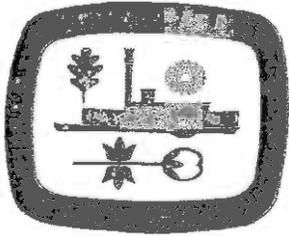


## Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**  
Resolution accepting four (4) paintings from the estate of Matthew Robert Moister. The paintings are early Memphis oil paintings by Knox Everson.
  
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**  
Law Division.
  
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**  
N/A
  
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**  
N/A
  
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**  
N/A



**A Resolution to Formally Accept a Gift of Paintings Donated to the City of Memphis**

**WHEREAS**, the estate of Matthew Robert Moister has bequeathed to the City of Memphis four early Memphis oil paintings by Knox Everson; and

**WHEREAS**, the City finds that these paintings have cultural significance specific to the City of Memphis and will be well-placed on City premises; and

**WHEREAS**, the City is authorized, pursuant to Article 50, Section 451.1 of the City Charter, to accept any money or property for the purpose of any public or corporate use;

**NOW THEREFORE,**

**SECTION 1. BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS**, that the City of Memphis formally accepts the four (4) paintings bequeathed to it by the estate of Matthew Robert Moister.

**SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS**, that this Resolution 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.

---

Jim Strickland, Chairman  
Memphis City Council

ATTEST:

---

Comptroller

**THE  
MASON  
LAW FIRM**

*Received*

SEP 19 2014

*Chief Administrative  
Office*

**PATRICK B. MASON**

September 5, 2014

*Via Certified Mail, RRR*

**Mr. George M. Little  
Chief Administrative Officer  
City of Memphis  
125 N. Main Street Room 308  
Memphis, TN 38103**

**Re: Estate of Matthew Robert Moister**

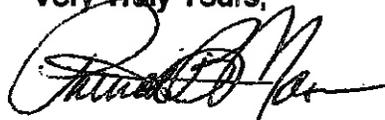
Dear Mr. Little:

As we have advised you on January 30, 2014, this law firm serves as counsel to Mr. Keith Schap, Executor of the Estate of Matthew Robert Moister ("the Estate"). According to the Codicil to the Last Will and Testament of Matthew Robert Moister, a copy of which is enclosed herein, the Executor of the Estate is directed to distribute "four early Memphis oil paintings by Knox Emerson" to the City of Memphis. The Executor of the Estate has contacted Brooks Art Gallery, the Library and all other divisions of the City which he could envision might be interested in obtaining this artwork. No representatives of the City of Memphis have expressed any interest in this artwork.

In order to move forward with closing this Estate, on September 25, 2014, at 9:00 a.m., we will bring such art to the Probate Court of Shelby County, Tennessee, and tender it to your representative in exchange for a receipt. If a representative from the City of Memphis does not appear at such hearing we will present to Judge Karen Webster an Order directing that the Executor treat such artwork as part of the other tangible personal property to be distributed under the Will.

Thank you for your cooperation in this matter.

Very Truly Yours,



Patrick B. Mason

Enclosures  
PBM: amr

I, Matthew Robert Webster, hereby declare this to be a holographic codicil to my last will and Testament dated November 2, 2006.

In amend Article III of my said will by making the following bequest of certain items of my tangible personal property, with the remainder of such property to be governed by Article III as originally worded.

1. I give to my sister, Maria Cody Beck, for distribution among Beck family members, silver, china, crystal (both table and decoration), antique furniture, Carl Cody Weaver's Potters Philippe point watch, other jewelry in home safe or bank deposit box, rare books (including Ernest Weaver's "Schoolmaster's Assistant"), memorabilia from the F.P. Weaver Coal Company, family scrap books and photo albums, U.S. stamp collection, and holiday decorations.

2. Books in the library are to be given to Anne - St. Louis Episcopal School.

3. Four only Maylin oil painting by Thomas Emerson are to be given to the City of Maylin.

If any of the above named persons should predecease me, then his or her bequest shall lapse and such property shall be distributed in accordance with my will as originally worded.

Except as modified by this codicil, I hereby reaffirm my last will. Written in my own hand this 10<sup>th</sup> day of November, 2006.  
Matthew Robert Webster

Original signed date 11/2/00

Witnesses: Lloyd C. Rickland, Jr.  
and: Cynthia Watkins

**COPY**

Location of Original:  
 Client's Safe Deposit Box  
 Attorney's Office  
 Other: \_\_\_\_\_

# Last Will and Testament

OF

**MATTHEW ROBERT MOISTER, JR.**

I, **MATTHEW ROBERT MOISTER, JR.**, a resident of Shelby County, Tennessee, being of sound mind and disposing memory, do hereby make, declare, and publish this as my Last Will and Testament, hereby revoking all former wills and codicils to wills by me heretofore made.

## ARTICLE I

### FAMILY

I am not married. I have no children.

## ARTICLE II

### PAYMENT OF DEBTS, ADMINISTRATIVE EXPENSES, AND TAXES

All of my legally enforceable debts (except debts secured by mortgage or other security instrument, which may be paid or retained, in the discretion of the personal representative), my funeral expenses, and the expenses of administration of my estate shall be paid by my personal representative as soon as practicable after my death. My personal representative shall pay out of my residuary estate all estate, inheritance, and other death taxes (but excluding generation-skipping taxes, which shall be charged to the property constituting the transfer in the manner provided by applicable law) which shall become payable by reason of my death, whether in respect of property passing under this Will or otherwise, as an expense of administration, without apportionment. The

PAGE ONE OF MY WILL mm

proceeds of any life insurance payable to my personal representative or my estate are to be free from the claims of creditors and are to be held and distributed as provided by the terms of this Will. My personal representative may use any portion of such proceeds as my personal representative deems advisable for the payment of debts, expenses, and taxes, but only if my personal representative thinks such use of the proceeds is in the best interest of my beneficiaries hereunder.

### ARTICLE III

#### DISPOSITION OF TANGIBLE PERSONAL PROPERTY

I intend to leave a handwritten Codicil, signed by me, designating certain items of tangible personal property which I may own at the time of my death for various individuals. If no such handwritten Codicil is found and properly identified by my personal representatives within sixty (60) days after my personal representatives are appointed, it shall be presumed that no such handwritten Codicil exists, and any subsequently discovered handwritten codicil shall be ignored.

I direct and authorize my personal representatives to sell, either publicly or privately, or otherwise dispose of, as my personal representatives may elect in their sole discretion, all of the remaining articles of my personal property not disposed of by said handwritten Codicil, including furniture, jewelry, artwork, household furnishings, automobiles, and other personal effects, and any proceeds received from said sale shall be added to and disposed of as part of my residuary estate.

### ARTICLE IV

#### SPECIFIC BEQUESTS

4.1 I give and bequeath to **REBECCA SUE LONG** the sum of Twenty-Five Hundred Dollars (\$2,500.00), if she survives me.

4.2 I give and bequeath to **JESSICA ANN LONG** the sum of Twenty-Five Hundred Dollars (\$2,500.00), if she survives me.

4.3 If either of said beneficiaries predeceases me, then the bequest to that deceased beneficiary shall lapse and shall be added to my residuary estate.

## ARTICLE V

### DISPOSITION OF RESIDUARY ESTATE

I direct that all the rest, residue, and remainder of my estate, real or personal, wherever situated or located, be disposed of as follows:

5.1 I give and bequeath to **GRACE ST. LUKE'S EPISCOPAL CHURCH** of Memphis, Tennessee, twenty-five percent (25%) of my residuary estate.

5.2 I give and bequeath to **MARION CADY BOCK**, if she survives me, fifteen percent (15%) of my residuary estate.

5.3 I give and bequeath to **DONALD BARCROFT**, if he survives me, six percent (6%) of my residuary estate.

5.4 I give and bequeath to **NANCY ELIZABETH BOCK**, if she survives me, six percent (6%) of my residuary estate.

5.5 I give and bequeath to **BARBARA JEAN BOCK**, if she survives me, six percent (6%) of my residuary estate.

5.6 I give and bequeath to **NICOLE MARIE LAPOINTE**, if she survives me, six percent (6%) of my residuary estate.

5.7 I give and bequeath to **PAUL MATTHEW BOCK**, if he survives me, six percent (6%) of my residuary estate.

5.8 I give and bequeath to **DAVID WESLEY BOCK, JR.**, if he survives me, six percent (6%) of my residuary estate.

5.9 I give and bequeath to **WILLIAM CARL LONG**, if he survives me, six percent (6%) of my residuary estate.

5.10 I give and bequeath to **MICKEY WAYNE LONG**, if he survives me, six percent (6%) of my residuary estate.

5.11 I give and bequeath to **KEITH SCHAP**, if he survives me, six percent (6%) of my residuary estate.

5.12 I give and bequeath to **DAVID W. BOCK**, if he survives me, six percent (6%) of my residuary estate.

5.13 If any of the above-named beneficiaries should predecease me, then the bequest to that deceased beneficiary shall lapse, and his or her share shall be distributed among the remaining residuary beneficiaries then living in the same proportion that their original bequest bears to the total residuary estate.

**ARTICLE VI**  
**FIDUCIARIES**

6.1 I appoint **KEITH SCHAP** and **DAVID W. BOCK** as Co-Personal Representatives of my estate.

6.2 If **DAVID W. BOCK** is unable or unwilling to serve for any reason, then **KEITH SCHAP** shall serve as Personal Representative of my estate.

6.3 If **KEITH SCHAP** is unable or unwilling to serve for any reason, and if it is necessary that a resident of the State of Tennessee be appointed to serve as Co-Personal Representative, then **DAVID W. BOCK**, my Personal Representative, is authorized to appoint a person or corporate entity to serve as Co-Personal Representative and to waive bond for said Co-Personal Representative.

6.4 If an ancillary administration is required in another state, then the Personal Representative may serve in said state, may appoint a person or corporate entity to serve as a Co-Personal Representative, or may appoint a person or corporate entity to serve as the sole Ancillary Personal Representative. The Personal Representative may waive bond for the Ancillary Personal Representative.

6.5 I hereby expressly waive the requirement of any Personal Representative or Fiduciary of posting bond or making and filing an accounting or inventory with any court or authority which otherwise might be required by law.

6.6 The term "Personal Representative" shall also refer to any Executor or Administrator appointed by any court having jurisdiction over my estate. The term shall also refer to any successor or Co-Personal Representative named or appointed as provided herein. The term "Fiduciary" shall refer to the Personal Representative or Trustee, as the case may be.

6.7 I authorize my personal representative in the exercise of reasonable discretion with respect to all property, real or personal, at any time forming part of my estate, to exercise any or all the powers set forth in Section 3 of Chapter 110 of the Tennessee General Assembly of 1963, Tennessee Code Annotated, Section 35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim.

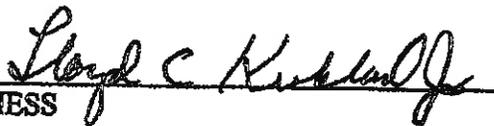
6.8 I direct that any real property which I may own at the time of my death be administered as part of my estate, subject to the control of the Personal Representative. I authorize and direct my Personal Representative to sell any real property that I may own at the time of my death (including specifically my residence at 798 Charles Place, Memphis, Shelby County, Tennessee) for such price and upon such terms as my Personal Representative deems reasonable and proper, with the net proceeds resulting from said sale to be added to and disposed of as part of my residuary estate. No person dealing with my Personal Representative shall be obligated to look to the application of the proceeds from any such transaction.

*W. W. W.*

IN WITNESS WHEREOF, I have hereunto signed my name to this my Last Will and Testament in Memphis, Tennessee this 2<sup>nd</sup> day of November, 2006.

  
MATTHEW ROBERT MOISTER, JR.

The foregoing instrument was signed, sealed, published, and declared by MATTHEW ROBERT MOISTER, JR., the testator, to be his Last Will and Testament in our presence, and we, at his request and in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses on this day and year first above written. At the time of the execution of this will the testator was of sound mind and disposing memory and more than eighteen years of age.

  
WITNESS

5050 Poplar Avenue, Memphis, Tennessee  
ADDRESS

  
WITNESS

5050 Poplar Avenue, Memphis, Tennessee  
ADDRESS

AFFIDAVIT OF ATTESTING WITNESSES TO WILL

STATE OF TENNESSEE  
COUNTY OF SHELBY

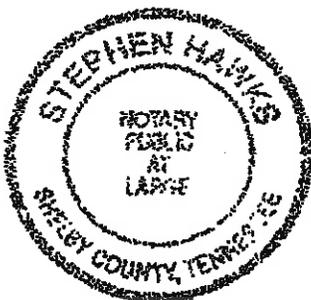
We, the undersigned, being duly sworn according to law make oath and say as follows:

1. Each of us is over the age of eighteen years and a resident of the state listed beside our respective signature on the Last Will and Testament to which this Affidavit is attached.
2. On the 2<sup>nd</sup> day of November, 2006, Matthew Robert Moister, Jr., testator, signed the foregoing and attached instrument in our presence and declared same to be his Last Will and Testament. He then requested that we sign same as attesting witnesses to his Last Will and Testament.
3. At the request of said testator, each of us then signed said Last Will and Testament as attesting witnesses thereto in the presence of the testator and in the presence of each other. All of the signing of said Last Will and Testament by the testator and the undersigned as attesting witnesses was done in the presence of each other.
4. At the time of the execution of said Last Will and Testament, the testator was of sound mind and disposing memory and more than eighteen years of age, in the opinion of each of the undersigned.
5. This Affidavit is being made at the request of the testator in accordance with the provisions of T.C.A., Section 32-2-110.

Lloyd C. Kestland Jr.  
Witness

Cynthia Wats  
Witness

SWORN to and subscribed before me this 2<sup>nd</sup> day of November, 2006.



Stephen Hawks  
Notary Public

MY COMMISSION EXPIRES JUNE 28, 2007

My Commission Expires: \_\_\_\_\_



## Memphis City Council Summary Sheet Instructions

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

**Resolution approving to add 2 full time 311 Call Agent Positions to the 311 Call Center. The positions will be funded with Sewer and Stormwater funds. The 311 Call Center will immediately begin to full take requests/calls for Sewer and Drain Service Requests.**

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

**Executive Division**

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

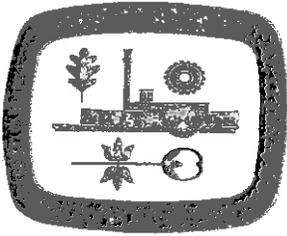
**This is not a change to an existing ordinance or resolution.**

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

**A new contract or contract amendment is not applicable.**

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

**Yes, this requires an expenditure of funds. Funded by Sewer/Stormwater funds.**



## **A Resolution approving organizational structure changes to the 311 Call Center**

**WHEREAS**, the 311 Call Center currently receives over 150,000 service requests annually; and

**WHEREAS**, as a result of implementation of 311, the demand for additional 311 Call Agents and personnel has increased and it is necessary to respond accordingly in order to service citizens' requests efficiently; and

**WHEREAS**, the Division of Public Works comprises over 80% of the calls and service requests received in the 311 Call Center; and

**WHEREAS**, Sewer and Drain maintenance calls and service requests will be fully transitioned into the 311 Call Center immediately and ;

**WHEREAS**, The 311 Call Centers seeks to change its organizational structure by adding two full time 311 Call Agent positions to its Authorized Complement;

**WHEREAS**, the reported structural changes will be funded by Sewer and Stormwater Funds and ;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Memphis that the Fiscal Year 2015 Operating Budget be and is hereby amended by increasing the Authorized Complement of the Executive Division by adding two full- time 311 Call Agent Positions.



## Memphis City Council Summary Sheet

Resolution approving issuance of an Airport Revenue Note not to exceed \$7,000,000 by the Memphis-Shelby County Airport Authority.

- This item is a resolution approving the Memphis-Shelby County Airport Authority's ("MSCAA") issuance of an Airport Revenue Note not to exceed \$7,000,000 for the reimbursement of funds advanced to finance improvements to the fuel hydrant system.
- Under the Tennessee Code provisions governing the establishment and operation of an Airport Authority, and the Amended and Restated Agreements between the County, the City, and the MSCAA, prior approval of the local governing bodies that created MSCAA is required for the issuance of an Airport Revenue Note.
- MSCAA has determined to issue a Note, subordinate series in the principal amount not to exceed \$7,000,000 in order to reimburse MSCAA for funds advanced to finance improvements to the fuel hydrant system, including the fuel farm, located on the MSCAA property and owned by MSCAA. The Note will be paid off using general airport revenues.
- This item was initiated by the Memphis-Shelby County Airport Authority.
- No City contracts, expenditure of City funds, or City budget amendments are required.

[Form of City Resolution]

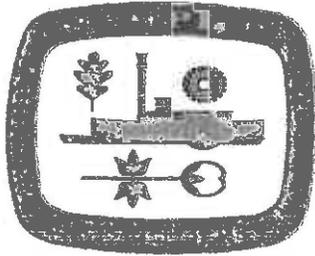
RESOLUTION AUTHORIZING THE MEMPHIS-SHELBY COUNTY AIRPORT AUTHORITY TO ISSUE TO REGIONS BANK ITS AIRPORT REVENUE NOTE, SUBORDINATE SERIES IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$7,000,000 TO REIMBURSE THE MEMPHIS-SHELBY COUNTY AIRPORT AUTHORITY FOR FUNDS ADVANCED TO FINANCE IMPROVEMENTS TO THE FUEL HYDRANT SYSTEM, INCLUDING THE FUEL FARM, LOCATED ON THE MEMPHIS INTERNATIONAL AIRPORT.

WHEREAS, The Memphis-Shelby County Airport Authority (the "Authority") has determined to issue to Regions Bank its Airport Revenue Note, Subordinate Series in the principal amount of not to exceed \$7,000,000 (the "Airport Revenue Note") to reimburse the Authority for funds advanced to finance improvements to the fuel hydrant system, including the fuel farm, located on the Memphis International Airport; and

WHEREAS, the Airport Revenue Note is being issued pursuant to T.C.A. § 42-4-109 and is payable exclusively from airport revenues subordinate to the Authority's Airport Revenue Bonds; and

WHEREAS, The Airport Revenue Note will not be an obligation of the City of Memphis, Tennessee or Shelby County, Tennessee.

BE IT RESOLVED by the Council of the City of Memphis, Tennessee, that approval be and is hereby granted for the issuance of the Airport Revenue Note in the principal amount not to exceed \$7,000,000.



## Memphis City Council Summary Sheet

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

This item is a Resolution approving a Purchase and sale Agreement with the Illinois Central Railroad Company ("Purchaser"), as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on June 18, 2014.

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

Memphis and Shelby County Port Commission

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

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

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

This is a resolution for a new purchase and sale agreement. The Purchaser desires to purchase a 19.2983-acre parcel of land in the Frank C. Pidgeon Industrial Park from the Port Commission. The purchase price of the property is \$12,000 per acre.

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

This does not require expenditure of funds nor a budget amendment.

**CITY OF MEMPHIS RESOLUTION  
APPROVING PURCHASE AND SALE AGREEMENT WITH  
THE ILLINOIS CENTRAL RAILROAD COMPANY**

WHEREAS, the Illinois Central Railroad Company requested that the Memphis and Shelby County Port Commission sell certain lands to it located on Pidgeon Industrial Park, the property being more described in that certain Purchase and Sale Agreement attached hereto, and

WHEREAS, the land to be purchased consists of 19.2983 acres, and

WHEREAS, the purchased land is to be sold at a price of Twelve Thousand Dollars (\$12,000.00) per acre, and

WHEREAS, said Purchase and Sale Agreement is in the best interests of the Memphis and Shelby County Port Commission and the City of Memphis and County of Shelby so as to develop and enhance Pidgeon Industrial Park.

NOW, THEREFORE, BE IT RESOLVED, by the City of Memphis, on recommendation of the Memphis and Shelby County Port Commission, that the proposed Purchase and Sale Agreement with the Illinois Central Railroad Company be and is hereby approved

BE IT FURTHER RESOLVED, By the Council of the City of Memphis that the appropriate officials of the City of Memphis be hereby authorized to execute same.

BE IT FURTHER RESOLVED, That this action is subject to concurrence by Shelby County.

**PORT COMMISSION RESOLUTION**

**WHEREAS, the Illinois Central Railroad Company requested that the Memphis and Shelby County Port Commission sell certain lands to it located on Pidgeon Industrial Park, the property being more described in that certain Purchase and Sale Agreement attached hereto, and**

**WHEREAS, the land to be purchased consists of 19.2983 acres, and**

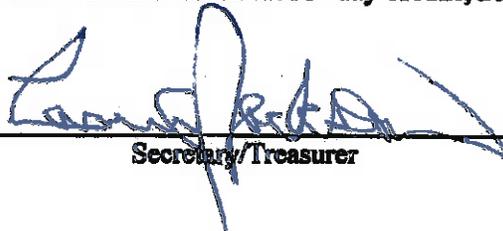
**WHEREAS, the purchased land is to be sold at a price of Twelve Thousand Dollars (\$12,000.00) per acre, and**

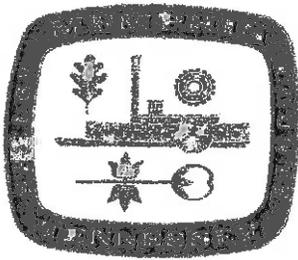
**WHEREAS, said Purchase and Sale Agreement has been determined by the Memphis and Shelby County Port Commission to be in the best interests of the Port Commission so as to develop and enhance Pidgeon Industrial Park**

**NOW, THEREFORE, BE IT RESOLVED, by the Memphis and Shelby County Port Commission that the proposed Purchase and Sale Agreement with the Illinois Central Railroad Company is hereby approved and the appropriate officials are authorized to execute same.**

**BE IT FURTHER RESOLVED, that the City of Memphis and County of Shelby are respectfully requested to approve said Agreement.**

**I hereby certify that the foregoing is a true copy and said document was adopted/granted by the Memphis and Shelby County Port Commission on the 18<sup>th</sup> day of June, 2014.**

  
\_\_\_\_\_  
**Secretary/Treasurer**



## Memphis City Council Summary Sheet

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

The item receives \$2,447,823 from the Center City Development Corporation and \$2,657,000 from Tennessee Department of Transportation (CMAQ) for a total of \$5,104,823. And the appropriation of the \$5,104,823 and \$2,000,000 in G.O. Bonds – General for Construction and Architectural & Engineering costs for the Main Street to Main Street Multimodal Connector Project; PW04090 and PW04093.

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

Public Works Division.

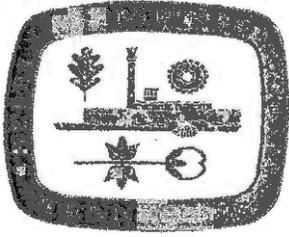
**3. State whether this is a change to an existing ordinance or resolution, if applicable.**

N/A

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

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

This requires a budget amendment to receive and appropriate these funds.



**A Resolution accepting and appropriating funds from private donors through the Center City Development Corporation in the amount of \$2,447,823, and from West Memphis MPO and Tennessee Department of Transportation, all through Tennessee Department of Transportation, in the total amount of \$2,657,000, all to project numbers PW04090 and PW04093 and appropriating \$2,000,000 in G.O. Bonds – General as budgeted in the Fiscal Year 2015 Capital Improvement Budget to project number PW04090 as necessary to fund Construction and Architectural & Engineering Costs for the Main Street to Main Street Multimodal Connector Project**

**WHEREAS**, the Main Street to Main Street Multimodal Connector Project (the “M2M Project”) is a ten-mile regional, multimodal corridor that will increase and improve alternative transportation options in the Memphis metro area and connect Tennessee to Arkansas via a bicycle and pedestrian trail over the Mississippi River via the historic Harahan Bridge;

**WHEREAS**, the M2M Project is making long-needed improvements to Main Street in Downtown Memphis from Uptown to South Main including Civic Center Plaza and the Main Street Mall;

**WHEREAS**, the M2M Project will link South Main to the Harahan Bridge via existing roadways, which will be improved to better accommodate bicycle and pedestrian traffic;

**WHEREAS**, the M2M Project will restore the historic Harahan Bridge and convert it into a bicycle and pedestrian trail over the Mississippi River with stunning views of the Memphis skyline;

**WHEREAS**, the M2M Project will connect the Harahan Bridge to West Memphis’s main street, called Broadway;

**WHEREAS**, the M2M Project is supported by many public and private sector partners including the cities of Memphis and West Memphis; the counties of Shelby and Crittenden; the states of Tennessee and Arkansas; the Downtown Memphis Commission; Charles McVean and the Harahan Bridge Project; the Hyde Foundation; the Plough Foundation, the Community Redevelopment Agency; and many others;

**WHEREAS**, the M2M Project won the very competitive Federal Transportation Investment Generating Economic Recovery (TIGER) IV Grant in the amount of \$14,939,000, thereby distinguishing the M2M Project as one of the top 5% of TIGER IV Grant applications nationally;

**WHEREAS**, the Plough Foundation has pledged \$1,000,000 payable through the Center City Development Corporation toward the M2M Project;

**WHEREAS**, in addition to the \$1,000,000 in private funds previously pledged and accepted toward the M2M Project, private donors have recently pledged \$1,447,823 payable through the Center City Development Corporation toward the M2M Project;

**WHEREAS**, the West Memphis Metropolitan Planning Organization has pledged \$1,000,000 CMAQ funds in addition to the \$850,000 CMAQ funds previously pledged and accepted toward the M2M Project;

**WHEREAS**, the Tennessee Department of Transportation has pledged \$1,657,000 CMAQ funds in addition to the \$2,000,000 TDOT funds previously pledged and accepted toward the M2M Project;

**WHEREAS**, the Memphis City Council included \$2,000,000 in its Fiscal Year 2015 Capital Improvement Budget for the M2M Project;

**WHEREAS**, all these funds will be used for the purpose of construction and/or architectural and engineering services for the M2M Project;

**WHEREAS**, on November 20, 2012, the Memphis City Council by Resolution adopted an expedited approval process for items related to the M2M Project (the "M2M Expedited Process Resolution") that calls for same day full council approval and same night minutes for resolutions accepting funds for the M2M project due to the need to meet tight deadlines imposed by the federal government;

**NOW, THEREFORE, BE IT RESOLVED** That the Memphis City Council hereby accepts and appropriates private funds from the Center City Development Corporation in the amount of \$2,447,823 and from the Tennessee Department of Transportation in the amount of \$2,657,000, all to project numbers PW04090 and PW04093 as necessary to fund Construction and Architectural & Engineering Costs for the Main Street to Main Street Multimodal Connector Project, and appropriating \$2,000,000 in G.O. Bonds – General as budgeted in the Fiscal Year 2015 Capital Improvement Budget to project number PW04090 as necessary to fund Construction and Architectural & Engineering Costs for the Main Street to Main Street Multimodal Connector Project.



## Memphis City Council Summary Sheet

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

This is a Resolution requesting the approval of the sale of City owned surplus plus property as described in and acquired by warranty deed JY2030 on December 8, 1999, located in the Shelby County Register of Deeds office. The parcel is located at 1279 Raymond St in Memphis, Shelby County, Tennessee also known as Parcel #061007 00006. The proposed sale is to an adjoining property owner and may be conveyed without necessity of competitive bidding, for approval by the City Council with one reading per City Ordinance 2-291.

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

General Services

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

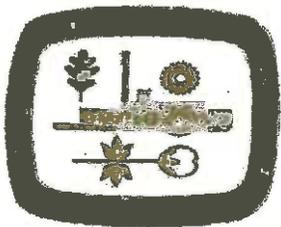
This item does not a change to an existing ordinance.

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

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

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

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



## **A Resolution approving the sale of 1279 Raymond Street**

**WHEREAS**, the City of Memphis is the owner of vacant parcel acquired by warranty deed JY2030 on December 8, 1999, located at 1279 Raymond St, and further described as Parcel #061007 00006. The City no longer has a need for the property and has declared it surplus property; and

**WHEREAS**, Reginald D. Smith & Kayla Price Smith are adjoining property owners and desirous of purchasing 1279 Raymond Street, and has submitted an offer of \$1,500 along with \$150 Earnest Money Deposit; and

**WHEREAS**, the sale of 1279 Raymond Street will increase the City's General Fund, generate tax revenue, and eliminate blight and maintenance cost for the City of Memphis; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that the offer made by Reginald D. Smith & Kayla Price Smith in the above described property be hereby accepted subject to the City Ordinance 2-291 which states in part, "the City Real Estate Manager shall be authorized to convey property to a selected adjacent property owner, without necessity of competitive bidding, for approval by the City Council with one reading under the following circumstances: ... the selected adjacent property owner is willing and capable or paying the value of the adjacent property to be acquired based on valuation determined by the City Real Estate Department."

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

1279 Raymond Street Parcel 061007 00006

SELECT

Subject Parcel  
1279 Raymond Steet  
Memphis, Tn 38114  
Parcel ID# 061007 00006

GRAND

RAYMOND

KEATING

**Legend**

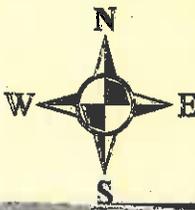


Subject Parcel

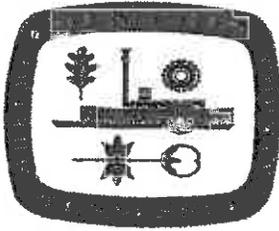


Outline of Memphis Parcels

60 30 0 60 Feet



DEADRICK



City Council Item Routing Sheet

RECEIVED  
SEP 29 2014  
BUDGET OFFICE

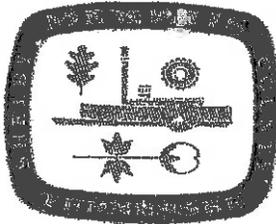
Division Public Works    Committee Public Works    Hearing Date October 7, 2014

- Ordinance                       Resolution                       Grant Acceptance
- Budget Amendment               Commendation               Other: T 040

Item Description (Not the caption, but what does it do): This is a construction project for drainage improvements in the Sophia Bayou Drainage Basin to provide additional inlet capacity to alleviate flooding near the planned UT Bioworks 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	Source and Amount of Funds
\$ 376,119.00              Amount	\$                      Operating Budget
\$                      Revenue to be received	\$ 376,119.00              CIP Project# ST03155
	\$                      Federal/State/Other

Approvals

Director: *[Signature]*                      Date: 9/29/14  
 Director: *[Signature]*                      Date: 09/25/14                      Chief Administrative Officer              Date  
 Budget Manager: *[Signature]*              Date: 9/29/14  
 Finance Director: \_\_\_\_\_              Date \_\_\_\_\_  
 City Attorney: \_\_\_\_\_                      Date \_\_\_\_\_                      Council Committee Chair              Date



# City Council Item Routing Sheet

**RECEIVED**  
SEP 29 2014  
**BUDGET OFFICE**

Division Public Works

Committee Public Works

Hearing Date October 7, 2014

- Ordinance                       Resolution                       Grant Acceptance
- Budget Amendment               Commendation                       Other:

T041

Item Description (Not the caption, but what does it do): This is a construction project for the construction of three hundred and forty (340) curb ramps City wide.	
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	Source and Amount of Funds
\$ 764,463.00      Amount	\$                      Operating Budget
\$                      Revenue to be received	\$ 764,463.00      CIP Project# PW04099
	\$                      Federal/State/Other

### Approvals

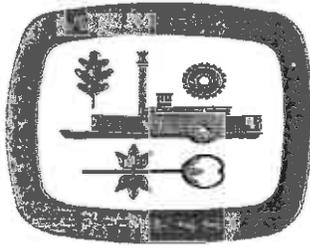
Director: *[Signature]* Date: 9/23/14

Director: *[Signature]* Date: 09/25/14 Chief Administrative Officer      Date

Budget Manager: *[Signature]* Date: 9/1/14

Finance Director: \_\_\_\_\_ Date \_\_\_\_\_

City Attorney: \_\_\_\_\_ Date \_\_\_\_\_ Council Committee Chair      Date



## Memphis City Council Summary Sheet

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

Resolution to accept and appropriate \$7,200.00 in grant funds from the National Park Service, administered through the Tennessee Department of Environment and Conservation (TDEC) Historical Commission, and to transfer and appropriate \$25,500.00 in general funds for the preparation of a historic structures report for the Mallory Neely House Structure Rpt project PK01027.

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

The Division of Parks & Neighborhoods

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

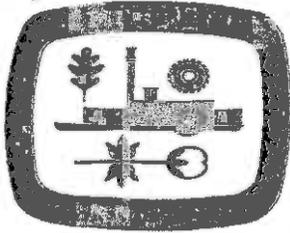
NO

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

YES. A new contract is prepared for the Mayor's signature.

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

YES. PK01027 will utilize FY 2015 operating expenses totaling \$25,500 in budget transfers from Historic Properties and the Memphis Landmarks Commission, including \$4,800 of which is the 40% required match for the grant from TDEC.



Resolution to accept and appropriate \$7,200.00 in grant funds from the National Park Service, administered through the Tennessee Department of Environment and Conservation (TDEC) Historical Commission, and to transfer and appropriate \$25,500.00 in general funds for the preparation of a historic structures report for the Mallory Neely House Structure Rpt PK01027.

WHEREAS, the City of Memphis Division of Parks and Neighborhoods has received grant funds in the amount of Seven Thousand Two-Hundred Dollars (\$7,200.00) to apply toward the Mallory Neely House Structure Rpt capital project budget of Thirty-Two Thousand Seven Hundred Dollars (\$32,700.00); and

WHEREAS, the required 40% grant local match of Four Thousand Eight Hundred Dollars (\$4,800.00) is being provided through a budget transfer from the Memphis Landmarks Commission general fund; and

WHEREAS, the funding of the Mallory Neely House Structure Rpt also includes an additional budget transfer from the Memphis Landmarks Commission of Sixteen Thousand Two Hundred Dollars (\$16,200.00) and a budget transfer of Four Thousand Five Hundred (\$4,500.00) from the Historic Properties Department general fund for a combined funding total from all sources of Thirty-Two Seven Hundred Dollars (\$32,700.00); and

WHEREAS, it is necessary to accept the grant funding and amend the FY 2015 Capital Improvement Budget to establish funds for the Mallory-Neely House Structure Rpt; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Seven Thousand Two-Hundred Dollars (\$7,200.00) for CIP Project Number PK01027, Mallory Neely House Structure Rpt; and

WHEREAS, it is necessary to appropriate FY 2015 general funds in the amount of Four Thousand Eight Hundred Dollars (\$4,800.00) from the Memphis Landmarks Commission in order to provide the matching funds required for the TDEC grant and appropriate additional general funds in the amount of Sixteen Thousand Two Hundred Dollars (\$16,200.00) from the Memphis Landmarks Commission and Four Thousand Five Hundred (\$4,500.00) from the Historic Properties Department for the CIP Project Number PK01027, Mallory Neely House Structure Rpt.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the TDEC Historical Commission grant funds for the Mallory-Neely House Structure Rpt in the amount Seven Thousand Two-Hundred Dollars (\$7,200.00) be accepted by the City of Memphis.

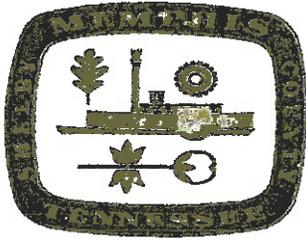
BE IT FURTHER RESOLVED, that the FY 2015 Capital Improvement Budget be and is hereby amended by appropriating the Expenditures and Revenues in the amount of Seven Thousand Two-Hundred Dollars (\$7,200.00) in TDEC Grant Funds in PK01027 and Twenty-Five Thousand Five Hundred Dollars (\$25,500.00) in General Fund Budget Transfers in PK01027 for a total amount of Thirty-Two Seven Hundred Dollars (\$32,700.00) in the CIP Project number PK01027, Mallory Neely House Structure Rpt as follows:

Revenue

TDEC Grant Funds	\$ 7,200.00
General Fund Transfers - Memphis Landmarks Commission	21,000.00
General Fund Transfers - Historic Properties Department	<u>4,500.00</u>
<b>Total</b>	<b>\$32,700.00</b>

Expenditures

PK01027, CIP Mallory Neely House Structure Rpt	<u>\$32,700.00</u>
<b>Total</b>	<b>\$32,700.00</b>



## **Memphis City Council Summary Sheet**

- 1. This Resolution seeks approval to appropriate FY15 funding in accordance with the Management Agreement contract between the City of Memphis and Memphis Zoological Society.**
- 2. The initiating party is the Division of Parks and Neighborhoods.**
- 3. This Resolution does not change any existing Ordinance or Resolution.**
- 4. This Resolution does not require a new contract.**
- 5. This Resolution does require an expenditure of funds in the amount of \$250,000.00.**



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

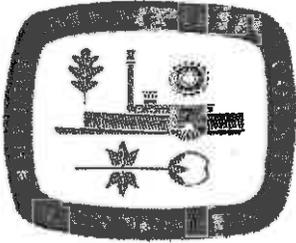
**WHEREAS**, the Council of the City of Memphis did include Zoo Major Maintenance, CIP Project Number PK09002 as part of the Fiscal Year 2015 Capital Improvement Program; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$250,000.00, in Construction funds, funded by G. O. Bonds General, chargeable to the Fiscal Year 2015 Capital Improvement Budget; with said appropriations being credited as follows:

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



# City Council Item Routing Sheet

**RECEIVED**  
SEP 29 2014  
**BUDGET OFFICE**

**Division:** Police Service

**Committee:** Public Safety

**Hearing Date:**

Ordinance

Resolution

Grant Acceptance

7044

Budget Amendment

Commendation

Other:

The resolution allows the City of Memphis to accept an award from the U.S. Department of Justice, Office of Violence Against Women Programs on behalf of the Division of Police Services in the amount of \$900,000.00 for the purpose of implementing the FY 2014 Encourage Arrest Policies and Enforcement of Protection Orders Program.

**Recommended Council Action: Approve the Resolution**

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

No previous action has been taken by any other entity.

**Does this item require city expenditure?**

This item does not require City of Memphis expenditure.

**\$900,000.00** Revenue to be received

**Source and Amount of Funds**

\$ 0.00 Operating Budget

\$ 0.00 CIP Project #

**\$900,000.00** Federal/State/Other

### Approvals

Director [Signature] Date 9/19/14

Director \_\_\_\_\_ Date \_\_\_\_\_

Budget Manager [Signature] Date 10/1/14

Finance Director \_\_\_\_\_ Date \_\_\_\_\_

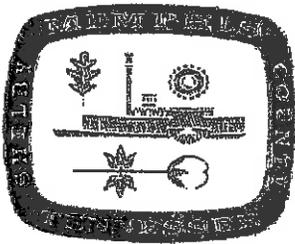
City Attorney \_\_\_\_\_ Date \_\_\_\_\_

**Chief Administrative Officer**

\_\_\_\_\_ Date \_\_\_\_\_

**Council Committee Chair**

\_\_\_\_\_ Date \_\_\_\_\_



City Council Item Routing Sheet

RECEIVED  
SEP 29 2014  
BUDGET OFFICE

Division: Police Services

Committee: Public Safety

Hearing Date:

Ordinance

Resolution

Grant Acceptance

Budget Amendment

Commendation

Other:

T045

This Resolution allows the City of Memphis through the Division of Police Services to accept grant funds in the amount of Fifteen Dollars and No Cents (\$15,000.00) from the State of Tennessee Department of Transportation.

Recommended Council Action: Approve the Resolution.

No previous action has been taken by any other entity.

Does this item require city expenditure?  
**This item does not require City Expenditure.**  
**Revenue to be received \$ 15,000.00**

Source and Amount of Funds  
**2015 Operating Budget**  
**Federal/State/Other**

Approvals

Director [Signature] Date 9/18/14

Chief Administrative Officer

Director \_\_\_\_\_ Date \_\_\_\_\_

Budget Manager [Signature] Date 10/1/14

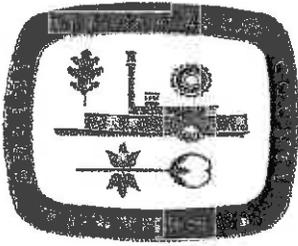
\_\_\_\_\_ Date \_\_\_\_\_

Finance Director \_\_\_\_\_ Date \_\_\_\_\_

Council Committee Chair

City Attorney \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_



# City Council Item Routing Sheet

*Public Safety*

**RECEIVED**  
SEP 29 2014  
**BUDGET OFFICE**

Ordinance

Resolution

Grant Acceptance

*1046*

Budget Amendment

Commendation

Other: Click here to enter text.

Item Description (Not the caption, but what does it do): This item is a resolution in support of accepting and appropriating grant funds from FEMA for Tennessee Task Force One. This grant is for the development and maintenance of National Urban Search and Rescue Response System resources to be prepared for mission response and to provide qualified personnel in support of Emergency Support Function-9 activities under National Incident Management System and National Response Plan.

Recommended Council Action: Accept the resolution to accept and appropriate grant funds from FEMA for Tennessee Task Force One.

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

Does this item require city expenditure?

\$ N/A      Amount  
\$1,195,131.00      Revenue to be received

Source and Amount of Funds

\$ N/A      Operating Budget  
\$ N/A      CIP Project #  
\$1,195,131.00      Federal/State/Other

### Approvals

Director *Ali O. Brown* Date 9-17-14

Director \_\_\_\_\_ Date \_\_\_\_\_

Budget Manager *Richard [Signature]* Date 10/1/14

Finance Director \_\_\_\_\_ Date \_\_\_\_\_

City Attorney \_\_\_\_\_ Date \_\_\_\_\_

Chief Administrative Officer

\_\_\_\_\_ Date \_\_\_\_\_

Council Committee Chair

\_\_\_\_\_ Date \_\_\_\_\_



## Memphis City Council Summary Sheet

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

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

**Resolution for the fiscal year of 2015 to approve the City of Memphis - Division of Housing and Community Development's leases and / or sub-leases of Memphis City property that may be subject to City of Memphis Ordinance 2-291 relating to Real Property.**

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

**Division of Housing & Community Development**

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

**Not Applicable**

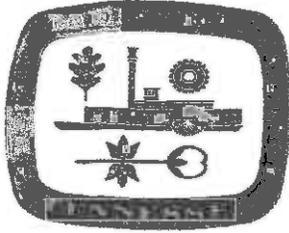
4. State whether this requires a new contract, or amends an existing contract, if applicable.

**This requires a new contract (a new Lease Agreement).**

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

**This does not require an expenditure of funds or a budget amendment.**

Resolution-Division of Housing and Community Development



*Resolution for the fiscal year of 2015 to approve the City of Memphis Division of Housing and Community Development's leases and/or subleases of Memphis City Property that may be subject to City of Memphis Ordinance 2-291 relating to Real Property.*

**RESOLUTION**

**WHEREAS**, City of Memphis Ordinance 2-291 relating to Real Property provides language and processes for the disposition of City of Memphis properties through sale, exchange or transfer; and

**WHEREAS**, it is clear and concise per said language that City of Memphis Ordinance 2-291 relates to the disposition of real property belonging to the City of Memphis; and

**WHEREAS**, for the purposes of Ordinance 2-291 relating to Real Property any lease or license agreement two (2) years or more shall be considered a conveyance and shall be submitted to City Council for approval; and

**WHEREAS**, for the purposes of Ordinance 2-291 any extensions or renewals bringing the total term to two (2) years or more shall be included as a conveyance; and

**WHEREAS**, in the context of leases, a new lease that is merely a re-execution of the old lease, and does not confer any greater obligations or rights than those in the old lease, said transaction is a renewal of the old lease; and

**WHEREAS**, the Division of Housing and Community Development of the City of Memphis leases and / or sub-leases City of Memphis property that may be subject to City of Memphis Ordinance 2-291 relating to Real Property; and

**WHEREAS**, the Division of Housing and Community Development of the City of Memphis shall submit its leases and / or sub-leases to the City Council of Memphis City for approval; and

Resolution-Division of Housing and Community Development

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that:**

1. The Lease Agreements between the City of Memphis and the Lessees listed on **Exhibit A** are hereby approved at the rates specified on **Exhibit A**.

2. The term of the Lease Agreements between the City of Memphis and the Lessees listed on **Exhibit A** shall be as specified on **Exhibit A**.

3. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Tennessee.

4. **BE IT FURTHER RESOLVED**, that for the fiscal year of 2015, the City Mayor is hereby authorized to execute all documents necessary to lease and / or sub-lease the properties listed on **Exhibit A** to the Lessees listed on **Exhibit A** for the term therein specified.



**A RESOLUTION REQUESTING THE LAND USE CONTROL BOARD  
REVIEW AND RECOMMEND AMENDING 12.3.1 OF THE MEMPHIS/SHELBY  
COUNTY UNIFIED DEVELOPMENT CODE IN ORDER TO LIMIT LONG-TERM  
UNREGULATED “MINI-DAY CARES” IN RESIDENTIAL NEIGHBORHOODS**

**\*\*\*Summary of the Proposal**

The Proposal is designed to prevent residents from operating “mini-day cares”—*i.e.*, day cares in residential homes with 5 to 7 children—in residentially zoned neighborhoods, unless the day care operator follows the special use process.

Currently the Memphis and Shelby County Unified Development Code (“UDC”) allows a resident to provide day care services to 5 to 7 minors at a personal home residence. The Proposal limits the ability of homeowners to operate these mini-day cares in residential neighborhoods, unless the applicant follows the Special Use process, including giving notice to neighbors. This is the same procedure required for larger day care businesses—*i.e.*, day cares with 8 or more minors—that want to operate in residential neighborhoods. This change is proposed in response to constituent concerns about the number of unregulated small day cares operating in residential homes.

The proposed ordinance amends the UDC in two ways. First the proposed ordinance eliminates and deletes the use category currently known as “Family Day Care” home. The current UDC provision on “Family Day Care” home allows a residential homeowner to provide day care to 5 to 7 children in the home. As long as the number of children enrolled remains below seven (7), this category of land use is “by right”. “By right” land use in the UDC means no notice to or input from nearby neighbors is required. Also, under the current ordinance, these day cares are not required to have Special Use Approval nor permission from the Land Use Control Board. Thus, if the current “Family Day Care” home continues without change, these mini daycares may be opened at anytime, or any street, in any residential neighborhood.

Second, the proposed ordinance updates the language used to define “Group Day Care” home. In general, the current UDC provides that Group Day Care is permitted in commercial areas, but not permitted in residential neighborhoods without approval of a Special Use and notice to the neighbors. Group Day Care home is currently defined as businesses giving care to 8 to 12 children. The proposed ordinance modifies the definition of “Group Day Care” home to include any business operation where 5 to 12 minors are cared for outside of their home. Taken together, the two changes—the elimination of the Family Day Care use category and the expansion of the Group Day Care use category—will significantly limit the ability of homeowners to operate a mini-day care business in a residential neighborhood, unless they give notice to neighborhood residents.

These changes create a more uniform treatment of mini daycares (5 to 7 children) and larger day cares (8 to 12 children). If approved, daycare operators, both large and small, will have to operate in commercial areas or give notice to neighbors in order to operate in residential areas. A copy of proposed changes is below. Recommended changes are in yellow.

**A RESOLUTION REQUESTING THE LAND USE CONTROL BOARD REVIEW AND RECOMMEND AMENDING 12.3.1 OF THE MEMPHIS/SHELBY COUNTY UNIFIED DEVELOPMENT CODE IN ORDER TO LIMIT LONG-TERM UNREGULATED “MINI-DAY CARES” IN RESIDENTIAL NEIGHBORHOODS**

**WHEREAS**, according to the National Association of Child Care Resource, approximately 15% of children who receive child care under the age of 5 are in a childcare arrangement at an unregulated day care home.

**WHEREAS**, under the current Memphis and Shelby County Unified Development Code mini-day care homes—*i.e.*, day cares in residential homes with 5 to 7 children—are permitted to open in residential neighborhoods without neighborhood notice, fire, or environmental inspection.

**WHEREAS**, other day care businesses, in particular those severing 8 or more children, are required to give neighborhoods notice prior to opening in residential neighborhoods, and receive approval from relevant fire and environmental inspectors;

**WHEREAS**, all children spending time in a child care arrangement in Memphis and Shelby County should have the same level of protection regardless of whether they receive care in a mini-day care or larger day care business;

**WHEREAS**, new businesses that open in residential neighborhoods, including day care businesses, have the potential of increasing neighborhood traffic and undermining the settled expectations of neighborhood residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS**, that the Unified Development Code hereby requests that the Land Use Control Board reviews and recommends amending 12.3.1 of the Memphis/Shelby County Unified Development Code in order to limit long-term unregulated “mini-day cares” in residential neighborhoods.

**BE IT FURTHER RESOLVED THAT THE COUNCIL OF THE CITY OF MEMPHIS** makes the following recommendation for changes to 12.31 of the Memphis/Shelby County Unified Development Code:

**Article 12 Definitions**

**12.3 Defined Terms**

**12.3.1 General Definitions**

~~Family Day Care Home: A home (an occupied residence) operated by a person for the purpose of receiving therein a minimum of five and a maximum of seven children under 17 years of age, who are not related to such person and whose parent(s) or guardians(s) are not residents in the same house, for less than 24 hours per day for care, without transfer of legal custody.~~

Group Day Care Home: any facility operated by a person, social agency, corporation or institution, or any other group which receives a minimum of five and a maximum of 12 children (and up to three additional school-age children who will be present before and after school, on school holidays, on school snow days, and during summer vacation) for less than 24 hours per day for care outside of their own homes, without transfer of legal custody. Before a group day care home opens, fire safety and environmental inspectors must approve the facility.

---

Lee Harris  
Memphis City Council