record is acceptable. Every volunteer driver must have an acceptable background check.

Sec. 6-44-42. Established Need.

There is insufficient specialized public transportation to meet the needs of the rapidly aging population, and without adequate mobility, older people cannot access healthcare, nutrition, or any kind of social or civic engagement. Older people have the highest fatal crash rate of any group except teenagers, and without adequate transportation options, they are more likely to drive when they should not, at risk to themselves, their families and the community.

Sec. 6-44-43. Miscellaneous.

- A. Volunteer drivers shall receive no monetary compensation for their services, other than mileage reimbursement or credit as allowed by the IRS for their actual expenses.
- B. Qualifying organizations are not required to obtain a certificate of public convenience and necessity pursuant to the Memphis Code of Ordinances.

SECTION 4. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, 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 5. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, 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 the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

Myron Lowery, Chairman
Memphis City Council

ATTEST:

Comptroller

Memphis City Council Resolution

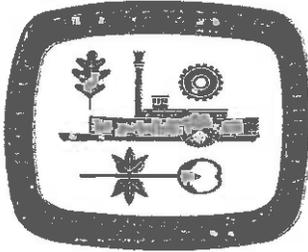
WHEREAS, on July 1, 2014, the Memphis City Council approved a 60-day moratorium on the issuance of sidewalk notices to property owners for damaged sidewalks; and

WHEREAS, the Council asked the Administration to evaluate its process and to consider ways to help reduce the financial burden for low-income and/or elderly citizens who are unable to make the required repairs.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the moratorium is extended for an additional 60 days while discussions on this issue continue.

Harold Collins

September 2, 2014



Memphis City Council Summary Sheet

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

This item is a resolution to accept grant funds from the State of Tennessee Department of Labor and Workforce Development in the amount of \$430,456.00 These funds will be used for the WIA Title One Dislocated Worker Program.

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

The State of Tennessee Department of Labor and Workforce Development which acts as a pass-through for the U.S. Department of Labor, allocated these grant funds to the Workforce Investment Network.

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

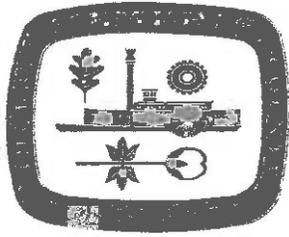
This is a new grant award, pending council acceptance.

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

Acceptance of these funds will require a new contract between the State of Tennessee and the City of Memphis, which acts as the administrative entity for the Workforce Investment Network.

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

Acceptance of these will require an amendment to the FY2015 operating budget to appropriate the funds.



A Resolution to accept WIA Title One Dislocated Worker funds from the State of Tennessee Department of Labor and Workforce Development.

WHEREAS, the City of Memphis Workforce Investment Network has received grant funds in the amount of Four Hundred Thirty Thousand, Four Hundred Fifty Six Dollars, (\$430,456.00) from the State of Tennessee Department of Labor and Workforce Development; and

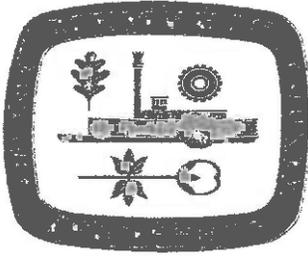
WHEREAS, these funds will be used to provide a contingency fund for WIA Title One Dislocated Worker Program; and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2015 Operating Budget to establish funds for the WIA Title One Dislocated Worker Program; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Four Hundred Thirty Thousand, Four Hundred Fifty Six Dollars, (\$430,456.00) for the WIA Title One Dislocated Worker;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the WIA Title One Dislocated Worker Program in the amount of Four Hundred Thirty Thousand, Four Hundred Fifty Six Dollars, (\$430,456.00) be accepted by the City of Memphis

BE IT FURTHER RESOLVED, that the Fiscal Year 2015 Operating Budget be and is hereby amended by appropriation the Expenditures and Revenues for the WIA Title One Dislocated Worker Program in the amount of Four Hundred Thirty Thousand, Four Hundred Fifty Six Dollars, (\$430,456.00).



Memphis City Council Summary Sheet

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

This item is a resolution to accept grant funds from the State of Tennessee Department of Labor and Workforce Development in the amount of \$181,879.00. These funds will be used for the WIA Title One Adult Program.

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

The State of Tennessee Department of Labor and Workforce Development which acts as a pass-through for the U.S. Department of Labor, allocated these grant funds to the Workforce Investment Network.

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

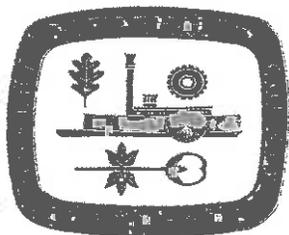
This is a new grant award, pending council acceptance.

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

Acceptance of these funds will require a new contract between the State of Tennessee and the City of Memphis, which acts as the administrative entity for the Workforce Investment Network.

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

Acceptance of these will require an amendment to the FY2015 operating budget to appropriate the funds.



A Resolution to accept WIA Title One Adult Grant funds from the State of Tennessee Department of Labor and Workforce Development.

WHEREAS, the City of Memphis Workforce Investment Network has received grant funds in the amount of One Hundred Eighty One Thousand, Eight Hundred Seventy Nine Dollars, (\$181,879.00) from the State of Tennessee Department of Labor and Workforce Development; and

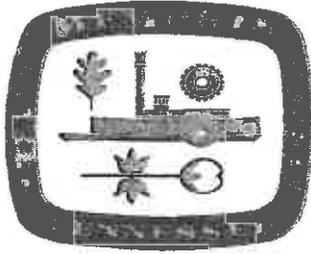
WHEREAS, these funds will be used to provide a contingency fund for WIA Title One Adult Program; and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2015 Operating Budget to establish funds for the WIA Title One Adult Program; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of One Hundred Eighty One Thousand, Eight Hundred Seventy Nine Dollars, (\$181,879.00.) for the WIA Title One Adult Program;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the WIA Title One Adult Program in the amount of One Hundred Eighty One Thousand, Eight Hundred Seventy Nine Dollars, (\$181,879.00) be accepted by the City of Memphis

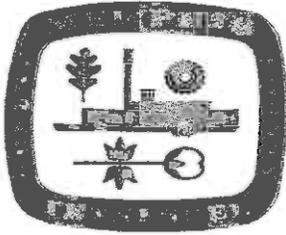
BE IT FURTHER RESOLVED, that the Fiscal Year 2015 Operating Budget be and is hereby amended by appropriation the Expenditures and Revenues for the WIA Title One Adult Program in the amount of One Hundred Eighty One Thousand, Eight Hundred Seventy Nine Dollars, (\$181,879.00).



Memphis City Council Summary Sheet

1. A resolution appropriating the sum of \$5,050,000.00 funded by GO Bonds-General chargeable to the FY2015 Capital Improvement Budget for the fourth phase of the development and the initiation of officially changing the name of the Cleaborn/Triangle Noir project to the Cleaborn Pointe at Heritage Landing/Heritage Trails project.
2. The Division of Housing and Community Development and Memphis Housing Authority (HOPE VI) are the initiating parties.
3. Resolution is not a change to an existing ordinance or resolution.
4. The resolution will be an amendment to an existing contract.
5. Expenditure of funds will be required.

Resolution-Division of Housing and Community Development



A resolution appropriating the sum of \$5,050,000.00 funded by GO Bonds-General chargeable to the FY2015 Capital Improvement Budget for the fourth phase of the development and the initiation of officially changing the name of the Cleaborn/Triangle Noir project to the Cleaborn Pointe at Heritage Landing/Heritage Trails project.

WHEREAS, in partnership with the City of Memphis, the Memphis Housing Authority and its competitively selected development partners, Pennrose Properties (PRP) and Community Capital, Inc. (CC), and Duvernay + Brooks (DB) are continuing with the City's mission to develop quality affordable housing for low and moderate income families, as part of the formerly known Cleaborn Homes now Cleaborn Pointe at Heritage Landing project; and

WHEREAS, the Cleaborn Pointe at Heritage Landing site will be developed in multiple phases under two main components: (1) a 362 on site rental housing community (307 affordable housing and 55 market rate units) on the former Cleaborn Homes Public Housing Development site;

WHEREAS, planned redevelopment activities will consist of the development of 362 family rental apartments; installation of public improvements; and related activities to support the successful development of these components; and

WHEREAS, in accordance with the HOPE VI Revitalization Plan, the fourth phase of development is ready to commence for the on-site rental component consisting of the construction of 67 mixed income rental units, and as funds are necessary to begin on-site construction, infrastructure improvements, site preparation/grading engineering design work and related activities; offsite land acquisition; and

Resolution-Division of Housing and Community Development

WHEREAS, the Memphis Housing Authority (formerly known Triangle Noir now Heritage Trails, Project Number CD01083) has committed allocations totaling 14,800,000 from the FY2011, 2012, 2013, 2014, and 2015 Capital Improvement Budgets and those funds will be encumbered to fund the aforementioned activities in the targeted area; and

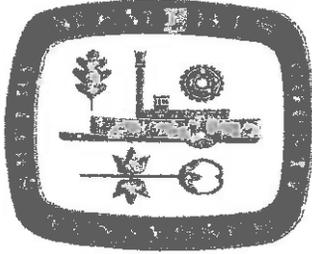
WHEREAS, the City of Memphis and the Memphis Housing Authority (MHA) has requested the name of the project be officially changed from Cleaborn Homes Redevelopment/Triangle Noir to Cleaborn Pointe at Heritage Landing/Heritage Trails; and

WHEREAS, the Memphis City Council has also approved the FY2015 Capital Improvement Budget which included an allocation of

FIVE MILLION FIFTY DOLLARS AND NO CENTS (\$5,050,000.00) for the Memphis Housing Authority project formerly known as Triangle Noir now Heritage Trails, Project Number CD01083 to provide additional funding for the aforementioned activities in the targeted area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated the sum of FIVE MILLION FIFTY DOLLARS \$5,050,000.00 funded by GO Bonds-General chargeable to the FY2015 Capital Improvement Budget and credited as follows:

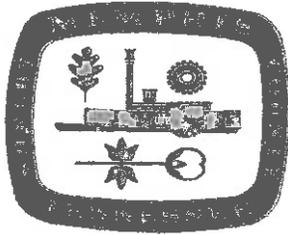
Project Title:	<i>formerly</i> MHA Triangle Noir (Cleaborn Homes Redevelopment) <i>now</i> MHA Cleaborn Pointe at Heritage Landing)
Project Number:	CD01083
Contract Construction:	\$5,050,000.00



Memphis City Council Summary Sheet

- 1. Resolution authorizing the transfer of the following City Owned parcels to the Promise Development Corporation in conjunction with the Uptown Revitalization Plan for the developing safe and affordable housing for low to moderate income families; 234 TM Henderson (Parcel No. 022022 A0000) and 275 Henry (Parcel No. 022027 00002).**
- 2. Division of Housing & Community Development**
- 3. Not Applicable**
- 4. This does not require a new contract/Lease Agreement.**
- 5. This does not require an expenditure of funds or a budget amendment.**

Resolution-Division of Housing and Community Development



Resolution authorizing the transfer of the following City Owned parcels to the Promise Development Corporation in conjunction with the Uptown Revitalization Plan for developing safe and affordable housing for low to moderate income families: 234 TM Henderson (Parcel No. 022022 A0000) and 275 Henry (Parcel No. 022027 00002).

WHEREAS, on April 16, 2014, upon approval of the Shelby County Board of Commissioners, certain parcels of real property were transferred from Shelby County to the City of Memphis in conjunction with the Memphis Housing Authority Hope VI/Uptown Redevelopment Project Area; and

WHEREAS, said parcels of real property are described as 234 T M Henderson (Parcel No. 022022 A00009) and 275 Henry (Parcel No. 022027 00002) and more particularly described on Exhibit A attached hereto and made part hereof by this reference; and

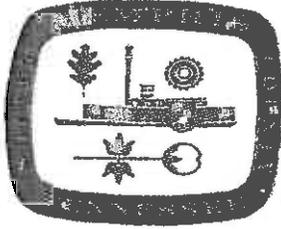
WHEREAS, in furtherance of the Uptown Revitalization Plan, the City of Memphis acting by and through its Division of Housing & Community Development along with MLB-Uptown, LLC, are now requesting the transfer of said parcels in order to fulfill Community Redevelopment Agency Board's commitment to the assemblage of enough land for Promise Development Corporation (formerly North Memphis Community Development Corporation) in its utilization of said parcels for development of affordable housing in Uptown Redevelopment; and

WHEREAS, the transference of said parcels to Promise Development Corporation will be at no cost and as part of a proposed North of Chelsea initiatives, Promise Development Corporation will develop ten (10) new construction single-family homes in the immediate vicinity of the KIPP Diamond Academy School, where said homes will be available to low to moderate income families on a lease basis and with the opportunity to purchase; and

WHEREAS, the impetus is to provide safe and affordable housing around good schools in the North Memphis Community is the most important foundation for neighborhood redevelopment, and is a desirable goal within the aims of the Division of Housing & Community Development.

Resolution-Division of Housing and Community Development

NOW, THEREFORE, BE IT RESOLVED that the City of Memphis, transfer the said parcels to Promise Development Corporation (f/k/a North Memphis Community Development Corporation) for them to utilize as part of the North Memphis neighborhood redevelopment efforts in developing safe and affordable housing around good schools. In accordance with City ordinance, the conveyance is not subject to laying over, therefore, Resolution shall be deemed approval of transference, and the City of Memphis, Division of Housing & Community Development shall prepare and arrange for the execution of the Quit Claim Deed and any documents incidental to closing of sale/transfer and the Mayor of the City of Memphis is hereby authorized to execute said deed or any other documents necessary to the closing of said sale and/or transfer.



City Council Item Routing Sheet

- Ordinance Resolution Grant Acceptance
 Budget Amendment Commendation Other:

Item Description: Ordinance to institute five dollar fee for issuance of electronic traffic citations. Eighty percent of the fee is allocated to the Memphis Police Department. Twenty percent is allocated to the City Clerk. All funds are allocated for the specific use of updating and running the electronic citation systems. The fee is to be paid by the traffic violator. The same provisions are contained in the Tennessee Code at Section 55-10-207(e). Pursuant to that section of the Tennessee Code, this provision shall terminate five years after the date it is passed into law because the upfront costs are presumed to be accounted for by that time.

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: None

Does this item require city expenditure?		Source and Amount of Funds	
\$ 0	Amount	\$0	Operating Budget
\$ 0	Revenue to be received	\$0	CIP Project #
		\$0	Federal/State/Other

Approvals

Director *[Signature]* Date 3/13/14
 Director _____ Date _____
 Budget Manager _____ Date _____
 Finance Director _____ Date _____
 City Attorney _____ Date _____

Chief Administrative Officer _____ Date _____
 Council Committee Chair _____ Date _____

A PROPOSED ORDINANCE TO RESTRICT BUILDING OPERATIONS ON HOLIDAYS

*****Summary of Proposed Ordinance**

The proposed ordinance is designed to prevent noisy construction and demolition operations in any Memphis residential district during holidays. Currently, the Memphis and Shelby County Unified Development Code (“UDC”) allows building operations on weekdays between the hours of seven a.m. and six p.m. or in the case of “urgent necessity.” The current UDC does not mention holidays. Thus, under the current UDC, construction, demolition, and other noisy operations can take place during weekday holidays. In order to promote the quiet enjoyment of home, the proposed ordinance prohibits construction and demolition operations on holidays.

A copy of the proposed Ordinance is below.

*****Proposed Ordinance to Prevent Construction, Demolition and Other Noisy Operations on Holidays in Residential Areas**

Title 9 Health and Safety

Chapter 9-68 Noise Control

Section 9-68-6 Building Operations

The erection (including excavation), demolition, alteration or repair of any building or the excavation of streets and highways in any residential district or section, other than between the hours of seven a.m. and six p.m. on weekdays or holidays, as defined below, is prohibited, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the chief building inspector, which permit may be granted for a period not to exceed thirty (30) days while the emergency continues, if the chief building inspector determines that the public health and safety will not be impaired thereby and that loss or inconvenience will result to a party in interest if such permit is not granted. For the purposes of this ordinance, the term "holiday" shall include: New Year's Day, Martin Luther King Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving and Christmas Day. (*Code 1985 § 22-5; Code 1967 § 24-5*)

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

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.

Councilman
Lee Harris