

City of Memphis

TENNESSEE

A C WHARTON, JR.
MAYOR

December 15, 2015

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

Dear Chairman Crone:

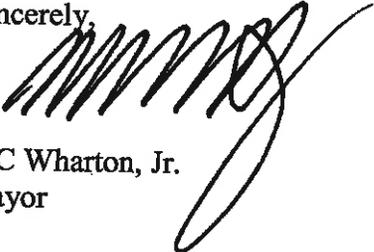
Subject to Council approval, it is my recommendation that:

J. Terence Patterson

be appointed to the Beale Street Tourism Development Authority beginning December 31, 2015 with a term expiring December 31, 2018.

I have attached biographical information.

Sincerely,


A C Wharton, Jr.
Mayor

ACW/lar

c: Council Members



City of Memphis

BIOGRAPHICAL INFORMATION APPOINTMENT TO BOARD/COMMISSION

BEALE STREET TOURISM DEVELOPMENT AUTHORITY
BOARD/COMMISSION

Name: J. TERENCE PATTERSON Race BLACK M F

E-Mail Address: patterson@downtownmemphis.com Fax _____

Profession/Employer: DOWNTOWN MEMPHIS COMMISSION

Business Address: 114 NORTH MAIN STREET Zip 38103 Phone: 901 575-0540

Education: A.B. HARVARD UNIVERSITY / M.B.A. KELLOGG SCHOOL OF MANAGEMENT (NORTHWESTERN)
J.D. NORTHWESTERN UNIVERSITY SCHOOL OF LAW

Name of Spouse: ASHLEY SATTERFIELD PATTERSON Number of Children: 1

Home Address: 1870 PEARBODY GREEN DRIVE Phone: 901 604 2239

City: MEMPHIS State: TN Zip: 38104

I certify that I am a resident of the City of Memphis (Unincorporated areas and surrounding counties are not considered). Yes or No If yes, how long? 5 YEARS

Professional Organization/Associations:

KAPPA ALPHA PSI FRATERNITY, INCORPORATED
STATE BAR OF ILLINOIS

Other Organizations/Association:

THE FIRST TEE OF MEMPHIS, VICE CHAIRMAN
SCS TEACHER AND LEADER EFFECTIVENESS ADVISORY BOARD MEMBER

Other Interests:

KIPP MEMPHIS, BOARD MEMBER
GREEN DOT PUBLIC SCHOOLS TENNESSEE, BOARD MEMBER

Signature

J. Terence Patterson

Date 12/4/2015

J. TERENCE PATTERSON

1870 Peabody Green Drive Memphis, Tennessee 38104
Phone: (901) 604-2239 Email: terence.patterson@gmail.com

PROFESSIONAL EXPERIENCE

- 2015-Present **DOWNTOWN MEMPHIS COMMISSION** Memphis, Tennessee
President and Chief Executive Officer
- Responsible for development, execution and management of aggressive public/private partnerships, initiatives and policies (~\$15M in revenues/expenses and ~\$60M in assets) to promote redevelopment and long-term economic vitality of Downtown Memphis and the Shelby County urban core
 - Leverage complex real estate and finance transactions to optimize reinvestment in the central business improvement district
- 2011-2015 **HYDE FAMILY FOUNDATIONS** Memphis, Tennessee
Education Program Director
- Managed and measured performance of K-12 Education investment portfolio (~\$50M) focused on high performing school models, human capital pipeline, and effective policy advocacy/grassroots efforts
 - Co-created and managed \$240M school turnaround initiative in partnership with Tennessee Achievement School District and Shelby County School District and local and national philanthropic organizations
 - Facilitate local, regional and national partnerships/strategic alliances that improve student outcomes
- 2010-2011 **CHICAGO PUBLIC SCHOOLS** Chicago, Illinois
Interim Executive Officer of New Schools
- Managed over 100 district charter/contract schools and \$3.8M department budget
 - Developed school growth strategy focused on proven, quality operators and high need communities
 - Managed new school authorization and renewal; oversee academic and operational (\$300M) accountability
- Deputy Chief of Staff to Chief Executive Officer*
- Developed strategic direction and education policy processes for the 3rd largest school district in the nation
 - Managed coordination of intergovernmental affairs, strategic communications and community outreach
 - Led district-wide initiatives, such as school improvement grant application, promise neighborhood partnership, post-desegregation decree strategy and capital improvement planning
 - Resolve complex district-wide and school-specific issues which involve external and internal stakeholders
- 2008-2010 **KIRKLAND & ELLIS LLP**
Corporate Associate
- Counseled public and private companies in complex corporate transactions (including mergers, acquisitions and strategic ventures) and general corporate matters
 - Represented clients in all aspects of corporate restructuring, bankruptcy and insolvency proceedings
 - Managed transactional representation of non-profit organizations in the education and health care sectors
- 2006-2008 **CSMG INC.**
Associate Counsel and Director of Football (NFL Certified Contract Advisor)
- Clients among highest paid at Defensive Line, Linebacker, Quarterback and Wide Receiver positions
 - Advised and participated in negotiations of NFL player contracts and related contractual matters
- 2000-2003 **THE WALT DISNEY COMPANY** Burbank, California
Senior Financial Analyst, Corporate Finance and Financial Risk Management
- Performed analyses of Disney and its subsidiaries' assets, which included modeling cash flows, buyouts, joint ventures, sale-leasebacks, securitizations, tender offers, and debt/equity valuations
 - Performed fixed income and equity investment research and analyses for \$2B diversified Investment Portfolio, including allocation, diversification, risk/volatility, and return analysis
 - Executed over \$11B of Debt Capital Markets funding in multiple currencies, including \$5B funding strategy for Fox Family Worldwide acquisition; also developed refinancing strategies for EuroDisney Theme Park
- ## EDUCATION
- 2003-2006 **KELLOGG SCHOOL OF MANAGEMENT** Evanston-Chicago, Illinois
NORTHWESTERN UNIVERSITY SCHOOL OF LAW
Master of Business Administration in Finance & Marketing and Juris Doctor
- Diversity Admissions Fellow, Law School Office of Admissions and Financial Aid
 - Senior Research Thesis, "The Essential Small Business Guide to Going Public"
- 1996-2000 **HARVARD UNIVERSITY** Cambridge, Massachusetts
Bachelor of Arts in Government, Dean's List
- Two-Time All-Conference Selection and Career Reception Leader, Varsity Football
 - Charter President Kappa Alpha Psi Fraternity

TEACHING EXPERIENCE

- Northwestern University School of Law, Lecturer, Professionalism, Organization, Team Advancement and Leadership: Core Principles to the Legal Profession (2008-2010)
- Northwestern University School of Law, Adjunct Professor, Structuring Transactions: A Legal Perspective on Decision Making in Team Sports (2009-2010)

DISTINCTIONS

- Life Member, Kappa Alpha Psi Fraternity (2014)
- "Rival Strategies for Running Schools Put Memphis in Hot Seat," Education Week (2014)
- "Next Generation Leaders" Spotlight, Education Week (2012)
- New Memphis Institute - Masters Program Graduate (2011)
- State Bar of Illinois (2007) and State Bar of Tennessee (comity pending)
- Black Law Students Association Legacy Award, Northwestern University School of Law (2006)

AFFILIATIONS

- Treasurer, Center City Development Corp., Downtown Memphis Commission affiliate (2012-2015)
- Chairman, Shelby County Schools Teacher & Leader Effectiveness Advisory Board (2013-Present)
- Vice Chairman, The First Tee of Memphis (2013-Present)
- Chair-Elect, Admissions Interview Committee, Harvard University Club of Memphis (2013-Present)
- Board Member, KIPP Memphis Collegiate Schools, \$23M annual budget (2011-Present)
- Board Member, Green Dot Public Schools Tennessee, \$18M annual budget (2014-Present)
- Advisory Board Member, New Leaders Memphis (2011-Present)
- Advisory Board Member, National Association of Charter School Authorizers (2012-Present)
- Member, Education Cities National Network (2011-2015)
- Member, Shelby County Schools Transition Advisory Council (2012-2013)
- Member, Community Education Building (Wilmington, DE) School Selection Committee (2012-2014)
- Founder and President, LINK Unlimited (Chicago, IL) Associate Board (2009-2010)

SELECT PROFESSIONAL PRESENTATIONS

- Patterson, J.T. (2014). Moderator & Panelist, "Young Leaders Living the Legacy of the Civil Rights Movement, Leadership Tennessee (at National Civil Rights Museum), Memphis, TN.
- Patterson, J.T. (2014). U.S. Delegate, The Council for the United States and Italy – 30th Young Leaders Conference: Culture, Creativity and Technology, Matera, Italy.
- Patterson, J.T. (2014). Presenter, "Memphis Priority School Talent Strategy," Grantmakers For Education Conference on The Portfolio Approach: Igniting Student Learning, Creating Successful Schools, Denver, CO.
- Patterson, J.T. (2014). Presenter, "Are State Takeover Laws Necessary for School Improvement?," Education Cities (formerly The Cities for Education Entrepreneurship Trust) Annual Network Meeting, San Antonio, TX.
- Patterson, J.T. (2014). Panelist, "Leading Education Reform in Tennessee," Black Alliance for Education Options' (BAEO) Inaugural Thought Leaders Retreat, Orlando, FL.
- Patterson, J.T. (2014). Presenter with B.R. Hyde, "Scaling Smartly to Achieve Citywide Transformation," The Philanthropy Roundtable National Forum on K-12 Education, Boston, MA.
- Patterson, J.T. (2013). Baccalaureate Address, Germantown High School, Germantown, TN.
- Patterson, J.T. (2013). Panelist, "Conversation with Tennessee Colleagues," Arkansas Public School Resource Center, Little Rock, AR.
- Patterson, J.T. (2013). Panelist, "Capacity through Collaboration," Tennessee Achievement School District Opportunity Days, Memphis, TN.
- Patterson, J.T. (2012). Panelist, "Strong Cities, Strong Communities – Cradle to Career Student Data," Discussion with Assistant Deputy Secretary for U.S. Department of Education, Memphis, TN.
- Patterson, J.T. (2010). Commencement Address, Orr Academy High School, Chicago, IL.
- Patterson, J.T. (2008). Speaker, Public Service Recognition Luncheon, Northwestern University School of Law, Chicago, IL.

BEALE STREET TOURISM DEVELOPMENT AUTHORITY

13 Member Board

11 Voting Members

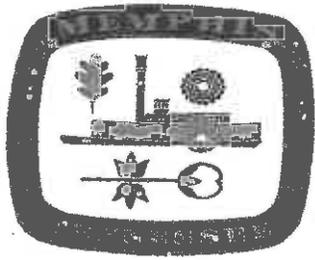
2 Nonvoting Members

3 Year Term

Warner "Ty" Agee	M/W	12-31-16	3yr. Term
Ross A. Boswell	M/W	12-31-17	3yr. Term
Nathaniel Jones	M/B	12-31-17	3yr. Term
Paul Morris	M/W	12-31-16	3yr. Term
Caren B. Nichol	F/W	12-31-18	3yr. Term
Joellyn Sullivan	F/W	12-31-17	3yr. Term
Jason Wexler	M/W	12-31-18	3yr. Term
Jamal Whitlow	M/B	12-31-16	3yr. Term
Archie Willis - resigned	M/B	12-31-18	3yr. Term

Non Voting Members

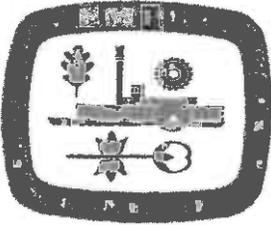
Edmund Ford, Jr.	M/B	12-31-17	3yr. Term
Johnnie Walker	F/B	12-31-16	3yr. Term



Memphis City Council Summary Sheet

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

1. A resolution to authorize the Administration of the City of Memphis to prepare and submit application for Section 108 Loan Guarantee Assistance to the US Department of Urban Development relative to the Union Avenue Mixed Use Development Project and to appropriate and allocate said funds said Project.
2. The initiating party is the Division of Housing and Community Development (CD90104-PPDD Studio).
3. Resolution is not a change to an existing ordinance or resolution.
4. Resolution will require a new contract.
5. Resolution/Project will require expenditure of funds.



RESOLUTION

A resolution to authorize the Administration of the City of Memphis to prepare and submit an application for Section 108 Loan Guarantee Assistance to the U.S. Department of Housing and Urban Development relative to the Union Avenue Mixed Use Development Project and to appropriate and allocate said funds said Project.

WHEREAS, the Council of the City of Memphis supports efforts to insure that the Union Avenue Commercial Corridor (the "Corridor") remains viable as an anchor business district of the community; and

WHEREAS, Belz Investco GP and Harbour Retail Partners (the "Developers") propose to combine three parcels of land located at 1801, 1835 and 1837 Union Avenue to create a mixed use development that will remove 176,000 sf of blighted and vacant buildings and will create a transformational change at one of the most visible corners in the Corridor; and

WHEREAS, subject to the final development scenario, the demolition and redevelopment of the Project site will provide either 188 apartments, 10,521 sf small shop retail, a 30,500 sf anchor grocery tenant and a 513 space parking garage ("Scenario A") or 225 apartments, 24,000 sf of small shop retail and a 501 space parking garage (Scenario "B"); and

WHEREAS, the Developers and the City of Memphis, Tennessee believe that the Union Avenue Mixed Use Development Project (the "Project") will serve as an important element for the revitalization of the Corridor as Scenario A will create 482 new permanent jobs and 511 construction jobs, or in the alternative, Scenario B will create 167 new permanent jobs and 547 construction jobs; and

WHEREAS, economic benefits analyses estimate the total annual economic impact of Scenario A at \$51,798,100 or in the alternative Scenario B at \$17,856,955; and

WHEREAS, the Developers and the City acknowledge that with the acquisition of 1835 and 1837 Union, the properties will become current on its City and County property taxes, with an estimated \$550,000 due to the City of Memphis; and

WHEREAS, the Developer and the City agree the demolition of the existing buildings is complicated due to the nature and condition of the structures; and

WHEREAS, the Council of the City of Memphis recognizes that the financing of the development costs associated with the \$43,000,000+ "Scenario A" project or the \$45,000,000+ "Scenario B" project would not be economically feasible without public support and financial assistance; and

WHEREAS, the City of Memphis hereby acknowledges its commitment to assist the project costs associated with the demolition and infrastructure through a Four Million and 00/100 Dollars (\$4,000,000.00) Section 108 Loan Guarantee Assistance through the U.S. Department of Housing and Urban Development; and

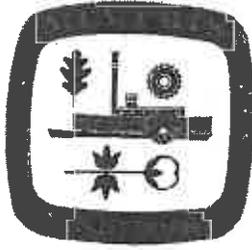
WHEREAS, in an effort to insure the financial sustainability of the project, the City of Memphis hereby acknowledges that Two Million and 00/100 Dollars (\$2,000,000.00) of the financial assistance be provided to the project in the form of a grant, forgivable at five percent (5%) per year over a twenty (20) year term and Two Million and 00/100 Dollars (\$2,000,000.00) of the financial assistance be provided to the project in the form of a loan payable at 0% interest from years one (1) through seven (7) and amortizing at four percent (4%) interest from years eight (8) through twenty (20) for a total repayment of Two Million Nine Hundred Sixty One Sixty Three and 00/100 Dollars (\$2,961,063); and

WHEREAS, in conjunction with its application for the Section 108 Loan Guarantee Assistance through the U.S. Department of Housing and Urban Development and as provided at 24 CFR §570.208 (b), and pursuant to Tennessee Code Annotated §13-20-201, the City of Memphis by and through its Division of Housing and Community Development, will complete an analysis for a determination and designation of spot slum and blight for the project site.

NOW, THEREFORE, BE IT RESOLVED, the City of Memphis, hereby approves funding in the amount of Four Million and 00/100 Dollars (\$4,000,000.00) in Section 108 Loan Guarantee Assistance funds for the Union Avenue Mixed Use Development Project; and

BE IT FURTHER RESOLVED that the Mayor of the City of Memphis, through the Division of Housing and Community Development, is hereby authorized to prepare and submit to the U. S. Department of Housing and Urban Development (“HUD”) an application and all necessary materials for a Section 108 Loan Guarantee Assistance through the U.S. Department of Housing and Urban Development, subject to the regulations found at 24 CFR §570.700, and to take all other actions required for providing Four Million and 00/100 Dollars (\$4,000,000.00), subject to the financial terms listed herein; and

FINALLY BE IT RESOLVED, the Council of the City of Memphis hereby directs the Four Million and 00/100 Dollars (\$4,000,000.00) of Section 108 Loan Guarantee Assistance funds be appropriated and allocated to the Union Avenue Mixed Use Development Project.



Memphis City Council Summary Sheet

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

This resolution is to transfer and appropriate construction funds for street repaving; PW04107 Resurfacing FY2016-Group 4.

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

The Public Works Division is the initiating party of this resolution.

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

No change is required.

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

This project requires a construction contract with Lehman Roberts Company.

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

This project requires an expenditure of \$998,287.96 from CIP budget.

RESOLUTION

This is a resolution to transfer and appropriate construction funds for street repaving, project PW04107 Resurfacing FY2016-Group 4.

WHEREAS, the Council of the City of Memphis approved FY16 CIP Asphalt/Paving, new project number PW01272 as part of the Public Works Fiscal Year 2016 Capital Improvement Budget; and

WHEREAS, bids were taken on November 13, 2015 for Resurfacing FY2016 Group 4, project number PW04107 with the lowest complying bid of two bids being \$998,287.96 submitted by Lehman Roberts Company; and

WHEREAS, it is necessary to transfer an allocation of \$998,287.96 funded by G.O. Bonds – General FY16 Asphalt/ Paving, project number PW01272 to Resurfacing FY2016 Group 4, project number PW04107 for street repaving; and

WHEREAS, it is necessary to appropriate \$998,287.96 funded by G.O. Bonds – General FY16 Asphalt/ Paving, project number PW01272 to Resurfacing FY2016 Group 4, project number PW04107 for street repaving; and

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 and appropriating of \$998,287.96 funded by General Obligations (G.O.) Bonds - from FY16 Asphalt Paving, project number PW01272 to Resurfacing FY2016 Group 4, project number PW04107 for street repaving.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum \$998,287.96 in G.O. Bonds – General chargeable to the Fiscal Year 2016 Capital Improvement Budget and credited as follows:

Project Title:	Resurfacing FY2016-Group 4
Project Number:	PW04107
Amount:	\$998,287.96



Memphis City Council Summary Sheet

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

This resolution is to transfer an allocation and appropriate construction funds for SW02118 Ten Mile Creek Sewer Repair.

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

The Public Works Division is the initiating party of this resolution.

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

No change is required.

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

This project requires a construction contract with VuCON, LLC.

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

This project requires an expenditure of funds.

RESOLUTION

This is a resolution to transfer and appropriate construction funds for SW02118 Ten Mile Creek Sewer Repair to move an existing sewer line away from Ten Mile Creek due to existing creek bank encroaching on the sewer.

WHEREAS, the Council of the City of Memphis approved Rehab Existing Sewer, project number SW02001, as part of the Public Works Fiscal Year 2016 Capital Improvement Budget; and

WHEREAS, bids were taken on November 6, 2015 to move an existing sewer line away from Ten Mile Creek due to existing creek bank encroaching on the sewer; with the lowest complying bid of seven bids being \$371,065.00 submitted by VuCON, LLC.; and

WHEREAS, it is necessary to transfer a construction allocation of \$408,172.00 funded by Capital Pay Go-Sewer in Rehab Existing Sewers, project number SW02001 to Ten Mile Creek Sewer Repair, project number SW02118; and

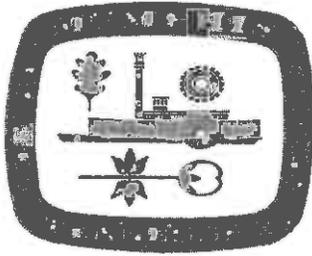
WHEREAS, it is necessary to appropriate \$408,172.00 funded by Capital Pay Go-Sewer in Ten Mile Creek Sewer Repair, project number SW02118 as follows:

Contract Amount:	\$371,065.00
<u>Project Contingencies</u>	<u>\$37,107.00</u>
Total	\$408,172.00

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 a construction allocation of \$408,172.00 funded by Capital Pay Go-Sewer in Rehab Existing Sewers, project number SW02001 to Ten Mile Creek Sewer Repair, project number SW02118 to move an existing sewer line away from Ten Mile Creek due to existing creek bank encroaching on the sewer.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$408,172.00 funded by Capital Pay Go-Sewer chargeable to the FY 2016 Capital Improvement Budget and credited as follows:

Project Title:	Ten Mile Creek Sewer Repair
Project Number:	SW02118
Amount:	\$408,172.00



Memphis City Council Summary Sheet

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

This resolution is to authorize a loan agreement not to exceed \$5.25M from the Closed Loop Fund for the purchase up to 105,000 recycling carts. The Closed Loop Fund is a social impact fund providing zero interest loans to municipalities for recycling infrastructure.

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.

This is not a change to an existing ordinance. It provides the means to expand single stream recycling using 96 gallon recycling carts.

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

This resolution requires a new contract with the Closed Loop Fund.

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

This requires an expenditure of funds from the FY2016 Solid Waste Operating budget in an amount equal to the diversion saving and any revenue generated from the recycled materials.

FACT SHEET

Closed Loop Fund Loan Agreement to Expand Single Stream Recycling in Memphis

1. Unique public and private partnership between Closed Loop Fund and Memphis

- a. Closed Loop Fund is a social impact fund providing zero interest loans to municipalities for recycling infrastructure

2. Overview of loan and program

- a. Closed Loop Fund will loan up to \$5.25M for up to 105,000 single stream carts
- b. Loan will be repaid based on:
 - i. landfill diversion savings and
 - ii. commodity revenue generated and shared with Memphis from ReCommunity's MRF
- c. Tax payers will not be liable to repay loan if program is not successful

3. Benefits of loan and program

- a. Creates local jobs; an estimated 20-25 incremental local jobs will be created with expansion
- b. Saves taxpayer money by
 - i. avoiding a landfill tip fee and
 - ii. generating revenue at ReCommunity's MRF
- c. Provides a positive environmental impact – an estimated 20,000 incremental tons will be recycled and not sent to the landfill annually, offsetting nearly 60,000 tons of GHG or the equivalent of removing 13,000 cars from the road for one year
- d. Reinforces a responsible waste disposal concept
- e. Balances route responsibilities and manpower
- f. Works in tandem with TDEC Funding for Education, Carts

PARKING METER RATE ALTERNATIVES

Current rate is \$1.00 per hour Mon. – Fri. from 8:00 a.m. – 6:00 p.m. with a 2 hour max. time limit. The meter revenue before implementation of the upgraded system averaged \$444,485 per year. The meter revenue for 2014, the first full year of operation for the new system was \$898,445. This more than doubled the previous average yearly revenue.

When the operating, maintenance, and 5 year lease payment costs are factored in, the result is a negative net revenue change of (\$126,586). The net revenue change will result in a positive \$199,514 after the completion of the 5 year lease payments under continuation of the current parking meter rate structure.

Implementation of various rate options will have the effect of offsetting a negative revenue change. The 8 meter coverage areas shown on the meter coverage map have the ability to operate at different rates. The adjustment of the rate depending on historical usage and characteristics of the various areas is a reasonable approach to setting rates. The total yearly revenue that needs to be collected in order to meet a revenue neutral state is **\$1,025,031**. The hourly rate structure alternatives and associated expected annual revenues listed below cover current operating hours.

1 - \$1.25 in Entertainment District, CBD, and Medical District and \$1.00 in all other areas. This rate structure implements a higher rate in the high demand areas. Estimated revenue of **\$1,073,277**.

2 - \$1.25 in all areas. Consistent across the board rate is easy to understand for users. Estimated revenue of **\$1,123,056**.



Memphis City Council Summary Sheet

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

This Ordinance Revision allows the enforceable hours at metered parking locations to be extended.

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

This Ordinance is being initiated by the Division of Engineering.

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

This will be a change to an existing Ordinance.

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

This Ordinance will not require a new contract.

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

This Ordinance will not require an expenditure of funds, or budget amendment.

Council Caption (Parking Meter Ordinance Revision)

A revision to Section 11-44-4 of the City of Memphis, Code of Ordinances to allow the enforceable hours at metered parking locations to be extended.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE 11 – VEHICLES AND TRAFFIC, CHAPTER 11-44 “PARKING METERS”, OF THE CODE OF ORDINANCES, CITY OF MEMPHIS

WHEREAS, the City of Memphis has identified a need to provide short term, on-street parking after hours in the Entertainment District; and

WHEREAS, time limited metered parking increases the amount of available on-street parking by ensuring parking turnover and eliminating long term on-street parking; and

WHEREAS, the current code limits the enforceable hours at metered parking spaces to 8:00am to 6:00pm, Monday - Friday; and

WHEREAS, the City of Memphis, Division of Engineering wishes to update the current code by extending the enforceable hours at metered parking spaces in the Entertainment District and other high demand areas to improve the opportunity for finding available short term, on-street parking after 6:00pm and on the weekend

NOW, THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, That the current Title 11 – Vehicles and Traffic – Chapter 11-44 “Parking Meters”, of the Code of Ordinances, City of Memphis, is hereby amended to read as follows:

Sec. 11-44-1. Duties of the City Engineer.

The City Engineer is directed to provide for the installation, regulation, control, operation, and use of parking meters and multi-space kiosks at such locations as shall be necessary, reasonable and proper, and shall make regulations covering the time which a vehicle may be parked at such locations and the compensation to be paid for the parking of such vehicle.

The City Engineer shall establish and continually update the amounts to be paid for on-street parking on a block-by-block basis to balance demand and supply with the goal of having 85 percent on-street parking occupancy on each block so that drivers may easily find short-term places to park near their destinations.

(Code 1967, § 23-243; Code 1985, § 21-176; Ord. No. 5531, § 1, 8-20-2013)

Sec. 11-44-2. Installation and operation generally.

A. Single-space parking meters.

Single-space parking meters installed shall be placed behind and adjacent to the curb immediately adjacent to the front or rear of the individual parking meter spaces. Each single-space parking meter shall be placed or set in such a manner as to show or display by a signal that the parking meter space adjacent to such meter is or is not legally in use. Each single-space parking meter shall be installed and set to display, upon the deposit of the appropriate form of payment, a signal indicating legal parking for that period of time, conforming to the limit of parking time which has been or may be established for the street upon which such single-space parking meter is installed, and shall continue to operate from the time of the deposit of such payment therein until the expiration of the time fixed as the parking limit for the part of the street upon which such meter is placed. Each single-space meter shall also be arranged so that upon the expiration of the legal parking time, such meter will indicate by mechanical operation or signal that the lawful parking period has expired.

B. Multi-space kiosk.

A "multi-space kiosk" refers to a parking meter for a parking zone in which there is space for more than one vehicle to park. Multi-space kiosks shall be placed behind and adjacent to the curb within the parking zone such multi-space kiosk shall control. Where a multi-space kiosk has been installed, every vehicle shall park adjacent to the curb, (head-in where pavement stall markings dictate angled parking) in the zone controlled by the multi-space kiosk. Each vehicle operator shall deposit in the kiosk the appropriate form and the required amount of payment for the time the vehicle operator intends to park, up to the maximum time limit available. Unless otherwise specified or directed by a kiosk's instructions, each vehicle operator parking in a zone controlled by a multi-space kiosk must obtain and properly display a receipt, ticket, or display device issued by the multi-space kiosk which displays the date and period of time for which parking is legal, up to the maximum time limit available. Proper display of the receipt, ticket, or display device issued by a multi-space kiosk shall consist of displaying the receipt, ticket, or display device on the curbside of the vehicle dashboard in a publicly visible location or affixing the receipt, ticket, or display device to the front lamp of a motorcycle or a motor scooter. A receipt, ticket, or display device issued by a multi-space kiosk may be used to park the operator's vehicle in a parking zone controlled by a different multi-space kiosk prior to the expiration of time on the receipt, ticket, or display device if the parking zone has an equal or greater maximum allowable time limit and the same hourly rate as the parking zone controlled by the multi-space kiosk where the original payment was made.

(Code 1967, § 23-244; Code 1985, § 21-177; Ord. No. 5531, § 1, 8-20-2013)

Sec. 11-44-3. Marking of and parking within metered spaces.

A. Single-space parking meters.

Lines or markings shall be painted or placed upon the curb or upon the street adjacent to each single-space parking meter for the purpose of designating the parking meter space for which

such meter is to be used, and each vehicle parked alongside or next to any single-space parking meter shall park within the lines or markings so established. It is unlawful to park any vehicle across any such line or marking, or to park any vehicle in such a position that the same shall not be wholly within the area so designated by such lines or markings.

B. Multi-space kiosk.

When parking stall markings designating parking spaces are present, the provisions for single space parking meters shall apply. If parking stall markings are not present, official signs shall designate the physical limits or boundaries of the parking zone for multi-space kiosks.

(Code 1967, § 23-245; Code 1985, § 21-178; Ord. No. 5531, § 1, 8-20-2013)

Sec. 11-44-4. Deposit of payment—Overtime parking.

A.

When any vehicle is parked in any parking meter space next to which a single-space parking meter is located, or in a parking zone controlled by a multi-space kiosk, in accordance with the provisions of this chapter and Chapter 11-40, the operator of such vehicle shall, upon entering the parking meter space or parking zone, immediately deposit, or cause to be deposited, the payment indicated on such parking meter or kiosk, and the parking space may then be lawfully occupied by such vehicle during the period of parking time prescribed for the part of the street in which such parking space is located. If any vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space, the single-space parking meter shall ~~display a sign or signal showing illegal parking. The receipt, ticket, or display device~~ issued by a multi-space kiosk shall indicate that the time for legal parking has expired. In that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time in any such part of a street where any such meter or kiosk is located and shall be a violation of this title. Each period of overtime parking beyond the duration of time specified by the parking meter or kiosk shall be considered a separate offense.

B.

No person shall permit a vehicle to remain or to be placed in any parking space adjacent to any single-space parking meter or in a zone controlled by a multi-space kiosk while such meter, or the receipt, ticket, or display device issued by a multi-space kiosk is indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space.

C.

The provisions of this section shall be enforced between the hours of 8:00 a.m., and 11:59 p.m., on every day of the week except on Sunday and the following holidays:

1. Christmas Day;
2. New Year's Day;
3. July Fourth;
4. Thanksgiving Day;

The City Engineer shall have the authority to modify enforcement hours in specific zones, within the above stated parameters, based on parking demand and occupancy. However, the above provisions shall not apply to those areas designated by the City Engineer as areas of public necessity. In such areas so designated, parking meters or kiosks shall specify "twenty-four (24) hours per day each day of the week, holidays included."

D.

No person shall permit a vehicle to remain in any parking space adjacent to any single-space parking meter or parking zone controlled by a multi-space kiosk for a consecutive period of time longer than the maximum period of time provided by the meter or kiosk following a single occurrence of depositing payment. The intent of this provision is to make illegal the practice of purchasing additional time on the meter or kiosk for a single parked vehicle by successive occurrences of depositing payment. This practice is commonly described as "meter feeding."

(Code 1967, § 23-246; Code 1985, § 21-179; Ord. No. 2250, § 1, 5-6-1975; Ord. No. 3110, § 1, 5-12-1981; Ord. No. 3586, § 24, 9-2-1986; Ord. No. 5531, § 1, 8-20-2013)

~~Sec. 11-44-5. Deposit of slugs prohibited.~~

No person shall deposit or cause to be deposited in any parking meter or kiosk, any slug, device or metallic substitute for the coin or other accepted form of payment indicated on the parking meter or kiosk as being required.

(Code 1967, § 23-247; Code 1985, § 21-180; Ord. No. 5531, § 1, 8-20-2013)

Sec. 11-44-6. Injuring or tampering with meters.

No person shall deface, injure, interfere with, open or willfully break, destroy or impair the usefulness of any parking meter or kiosk installed under the provision of this chapter.

(Code 1967, § 23-248; Code 1985, § 21-181; Ord. No. 5531, § 1, 8-20-2013)

Sec. 11-44-7. Daily deposit of route collections required.

The daily route collections of the division of public works shall be deposited daily with the treasurer's office.

(Code 1985, § 21-182; Ord. No. 5531, § 1, 8-20-2013)

SECTION 2. BE IT FURTHER ORDAINED, that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts is held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 3. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this ordinance shall take effect on the later of after it is passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller and become effective as otherwise provided by law.

MYRON LOWERY
Council Chairman

Attest:

Shirley Ford, Comptroller