

City of Memphis

TENNESSEE

A C WHARTON, JR.
MAYOR

September 3, 2010

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

Dear Chairman Strickland:

Subject to Council approval, it is my recommendation that:

Curtis Thomas

be appointed to the Health, Education and Housing Facility Board with a term expiring December 31, 2010.

I have attached biographical information.

Sincerely,


A C Wharton
Mayor

ACW/lar

c: Council Members



City of Memphis

BIOGRAPHICAL INFORMATION APPOINTMENT TO BOARD/COMMISSION

BOARD/COMMISSION

Name: Curtis Thomas Race White M F

E-Mail Address: curtis.thomas@theworkscdc.org Fax 901-946-6749

Profession/Employer: Nonprofit / The Works, Inc.

Business Address: 1471 Genesis Circle Zip 38106 Phone: 901-946-9675

B.A. Urban Studies, Rhodes College, 2003

Education: Master of City & Regional Planning, University of Memphis, 2006

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

Home Address: 2033 Nelson Avenue Phone: 901-896-7383

City: Memphis State: TN Zip: 38104

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? 9

Professional Organization/Associations:
American Planning Association, Tennessee chapter of the American Planning Association

Other Organizations/Association:
Community Housing Developers Association of Tennessee (President, Board of Directors);
Community Development Council of Greater Memphis; Victor-Kerr Community Association;
Livable Memphis (Steering Committee)

Other Interests:
Cooking, travel, Memphis history, urban food systems, architecture

Signature  Date 8/24/2010

Curtis Thomas

curtis.thomas@theworkscdc.org

2033 Nelson Avenue
Memphis, Tennessee 38104
901.896.7386 (h)
901.774.8956 (w)

Education:

Rhodes College, Memphis, TN, Bachelor of Arts in Urban Studies, 2003

Honors: Urban Studies Senior of the Year (2002-2003), peer award.

University of Memphis, Memphis, TN, Master of City & Regional Planning, 2006

Experience:

South Memphis Renaissance Collaborative Memphis, TN

January 2008 – Present

Program Officer Prepare and submit grants; Serve as point of contact for funders' reports; Assist Executive Director in preparation and management of program budgets; Coordinate and contribute to the involvement of academic partners in documenting and evaluating the project; Work with architects and designers and relevant public entities during the planning and development phases of the project; ~~Coordinate~~ the housing development of The Works, Inc. to complement the Collaborative's efforts.

The Works, Inc. Memphis, TN

August 2008 – Present

Deputy Executive Director Manage operations of the organization including hiring and managing a staff of four; Prepare and manage agency budget; Secure financial resources for all programs, including grants, loans, and earned revenues; All other functions listed under Interim and Assistant Executive Director.

October 2007 – August 2008

Interim Executive Director Manage operations of the organization including hiring and managing a staff of four; Prepare and manage agency budget; Secure financial resources for all programs, including grants, loans, and earned revenues; Prepare reports for quarterly board meetings; Partner with government entities, neighborhood groups, other non-profits, and other stakeholders to build supportive networks to work for sustainable development strategies; Work collaboratively with the leadership team of the St. Andrew Enterprise; All other functions listed under Assistant Executive Director.

June 2006 – August 2008

Assistant Executive Director Manage the housing and community development program including all phases of the development of affordable new/rehabbed single-family homes for homeownership; Prepare and manage budget for housing construction projects; Administer the homebuyer education counseling program, minor home repair program, and non-profit mortgage brokerage operation; Secure financial resources for the housing program, counseling program, and non-profit mortgage brokerage operation including grants, loans, and earned revenues; Prepare reports for quarterly board meetings; Partner with government entities, neighborhood groups, other non-profits, and other stakeholders to build supportive networks to work for sustainable development strategies; Supervise staff of five and all volunteers/interns.

Community Development Council of Greater Memphis, Memphis, TN

July 2005 – May 2006

Graduate Assistant Responsible for conducting research into the impacts of sprawl-based growth on the residents of Memphis and Shelby County; Working with the CD Council to build a new organization, which has the goal to bring residents to the table regarding growth policy.

Curtis Thomas
curtis.thomas@theworkscdc.org

2033 Nelson Avenue
Memphis, Tennessee 38104
901.896.7386 (h)
901.774.8956 (w)

University of Memphis, Memphis, TN

Sept 2004 – July 2005

Graduate Assistant Conduct research for a member of the Planning faculty; Assist in the organization and execution of the 2005 Mid-South Planning & Zoning Institute conference.

GNER, Edinburgh, Scotland

Sept 2003 – December 2003

Customer Service Assistant On-train customer service including restaurant and first class. This position was through a student work permit issued by BUNAC.

Friends for Life, Memphis, TN

September 2002 – May 2003

Intern Perform a complete evaluation of client files for Ryan White funding compliance; Design and execute a file repair program.

M.I.F.A. Memphis, TN

August 2002 – December 2002

Intern Track the flow of government money into the organization and create a comprehensive view of how that money is controlled (in terms of governmental policy and how changing political climates could possibly affect M.I.F.A.'s ability to continue receiving those funds).

The Works, Inc. Memphis, TN

May 2001 – May 2003

Academic & Paid Intern Create and administer a community conditions survey and use the collected data to produce digital maps of the Works' target community for use in the organization's long-term strategic planning; Oversee two interns working on the community conditions survey; Conduct research relating to the development of properties in the community.

Community Involvement/Affiliations:

Community Housing Developers Association of Tennessee (President, Board of Directors); Community Development Council of Greater Memphis; Victor-Kerr Community Association; Coalition for Livable Communities (Steering Committee); Problem Properties Collaborative (Steering Committee; Minor Home Repair Committee, Co-chair); American Planning Association; Tennessee chapter of the American Planning Association

HEALTH, EDUCATION & HOUSING FACILITY BOARD

9 Member Board

6 Year Term

2 Vacant

Roshun Austin	F/B	12-31-11	6yr. Term
Monice Hagler	F/B	12-31-13	6yr. Term
Florine Hinds	F/B	12-31-10	6yr. Term
Lee Patton	M/W	12-31-11	6yr. Term
Daniel T. Reid	M/W	12-31-11	6yr. Term
Larry Warren	M/B	12-31-13	6yr. Term
Nancy C. Willis	F/W	12-31-13	6yr. Term
Vacant		12-31-10	6yr. Term
Vacant		12-31-10	6yr. Term

Barbara Swearengen Ware (City Council)

City of Memphis



TENNESSEE

A C WHARTON, JR.
MAYOR

September 3, 2010

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

Dear Chairman Strickland:

Subject to Council approval, it is my recommendation that:

Carolyn A. Goodwin-Willett

be appointed to the Health, Education and Housing Facility Board with a term expiring December 31, 2010.

I have attached biographical information.

Sincerely,

A C Wharton
Mayor

ACW/lar

c: Council Members



City of Memphis

BIOGRAPHICAL INFORMATION APPOINTMENT TO BOARD/COMMISSION

Health Educational & Housing Facility Board
BOARD/COMMISSION

Name: Carolyn K. Goodwin-Willett Race Black M F

E-Mail Address: geecCarolynm@aol.com Fax 775-2815

Profession/Employer: Kiddie Kollege Child Care Center

Business Address: 1981 E. Person Ave Zip 38114 Phone: 775-2814

Education: BS - Education (Memphis State) Masters Early Childhood Ed
Affiliate Real Estate Broker, Certified Playground Inspector (I of M)

Name of Spouse: Eugene Willett Number of Children: 2

Home Address: 1266 Castalia Street Phone: 725-9583

City: Memphis State: TN Zip: 38114

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? 61 years

Professional Organization/Associations:

National Association for the Education of Young Children, TN Association for the Ed. of Young Children, Memphis Association of the Young Child, NAAEP &

Other Organizations/Association:

Trustee - Magnolia Baptist Church National Black Child Development Institute
Castalia/Parkway Block Club, Glenview Neighborhood Association

Other Interests:

- Community Development
- Inter-city Housing - (affordable, top grade)
- Child Safety in Memphis
- Making Memphis a safe place for everyone

Signature Carolyn K. Goodwin-Willett Date 8/16/10

Carolyn Goodwin Willett

1266 Castalia Street ♦ Memphis, TN 38114 ♦ (901) 725-9583 (H) 775-2814(O) ♦ geecarolynm@aol.com

Profile

Motivated, personable business professional with multiple college degrees and a successful 30-year track record of profitable small business ownership. Talent for quickly mastering technology. Diplomatic and tactful with professionals and non-professionals at all levels. Accustomed to handling sensitive, confidential records. Demonstrated history of producing accurate, timely reports meeting.

Flexible and versatile – able to maintain a sense of humor under pressure. Poised and competent with demonstrated ability to easily transcend cultural differences. Thrive in deadline-driven environments. Excellent team-building skills.

Professional Experience

COMMUNICATION: REPORTS/PRESENTATIONS/TECHNOLOGY

- ♦ Prepare complex reports for federal agency requirements and tight deadlines.
- ♦ Author professional correspondence to customers and vendors.
- ♦ Design and deliver series of classes for childcare professionals.
- ♦ Communicate effectively with parents, students, teachers and other professionals.
- ♦ Rapidly learn and master varied computer programs
- ♦ Manage investment properties
- ♦ Coordinate renovation of properties for sale

CUSTOMER SERVICE/MARKETING/PROBLEM SOLVING

- ♦ Oversee front-office operations and provide impeccable customer service:
 - ♦ Built a clientele supported by 80% referral business.
- ♦ Develop and implement strategic marketing plan for business:
 - ♦ Launched a thriving private practice, building revenue consistently each year.
 - ♦ Presentations resulted in standing-room-only crowds of 50+.

Professional Experience, continued

MASTERY & ORGANIZATION

- ♦ Manage all aspects of day-to-day operations as center Director.
 - ♦ Facility rental/maintenance.
 - ♦ Finances: accounts payable/receivable, invoicing, insurance billing, budgeting.
 - ♦ Supervision of a total of 21 childcare professionals, drivers and cooks.

Employment History

KIDDIE KOLLEGE Childcare Center – Memphis, TN - Director – 1993 - Present

AFFILIATE REAL ESTATE BROKER , Memphis, TN – 1970 - Present

REGIONAL DRUG PREVENTION COORDINATOR – Memphis, TN – 1989 – 1993

DIRECTOR of CONSUMER & SOCIAL SERVICES, Memphis Health Center - 1985 – 1989

SOCIAL WORKER, JAMES Hayes Health Care, Memphis, TN – 1984

JOB DEVELOPER, LeMoyne-Owen College, Memphis, TN – 1980- 1984

SENIOR SOCIAL COUNSELOR, TN Dept. of Human Services – 1975 – 1980

TAX EXAMINER , Internal Revenue Services, Memphis, TN – 1972 - 1975

Carolyn Goodwin Willett

1266 Castalia Street ♦ Memphis, TN 38114 ♦ (901) 725-9583 (H) 775-2814(O) ♦ geecarolynm@aol.com

EDUCATION

UNIVERSITY OF MEMPHIS, Memphis, TN

Masters of Education – Early Childhood - 2006

MEMPHIS STATE UNIVERSITY – Memphis, TN

Bachelors of Arts (1973) – Secondary Education

UNIVERSITY OF TN/UMS , Memphis, TN

Real Estate Principles, Financing & Law

HEALTH, EDUCATION & HOUSING FACILITY BOARD

9 Member Board

6 Year Term

2 Vacant

Roshun Austin	F/B	12-31-11	6yr. Term
Monice Hagler	F/B	12-31-13	6yr. Term
Florine Hinds	F/B	12-31-10	6yr. Term
Lee Patton	M/W	12-31-11	6yr. Term
Daniel T. Reid	M/W	12-31-11	6yr. Term
Larry Warren	M/B	12-31-13	6yr. Term
Nancy C. Willis	F/W	12-31-13	6yr. Term
Vacant		12-31-10	6yr. Term
Vacant		12-31-10	6yr. Term

Barbara Swearengen Ware (City Council)



Memphis City Council Summary Sheet

Resolution appropriating funds for speed hump installation.

- This item is a resolution to appropriate funds for the installation of speed humps on several residential streets that have met criteria for said installation according to City policy.
- The Engineering Division is the party that initiates speed hump installation.
- Not applicable
- A new contract is required each year for each new set of streets receiving speed humps.
- The installation of speed humps does require an expenditure of funds.

RESOLUTION

WHEREAS, the Council of the City of Memphis did include Traffic Calming Devices, Project Number EN01007 as part of the Fiscal Year 2011 Capital Improvement Budget; and

WHEREAS, bids were taken on July 30, 2010 with the lowest complying bid being \$85,870.00 submitted by APAC-TENN; and

WHEREAS, it is necessary to transfer an allocation of \$85, 870.00 funded by G.O. Bonds - General from Traffic Calming Devices, Project Number EN01007 to Speed Hump Installation - Group 6, Project Number EN01030; and

WHEREAS, it is necessary to appropriate \$85,870.00 funded by G.O. Bonds in , Project number EN01030.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2011 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$85,870.00 funded by G.O. Bonds from Traffic Calming Devices , project number EN01007 to Speed Hump Installation - Group 6, project number EN01030.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$85,870.00 funded by G.O. Bonds and chargeable to the Fiscal Year 2011 Capital Improvement Budget and credited as follows:

Speed Hump Installation - Group 6	\$85,870.00
Project Number EN01030	G. O. General Bond Funds



Memphis City Council Summary Sheet Instructions

Resolution for FY11 Public Works Storm Water Bridge Repair

- This resolution is for the fiscal year 2011 Storm Water CIP and transfers allocations to the Bridge Repair Storm Water cover line, ST03083, for the rehabilitation and replacement of Bridges to enhance stormwater flow, rip-rap stabilization, and scour protection.
- This on-going process as Bridges are annually inspected to ascertain if any rehabilitation or work is required with regards to stormwater related concerns.
- This has no impact to any current ordinance or resolution.
- This resolution requires no contracts nor amends an existing contract.
- This resolution will transfer allocations from the Storm Water Drainage cover line, ST03006, to the Bridge Repair Storm Water cover line, ST03083, in order to meet the funding demands of bridge rehabilitation or replacement. The transfer of the following allocations from Stormwater Drainage, ST03006, to the Bridge Repair Stormwater, ST03083, will be made by transferring in allocations, totaling \$9,375,000, from one expenditure type to the corresponding expenditure type in the amounts of \$710,000 Architecture and Engineering, \$400,000 Land Acquisition, and \$8,265,000 Contract Construction.
- The purpose of this resolution is to ensure that the appropriate allocations are available within the ST03083 cover line so that sufficient funding for two or three major stormwater related bridge repair or replacement projects can be accomplished in a fiscal year which is the intended function and scope of the ST03083 cover line.

RESOLUTION

WHEREAS, the Council of the City of Memphis approved Drainage –ST, project number ST03006, as part of the Public Works FY11 Capital Improvement Budget; and

WHEREAS, additional funds are needed in Bridge Repair Storm Water, ST03083, for the rehabilitation and replacement of bridges to enhance storm water flow, rip-rap stabilization, and scour protection; and

WHEREAS, it is necessary to amend the FY11 Capital Improvement Budget by transferring an allocation of \$9,375,000 funded by G O Bonds – General (Storm Water) from Drainage ST, project number ST03006, to Bridge Repair Storm Water, project number ST03083 as follows:

A & E	\$710,000.00
Land Acquisition	\$400,000.00
Construction	<u>\$8,265,000.00</u>
Total Amount	<u>\$9,375,000.00</u>

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the FY11 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$9,375,000 funded by G O Bonds – General (Storm Water) from Drainage - ST, project number ST03006, to Bridge Repair Storm Water, project number ST03083 as follows:

A & E	\$710,000.00
Land Acquisition	\$400,000.00
Construction	<u>\$8,265,000.00</u>
Total Amount	<u>\$9,375,000.00</u>

Whereas, the Fleet Services department within the Division of General Services was the subject of an independent audit which found a number of internal control deficiencies involving 90 vendor contracts and called into question whether financial data had been reported reliably; and

Whereas, it was brought to the Council's attention that the General Services Division relies heavily on outside wrecker operators and that increased cost savings might be derived from using the division's personnel instead to the benefit of taxpayers; and

Whereas, approximately \$1,400,000 was expended in FY 2010 for wrecker services and it is the Council's desire that the amount spent for these services be significantly reduced in FY 2011.

Now, Therefore, Be It Resolved that the Council request that the Administration return in two weeks of the passage of this resolution with a plan incorporating a six-month pilot project in which in-house towing services be utilized to a greater degree and that private contracting be reduced with the expectation of a discernible decrease in the wrecker services budget line from the FY 2010 expenditure amount.

ADOPTED: September 14, 2010

Reid Hedgepeth



Memphis City Council Summary Sheet

Resolution to accept WIA Title Career Center Resource Share grant funds from the State of Tennessee Department of Labor and Workforce Development.

- This item is a resolution to accept grant funds from the State of Tennessee, Department of Labor and Workforce Development in the amount of \$56,591.00. These funds will be used for payment of rent and other pro-rata costs at the Collierville, Memphis-Mendenhall, and Memphis-Poplar career offices.
- The State of Tennessee Department of Labor and Workforce Development allocated these funds to the Workforce Investment Network based on the resource sharing cost estimates.
- This is a new grant award, pending council acceptance.
- Acceptance of these funds will require a new Memorandum of Understanding (MOU) between the State of Tennessee and Workforce Investment Network/City of Memphis.
- Acceptance of these funds will require an amendment to the FY2011 operating budget to appropriate the funds.

RESOLUTION

WHEREAS, the City of Memphis Workforce Investment Network has received grant funds in the amount of Fifty Six Thousand, Five Hundred Ninety One Dollars, (\$56,591.00) 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 Resource Sharing in the Memphis Area Career Centers; and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2011 Operating Budget to establish funds for the WIA Title One Career Center Resource Share Grant; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Fifty Six Thousand, Five Hundred Ninety One Dollars, (\$56,591.00) for the WIA Title One Career Center Resource Share Grant;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the WIA Title One Career Center Resource Share Grant in the amount of Fifty Six Thousand, Five Hundred Ninety One Dollars, (\$56,591.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2011 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the WIA Title One Career Center Resource Share Grant in the amount of Fifty Six Thousand, Five Hundred Ninety One Dollars, (\$56,591.00) as follows:

Revenue

State of Tennessee Department of Labor WIA Title One Career Center Resource Share Grant	<u>\$56,591.00</u>
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TOTAL	\$56,591.00
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Expense

MOU Agreement Contingency Services	<u>\$56,591.00</u>
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TOTAL	\$56,591.00
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Memphis City Council Summary Sheet

Resolution to accept WIA Title I Career Center Resource Share grant funds from the State of Tennessee Department of Labor and Workforce Development.

- This item is a resolution to accept grant funds from the State of Tennessee, Department of Labor and Workforce Development in the amount of \$163,594.00. These funds will be used for the WIA Title One Career Center Resource Share expenses.
- The State of Tennessee Department of Labor and Workforce Development allocated these funds to the Workforce Investment Network based on the resource sharing cost estimates.
- This is a new grant award, pending council acceptance.
- 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.
- Acceptance of these funds will require an amendment to the FY2011 operating budget to appropriate the funds.

RESOLUTION

WHEREAS, the City of Memphis Workforce Investment Network has received grant funds in the amount of One Hundred Sixty Three Thousand, Nine Hundred Fifty Four Dollars, (\$163,954.00) 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 Resource Sharing in the Memphis Area Career Centers; and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2011 Operating Budget to establish funds for the WIA Title One Career Center Resource Share Grant; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of One Hundred Sixty Three Thousand, Nine Hundred Fifty Four Dollars, (\$163,954.00) for the WIA Title One Career Center Resource Share Grant;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the WIA Title One Career Center Resource Share Grant in the amount of One Hundred Sixty Three Thousand, Nine Hundred Fifty Four Dollars (\$163,954.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2011 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the WIA Title One Career Center Resource Share Grant in the amount of One Hundred Sixty Three Thousand, Nine Hundred Fifty Four Dollars, (\$163,954.00) as follows:

Revenue

State of Tennessee Department of Labor WIA Title One Career Center Resource Share Grant	<u>\$163,954.00</u>
TOTAL	\$163,954.00

Expense

MOU Agreement Contingency Services	<u>\$163,954.00</u>
TOTAL	\$163,954.00



Memphis City Council Summary Sheet

- This item is a resolution to accept \$68,040.00 from Millington Police Department for annual charges of radio identifiers.
- The Division of Information Services is requesting this action.
- Amendment to FY 2011 Adopted Budget Ordinance.
- The City of Memphis entered into a Memorandum of Understanding with the Millington Police Department to provide radio use on the Memphis/Shelby County Radio System.
- This item requires an amendment to FY 2011 Adopted Budget to accept and appropriate \$68,040.00 in revenue and expenditures for radio support.

WHEREAS, the Information Services Division of the City of Memphis (hereinafter referred to as "CITY") entered into an Memorandum of Understanding with the Millington Police Department (hereinafter referred to as "Millington PD") on August 2, 2009 stating that CITY will provide radio use on the Memphis/Shelby County Radio System; and

WHEREAS, CITY has received payment in the amount of Thirty-Four Thousand, Twenty Dollars (\$34,020.00) in annual charges for FY 2010 and will receive payment of Thirty-Four Thousand, Twenty Dollars (\$34,020.00) in annual charges for FY 2011 from Millington PD for cost of each radio identifier; and

WHEREAS, it is necessary to accept this funding and amend the Fiscal Year 2011 Operating Budget to establish the appropriation for this Outside Revenue; and

WHEREAS, it is necessary to appropriate these funds in the amount of Sixty-Eight Thousand, Forty Dollars (\$68,040.00) for radio maintenance support; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that funds in the amount of Sixty-Eight Thousand, Forty Dollars (\$68,040.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED that the Fiscal Year 2011 operating Budget be and is hereby amended by appropriating the Expenditures and Revenues in the amount of Sixty-Eight Thousand, Forty Dollars (\$68,040.00) as follows:

Revenue

Outside Revenue	\$68,040.00
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Expenditures

Outside Equipment Repair/Maintenance	\$68,040.00
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DR. WILLIE W. HERENTON - Mayor
KEITH L. McGEE - Chief Administrative Officer

DIVISION OF FIRE SERVICES
ALVIN D. BENSON - Director

TENNESSEE

"Teamwork with Commitment to Excellence, Compassion, and Immediate Community Protection"

TO: Harold B. Collins, Vice Chairman
City of Memphis Council - District 3

FROM: Alvin D. Benson, Director of Fire Services 

DATE: May 14, 2009

SUBJECT: Berkshire Associates Inc. Efficiency Study 2007

Per your request, attached is the Memphis Fire Department response to the efficiency study performed by Berkshire Associates Inc. in 2007. Please let me know if you need something additional. Thank you.

jn

c: Keith L. McGee, CAO

Enclosure

Memphis Fire Division Response to Efficiency Study-2007

Overview of Response

An efficiency study of the Memphis Fire Department was completed, in early 2007, by Berkshire Associates, Inc. The study sought to evaluate the following:

1. Current fire station locations
2. Current apparatus types and their deployment
3. Current fire prevention inspection policies and programs
4. Current fees and fines charged by the fire department
5. Current utilization of or potential for civilian hiring for some jobs

The study (i.e. Berkshire) recommends some changes that, if implemented, would allegedly improve fire department services for the citizens of Memphis. However, the study also recommends changes that will dramatically affect, negatively, the life safety of Memphis citizens and the health and safety of Memphis firefighters. Additionally, Berkshire fails to examine many of the direct and indirect costs associated with their recommendations, and many of those costs would likely incur a greater tax burden upon the citizens of Memphis. In doing so, Berkshire has presented a final draft that, on a positive note, recommends an enhanced and needed Emergency Medical system (EMS); proposes the involvement of fire companies to affect fire inspections; suggests the adoption of additional fees for services; and recommends rapid, continuous hiring of employees to fill vacant slots. However, the report suffers, negatively, in many areas, in that it: (1) lacks research citation for source information; (2) contains errors relative to those research sources that are cited; (3) misrepresents language contained in national fire protection standards; (4) overlooks practical application of federal OSHA (Occupational Safety and Health Administration) safety requirements; (5) fails to provide definitive costs – direct and indirect- related to their recommendations; and (6) fails to realistically estimate the time frames for implementation.

The Fire Division (MFD), in its review of the study, responds as follows to the multiple sections of the Berkshire report.

A. Introduction

The MFD has no comment relative to the information contained in this section, and accepts it.

B. Comparisons With Other Departments

The MFD finds this section confusing for the following reasons:

- a. Berkshire is inconsistent in its stated criterion (population) by listing unlike cities.

Memphis Fire Division Response to Efficiency Study-2007

- b. Berkshire fails to evaluate data according to national norms (i.e. fire loss per capita, fire deaths per million).
- c. Berkshire fails to cite its source(s) for data.
- d. Four of the eight comparative jurisdictions DO NOT provide fire-based EMS.
- e. One comparative city (Fairfax County) is NOT an all-career department.
- f. Effects of poverty on fire losses are NOT examined.
- g. Poverty figures (2000) are NOT the most current.
- h. Poverty figures do not match stated source data (Fairfax County).
- i. Data for "employees per sq. mi." is NOT accurate (nor consistent).
- j. Total incident counts are NOT provided (or the source citations).
- k. Nashville is omitted from the table on page II-3.
- l. Fire station tables are vague and should reflect "square miles per station" rather than "stations per square mile." It is more easily understood.
- m. Berkshire does NOT use the data derived from city comparisons for any purpose within the study. Thus, WHY did Berkshire even list it?
- n. Berkshire methodology for fire station placement is "location only" without any consideration for fire frequency, fire loss magnitude, population density, age/condition of buildings, or poverty levels.

C. Vacancies

The MFD **Accepts this recommendation.**

D. Station Location, Apparatus Deployment, and Emergency Response Staffing

a. Fire Station Location

The MFD **Accepts recommendation partially for fire station locations.** Current long-range "replacement" plans for existing fire stations will ultimately eliminate coverage issues within the inner-city areas of Memphis. However, the MFD accepts Berkshire recommendation for new fire stations in newly developed areas of Memphis (7400 Macon Rd., 4120 Prescott). Note that the Berkshire Study makes no recommendation for the need of a fire station along the Highway 64 corridor between Houston Levee Rd. and the Shelby/Fayette County line. The MFD believes that omission (Highway 64 corridor-approximately 6.5 miles) as an error of the study.

Memphis Fire Division Response to Efficiency Study-2007

b. Apparatus Deployment

The MFD **Rejects and Accepts recommendation partially** for apparatus deployment for the following reasons:

- a. MFD accepts the recommendation for 40 total EMS ambulance units.
- b. MFD rejects the elimination of 10 existing engine companies – leaving a balance of 47 engines – due to the life safety risks to Memphis citizens and MFD firefighters.
- c. MFD rejects the elimination of 6 existing ladder truck companies- leaving a balance of 20 truck companies- due to the life safety risks to Memphis citizens and MFD firefighters.
- d. MFD rejects the concept of “flying squads” due to the life safety risks to Memphis citizens, MFD firefighters, the violation of National Fire Protection Standard (NFPA) 1710, and violation of OSHA Regulation 1910.134.

NOTE: National Fire Protection standards and Federal regulations (cited above) form the basis for litigation in cases where the fire department has failed to meet or exceed those standards.

c. Emergency Response Staffing

The MFD **Rejects recommendation** for reductions in emergency response staffing for the following reasons:

- a. Reduced staffing increases the life safety risk of Memphis citizens and MFD firefighters.
- b. Reduced staffing on fire companies violates the NFPA Standard 1710.
- c. Reduced staffing on Flying Squads and Ambulance Units prevents immediate fire attack by a crew of two firefighters under OSHA regulation 1910.134.
- d. Reduced staffing on Flying Squads and Ambulance Units prevents adequate supervision of first arriving units.

NOTE: The basis by which the consultants validate staffing levels is unique and without foundation. On page II-15, the application of staffing levels by battalion to high-rise fires has no merit and does not follow any acceptable standard in its process. The basis of the consultant’s recommendation is that ONLY equipment and personnel in a single battalion will respond to a high-rise fire ONLY in their battalion. This principle is not applicable and is not the normal function of an urban fire department with multiple high-rise buildings such as Memphis. The dispatching of fire apparatus and personnel to a high-rise is not limited to what resources are in a single battalion district. The dispatching of

Memphis Fire Division Response to Efficiency Study-2007

apparatus and personnel is dependent upon the location of the high-rise fire. Essentially, apparatus and personnel from several different battalion districts may be dispatched to a high-rise fire. The dispatching of apparatus and personnel is based upon the availability of the closest available resources – even if it means crossing battalion lines.

Additionally, if a high-rise fire were to occur in Memphis, our Standard Operating Procedures (SOP) call for an automatic second alarm. This policy came about as a result of the tragic high-rise fire that occurred at Regis Towers on Adams Street in 1994, resulting in the deaths of two firefighters. A resulting second alarm would bring additional apparatus and personnel, resulting in numbers exceeding those outlined by the consultants in their table; however Berkshire fails to address that aspect or need.

E. Inspections

1. Assessment of Need

The MFD **Accepts this assessment/recommendation with comment.**

The Fire Prevention Bureau conducts inspections based upon: (1) Requests/Citizen Complaints, (2) Statutory Requirement (annual inspection of schools, licensure inspections for day cares, care homes, etc., (3) Use and occupancy inspections required for facility opening/expansion/upgrade, and (4) Routine fire safety inspections. The schedule for routine fire safety inspections is developed giving consideration to the degree of risk for loss of life/property resulting from fire. Facilities which are currently inspected on an annual frequency (as a result of an elevated potential risk of life/property loss) include:

- Hospitals
- Institutional Restrained Occupancies (Jails, Penal Institutions)
- High Rise Occupancies
- Bulk Hazardous Material Storage/Processing Facilities

The MFD accepts the study recommendation of the development of appropriate baselines to determine any additional inspection needs.

Memphis Fire Division Response to Efficiency Study-2007

2. Use of In-Service Crews to Support Inspection Activities

The MFD **Accepts Recommendation with conditions**. The timetable for implementation is unrealistic for the following reasons:

- a. Preparation to take the certification examinations requires 3 to 6 months (Newly promoted inspectors currently have up to 12 months to gain certification).
- b. Preparation training will be required for over 270 Lieutenants, at approximately 45-60 hours for each candidate.

Also:

- a. Costs (\$170 per candidate) to pay for certification testing are NOT addressed by Berkshire
- b. Costs of incentives for added duties to Lieutenants are NOT addressed by Berkshire.
- c. Costs associated with personal appearances by inspectors for inspections appeals and litigation are NOT addressed by Berkshire.
- d. Costs associated with preparation training are NOT addressed by Berkshire.

3. Scheduling of Arson Investigators

The MFD **Accepts Recommendations with conditions** as follows:

- a. The work schedule is acceptable.
- b. The total complement should not be reduced. To accommodate employee leave (vacation, sick, etc.) current personnel levels are needed for backfill. Current levels of Investigators are also needed for special projects and training that are not addressed by the report.

4. Mix of Sworn and Civilian Staff

The MFD **Rejects this recommendation**. The MFD maintains that commissioned firefighters are best equipped to be Fire Inspectors. Being firefighters (and sometimes Paramedics), they best understand those issues that pose the greatest risk to firefighters. Firefighters also provide an element of credibility to the inspection process, giving responding firefighters and civilians alike an added sense of safety. Though civilians could gain a degree of knowledge, skills and abilities to perform inspection duties, they are not equipped to see potential threats "through the eyes of a firefighter". This added perspective arguably saves the lives of countless firefighters annually. And since approximately 100 on-duty firefighters die each year, we maintain that this added insight is too valuable to be left to civilians.

Memphis Fire Division Response to Efficiency Study-2007

F. Use of Civilians

The MFD **Accepts this recommendation partially.**

- a. Logistics Manager: **ACCEPT.**
- b. Fire Inspector: **REJECT** (see above comment for Fire Inspectors).

G. Fees Charged for Services

The MFD **Accepts all 3 recommendations.**

H. Summary of Staffing Implications

- Many MFD comments are made in earlier sections; however the direct and indirect costs for implementing all or a portion of the Berkshire recommendations have NOT been specified. The consultant is NOT providing that level of detail as a part of its scope of study; rather it is leaving the depth of that research to the City (Fire Department). That is unfortunate, given the costs paid for the study.

I. Implementation

1. Implementation times (Exhibit II-19) for Berkshire recommendations are unrealistic, particularly in a political and economically stressed environment.
2. Statutory considerations must be given to most recommendations and include: labor agreements, budget approvals, and jurisdictional authority (state and local) limitations/restrictions.

Recommended Actions for a More Effective Public Art Program

Submitted for Council consideration by the UrbanArt Commission

Dear City Council Representatives:

In response to your request for suggestions on how to decrease project turnaround time and improve the effectiveness of the City of Memphis Percent for Art Program, the UrbanArt Commission makes the following recommendations:

1. Reduce clerical time required for processing artists' payments.

Currently, the City requires 8 separate invoices from UrbanArt over a project's lifetime. At each invoice benchmark, the City sends the payment to UrbanArt for further forwarding to the artists.

The City states it will make an effort to pay each invoice within 90 days, but it has often taken longer than this for the City to process a single invoice (the record being 8 months). Payment delays due to invoice processing by the City cause artists to stop work until funds are received. So, for example, if each invoice requires 90 days to process, and the program requires 8 individual invoices, the time required for clerical billing alone could require as much as 2 years.

As a solution, UrbanArt recommends that the City be invoiced for the full project budget amount upon signing of the artist's contract. The entire project amount would be deposited into the UrbanArt escrow account and invoices would be paid directly upon PAOC approval of artists meeting their benchmarks. The PAOC has already approved this recommended action, contingent upon City permission. Rather than the 3 months it takes the City, the UrbanArt Commission can process individual invoices in 3 days. ***Requesting process change.***

2. Combine key steps of the approval process currently conducted by two separate review panels into joint review sessions.

Instead of the individual project selection committees making recommendations to be further decided upon by the Public Art Oversight Committee (PAOC) in two separate meetings weeks apart, merge the two sessions into one where both groups can attend and discuss the artist's design and fabrication developments will greatly streamline the process. This move will also increase the overall cohesiveness of the feedback and recommendations artists are given to carry out their work in a timely manner. ***Requesting process change.***

3. Increase staffing to achieve a project to manager caseload of 10:1.

The City Council's approval of the resolution in June 2010 allowing for up to 18% of a project's budget for costs associated with their coordination shall enable this to take effect by 01 October 2010. UrbanArt is currently conducting candidate interviews and intends to hire additional project coordinators within the next month. ***No further action required.***

UrbanArt Recommended Realignment: Current vs. Preferred Project Timelines

Current Protocols		Recommended Realignment	
Selection Steps per Project <i>(*Coordinated by UrbanArt)</i>	Time (UAC)	Selection Steps per Project <i>(*Coordinated by UrbanArt)</i>	Time (UAC)
<ol style="list-style-type: none"> 1. Consult with City officials 2. Build selection panel 3. Panel approved by PAOC 4. RFQ composed 5. RFQ approved by PAOC 6. RFQ distributed 7. Info session for artists 8. RFQ applications collected 9. Applications reviewed by panel 10. Finalists interviewed by panel 11. Artist selected by panel 12. Artist approved by PAOC 	<p>2 days</p> <p>21 days</p> <p>7 days</p> <p>7 days</p> <p>7 days</p> <p>1 day</p> <p>7 days</p> <p>42 days</p> <p>1 day</p> <p>1 day</p> <p>1 day</p> <p>1 day</p>	<ol style="list-style-type: none"> 1. Consult with City officials 2. Build selection panel 3. Panel approved by PAOC 4. RFQ composed 5. RFQ approved by PAOC 6. RFQ distributed 7. Info session for artists 8. RFQ applications collected 9. Applications reviewed by panel 10. Finalists develop design proposal 11. Finalists interviewed by panel 12. Artist and schematic design selected by panel w/ PAOC 	<p>2 days</p> <p>21 days</p> <p>7 days</p> <p>7 days</p> <p>7 days</p> <p>1 day</p> <p>7 days</p> <p>30 days</p> <p>1 day</p> <p>30 days</p> <p>1 day</p>
Total Selection Steps per Project: 12	98 days <i>(*3 months, 1 week, and 1 day)</i>	Total Selection Steps per Project: 12 <i>(*Requiring finalists' design proposals during the selection phase enable significantly swifter completion of production phase.)</i>	114 days <i>(*3 months, 3 weeks, and 4 days)</i>
Artist Invoices per Project <i>(*PAOC confirms, processed by City)</i>	Time (City)	Artist Invoices per Project <i>(*PAOC confirms, processed by UAC)</i>	Time (UAC)
<p>Design Phase:</p> <ol style="list-style-type: none"> 1. 10% upon artist contract signing 2. 40% upon schematic approval 3. 40% upon final design approval 4. 10% upon final acceptance <p>Fabrication Phase:</p> <ol style="list-style-type: none"> 1. 10% upon artist contract signing 2. 40% upon schematic approval 3. 40% upon final design approval 4. 10% upon final acceptance 	<p>90 days</p>	<p>Design Phase:</p> <ol style="list-style-type: none"> 1. 10% upon artist contract signing 2. 40% upon schematic approval 3. 10% upon final acceptance <p>Fabrication Phase:</p> <ol style="list-style-type: none"> 1. 10% upon artist contract signing 2. 40% upon schematic approval 3. 40% upon final design approval 4. 10% upon final acceptance <p><i>(*City is invoiced at artist's contract signing for entire project budget sum, then UAC processes all payments at PAOC approved benchmarks.)</i></p>	<p>3 days</p>
Total Invoices to City per Project: 8	720 days <i>(*1 year, 11 months, 3 weeks, and 4 days)</i>	Total Invoices to City per Project: 1	24 days <i>(*3 weeks, 3 days)</i>
Production Steps per Project <i>(*Selection panel apart from PAOC)</i>	Time <i>(*2 Layers)</i>	Production Steps per Project <i>(*Selection panel meets with PAOC)</i>	Time <i>(*1 Layer)</i>
<ol style="list-style-type: none"> 1. Artist contract drafted w/attorney 2. Project directive signed (City) 3. Artist contract signed (City) 4. Schematic design submitted 5. Schematic approved by panel 6. Schematic confirmed (PAOC) 7. Final design submitted 8. Final design approved by panel 9. Final design confirmed (PAOC) 10. 50% fabrication completed 11. 100% fabrication completed 12. Installation of artwork 	<p>42 days</p> <p>42 days</p> <p>42 days</p> <p>21 days</p> <p>28 days</p> <p>28 days</p> <p>56 days</p> <p>28 days</p> <p>28 days</p> <p>168 days</p> <p>168 days</p> <p>30 days</p>	<ol style="list-style-type: none"> 1. Artist contract drafted w/attorney 2. Project directive signed (City) 3. Artist contract signed (City) 4. Final design submitted 5. Final design approved by panel w/PAOC 6. 50% fabrication completed 7. 100% fabrication completed 8. Installation of artwork <p><i>(*Schematic is approved at artist's confirmation via their design proposal approved by selection panel and PAOC.)</i></p>	<p>21 days</p> <p>21 days</p> <p>21 days</p> <p>42 days</p> <p>28 days</p> <p>90 days</p> <p>90 days</p> <p>30 days</p>
Total Production Steps per Project: 12	681 days <i>(*1 year, 10 months, 2 weeks, and 2 days)</i>	Total Production Steps per Project: 8 <i>(*Staff increases enable swifter turnaround.)</i>	343 days <i>(*11 months, 3 weeks and 1 day)</i>
Total Process Steps per Project	Total Time	Total Process Steps per Project	Total Time
32	1,499 days <i>(*4 years, 1 month, 1 week, and 2 days)</i>	28	481 days <i>(*1 year, 3 months, 3 weeks, and 5 days)</i>



Memphis City Council Summary Sheet

Resolution for the Parkways Maintenance and Renovations PK12001

- This item is a Resolution seeking approval to use \$510,844 for Construction from Parkways Maintenance and Renovations PK12001, from the Parks 2010 CIP Budget.
- The initiating party is the Division of Park Services.
- This Resolution does not change any existing Ordinance nor Resolution.
- This Resolution does require a new contract for construction purposes.
- This Resolution does require an expenditure of funds in the amount of \$510,844. \$400,000 of these funds are covered by a TDOT Enhancement Grant.

RESOLUTION

WHEREAS, the Council of the City of Memphis did include "Parkways Maintenance/Renovations", CIP Project Number PK12001, as part of the Fiscal Year 2010 Capital Improvement Budget; and

WHEREAS, on June 2, 2010 the Council approved an appropriation of \$500,000.00 in "Contract Construction" in PK07012 for the construction of "Parkways Maintenance/Renovations" prior to the City's receiving bids for the project; and

WHEREAS, the Division of Park Services, after receiving bids for the project, return to the Council for approval to proceed with the construction of the project; and

WHEREAS, bids were received on August 20, 2010 for the construction of the "Parkways Maintenance/Renovations", with the lowest and best complying bidder of two (2) bidders being **Barnes & Brower, Inc.** in the amount of \$472,844.00; and

WHEREAS, it is necessary to encumber \$510,844.00 of the total appropriation in Contract Construction, funded by G.O. Bonds - General in "Parkways Maintenance/Renovations", CIP Project Number PK12001, for the following:

Bid amount:	\$472,844.00
Contingency amount:	\$38,000.00
	=====
TOTAL CONTRACT AMOUNT:	\$510,844.00

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the Division of Park Services may proceed with the construction of "Parkways Maintenance/Renovations" in the amount of \$510,000.00, funded by G.O. Bonds – General and chargeable to the Fiscal Year 2010 Capital Improvement Budget.

Project Title:	Parkways Maintenance/Renovations
Project Number:	PK12001
Amount:	\$510,844.00



Memphis City Council Summary Sheet

Resolution for the Ballfield Renovations PK05001

- This item is a Resolution seeking approval for schematic design and continuation of design work for ballfield renovations at May Park, from the Parks 2010 CIP Budget.
- The initiating party is the Division of Park Services.
- This Resolution does not change any existing Ordinance nor Resolution.
- This Resolution seeks approval of the schematic design and approval to continue design work. Once construction documents are completed, bids will be taken.
- This Resolution does not require an expenditure of funds.

RESOLUTION

WHEREAS, the Council of the City of Memphis did include May Park Renovation, CIP Project Number PK05001, as part of the Fiscal Year 2010 Capital Budget; and

WHEREAS, the Administration proposes to renovate May Park, located at 6415 Quince Road, with an estimated construction cost of \$730,000; and

WHEREAS, the Administration is required to present a preliminary design to the appropriate Council Committee and obtain Council approval prior to the continuation of the project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis, that May Park Renovation, CIP Project Number PK05001, is hereby approved for completion of plans and specifications and taking of bids at an estimated construction cost of \$730,000.

Project Title:	May Park Renovation
CIP Project Number:	PK05001



Memphis City Council Summary Sheet

Resolution for the Forrest Park

- This item is a Resolution seeking approval for the University of Tennessee to make specific improvements as per the Resolution to Forrest Park which is being maintained by UT under an agreement with the City.
- The initiating party is the Division of Park Services.
- This Resolution does not change any existing Ordinance nor Resolution.
- This Resolution does not require a new contract nor affects any existing contract.
- This Resolution does not require an expenditure of funds.

RESOLUTION

WHEREAS, the City of Memphis does own and maintain Forrest Park and the various features located within the park; and

WHEREAS, the University of Tennessee (UT) is physically located on all sides of Forrest Park, uses Forrest Park extensively, and would like to assist the City of Memphis by providing certain maintenance, security and other enhancements to Forrest Park which will benefit UT patrons and city residents; and

WHEREAS, the City of Memphis, entered into an agreement that allows UT to provide additional maintenance, security and other enhancements to Forrest Park as approved by Council on August 19, 2008; and

WHEREAS, per the agreement approved by Council on August 19, 2008, Section 1.02 requires Council approval for any improvements or changes proposed by UT in the park; and

WHEREAS, UT proposes to furnish labor, tools and equipment to provide improvements up to a maximum of: removal and replacement of one (1) pavilion, two (2) water fountains, six (6) exercise stations, fourteen (14) benches, twelve (12) picnic tables, eighteen (18) trash receptacles, one (1) recycle center and additional understory trees and seasonal flowers in planting beds strategically located within the park, and

WHEREAS, UT will maintain all proposed improvements within Forrest Park.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that these improvements described in Forrest Park and carried out by the University of Tennessee are hereby approved in accordance with the terms set forth in the Maintenance Agreement approved on August 19, 2008.



Memphis City Council Summary Sheet Instructions

Resolution approving the actuarial funding to the MLGW Retirement and Pension System for the 2010 Plan Year.

- This item is a resolution to approve the actuarial funding to the MLGW Retirement and Pension System in the amount of \$27,381,023.00 for the 2010 Plan Year.
- This resolution is being initiated by MLGW on behalf of the MLGW Retirement and Pension System.
- The Retirement and Pension Plan requires funding on an annual basis.
- No contracts, expenditures of funds or budget amendments are required.

CITY COUNCIL RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners at its meeting held August 19, 2010, approved an amendment to the Memphis Light, Gas and Water Division Retirement and Pension System, as amended and restated effective January 1, 2009 (the "Plan").

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that the Memphis Light, Gas and Water Division Retirement and Pension System, as amended and restated effective January 1, 2009 (the "Plan"), ARTICLE III, Section 3.2 *Contributions by the Division*, subparagraph (a) *Amount*, shall be amended by deleting the current said Section 3.2(a) in its entirety, and substituting in place thereof the following Section 3.2(a):

3.2 Contributions by the Division.

(a) Amount. The Division shall contribute to the Fund such amounts as from time to time are estimated by the Actuary to be sufficient, on an actuarially sound basis, after taking into account Participant Contributions and earnings thereon, to provide Accrued Benefits under the Plan. Such Contributions shall be obligations of the Division, and the Board of Commissioners shall appropriate annually such amounts as are necessary to make such payments. Effective January 1, 2001, and until further determination by the Board of Commissioners with approval by the City Council, the Division's contribution shall be equal to 8% of the total Compensation, as defined under the Plan, of all active Participants. Notwithstanding anything in the foregoing to the contrary, for the 2010 Plan Year, as defined in Section 1.51, hereof, but solely for said 2010 Plan Year, the Division's contributions shall be 17.77% of total Compensation (or approximately \$27,381,023). Division contributions shall be determined and paid to the Fund as soon as practicable following each payroll period.

E X C E R P T
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
August 19, 2010

The Secretary-Treasurer stated that the Pension Board had approved and was recommending to the Board of Commissioners an amendment to the Memphis Light, Gas and Water Division Retirement and Pension System, as amended and restated effective January 1, 2009 (the "Plan").

THAT, Subject to the consent and approval of the Council of the City of Memphis, the Memphis Light, Gas and Water Division Retirement and Pension System is hereby amended as follows:

ARTICLE III, Section 3.2 *Contributions by the Division*, subparagraph (a) *Amount*, shall be amended by deleting the current said Section 3.2(a) in its entirety, and substituting in place thereof the following Section 3.2(a):

3.2 Contributions by the Division.

(a) Amount. The Division shall contribute to the Fund such amounts as from time to time are estimated by the Actuary to be sufficient, on an actuarially sound basis, after taking into account Participant Contributions and earnings thereon, to provide Accrued Benefits under the Plan. Such Contributions shall be obligations of the Division, and the Board of Commissioners shall appropriate annually such amounts as are necessary to make such payments. Effective January 1, 2001, and until further determination by the Board of Commissioners with approval by the City Council, the Division's contribution shall be equal to 8% of the total Compensation, as defined under the Plan, of all active Participants. Notwithstanding anything in the foregoing to the contrary, for the 2010 Plan Year, as defined in Section 1.51, hereof, but solely for said 2010 Plan Year, the Division's contributions shall be 17.77% of total Compensation (or approximately \$27,381,023). Division contributions shall be determined and paid to the Fund as soon as practicable following each payroll period.

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 19th day of August, 2010, at which a quorum was present.


Secretary-Treasurer



Memphis City Council Summary Sheet Instructions

Resolution to approve funding to the MLGW OPEB (Other Post Employment Benefits) Trust Fund for the 2010 funding requirement.

- This item is a resolution to approve funding to the MLGW OPEB Trust Fund in the amount of \$18,754,059.43 for the 2010 funding requirement.
- This resolution is being initiated by MLGW on behalf of the MLGW OPEB Trust Fund.
- The OPEB Trust Fund requires funding on an annual basis.
- No contracts, expenditures of funds or budget amendments are required.

CITY COUNCIL RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners at their meeting held August 19, 2010, approved a transfer of funds in the amount of \$18,754,059.43 from the MLGW Common Fund to the MLGW OPEB Trust;

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that the transfer of funds in the amount of \$18,754,059.43 from the MLGW Common Fund to the MLGW OPEB Trust is approved as outlined in the foregoing preamble.

E X C E R P T
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
August 19, 2010

.....

The Secretary-Treasurer submitted for approval of the Board a transfer in the amount of \$18,754,059.43 from the Common Fund to the OPEB Trust to meet the 2010 funding requirement.

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

THAT, the transfer in the amount of \$18,754,059.43 from the Common Fund to the OPEB Trust is hereby approved; and further,

THAT, said transfer will be submitted to the Council of the City of Memphis for approval.

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 ~~regular~~ ^{special} meeting held on 19th day of August, 2010, at which a quorum was present.



Secretary-Treasurer