

Memphis City Council Resolution

Whereas, on February 5, 2013, the City Council approved the Administration's request to replace the term "legal dependents" as outlined in a 1993 resolution, with the term "spouse and minor children" and adding a stipulation that the recipients be paid "in equal shares" when a death benefit under the line-of-duty policy is enforced; and

Whereas, in March 2013, the Council amended the death benefit payment by providing a minimum payout of at least \$100,000 or an amount equal to five times the employee's base salary rounded up to the next thousand dollars, whichever is higher, not to exceed \$350,000; This benefit was in addition to the death benefits provided for in the City's Personnel Manual; and

Whereas, it is deemed prudent to provide additional clarity to the line of duty death benefit policy to ensure that the loved ones and designated recipients of any employee killed in the line of duty will not endure additional pain and suffering by the loss of income; and

Now, Therefore, Be it Resolved by the Memphis City Council that the sums as outlined (see above) in the March 2013, resolution will remain unchanged.

Be it Further Resolved by the Memphis City Council that upon adoption of this resolution the line of duty benefit will be distributed in the following manner:

(1) to the surviving spouse and surviving children in equal shares; if there is no spouse or any surviving child or children; to the

(2) surviving beneficiary or beneficiaries in shares per the employee's designation, or otherwise, in equal shares, as designated in the most recently executed beneficiary form on file at the time of death with the City of Memphis; or to, if none

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(3) surviving beneficiary or beneficiaries in shares per the employee's designation, or otherwise, in equal shares as designated in the most recently executed life insurance policy on file at the time of death with the City of Memphis. If there are multiple insurance policies with the same date on file with the City of Memphis, the proceeds will be allocated among the surviving beneficiaries so listed on the policies, in equal shares; or

(4) if there is no beneficiary as outlined in paragraphs (1), (2), or (3), the proceeds will be allocated to the estate pursuant to applicable laws of the State of Tennessee.

Be it Further Resolved that a *child* is defined as follows:

1. The term "child," as of any date, means the natural, posthumous child, stepchild, legally adopted, or legally recognized, son or daughter of a participant who:

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Has not reached age 18 and has a legal guardian;

Is disabled; or

For purposes of insurance coverage and annuity, satisfies each of the following conditions:

(a) Has reached age 18, but not age 25.

~~(b) Is unmarried.~~

(c) Is in full-time attendance as a student at an educational institution.

A student is considered full time if enrolled in a non-correspondence course and carrying a subject load that is considered full time for day students under the institution's standards and practices. In case of high schools and vocational schools, including technical, trade, business and similar schools, a student is considered to be in full-time attendance if the school considers him or her a full-time student under its standards and practices.

Certification by the educational institution of full-time attendance is required. For purposes of this definition, the term "educational institution" means all public schools, colleges and universities, all accredited private schools, colleges and universities, and any non-accredited school, college or university if its credits are acceptable in an institution that is state approved and/or accredited by one of the six regional accrediting organizations recognized by the U.S. Department of Education.

2. The term "disabled child" means any child who has reached age 18, is unmarried and is severely disabled, but who is not in the custodial care of a governmental institution. A child shall be considered severely disabled if he or she is unable to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment where such impairment results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques presented in an acceptable and satisfactory manner to the board, both for initial determination and ongoing confirmation of status as a disabled child.

October 20, 2015
Harold Collins



Memphis City Council Summary Sheet

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

This proposed Resolution provides funding to two 501(c)(3) organizations in the amount of 150,000 each for the implementation of a Clean Pathways initiative to address issues such as blight, litter and illegal dumping around schools and to reduce poverty and crime within the city limits.

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

Public Works

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

This is a new resolution.

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

This resolution requires execution of a grant agreement.

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

This requires a budget amendment to allow for the disbursement of grant funds.

**GRANT AGREEMENT BETWEEN THE CITY OF MEMPHIS AND
FREEDOM FROM UNNECESSARY NEGATIVES (F.F.U.N.)**

WHEREAS, it is vital to the growth and development of the City of Memphis (the “City”) that issues such as blight, litter, illegal dumping, and others be mitigated so as to promote a more sustainable and livable City.

WHEREAS, the City is committed to promote a higher quality of life and in accordance with the its objectives has a goal to reduce poverty, crime, and blight within the City of Memphis limits;

WHEREAS, Freedom From Unnecessary Negatives (F.F.U.N.), a grassroots 501 (c) (3) organization founded in 2003 by Stevie Moore that deals with the negative influences on our urban youth and community and having the objective to provide holistic alternatives for youth and young adults has agreed to partner with the City in these efforts;

WHEREAS, the City has proposed to implement the Clean Pathways program whereby F.F.U.N. will be performing the following activities around assigned Shelby County Schools and Achievement Schools within the City of Memphis limits:

1. removal of roadside litter
2. removal leaves and debris from drains and gutters
3. removal of illegally dumped trash/debris
4. removal of illegally dumped/discarded tires
5. vacant lot overgrowth mitigation
6. removal of leaves and other debris from vacant lots
7. ROW/impassable sidewalk overgrowth mitigation
8. report graffiti
9. report makeshift roadside memorials
10. removal of illegal advertising signs
11. report board/secure of vacant structures
12. engaging school staff on blight issues
13. engaging neighborhood leaders on blight issues
14. reporting road hazards and potholes to Street Maintenance
15. being trained and reporting top-ten code violations to Code Enforcement
16. reporting larger illegal dumping issues to Solid Waste Management
17. reporting downed electrical wires
18. reporting downed/damaged street signs to the City;

WHEREAS, the Storm Water Program will make available Thirty Seven Thousand and Five Hundred Dollars (\$37,500), the Solid Waste Fund will make available Thirty Seven Thousand and Five Hundred Dollars (\$37,500), and the General Fund will make available Seventy Five Thousand Dollars (\$75,000) for a combined One Hundred Fifty Thousand Dollars (\$150,000) on an annual basis to fund such initiatives;

WHEREAS, the Storm Water Program, Solid Waste Fund, and General Fund combined has made available One Hundred Fifty Thousand Dollars (\$150,000) from the Fiscal Year 2016 Operating Budget as a grant to F.F.U.N.;

WHEREAS, F.F.U.N. proposes to use such grant funding to pay for work that shall be performed in the Clean Pathways program;

WHEREAS, if for any reason the work does not commence within sixty (60) days from the date of full execution of this Agreement, F.F.U.N. will return the One Hundred Fifty Thousand Dollars (\$150,000) to the City unless the City Council acts to extend such deadline;

NOW, THEREFORE, the undersigned agree as follows:

(1) Grant of Funds. Subject to the terms and conditions of this Agreement, the City hereby grants to F.F.U.N. One Hundred Fifty Thousand Dollars (\$150,000) from the Storm Water Program, Solid Waste Fund, and General Fund combined Fiscal Year 2016 Operating Budget (the "Granted Funds") for the purpose of funding the Clean Pathways program, payable by wire transfer or check in 6 equal payments of \$25,000 on the 1st of each month during the term of this contract.

(2) Conditions of Grant. The parties hereby agree that the Granted Funds shall be subject to the following conditions:

(a) City Council Resolution. F.F.U.N. shall hold, spend, and, if applicable, return the Granted Funds pursuant to the terms and conditions set forth herein and the City Council's Appropriation Resolution dated _____, a copy of which is attached hereto and incorporated herein as part of this Agreement as if stated verbatim. In addition to the foregoing, F.F.U.N. agrees to the following:

(i) Authorized Use. The Granted Funds shall be used solely for the express purpose contemplated herein unless otherwise modified in writing by both parties this Agreement. Failure of F.F.U.N. to use such funds accordingly may result in the immediate termination of this Agreement and return of funding to the City within sixty (60) days of such termination.

(ii) Reports and Records. F.F.U.N. shall maintain for a period of three (3) years from the completion of each storm water initiative, documentation for all expenditures funded through this Agreement by the City of Memphis. Such documentation shall be produced, upon request, in whatever form maintained and shall be subject to audit at any reasonable time and upon reasonable notice by the City or its duly appointed representatives.

(3) Compliance. F.F.U.N. is assumed to be familiar with and agrees that at all times it will observe and comply with all federal, state, and local laws, ordinances, and regulations in any manner affecting its performance under this Agreement.

(4) Governing Law. This Agreement will be interpreted in accordance with the laws of the State of Tennessee. By execution of this Agreement, both parties agree that all actions, whether sounding in contract or in tort, relating to the validity, construction, interpretation and

enforcement of this Agreement will be instituted and litigated in Shelby County, Tennessee, and in no other. In accordance herewith, the parties to this Agreement hereby irrevocably submit to the jurisdiction of the courts within the State of Tennessee located in Shelby County, Tennessee.

(5) Nondiscrimination. F.F.U.N. agrees that no person on the grounds of handicap, age, race, color, religion, sex or national origin, shall be subject to discrimination in its performance of this Agreement.

(6) Conflict of Interest. F.F.U.N. warrants that no part of the funding provided hereunder shall be paid directly or indirectly to an employee or official of the City of Memphis as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to F.F.U.N. in connection with any services contemplated or performed relative to this Agreement.

(7) Relationship of Parties. The parties acknowledge F.F.U.N., its employees, agents and representatives are not employees, agents, officers or representatives of the City. Nothing contained herein shall be construed as constituting a partnership, joint venture, or agency between the City and F.F.U.N..

(8) Entire Agreement. This Agreement contains the entire agreement of the parties and there are no other promises or conditions in any other agreement whether oral or written. This Agreement supersedes any prior written or oral agreements between the parties.

(9) Amendment. This Agreement may be modified or amended, only if such amendment is made in writing and signed by both parties.

(10) Severability. Any provision of this Agreement that is prohibited, unenforceable, or not authorized as a matter of law shall not invalidate or affect the remaining provisions.

(11) Indemnification. F.F.U.N. agrees to indemnify City for all claims, suits, demands, actions, damages, settlements, costs, expenses or other liabilities of any kind and character, including without limitation reasonable attorney fees and litigation expenses, brought against City, its officers, agents, representatives, employees and Council members arising from or in connection with F.F.U.N.'s performance of this Agreement. This obligation shall survive the expiration or termination of this Agreement.

(12) No Waiver. The failure of the City to enforce any provision or exercise a right under this Agreement shall not be considered a waiver. The express waiver of a provision shall be effective only in the specific instance, and as to the specific purpose, for which it was given in writing by the City.

(13) Subject To Funding. This Agreement is subject to availability of funds by the Memphis City Council. In the event the funds become unavailable, the City reserves the right to terminate this Agreement upon written notice to F.F.U.N. Such termination by City shall not be deemed a breach of contract by the City. Upon such termination, F.F.U.N. shall have no right to recover from the City any actual, general, specific, incidental, consequential, or any other damages whatsoever of any description or amount.

(14) City Liability. The City shall have no liability except as specifically provided in this Agreement.

(15) Force Majeure. The City shall not be deemed in breach or default hereunder, nor shall the City be responsible for any delay, interruption, or cessation in the performance of its obligations under this Agreement where such failure of performance is the result of causes beyond the City's control that could not be avoided by the exercise of due care including, but not limited to, natural disasters, riots, wars, strikes, governmental authorities or any other similar causes beyond its control.

(16) Assignment. F.F.U.N. shall not subcontract, assign, delegate or transfer all or part of its rights, responsibilities, or interest under this Agreement without the prior written consent of the City. Any purported assignment, transfer, subcontracting or delegation in violation of this Section shall be voidable by the City.

(17) Execution of Agreement. By executing this Agreement, each party represents to the other that this Agreement has been duly authorized and constitutes a valid, fully enforceable, and legally binding obligation of such party.

(18) Notice. All notices to be given hereunder shall be in writing and shall be delivered to the following addresses or such other addresses as either of the parties shall give notice of from time to time during the term hereof:

City: City of Memphis
Division of Public Works
Attn. Robert Knecht
125 North Main, Room 608
Memphis, TN 38103

With copy to: City of Memphis
City Attorney
125 North Main, Room 336
Memphis, TN 38103

Center: Freedom From Unnecessary Negatives (F.F.U.N.)
Attn: Stevie Moore
672 Marshall Ave
Memphis, TN 38103

IN WITNESS WHEREOF, the undersigned have executed this Grant Agreement as of
November _____, 2015

A C Wharton, Jr., Mayor,
City of Memphis

Stevie Moore, President
Freedom From Unnecessary Negatives

Approved as to form:

Herman Morris, Jr., City Attorney

ATTESTED:

City Comptroller



Memphis City Council Summary Sheet

Resolution transferring an allocation and appropriating Construction Funds for PW04105 Asphalt Paving Resurfacing Group 2 CIP FY 2016.

- **This project provides for street repaving funded by CIP GO Bonds.**
- **This project was initiated by the Public Works Division and is being administered by the Engineering Division.**
- **This project involves a new construction contract; Lehman Roberts Company is the low bidder and is recommended as the contractor.**
- **This resolution appropriates funds identified in the FY 2016 CIP Budget as PW01272 Asphalt/Paving in order to execute the construction contract.**
- **The project funds are 100% by the City of Memphis.**



RESOLUTION

This is a resolution to transfer and appropriate construction funds for Asphalt Paving Resurfacing Group 2, project number PW04105.

WHEREAS, the Council of the City of Memphis approved FY16 CIP Resurfacing Grp 2, new project number PW04105 as part of the Public Works Fiscal Year 2016 Capital Improvement Budget; and

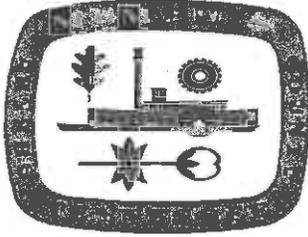
WHEREAS, bids were taken on September 4, 2015 for construction of CIP Resurfacing Grp 2 with the complying bid being \$2,598,452.00 submitted by Lehman Roberts Company; and

WHEREAS, it is necessary to transfer a construction allocation of \$2,598,452.00 funded by G O Bonds – General (Public Works) from FY16 Asphalt Paving Coverline, project number PW01272, to FY16 CIP Resurfacing Grp 2 project number PW04105, for the street repaving;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2016 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$2,598,452.00 funded by G O Bonds – General (Public Works) from Contract Construction project number PW01272 FY16 Asphalt Paving Coverline to project number PW04105 FY16 CIP Resurfacing Grp 2 for street paving.

BE IT FUTHER RESOLVED, that there be and is hereby appropriated the sum of \$2,598,452.00 funded by G O Bonds – General (Public Works) chargeable to the FY 2016 Capital Improvement Budget and credited as follows:

Project Title	FY16 CIP Resurfacing Grp 2
Project Number	PW04105
Total Amount	\$2,598,452.00



Memphis City Council Summary Sheet

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

This resolution amends the Fiscal Year 2016 Capital Improvement Budget by transferring and appropriating funds for Safety Improvements to the intersection of Airways at Ketchum.

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

This project is being initiated by the Division of Engineering.

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

This project does not involve a change to an existing ordinance or resolution.

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

This project does not require a new contract.

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

This project does require an amendment to the FY 2016 CIP Budget.



A Resolution appropriating Construction Funds for PW01242 – Safety Improvements to the intersection of Airways at Ketchum

WHEREAS, the Council of the City of Memphis did include the Highway Safety Improvement Program (HSIP) Cover Line, Project Number EN01067 as part of the Engineering Fiscal Year 2016 Capital Improvement Budget; and

WHEREAS, funding from the HSIP Cover Line will be used to provide the local match for Highway Safety Improvement Program projects administered by the Tennessee Department of Transportation (TDOT); and

WHEREAS, the City of Memphis will enter into a contract with the Tennessee Department of Transportation (TDOT) to provide safety improvements to the intersection of Airways at Ketchum, Project Number PW01242; and

WHEREAS, under this contract the Tennessee Department of Transportation has agreed to fund approximately 93% of the project cost, which is estimated at \$1,506,623.00, with the City providing approximately 7% in matching funds (\$107,542.30); and

WHEREAS, the Tennessee Department of Transportation has requested the local match to move to the construction phase of this project; and

WHEREAS, it is necessary to transfer an allocation of \$107,542.30 funded by G.O. Bonds – from the HSIP Cover Line, Project Number EN01067 to the Airways at Ketchum Safety Improvement Project, Project Number PW01242; and

WHEREAS, it is necessary to appropriate \$107,542.30 funded by G.O. Bonds for Construction in the Airways at Ketchum Safety Improvement Project, Project Number PW01242

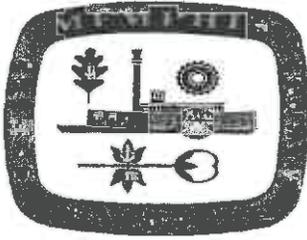
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2016 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$107,542.30 funded by G.O. Bonds from the HSIP Cover Line, Project Number EN01067 to the Airways at Ketchum Safety Improvement Project, Project Number PW01242.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$107,542.30 funded by G.O. Bonds for construction and chargeable to the Fiscal Year 2016 Capital Improvement Budget and credited as follows:

Project Title:	Safety Improvements to the Intersection of Airways at Ketchum
Project Number:	PW01242
Total Amount:	\$107,542.30

Council Resolution Caption (Airways at Ketchum PW01242)

A Resolution amending the FY16 Capital Improvement Budget by transferring an allocation and appropriating \$107,542.30 in G.O. Bonds - from the HSIP Cover Line, Project Number EN01067, to the Airways at Ketchum Safety Improvement Project, Project Number PW01242, for local match requirements.



Memphis City Council Summary Sheet

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

This resolution amends the Fiscal Year 2016 Capital Improvement Budget by transferring and appropriating funds for Safety Improvements to the intersection of Perkins Rd. at Perkins Extd.

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

This project is being initiated by the Division of Engineering.

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

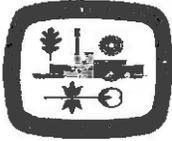
This project does not involve a change to an existing ordinance or resolution.

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

This project does not require a new contract.

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

This project does require an amendment to the FY 2016 CIP Budget.



A Resolution appropriating Construction Funds for PW01250 – Safety Improvements to the intersection of Perkins Rd. at Perkins Extd.

WHEREAS, the Council of the City of Memphis did include the Highway Safety Improvement Program (HSIP) Cover Line, Project Number EN01067 as part of the Engineering Fiscal Year 2016 Capital Improvement Budget; and

WHEREAS, funding from the HSIP Cover Line will be used to provide the local match for Highway Safety Improvement Program projects administered by the Tennessee Department of Transportation (TDOT); and

WHEREAS, the City of Memphis will enter into a contract with the Tennessee Department of Transportation (TDOT) to provide safety improvements to the intersection of Perkins Rd. at Perkins Extd, Project Number PW01250; and

WHEREAS, under this contract the Tennessee Department of Transportation has agreed to fund approximately 93% of the project cost, which is estimated at \$309,900.00, with the City providing approximately 7% in matching funds (\$22,000.00); and

WHEREAS, the Tennessee Department of Transportation has requested the local match to move to the construction phase of this project; and

WHEREAS, it is necessary to transfer an allocation of \$22,000.00 funded by G.O. Bonds – from the HSIP Cover Line, Project Number EN01067 to the Perkins Rd. at Perkins Extd Safety Improvement Project, Project Number PW01250; and

WHEREAS, it is necessary to appropriate \$22,000.00 funded by G.O. Bonds for Construction in the Perkins Rd. at Perkins Extd Safety Improvement Project, Project Number PW01250

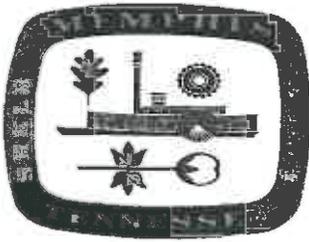
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2016 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$22,000.00 funded by G.O. Bonds from the HSIP Cover Line, Project Number EN01067 to the Perkins Rd. at Perkins Extd Safety Improvement Project, Project Number PW01250.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$22,000.00 funded by G.O. Bonds for construction and chargeable to the Fiscal Year 2016 Capital Improvement Budget and credited as follows:

Project Title:	Safety Improvements to the Intersection of Perkins Rd. at Perkins Extd
Project Number:	PW01250
Total Amount:	\$22,000.00

Council Resolution Caption (Perkins at Perkins Extd. PW01250)

A Resolution amending the FY16 Capital Improvement Budget by transferring an allocation and appropriating \$22,000.00 in G.O. Bonds - from the HSIP Cover Line, Project Number EN01067, to the Perkins Rd. at Perkins Extd Safety Improvement Project, Project Number PW01250, for local match requirements.



Memphis City Council Summary Sheet

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

This resolution amends the Fiscal Year 2016 Capital Improvement Budget by transferring and appropriating funds for Safety Improvements to the intersection of S. Perkins at Old Lamar.

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

This project is being initiated by the Division of Engineering.

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

This project does not involve a change to an existing ordinance or resolution.

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

This project does not require a new contract.

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

This project does require an amendment to the FY 2016 CIP Budget.



A Resolution appropriating Construction Funds for PW01217 – Safety Improvements to the intersection of S. Perkins at Old Lamar.

WHEREAS, the Council of the City of Memphis did include the Highway Safety Improvement Program (HSIP) Cover Line, Project Number EN01067 as part of the Engineering Fiscal Year 2016 Capital Improvement Budget; and

WHEREAS, funding from the HSIP Cover Line will be used to provide the local match for Highway Safety Improvement Program projects administered by the Tennessee Department of Transportation (TDOT); and

WHEREAS, the City of Memphis has entered into a contract with the Tennessee Department of Transportation (TDOT) to provide safety improvements to the intersection of S. Perkins at Old Lamar, Project Number PW01217; and

WHEREAS, under this contract the Tennessee Department of Transportation has agreed to fund approximately 94% of the project cost, which is estimated at \$1,100,000.00, with the City providing approximately 6% in matching funds (\$68,379.00); and

WHEREAS, the City of Memphis has provided a previous deposit of \$21,000.00; and

WHEREAS, the Tennessee Department of Transportation has requested the remaining portion of the local match (\$47,379.00) to move to the construction phase of this project; and

WHEREAS, it is necessary to transfer an allocation of \$47,379.00 funded by G.O. Bonds – from the HSIP Cover Line, Project Number EN01067 to the S. Perkins at Old Lamar Safety Improvement Project, Project Number PW01217; and

WHEREAS, it is necessary to appropriate \$47,379.00 funded by G.O. Bonds for Construction in the S. Perkins at Old Lamar Safety Improvement Project, Project Number PW01217

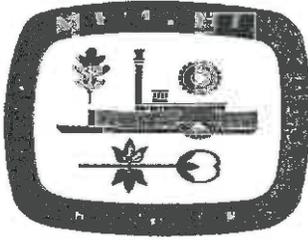
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2016 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$47,379.00 funded by G.O. Bonds from the HSIP Cover Line, Project Number EN01067 to the S. Perkins at Old Lamar Safety Improvement Project, Project Number PW01217.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$47,379.00 funded by G.O. Bonds for construction and chargeable to the Fiscal Year 2016 Capital Improvement Budget and credited as follows:

Project Title:	Safety Improvements to the Intersection of S. Perkins at Old Lamar
Project Number:	PW01217
Total Amount:	\$47,379.00

Council Resolution Caption (S. Perkins at Old Lamar)

A Resolution amending the FY16 Capital Improvement Budget by transferring an allocation and appropriating \$47,379.00 in G.O. Bonds - from the HSIP Cover Line, Project Number EN01067, to the S. Perkins at Old Lamar Safety Improvement Project, Project Number PW01217, for local match requirements.



Memphis City Council Summary Sheet

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

This resolution amends the Fiscal Year 2016 Capital Improvement Budget by accepting grant funds from the Tennessee Board of Regents and establishing funding for EN01069– Traffic Signal improvements to the intersection of Park Ave. at Goodlett St.

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

This Project was initiated by the Tennessee Board of Regents and is being administrated and locally managed by the City of Memphis, Division of Engineering.

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

This project does not involve a change to an existing ordinance or resolution.

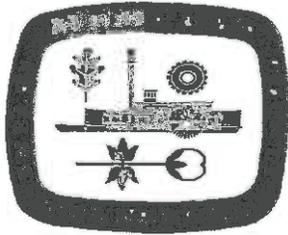
4. State whether this requires a new contract, or amends an existing contract, if applicable.

This traffic signal project will require a new contract.

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

The project funds originate from the Tennessee Board of Regents. This resolution amends the Fiscal Year 2016 CIP budget by accepting and establishing grant funding in the amount of \$281,814.40.

City Council Resolution Template



A Resolution to amend the Fiscal Year 2016 CIP Budget by accepting grant funds from the Tennessee Board of Regents and establishing funding for EN01069– Traffic Signal improvements to the intersection of Park Ave. at Goodlett St.

WHEREAS, the City of Memphis, Division of Engineering has received grant funds from the Tennessee Board of Regents in the amount of Two Hundred Eighty One Thousand, Eight Hundred Fourteen Dollars and 40/000 (\$281,814.40) to modernize the traffic signal at the intersection of Park Ave. and Goodlett St.; and

WHEREAS, it is necessary to accept the grant funds and amend the Fiscal Year 2016 CIP Budget to establish funding for EN01069 – Traffic Signal Improvements to the intersection of Park Ave. at Goodlett St.; and

WHEREAS, it is also necessary to appropriate the grant funds in the amount of Two Hundred Eighty One Thousand, Eight Hundred Fourteen Dollars and 40/000 (\$281,814.40) for EN01099 – Traffic Signal Improvements to the intersection of Park Ave. at Goodlett St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that grant funds from the Tennessee Board of Regents in the amount of Two Hundred Eighty One Thousand, Eight Hundred Fourteen Dollars and 40/000 (\$281,814.40) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the fiscal year 2016 CIP Budget be and is hereby amended by appropriating the Expenditures and Revenues for EN01069 – Traffic Signal Improvements to the intersection of Park Ave. at Goodlett St. in the amount of Two Hundred Eighty One Thousand, Eight Hundred Fourteen Dollars (\$281,814.40) as follows:

Revenue

Tennessee Board of Regents (100% Grant Funding)	\$281,814.40
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Expenditure

Salaries Full Time	\$20,000.00
<u>Contract Construction</u>	<u>\$261,814.40</u>
Total	\$281,814.40



Memphis City Council Summary Sheet

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

Resolution to accept \$430,074.80 grant funds from the Tennessee Department of Transportation for construction/reconstruction of sidewalks, lighting, landscaping along Walker Ave.

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.

NA

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

This requires a new contract.

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

This resolution amends the FY16 Public Works Capital Improvement Budget.



RESOLUTION

This is a resolution to accept \$430,074.80 in grant funds from the Tennessee Department of Transportation for the Walker Avenue Streetscape – Phase 2, project number PW04103 construction cost.

WHEREAS, the Council of the City of Memphis approved Walker Avenue Streetscape – Phase 2, project number PW04103 as part of the Fiscal Year 2016 Capital Improvement Budget; and

WHEREAS, the City of Memphis will enter into a contract with the State of Tennessee Department of Transportation and the State has agreed to fund \$430,074.80 which is 80% of the project construction cost with a local match of \$114,706.00; and

WHEREAS, it is necessary to accept the grant funding in the amount of \$430,074.80 funded by the Tennessee Department of Transportation; and

WHEREAS, it is necessary to amend the Fiscal Year 2016 Capital Improvement Budget by establishing an allocation in the amount of \$430,074.80 in construction for Walker Avenue Streetscape – Phase 2, project number PW04103; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2016 Capital Improvement Budget is hereby amended by accepting the sum of \$430,074.80 from the State of Tennessee Department of Transportation.

BE IT FURTHER RESOLVED, that the Fiscal Year 2016 Capital Improvement Budget be amended by establishing an allocation in the amount of \$430,074.80 in Construction for Walker Avenue Streetscape – Phase 2, project number PW04103 funded by the State Tennessee Department of Transportation.



Memphis City Council Summary Sheet

Resolution transferring and appropriating Construction Funds for PW04112 City Owned Property Sidewalk Replacement

- This project provides for sidewalk replacement funded by CIP GO Bonds.
- This project was initiated by the Public Works Division and is being administered by the Engineering Division.
- This project involves a new construction contract; GCM, Inc is the low bidder and is recommended as the contractor.
- This resolution appropriates funds identified in the FY 2016 CIP Budget as PW04024 Sidewalk Replacement –Various in order to execute the construction contract.
- The project funds are 100% by the City of Memphis.



RESOLUTION

This is a resolution to transfer and appropriate construction funds for City Owned Property Sidewalk Replacement contract for the construction of sidewalk replacement.

WHEREAS, the Council of the City of Memphis approved City Owned Property Sidewalk Replacement, new project number PW04112 as part of the Public Works Fiscal Year 2016 Capital Improvement Budget; and

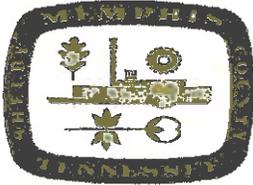
WHEREAS, bids were taken on September 4, 2015 for construction to replace City owned property sidewalk with the complying bid being \$383,490.00 submitted by GCM, Inc.; and

WHEREAS, it is necessary to transfer a construction allocation of \$383,490.00 funded by G O Bonds – General (Public Works) from Sidewalk Replacement -Various, project number PW04024, to City Owned Property Sidewalk Replacement, project number PW04112, for the replacement of city owned property sidewalk replacement;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2016 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$383,490.00 funded by G O Bonds – General (Public Works) from Contract Construction project number PW04024 Sidewalk Replacement - Various to project number PW04112 City Owned Property Sidewalk Replacement for the construction of sidewalk replacement.

BE IT FUTHER RESOLVED, that there be and is hereby appropriated the sum of \$383,490.00 funded by G O Bonds – General (Public Works) chargeable to the FY 2016 Capital Improvement Budget and credited as follows:

Project Title	City Owned Property Sidewalk Replacement
Project Number	PW04112
Total Amount	\$383,490.00



Memphis City Council Summary Sheet

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

Resolution amending the FY 2016 Engineering Operating Budget to transfer \$200,000.00 from reserve funds to the Division of Engineering operating budget for construction associated with the sidewalk assistance program for concrete sidewalk repair.

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

Engineering Division

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.

No

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

200,000



A Resolution to approve transfer from reserve funds for the sidewalk assistance program for concrete sidewalk repair.

WHEREAS, the Council of the City of Memphis previously approved the resolution for the sidewalk assistance program in May 5, 2015; and

WHEREAS, the administration, in consultation with the Memphis City Council, has developed such a Sidewalk Assistance Program with the eligibility requirements as follows: (See also attached program)

1. 100% Assistance - For those that meet the income and household size thresholds as defined and published from time to time by the US Census Bureau for those experiencing poverty in Memphis, Tennessee.
2. 100% Assistance - For those that are aged 65 years or more and have a combined household income of \$25,000 or less.
3. 100% Assistance - For those that are 100% disabled and have a combined household income of \$25,000 or less.

WHEREAS, the Administration proposed to utilize the \$200,000.00 for the sidewalk assistance program for concrete sidewalk repair; from the general fund operating budget of FY15;

AND WHEREAS, the monies could not be encumbered in FY15 and were returned to the fund balance at the end of FY15

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that approval is granted to transfer from reserves \$ 200,000 for the sidewalk assistance program.

Project Title: Sidewalk Assistance Program Concrete Sidewalk Repair

0111-250104-052950 \$200,000.00

0111-000000-049999 \$200,000.00

CITY OF MEMPHIS

RESIDENTIAL SIDEWALK REPAIR ASSISTANCE PROGRAM APPLICATION

(Please read the enclosed eligibility guidelines before completing application)

1. Applicant's Name: (please print) _____
2. Street Address: _____ Zip Code: _____
3. Telephone: _____
4. How many people live at the applicant's address? _____
 - List the names and annual income(s) of each person below (please print):

	First	Middle	Last	Date of Birth	*Gross Annual Income
Applicant					
Other					
Other					
Other					
(if more than four people, list on separate sheet of paper)				Total Combined Household Income	

*Gross annual income includes all wages, pensions, social security, interest, dividends, etc.

5. Is applicant certified medically as being totally* (100%) disabled? YES NO Does not apply

*Totally (100%) disabled means being unable to engage in any substantial gainful employment because of a physical or mental condition. To qualify as totally disabled under this program, a physician must certify that your disability has or is expected to last for at least one year or to result in death.

Supporting Documents Required:

- Proof of annual (gross) income for each person listed under (4) above. (Federal income tax return, Social Security statement, etc., as applicable, from most recent year)
- Copy of applicant's most recent MLGW utility bill (Must be in applicant's name)
- Copy of applicant's birth certificate or driver's license or Medicare card, if applying under Category A.
- Disability Verification form, if answer to question (5) above is YES, and applying under Category B.
- Affidavits of residency, if required for application under Category C.

I certify to the best of my knowledge that all of the information provided by me in this application is true and accurate. I also authorize the verification of any and all information for the purpose of certification. I understand that anyone who fraudulently covers up a material fact or who knowingly gives false information required for eligibility determination is subject to prosecution under applicable criminal laws.

APPLICANT SIGNATURE: _____ DATE: _____

Application must be notarized here (application will not be processed if not notarized):

In the County of Shelby, Tennessee, sworn and subscribed before me on the _____ day of _____, 20____.

(Notary Seal Here)

Notary: _____

Return application (with all required supporting documents) to:
City of Memphis Construction Inspections
2599 Avery Ave.
Memphis, TN 38112

FOR OFFICE USE ONLY

Date Received: _____ Reviewed by: _____

Approved/Denied: _____ Comments: _____

Affidavit of Residence

In fulfillment of the residence requirement of the attached City of Memphis Residential Sidewalk Assistance Program Application, I do hereby certify that I,

_____, presently live at
[Co-applicant full name]

_____, and that I have
[Street address, City, State, Zip Code]

lived at this address for _____ years, since _____.
[Number] [Date]

I further certify that the above information is true and accurate. Furthermore, I understand that if any of the information contained in this letter is false, I can be held accountable and penalized in a court of law.

[Signee's Signature, in Presence of Notary]

[Signee's Printed Name]

Sworn to and subscribed before me on _____ (MM/DD/YY).

Notary Public Signature



Date

Dear Residential Sidewalk Repair Assistance Program Applicant – *Property Address:*

Your application is APPROVED/DENIED.

The City will have the necessary repairs done on a one-time basis by a third-party contractor at the City's expense. You will not be required to reimburse the City for this expense. Please note that if further repairs are needed in the future, you will need to submit a new application if you wish to receive assistance from the City.

OR

From our review of your application and the documentation provided, we have determined that you are not eligible for assistance under this program. Consequently, you must have the necessary repairs made to your sidewalk, as required the City's Code of Ordinances. We will be happy to provide you with a list of bonded contractors upon your request.

Thank you for your cooperation. Please keep this letter for your records.

Sincerely,

City of Memphis
Sidewalk Engineering
Phone Number



Memphis City Council Summary Sheet

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

This is a resolution to accept grant funds from the State of Tennessee in the amount of \$108,384.00 to provide for full-time salaries/overtime.

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

The City of Memphis Division of Police Services is awarded this grant from the State of Tennessee and serves as the fiscal agent for the award.

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

This item does not change an existing ordinance or resolution.

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

This is a new sub-grant award pending Council approval.

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

Acceptance will require an amendment to the FY 2016 Operating Budget to appropriate the funds.



A Resolution to accept grant funds in the amount of One Hundred Eight Thousand and Three Hundred Eighty Four Dollars (\$108,384.00) from Governor's Highway Safety Office through the Tennessee Department of Transportation.

WHEREAS, The City of Memphis Division of Police Services has been awarded grant funds in the amount of One Hundred Eight Thousand and Three Hundred Eighty Four Dollars (\$108,384.00) from Governor's Highway Safety Office (GHSO) through the Tennessee Department of Transportation for the FY 16 Comprehensive Alcohol Risk reDuction (C.A.R.D.); and

WHEREAS, these funds will be used for the purpose of providing overtime funding for full-time salaries; and

WHEREAS, it is necessary to accept the grant funding and amend FY 2016 Operating Budget to establish funds for the FY Governor's Highway Safety Office (GHSO) Grant Project-Comprehensive Alcohol Risk reDuction (C.A.R.D.); and

WHEREAS, it is necessary to appropriate the FY2016 grant funds in the amount of One Hundred Eight Thousand and Three Hundred Eighty Four Dollars (\$108,384.00) for the FY 2016 Governor's Highway Safety Office (GHSO) Grant Project- Comprehensive Alcohol Risk reDuction (C.A.R.D.).

NOW, THEREFORE, BE IT RESOLVED by the City Of Memphis that the FY 2016 Governor's Highway Safety Office (GHSO) Grant Project – Comprehensive Alcohol Risk reDuction (C.A.R.D.) funds in the amount of One Hundred Eight Thousand and Three Hundred Eight Four Dollars (\$108,384.00) be accepted by the City of Memphis.

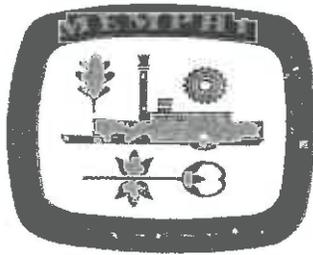
BE IT FURTHER RESOLVED, that the Fiscal Year 2016 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the FY16 Governor's Highway Safety Office (GHSO) Grant Project-Comprehensive Alcohol Risk reDuction (C.A.R.D.) in the amount of One Hundred Eight Thousand and Three Hundred Eight Four Dollars as follows:

REVENUE

State of Tennessee- Governor's Highway Safety Office	<u>\$108,384.00</u>
Total	\$108,384.00

EXPENDITURES

Full Time Salaries	<u>\$108,384.00</u>
Total	\$108,384.00



Memphis City Council Summary Sheet

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

This is a resolution to accept grant funds from the State of Tennessee in the amount of \$5,000.00 will provide for supplies.

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

The City of Memphis Division of Police Services is awarded this grant from the State of Tennessee and serves as the fiscal agent for the award.

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

This item does not change an existing ordinance or resolution.

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

This is a new sub-grant award pending Council approval.

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

Acceptance will require an amendment to the FY 2016 Operating Budget to appropriate the funds.



A Resolution to accept grant funds in the amount of Five Thousand Dollars (\$5,000.00) from Governor’s Highway Safety Office through the Tennessee Department of Transportation.

WHEREAS, The City of Memphis Division of Police Services has been awarded grant funds in the amount of Five Thousand Dollars (\$5,000.00) from Governor’s Highway Safety Office (GHSO) through the Tennessee Department of Transportation for the FY 16 High Visibility Enforcement; and

WHEREAS, these funds will be used for supplies ; and

WHEREAS, it is necessary to accept the grant funding and amend FY 2016 Operating Budget to establish funds for the FY16 Governor’s Highway Safety Office (GHSO) Grant Project-High Visibility Enforcement; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Five Thousand Dollars (\$5,000.00) for the FY 2016 Governor’s Highway Safety Office (GHSO) Grant Project- High Visibility Enforcement.

NOW, THEREFORE, BE IT RESOLVED by the City Of Memphis that the FY 2016 Governor’s Highway Safety Office (GHSO) Grant Project – High Visibility Enforcement funds in the amount of Five Thousand Dollars (\$5,000.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2016 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Governor’s Highway Safety Office (GHSO) Grant Project- FY16 High Visibility Enforcement in the amount of Five Thousand Dollars as follows:

REVENUE

State of Tennessee- Governor’s Highway Safety Office	<u>\$5,000.00</u>
Total	\$5,000.00

EXPENDITURES

Supplies	<u>\$5,000.00</u>
Total	\$5,000.00



Memphis City Council Summary Sheet

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

This is a resolution to accept grant funds from the State of Tennessee in the amount of \$15,126.00 to include participation in law enforcement activities to reduce speeding, aggressive driving, driving under the influence and non seat belt usage for children and passengers, as well as, activities to promote high visibility highway safety campaigns; provide training to increase skills and knowledge including but not limited to: At Scene Traffic Crash Investigation, SFST, Traffic Stops, Radar Training, Officer Spanish communication, education and networking opportunities for law enforcement officials.

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

The City of Memphis Division of Police Services is awarded this grant from the State of Tennessee and serves as the fiscal agent for the award.

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

This item does not change an existing ordinance or resolution.

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

This is a new sub-grant award pending Council approval.

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

Acceptance will require an amendment to the FY 2016 Operating Budget to appropriate the funds.



A Resolution to accept grant funds in the amount of Fifteen Thousand and One Hundred Twenty Six Dollars (\$15,126.00) from Governor’s Highway Safety Office through the Tennessee Department of Transportation.

WHEREAS, The City of Memphis Division of Police Services has been awarded grant funds in the amount of Fifteen Thousand and One Hundred Twenty Six Dollars (\$15,126.00) from Governor’s Highway Safety Office (GHSO) through the Tennessee Department of Transportation for the FY 16 Network Coordinator Grant Project; and

WHEREAS, these funds will be used for the purpose of providing overtime funding for full-time salaries/overtime, conference travel and supplies; and

WHEREAS, it is necessary to accept the grant funding and amend FY 2016 Operating Budget to establish funds for the FY Governor’s Highway Safety Office (GHSO) Grant Project-Network Coordinator; and

WHEREAS, it is necessary to appropriate the 2016 grant funds in the amount of Fifteen Thousand and One Hundred Twenty Six Dollars (\$15,126.00) for the FY 2016 Governor’s Highway Safety Office (GHSO) Grant Project- Network Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the City Of Memphis that the FY 2016 Governor’s Highway Safety Office (GHSO) Grant Project – Network Coordinator funds in the amount of Fifteen Thousand and One Hundred Twenty Six Dollars (\$15,126.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2016 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Governor’s Highway Safety Office (GHSO) Grant Project-Network Coordinator in the amount of Fifteen Thousand and One Hundred Twenty Six Dollars as follows:

REVENUE

State of Tennessee- Governor’s Highway Safety Office	<u>\$15,126.00</u>
Total	\$15,126.00

EXPENDITURES

Full-time Salaries/Overtime	\$ 8,064.00
Supplies	\$ 1,062.00
Training & Travel	<u>\$ 6,000.00</u>
Total	\$15,126.00



Memphis City Council Summary Sheet

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

Accept the Small Business Administration Startup in a Day \$50K prize to build a single online portal where entrepreneurs can make application and payment for all necessary business licenses and permits. The portal will be operated by the Entrepreneurship-Powered Innovation Center (EPIcenter) that is housed with Memphis Bioworks. The EPIcenter is a collaborative and community-wide strategic initiative that is helping entrepreneurs conceive, launch and scale businesses in the Memphis region. EPIcenter serves as a central point of contact for the region's ecosystem and coordinates resources from various organizations in the community such as accelerators, incubators, mentors, investors, networking programs, and technical assistance programs for entrepreneurs. EPIcenter also represents the complete picture of the region's entrepreneurial activity and resources in high-growth, scalable startups and businesses.

2. 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.

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.

The FY16 budget will need to be amended to accept the \$50K prize and transfer the funds to Memphis Bioworks on behalf of EPIcenter. EPIcenter will be the lead on building and managing the online platform on behalf of the necessary partners including the City of Memphis and Shelby County Government.

**RESOLUTION TO ACCEPT THE U.S. SMALL BUSINESS ADMINISTRATION (SBA)
STARTUP IN A DAY START SMALL PRIZE**

WHEREAS, the City of Memphis and our partners are committed to making it easier for every entrepreneur to start a business; an entrepreneur’s time is best spent developing innovative products and services, creating jobs, and growing local economies—not navigating red tape; while fair zoning rules, licenses, and permits are important to ensuring public safety and fair competition, it should not take more than a day for an entrepreneur to identify and apply for all the licenses and permits they need in order to responsibly launch a business, ideally through a single online tool; and

WHEREAS, the City of Memphis submitted a successful application to the Small Business Administration on behalf of a team comprised of Shelby County Government, Memphis Bioworks Foundation, the Entrepreneurship-Powered Innovation Center (EPIcenter), and the Greater Memphis Chamber and received an SBA Startup In a Day Start Small prize in the amount of \$50,000 to begin building SMART START, a wrap-around experience for entrepreneurs to be housed with Memphis Bioworks Foundation/EPIcenter, with an online expression of support coupled with, live in-person interactions, delivered by a supportive and integrated network of experts that demystifies the process of launching a small business in Memphis; support will be available in multiple settings, and languages (for laypersons), using technology to create efficiencies and enhance access; SMART START will ensure a positive, powerful and speedy online experience for enterprising Memphis residents.

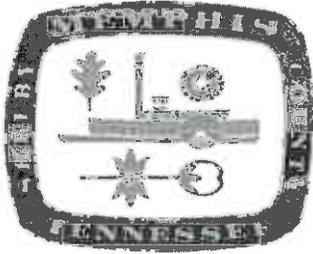
NOW THEREFORE BE IT RESOLVED, that the FY2016 is amended to accept SBA Startup In a Day Start Small prize in the amount of \$50,000 and that these funds be disbursed to Memphis Bioworks Foundation to begin development of EPIcenter’s SMART START One Stop Shop online for business licensing and permitting.

Revenue

0111-100301-049623 (Misc. Revenue)	\$50,000.00
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Expense

0111-100301-052528 (Professional Services)	\$50,000.00
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Memphis City Council Summary Sheet

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

Resolution to accept revenue from payments made by program partners outside city government hosting AmeriCorps VISTA members at their sites for a share of the costs to support the program. VISTAs commit to a year of service in organizations working to alleviate poverty in communities.

2. 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.

N/A

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

Agreement for payment is covered in the Memorandum of Understanding between the City and our program partner sites. The City also has an agreement with the Corporation for National and Community Service, the federal agency that houses the AmeriCorps VISTA program.

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

The FY16 budget needs to be amended in order to accept this misc. revenue.

**RESOLUTION TO ACCEPT REVENUE FROM PROGRAM PARTNERS IN SUPPORT OF THE CITY OF
MEMPHIS' AMERICORPS VISTA PROGRAM**

WHEREAS, Volunteers In Service To America (VISTA) was founded in 1965 as a national service program to fight poverty in America; AmeriCorps VISTA members are passionate and committed to their mission to bring individuals and communities out of poverty; VISTA members receive a poverty level stipend to make a year-long, full-time commitment to serve on a specific project at a nonprofit organization or public agency, focusing their efforts to build the organizational, administrative, and financial capacity of organizations that fight illiteracy, improve health services, foster economic development, and otherwise assist low-income communities; and

WHEREAS, the City of Memphis became an AmeriCorps VISTA Sponsoring Organization in the fall of 2013 and welcomed our first members to service in February 2014; as of June 2015, the City of Memphis AmeriCorps VISTA program has placed 27 members in service at 14 sites; our VISTAs have served 21,960 hours, recruited 934 volunteers, and managed 288 volunteers who together served 4,314 hours; City of Memphis VISTA members have leveraged \$66,500 in cash and another \$259,601.40 of in-kind resources; 830 economically disadvantaged individuals received financial education and an additional 880 disadvantaged youth have been served through K-12 educational programs supported by City of Memphis VISTA members; and

WHEREAS, City of Memphis VISTA members serve within divisions of city government and with our non-profit community partner agencies; the City is responsible to bear costs to administer the program including one-third (1/3) of the cost of VISTA members' stipends, which is reflected in the FY2016 budget (Professional Services); our partner agencies hosting VISTA members have agreed to pay a pro rata share to support the program costs, however this revenue is not accounted for in the FY2016 budget.

NOW THEREFORE BE IT RESOLVED, that the FY2016 is amended to accept up to \$45,500 (Misc. Revenue) paid by outside agencies hosting VISTA members for a portion of the cost (\$3,500 per member annually) of the City of Memphis AmeriCorps VISTA program; partners will be billed quarterly.

Revenue

0111-100301-049623 (Misc. Revenue) up to \$45,000.00

Expense

0111-100301-052528 (Professional Services) up to \$45,000.00



CITY of MEMPHIS

FINANCE DIVISION

**FY 06/30/2015
FINANCIAL PREVIEW**

**Director of Finance
Brian Collins**

FY2015
Financial Preview
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**City of Memphis
FY2015 Financial Preview
Summary Statement**

4Q 2015 / Year End 2015 Preliminary Financial Summary

The Administration is pleased to report that for the second year in a row, the City of Memphis has generated a much needed positive budget variance. These encouraging results will add approximately \$1.4 million to our unassigned reserve fund. The bottom line was driven by both increased revenue that is a byproduct of our recovering local economy, as well the positive impacts of recent structural reforms and cost controls. These results provide the momentum we hoped for going into FY 2016 and will allow us to continue to aggressively address the funding issues we have with our unfunded pension and OPEB liabilities - and maintain our AA credit rating. These numbers are preliminary and will be updated when we complete our annual audit and file our CAFR.

This document provides an unaudited review of the City's General Fund financial performance for Fiscal Year 2015. The full year results are shown on page 3 of this report.

Revenue Forecast Discussion

General Fund

FYE 2015

Total revenue is estimated to be \$656 million, 6.2% or \$38.1 million over the adopted budget. Our last forecast had already introduced almost half of that positive variance - \$16.4 million or 2.7% – owing primarily to increases we were seeing in both State and local taxes. The positive momentum in State and local tax receipts continued in the second half of the year, contributing another \$10 million. The total positive variance in Local and State Tax revenues was \$25.9M or 5.5%. Perhaps the best news is that we did not tap into general fund reserves to finance operations during the year.

Below are the details of the City of Memphis revenues:

Revenue	FY2015 ADOPTED BUDGET 06/30/2014	FY2015 OPERATING RESULTS Unaudited	Variance	%
Local Taxes	\$ 414,592	\$ 432,705	\$ 18,113	4.37%
State Taxes	\$ 57,240	\$ 65,058	\$ 7,818	13.66%
License and Permits	\$ 11,444	\$ 12,253	\$ 809	7.07%
Fines and Forfeitures	\$ 19,352	\$ 16,163	\$ (3,189)	-16.48%
Charges for Services	\$ 30,804	\$ 31,091	\$ 287	0.93%
Use of Money	\$ 335	\$ 477	\$ 142	42.39%
Federal Grants	\$ -	\$ 1	\$ 1	0.00%
State Grants	\$ -	\$ 1,433	\$ 1,433	100.00%
Intergovernmental Revenues	\$ 3,407	\$ 3,410	\$ 3	0.09%
Other Revenues	\$ 7,906	\$ 11,900	\$ 3,994	50.52%
Transfers	\$ 72,839	\$ 81,509	\$ 8,670	11.90%
Total General Fund Revenue	\$ 617,919	\$ 656,000	\$ 38,081	6.16%

◆**Local Taxes** - This revenue grouping which includes property taxes and local sales taxes, performed better than budget. The Southwind Annexation, the Mixed Drink Tax and Local Sales Taxes were the primary revenues providing positive variances.

◆**State Taxes** – State Income (Hall) Taxes came in at \$6.5M above the adopted budget and State Sales Taxes are \$3.0M above budget. The Hall income tax is highly volatile and comes in at the very end of our fiscal year. State legislature is considering either lowering or eliminating this tax. The Professional Privilege Tax will be \$1.8M below budget, another tax that will likely be eliminated.

◆**Transfers- In** - This category will be positive by \$8.7M primarily because of the MLGW in-lieu of tax revenue and \$1.0M for the New Memphis Arena Fund.

Expenditure Forecast Discussion FY 2015

Total expenses, committed reserves and encumbrance increases are estimated to total approximately \$655 million, 5.9% greater than planned. Improvements in personnel services and M & S were off-set by increases in settlements, committed reserves and encumbrances. The settlement of the Shelby County Schools litigation is the most noteworthy settlement at \$8.0M.

Expenditures	FY2015 ADOPTED BUDGET 08/30/2014	FY2015 OPERATING RESULTS Unaudited	Variance	
Personnel Services	\$ 450,483	\$ 443,297	\$ 7,186	1.60%
Material and Supplies	\$ 109,314	\$ 98,387	\$ 10,927	10.00%
Capital Outlay	\$ 450	\$ 127	\$ 323	71.78%
Grants and Subsidies	\$ 49,271	\$ 67,842	\$ (18,571)	-37.69%
Inventory	\$ 343	\$ 306	\$ 37	10.79%
Transfers Out	\$ 7,880	\$ 19,005	\$ (11,125)	-141.18%
Other	\$ 96	\$ 1,549	\$ (1,453)	-1513.54%
Total Expenditures	\$ 617,837	\$ 630,513	\$ (12,676)	2.05%
QECB / GASB 70 Disclosure		\$ 10,000	\$ (10,000)	100.00%
Increase in Reserves, Commitments and Encumbrances		\$ 14,000	\$ (14,000)	100.00%
Total Expenditures less Reserves	\$ 617,837	\$ 654,513	\$ (36,676)	5.94%

◆ **Personnel Services** - This spending category includes benefits and is performing 1.6% below budget. As a result personnel is expected to come in under budget. In some areas overtime is exceeding the plan, however, vacancies are offsetting this impact. Long term strategies are in place for Police and Fire to initiate recruit classes which will reduce overtime in the future.

◆ **Materials and Supplies** - This spending category is 10% below budget. Fuel cost alone were \$4.1M below budget.

◆ **Grants and Subsidies** - This category is above the adopted budget because of the \$8.0M for the initial settlement to Shelby County Schools, \$800K for MLGW utility pole expenses, and MATA additional assistance.

◆ **Transfers Out** - This category includes \$11.9M that was transferred to the OPEB fund to restore some portion of retiree healthcare cost.

◆ **Reserves** - Contingencies set aside in this group are for anticipated events in the future, or new reporting requirements recently enacted by GASB.

General Fund FY 2015 Financial Preview Summary
BUDGET VS FORECAST (in '000)

Revenue	FY2015 ADOPTED BUDGET 06/30/2014	FY2015 OPERATING RESULTS Unaudited	Variance	%
Local Taxes	\$ 414,592	\$ 432,705	\$ 18,113	4.37%
State Taxes	\$ 57,240	\$ 65,058	\$ 7,818	13.66%
License and Permits	\$ 11,444	\$ 12,253	\$ 809	7.07%
Fines and Forfeitures	\$ 19,352	\$ 16,163	\$ (3,189)	-16.48%
Charges for Services	\$ 30,804	\$ 31,091	\$ 287	0.93%
Use of Money	\$ 335	\$ 477	\$ 142	42.39%
Federal Grants	\$ -	\$ 1	\$ 1	0.00%
State Grants	\$ -	\$ 1,433	\$ 1,433	100.00%
Intergovernmental Revenues	\$ 3,407	\$ 3,410	\$ 3	0.09%
Other Revenues	\$ 7,906	\$ 11,900	\$ 3,994	50.52%
Transfers	\$ 72,839	\$ 81,509	\$ 8,670	11.90%
Total General Fund Revenue	\$ 617,919	\$ 656,000	\$ 38,081	6.16%

Expenditures	FY2015 ADOPTED BUDGET 06/30/2014	FY2015 OPERATING RESULTS Unaudited	Variance	%
Personnel Services	\$ 450,483	\$ 443,297	\$ 7,186	1.60%
Material and Supplies	\$ 109,314	\$ 98,387	\$ 10,927	10.00%
Capital Outlay	\$ 450	\$ 127	\$ 323	71.78%
Grants and Subsidies	\$ 49,271	\$ 67,842	\$ (18,571)	-37.69%
Inventory	\$ 343	\$ 306	\$ 37	10.79%
Transfers Out	\$ 7,880	\$ 19,005	\$ (11,125)	-141.18%
Other	\$ 96	\$ 1,549	\$ (1,453)	-1513.54%
Total Expenditures	\$ 617,837	\$ 630,513	\$ (12,676)	2.05%
QEGB / GASB 70 Disclosure	\$ -	\$ 10,000	\$ (10,000)	100.00%
Increase in Reserves, Commitments and Encumbrances	\$ -	\$ 14,000	\$ (14,000)	100.00%
Total Expenditures less Reserves	\$ 617,837	\$ 654,513	\$ (36,676)	5.94%
Change in Net Assets	\$ 82	\$ 1,487	\$ 1,405	

UNRESERVED FUND BALANCE	\$ 77,694	\$ 83,717	\$ 6,023	7.77%
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FY 2015

DISCUSSION SUMMARY

Pension Liability - \$30 Million Annual Gap

The FY 2015 results position Memphis to continue to make the planned progress on our pension liability. Recall that our total unfunded liability in FY 2016 is \$533 million and our Annual Required Contribution is \$74 million. We paid approximately \$45 million towards our pension ARC in FY 2015, so we still have a *\$30 million annual gap to fill*, but the momentum is there to materially increase that payment in FY 2016. The administration is committed to filling the ARC funding gap as quickly as reasonably possible.

OPEB Liability - \$25 Million Annual Gap

The progress we are making on our pension funding obligation is great news, but we need to keep in mind that we still must come to terms with our OPEB obligations. As of the end of FY 2015, the unfunded obligation to our OPEB plan is \$730 million. We *should* be paying approximately *\$25 million per year* into the OPEB trust fund to close that gap, but we have only been contributing the "pay as you go" amount. Consequently, we have less than \$20 million in the OPEB trust account. However, if we continue to build on the momentum from FY 2015, the administration remains optimistic that we can close the pension gap over the next several years and then begin to make meaningful headway on this OPEB gap.

A Look Ahead

The administration remains optimistic that the City of Memphis is well on the road to financial stability. In the last decade, the great recession drained Memphis of its reserves and exposed the need to reform our retiree benefit plans. Over the past several years, we have put historic reforms in place along with a more cost-conscious approach that has allowed us to begin rebuilding our reserves and funding our retiree benefit obligations. As the local and national economies continue to improve, we anticipate that we will continue this recovery. But the recovery is fragile, so we must remain cost conscious and continue the reforms that are making this recovery possible. Our goal is to complete this recovery without asking the citizens of Memphis for a tax increase.

FY 2015

CASH POSITION OTHER FUNDS

**City of Memphis
4th Quarter FY 2015**

Cash Position all funds (in 000's)

The State of Tennessee requires all municipalities to have positive cash balances at the end of the fiscal year. The schedule below lists the projected cash balances for the City of Memphis Funds. As of this report all funds are projected to have a positive cash balance.

Fund	Fund Balance FYE* 2015 Unaudited	Claim on Cash as of FY15
0111, 0121, 0131 General Fund	\$ 121,854	\$ 132,992
0201 State Street Aid Fund	\$ -	\$ -
0203 Midtown Corridor Fund	\$ -	\$ -
0204 Solid Waste Management Fund	\$ 13,599	\$ 10,162
0205 Miscellaneous Grants Fund	\$ 273	\$ 3,753
0211 Workforce Investment Act Fund	\$ -	\$ 534
0216 Drug Enforcement Fund	\$ 9,586	\$ 10,323
0221 Community Development Fund	\$ 8	\$ 2,014
0223 Hotel/Motel Occupancy Tax Fund	\$ 3,424	\$ 2,965
0225 New Memphis Arena Special Rev.	\$ 1,369	\$ 1,369
0228 CRA Programs	\$ 1,340	\$ 1,341
0301 Debt Service Fund	\$ 52,464	\$ 26,110
0400 Capital Projects Fund	\$ 27,753	\$ 19,686
0601 Sewer Treatment & Collection -	\$ 387,646	\$ 95,494
0661 Metro Alarm Fund	\$ 1,968	\$ 1,953
0671 Storm Water Fund	\$ 96,487	\$ 3,467
0721 Health Insurance Fund	\$ 5,511	\$ 20,894
0731 Unemployment Compensation Fund	\$ 1,148	\$ 1,186
0741 Fleet Management Fund	\$ 2,899	\$ 3,029
0853 Other Post Employment Benefit	\$ 9,566	\$ 13,937
Total	\$ 736,895	\$ 351,209

* Note: Fund Balance represents unassigned, assigned, restricted and committed reserves.