

City of Memphis

TENNESSEE

A C WHARTON, JR.
MAYOR

December 2, 2014

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

Dear Chairman Flinn:

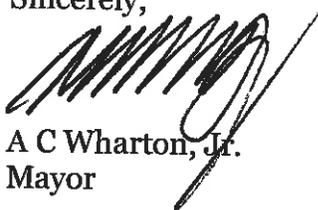
Subject to Council approval, it is my recommendation that:

Jim Ethridge

be appointed to the Memphis and Shelby County Airport Authority with a term expiring December 31, 2020.

I have attached biographical information.

Sincerely,



A C Wharton, Jr.
Mayor

ACW/lar

c: Council Members



City of Memphis

BIOGRAPHICAL INFORMATION APPOINTMENT TO BOARD/COMMISSION

Memphis-Shelby County Airport Authority
BOARD/COMMISSION

Name: Jim D. Ethridge Race White M F

E-Mail Address: Jimethridge@ethridgeenterprises.com Fax 901-754-3054

Profession/Employer: Ethridge Enterprises CEO

Business Address: 1055 N Houston, Levee Road Zip 38018 Phone: 901-756-1000

Education: University of Tennessee, Civil Engineering 3 years

Name of Spouse: Julie Number of Children: 2

Home Address: 507 Rocky Point Road Phone: 901-754-6384

City: Cordova State: TN Zip: 38018

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? 20+

Professional Organization/Associations:

Other Organizations/Association:

Memphis Economic Club; Germantown Charity Horseshow

Other Interests:

Family, Church, Flying and Boating

Signature Jim D. Ethridge Date 11-24-14

BIOGRAPHY

Jim Ethridge is the owner of Ethridge Enterprises, a company involved in the development of residential, commercial and office properties. His active involvement in the Memphis community has included serving as past president of the Germantown Charity Horse Show, a former board member of Lausanne Collegiate School and currently as a member of the board of Kirby Pines Retirement Community. Mr. Ethridge began flying in 1959 and has furthered his interest in aviation on numerous levels. His pilot ratings include single, multi-engine, commercial and instrument fixed wing, as well as, commercial helicopter. Ownership of aircraft including a Baron, Navajo, Commanders, Merlin IIBs and a Westwind I has enhanced his aviation experience over the years. Initially appointed to the Tennessee Aeronautics Commission in 1995, his service continues today as the current Chairman. Jim and his wife Julie live in Memphis and have two children and two grandchildren.

MEMPHIS & SHELBY COUNTY AIRPORT AUTHORITY

7 Member Board

(5) City & (2) County Nominations

Oath of Office Required

7 Year Term

City

Cooper, Pace	M/W	12-31-17	7yr. Term
Gibson, J. W.	M/B	12-31-15	7yr. Term
Hilliard, Herbert	M/B	12-31-14	7yr. Term
Keras Jr., James	M/W	12-31-18	7yr. Term
Wharton, Ruby -resigned	F/B	12-31-12	7yr. Term

County

Sammons, Jack	M/W	12-31-16	7yr. Term
Thompson, Jon K.	M/W	12-31-13	7yr. Term

Kemp Conrad (City Council Liaison)

City of Memphis

TENNESSEE

A C WHARTON, JR.
MAYOR

December 2, 2014

The Honorable Shea Flinn, Chairman
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City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

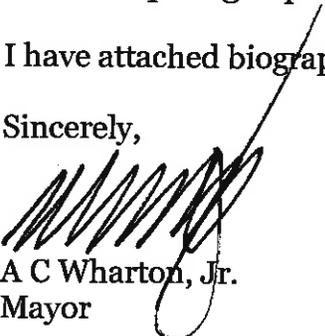
Subject to Council approval, it is my recommendation that:

Carl A. Dunn

be reappointed to the Memphis and Shelby County Plumbing Code Board with
a term expiring September 15, 2017.

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

Plumbing Advisory Board

BOARD/COMMISSION

Name: Carl Allen Dunn Race White M F

E-Mail Address: carl.jennie@gmail.com Fax n/a

Profession/Employer: A H Deveney & CO

Business Address: 5515 Lyford Ave
Memphis, TN. Zip 38119 Phone: 901800-6318

Education: Studied at Memphis State Univ.

Name of Spouse: Jennie Number of Children: 1

Home Address: 5515 Lyford Ave Phone: 901-800-6318

City: Memphis State: TN Zip: 38119

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? _____

Professional Organization/Associations:
Director, Memphis Area Plumbing Association

Other Organizations/Association:

Other Interests:

Signature Carl Allen Dunn Date 11-7-14

Carl Allen Dunn

Carl Allen Dunn is a lifelong Memphian and has been married to Jennie for 47 years.

They have a son Allen. Carl attended school in Memphis where he graduated from White Station High School and attended Memphis State University.

Carl has many years experience as a territory salesman. He is currently with the manufacturers' rep agency A H Deveney & Co.

As Director of the Memphis Area Plumbing Association, Carl helps Memphis plumbers maintain their mission of providing for the safety and welfare of the citizens of Memphis.

Carl can be contacted by e-mail at, carl.jennie@gmail.com (or) cdunn@ahdeveney.com

By phone at 901 800-6318

Attendance Records

M/SC Plumbing Code Board

From January 1, 2014 to October 31, 2014 Total No. of Meetings 1.

Member	Present	Absent
Carl Dunn	1	0



**Memphis City Council
Summary Sheet
Ordinance to Amend Section 13-8-5
of the City of Memphis Code of Ordinances**

1. An Ordinance to amend Section 13-8-5 of the City of Memphis Code of Ordinances to authorize the City to repair sewer and storm lines damaged by third parties and to seek reimbursement for such repair costs.
2. Department of Public Works.
3. This is a change to an existing ordinance.
4. This does not require a new contract or an amendment to an existing contract.
5. This does not require an expenditure of funds or a budget amendment.



An Ordinance to Amend Section 13-8-5 of the City of Memphis, Code of Ordinances to Authorize the City to Repair Sewer Infrastructure Damaged by Third Parties and to Seek Reimbursement for Such Repair Costs and Resulting Damages

WHEREAS, , the Division of Public Works has discovered numerous locations where utility or fiber optic lines and other materials have been installed or placed into the public sewer without the City's consent; and

WHEREAS, the Division has discovered that damage to the sanitary sewer lines have occurred as a result of construction related activities initiated without regard to the location of sanitary sewer infrastructure; and

WHEREAS, the unlawful presence of such materials or physical damage obstruct and in some instances has resulted in damage to the public sewer; and

WHEREAS, the administration believes it to be in the best interest of the City and the citizens of Memphis that Section 13-8-5 of the City Code be further clarified to address the City's remedies in the instance of obstruction or damage to the public sewer;

NOW THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that subsection C. of Section 13-8-5 of the City of Memphis Code of Ordinances be amended to read as follows:

C. No unauthorized person shall enter into or alter any manhole or similar appurtenance of any public sewer, place or cause to be placed anything therein or interfere therewith. No person shall insert or place in any public sewer, manhole or other appurtenance thereof any debris or other materials which such sewer manhole or appurtenance thereof was not intended to receive. City may remove or require the removal of any unauthorized materials or substances from the public sewer, repair or replace damaged infrastructure, and shall seek reimbursement of all costs, expenses and resulting damages incurred by City. Any removal or repair work undertaken by City may be performed directly by City workforces or City may engage the services of a contractor to perform such work.

SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

Jim Strickland, Chairman
Memphis City Council

ATTEST:

Comptroller



**Memphis City Council
Summary Sheet
CIPP Annual Contract 2015**

1. This is an annual construction project to repair and rehab existing damaged sanitary sewer pipe using cured in place technology at various locations.
2. This item is being submitted by Public Works (Environmental Engineering)
3. This item does not change an existing ordinance or resolution.
4. This item does require a new contract.
5. This item requires an expenditure of funds.
6. The MWBE Goal for this project was 7%.

This is a resolution to transfer and appropriate construction funds to repair and rehab existing damaged sanitary sewer pipe at various locations.

WHEREAS, the Council of the City of Memphis approved Rehab Existing Sewers, project number SW02001, as part of the Public Works Fiscal Year 2015 Capital Improvement Budget; and

WHEREAS, bids were taken on November 21, 2014 for the installation of cured in place pipe at various locations with the lowest complying bid of five bids being submitted by Moore Construction Co., Inc.; and

WHEREAS, it is necessary to transfer a construction allocation of \$1,650,000.00 funded by Capital Pay Go-Sewer in Rehab Existing Sewers, project number SW02001 to Install CIPP Annual 2015, project number SW02131; and

WHEREAS, it is necessary to appropriate \$1,650,000.00 funded by Capital Pay Go-Sewer in Install CIPP Annual 2015, project number SW02131 as follows:

Contract Amount	\$1,500,000.00
Project Contingencies	<u>150,000.00</u>
Total Amount	\$1,650,000.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2015 Capital Improvement Budget be and is hereby amended by transferring a construction allocation of \$1,650,000.00 funded by Capital Pay Go-Sewer in Rehab Existing Sewers, project number SW02001 to Install CIPP Annual 2015, project number SW02131 to repair and rehab existing damaged sanitary sewer pipe various locations.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$1,650,000.00 funded by Capital Pay Go-Sewer chargeable to the FY 2015 Capital Improvement Budget and credited as follows:

Project Title	Install CIPP Annual 2015
Project Number	SW02131
Total Amount	\$1,650,000.00



Memphis City Council Summary Sheet

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

Resolution to provide MATA with \$100,000 in FY15 CIP funding as the local match for a \$1,000,000 grant to construct ADA curb ramps along Memphis City streets.

2. 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.

New resolution

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

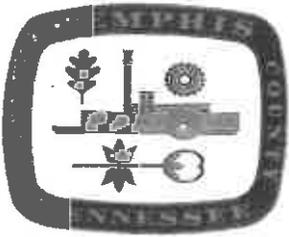
This resolution does not require a new contract or the amending of an existing contract.

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

This resolution requires the transfer of \$100,000 from PW04007 to MATA as follows:

PW04007 FY15(Const): \$100,000

City Council Resolution



A resolution to provide MATA with \$100,000 in FY15 CIP funding as the local match for a \$1,000,000 grant to construct ADA curb ramps along Memphis City streets.

WHEREAS, Since 1998 the City has had as a goal to construct 1,000 ADA curb ramps per year to comply with the Americans with Disabilities Act; and

WHEREAS, Since 1998 the City has installed 16,480 curb ramps with 13,168 remaining curb ramps yet to be built; and

WHEREAS, the Council of the City of Memphis approved as part of the FY15 CIP Budget, PW04007-ADA Curb Ramps with \$500,000 in reprogrammed funding and \$1,000,000 in new funding to continue constructing ADA curb ramps; and

WHEREAS, the Memphis Area Transportation Authority (MATA) has been awarded a New Freedom grant known as TN-57-X007-03 which provides \$900,000 in State and Federal funding for the construction of ADA curb ramps along State routes as long as \$100,000 in local funding is provided; and

WHEREAS, MATA has requested that the City of Memphis provide \$100,000 in local matching funds from PW04007 ADA Curb Ramps so that \$900,000 in grant funding can be accepted by MATA for the construction of ADA curb ramps.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that \$100,000 in FY15 CIP funds be transferred from CIP Project No. PW04007 (ADA Curb Ramps) to MATA for the purpose of constructing ADA Curb Ramps under the New Freedom Grant.



Memphis City Council Summary Sheet

1. Description of the Item

A Resolution requesting City Council Approval to accept 300 free copies of the *Peter Rabbit* book, *On Your Mark, Get Set, Hop!*, staff resources and posters, from the National Recreation and Park Association (NRPA) on behalf of the Alliance for a Healthier Generation, to be distributed during community center out-of-school time programs beginning Fall 2014.

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

The Division of Parks and Neighborhoods

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

NO

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

NO

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

No City funds are required. The Alliance is funding the books at no cost to the City.



A Resolution to accept 300 free copies of the *Peter Rabbit* book, *On Your Mark, Get Set, Hop!*, staff resources and posters, from the National Recreation and Park Association (NRPA) on behalf of the Alliance for a Healthier Generation, to be distributed during community center out-of-school time programs.

WHEREAS, the City of Memphis Division of Parks and Neighborhood has been notified by National Recreation and Park Association (NRPA) on behalf of the Alliance for a Healthier Generation (Alliance) that Recreation Services has been selected to receive 300 free copies of the *Peter Rabbit* book, *On Your Mark, Get Set, Hop!*, staff resources and posters; and

WHEREAS, the City of Memphis Division of Parks and Neighborhoods desires to distribute the 300 books during community center out-of-school time programs beginning Fall 2014; and

WHEREAS, the Alliance, the National AfterSchool Association, and Nickelodeon have joined forces with Penguin Young Readers Group in a campaign to educate children and their families about the importance of healthy eating habits and being active; and

WHEREAS, the Alliance for a Healthier Generation will fund the award to the City of Memphis at no cost to the City due to the City being one of NRPA's Out-of-School Time Program grantees.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis to accept 300 free copies of the *Peter Rabbit* book, *On Your Mark, Get Set, Hop!*, staff resources and posters, from the National Recreation and Park Association (NRPA) on behalf of the Alliance for a Healthier Generation, to be distributed during community center out-of-school time programs beginning Fall 2014 at no cost to the City.

BE IT FURTHER RESOLVED, by the Council of the City of Memphis to accept the award.



Memphis City Council Summary Sheet

1. Description of the Item

A Resolution requesting City Council Approval for the acceptance from University of Mississippi National Food Service Management Institute (NFSMI) Chefs Stay After School program, a one-time award of a chef and all materials and supplies to conduct a one-hour culinary class at three (3) different community centers.

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

The Division of Parks and Neighborhoods

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

NO

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

NO

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

No City funds are required. NFSMI, part of the School of Applied Science at the University of Mississippi, is funding this project at no cost to the City.



A Resolution to accept from the grantor, University of Mississippi National Food Service Management Institute (NFSMI) Chefs Stay After School program, a one-time award of a chef and all materials and supplies to conduct a one-hour culinary class at three (3) different community centers.

WHEREAS, the City of Memphis Division of Parks and Neighborhood has been notified by University of Mississippi National Food Service Management Institute (NFSMI) Chefs Stay After School Program that Recreation Services has been selected to receive a one-time award of a chef and all materials and supplies to conduct a one-hour culinary class at three (3) different community centers; and

WHEREAS, the City of Memphis Division of Parks and Neighborhoods desires to schedule the one-hour culinary classes during the OrganWise nutritional literacy and physical activity afterschool program at three (3) community centers prior to January 2015; and

WHEREAS, NFSMI, part of the School of Applied Science at the University of Mississippi, is the only federally funded national center dedicated to applied research, education and training, and technical assistance for child nutrition programs; and

WHEREAS, NFSMI Chefs Stay After School program will fund the award to the City of Memphis at no cost.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis to accept the NFSMI Chefs Stay After School one-time award, a chef and all materials and supplies to conduct a one-hour culinary class at three (3) different community centers at no cost to the City of Memphis.

BE IT FURTHER RESOLVED, by the Council of the City of Memphis to accept the award.



Memphis City Council Summary Sheet

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

This item is a resolution that accepts and appropriates grant funds up to \$75,947.81 from United Way of Metropolitan Nashville for Memphis Public Library & Information Center for Food Stamp Outreach by LINC/2-1-1.

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

The City of Memphis Division of Parks and Neighborhoods, Memphis Public Library and Information Center has drafted this resolution and is recommending City Council approval.

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

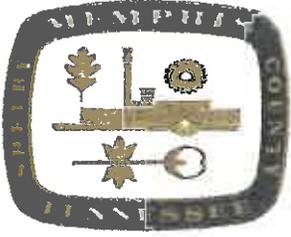
N/A

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

This amendment requires a new contract with United Way of Metropolitan Nashville and the City of Memphis.

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

This program requires a FY15 budget amendment to accept and appropriate grant funds up to the amount of \$75,947.81 from United Way of Metropolitan Nashville for Food Stamp Outreach by LINC/2-1-1.



A Resolution to accept funding for Memphis Public Library for LINC/2-1-1 Food Stamp Outreach from United Way of Metropolitan Nashville.

WHEREAS, the City of Memphis, Division of Parks and Neighborhoods, Memphis Public Library and Information Center have received grant funds up to the amount of Seventy Five Thousand Nine Hundred Forty Seven Dollars and Eighty One Cents (\$75, 947.81) from United Way of Metropolitan Nashville; and

WHEREAS, all these funds will be used for Food Stamp Outreach to raise awareness of the services provided by LINC/2-1-1; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Seventy Five Thousand Nine Hundred Forty Seven Dollars and Eighty One Cents (\$75,947.81) for Food Stamp Outreach by LINC/2-1-1; and

NOW, THEREFORE, BE IT RESOLVED by the council of the City of Memphis that up to \$75,947.81 for Food Stamp Outreach by LINC/2-1-1 be accepted by the City of Memphis

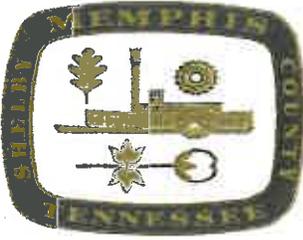
BE IT FURTHER RESOLVED, that the Fiscal Year 2015 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for LINC/2-1-1 Food Stamp Outreach up to the amount of Seventy Five Thousand Nine Hundred Forty Seven Dollars and Eighty One Cents (\$75,947.81) as follows:

Revenue

United Way of Metropolitan Nashville	Up to \$75,947.81
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Expense

Food STAMP Outreach by LINC/2-1-1	\$12,090.00
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Memphis City Council Summary Sheet

- 1. This Resolution seeks approval to appropriate FY15 funding in accordance with the Overton Park Management Agreement contract between the City of Memphis and the Overton Park Conservancy.**
- 2. The initiating party is the Division of Parks and Neighborhoods.**
- 3. This Resolution does not change any existing Ordinance or Resolution.**
- 4. This Resolution does not require a new contract.**
- 5. This Resolution does require an expenditure of funds in the amount of \$29,000.00.**



***Resolution appropriates funds in PK07114 – Parks Cover Line
for improvements to Overton Park.***

WHEREAS, the Council of the City of Memphis did include Overton Park Improvements, CIP Project Number PK07114 as part of the Fiscal Year 2015 Capital Improvement Program; and

WHEREAS, the City of Memphis has entered into a Management Agreement with the Overton Park Conservancy which provides for the procedures for the use and payment of the current and future Capital Appropriations; and

WHEREAS it is necessary to appropriate \$29,000.00 funded by G.O. Bonds General, in Construction funds for Overton Park Improvements, CIP Project Number PK07114.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$29,000.00, in Construction funds, funded by G. O. Bonds General, chargeable to the Fiscal Year 2014 Capital Improvement Budget; with said appropriations being credited as follows:

Project Title:	Parks Cover Line
Project Number:	PK07114
Amount:	\$29,000.00

Memphis City Council Resolution

WHEREAS, the City of Memphis and Shelby County, over the past few years, have been severely struck by rain events that have brought historic levels of rain and caused considerable damage and destruction across our city; and

WHEREAS, on September 11, 2014, this community was again hit hard with some areas receiving nine inches of rain and certain neighborhoods experiencing massive flooding that caused considerable damage to their homes and personal property; and

WHEREAS, for the citizens who have endured flood waters so high that they were stranded in their homes or had to be rescued from their vehicles when the roadway was covered with rising water, every forecast of impending severe weather brings trepidation and fear that they will again experience flooding and costly damage to their property; and

WHEREAS, for those residents impacted by heavy rain events, the County's or State's collective damage amount necessary to reach the minimal threshold required for a federal or statewide declaration of disaster is sometimes not met, leaving citizens desperate for immediate aid and assistance; and

WHEREAS, the Memphis City Council desires to bridge the gap when there is no disaster aid available or other viable resources that they can access, by providing coverage to impacted homeowners, renters and small business owners through the creation of a Disaster Recovery Assistance Program; and

WHEREAS, application to the Disaster Recovery Assistance Program can be made when damage is directly attributable to and verifiably the result of a naturally occurring storm or event or disaster where the Office of Emergency Management has designated a disaster impact area.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the amount of \$250,000 is provided from the reserve fund or Storm Water Fund (if applicable), and an additional amount of \$250,000 from Shelby County Government to establish the Disaster Recovery Assistance Program.

BE IT FURTHER RESOLVED that the basic parameters as described in the program description (see attached) along with guidelines and qualifications will be submitted to the Council within 30 days of the approval of these funds.

ADOPTED:

Harold Collins

Memphis and Shelby County Disaster Recovery Assistance Program

Background:

Severe thunderstorms and heavy rains frequently affect the City of Memphis and Shelby County leaving significant damage. The overall amount of damage may not reach the threshold required for a presidential or statewide declaration of disaster. Recognizing that individual citizens and businesses may be adversely affected, even at a lesser scale, a Disaster Recovery Assistance Program has been created to provide immediate recovery assistance to victims and to address gaps in coverage for impacted homeowners, renters and small business owners.

Purpose:

To make available financial resources for the purpose of providing supplemental recovery assistance as quickly as possible in the aftermath of natural disasters that impact homeowners, renters and small businesses, for which insurance or other disaster recovery assistance is not available. The Disaster Recovery Assistance Program is not intended to, and may not cover all of an individual's losses or all damage to affected homes or businesses, and/or personal property. Furthermore, this Program is not intended to replace or supplant assistance available to those impacted through existing insurance policies or other available disaster aid or assistance.

Fund Administration:

The Disaster Recovery Assistance Program (the "Program") in partnership with the City of Memphis and Shelby County and in coordination with the Office of Emergency Management (OEM), the Office of Preparedness and Homeland Security and others.

Qualifications:

The Office of Emergency Management will designate disaster impacted areas within (time frame) Under the Program, homeowners, renters and small business owners located in specifically designated disaster impacted areas **MAY** be eligible to receive supplemental disaster recovery assistance funding, subject to the documentation of disaster-related damage, documentation of uninsured losses and the availability of funds.

Damage **MUST** be directly attributable to and verifiably the result of a naturally occurring storm event or disaster where the OEM has designated a disaster impact area, but that is not otherwise eligible for a State or Federal disaster declaration(s) and/or sources of disaster aid.

Affected homeowners, renters and small businesses **MUST** effectively and accurately demonstrate losses that are **NOT** covered by individual or group private insurance policies, including but not limited to homeowners, personal property, flood or other similar insurance policies.

Other Program requirements and conditions may apply.

Award Minimums/Maximums:

Homeowners and Renters:

\$100; Minimum to a \$5,000 Maximum

Small Businesses:

500; Minimum to a \$10,000 Maximum

Application For and Disbursement of Funds:

Affected homeowners, renters and small business owners who meet the aforementioned qualifications, or are otherwise eligible for assistance, must submit an application for assistance **no later than 25 days** following the announcement of the program.

Assistance will be provided to eligible applicants in one of two distribution methods:

- **Immediate assistance** in the minimum amount of \$100 for homeowners and renters and a minimum amount of \$500 for small businesses will be made available to cover the urgent recovery need(s) of applicants providing sufficient supporting documentation of incurred expenses related to disaster recovery efforts. Documentation may include, though is not limited to receipts, invoices, contractor estimates, analyses and estimates prepared by independent third party verifiers such as insurance companies or structural engineers. An additional amount of assistance, up to the maximum allowable for the Program (\$5,000 Homeowners/Renters; \$10,000 Small Businesses) will be made available upon the submission, review and certification of subsequent documentation for related and eligible recovery costs. Additional assistance documentation *may* be submitted after the application deadline but no later than six (6) months after the announcement of the program. Further, applicants may receive no more than three (3) disbursements from the Program.
- **Full assistance** up to the maximum amount allowable for the Program (\$5,000 Homeowners/Renters; \$10,000 Small Businesses) will be made available upon the submission, review and certification of receipts, invoices, contractor estimates, or insurance estimates for related and eligible recovery costs, if these documents are furnished at the initial point of application.

Memphis City Council Resolution

WHEREAS, the Memphis City Council previously approved moratoriums on the issuance of sidewalk notices to property owners for damaged sidewalks; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the moratorium which was extended until January 6, 2015, is hereby extended for six months or sooner if the Administration returns with a process consistent with the Council's wishes.

Harold Collins



Memphis City Council Summary Sheet

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

This item is a resolution to accept grant funds from the State of Tennessee Department of Labor and Workforce Development in the amount of \$2,604,545.00 These funds will be used for the WIA Title One Dislocated Worker Program.

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

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

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

This is a new grant award, pending council acceptance.

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

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

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

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



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

WHEREAS, the City of Memphis Workforce Investment Network has received grant funds in the amount of Two Million, Six Hundred Thousand Four, Five Hundred Forty Five Dollars, (2,604,545.00) from the State of Tennessee Department of Labor and Workforce Development; and

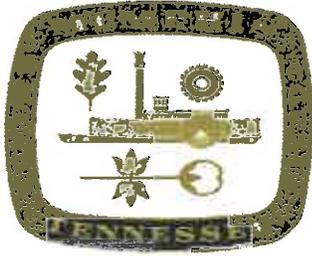
WHEREAS, these funds will be used to provide a contingency fund for WIA Title One Dislocated Worker Program; and

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

WHEREAS, it is necessary to appropriate the grant funds in the amount of Two Million, Six Hundred Thousand Four, Five Hundred Forty Five Dollars, (\$2,604,545.00) for the WIA Title One Dislocated Worker;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the WIA Title One Dislocated Worker Program in the amount of Two Million, Six Hundred Thousand Four, Five Hundred Forty Five Dollars (\$2,604,545.00) be accepted by the City of Memphis

BE IT FURTHER RESOLVED, that the Fiscal Year 2015 Operating Budget be and is hereby amended by appropriation the Expenditures and Revenues for the WIA Title One Dislocated Worker Program in the amount of Two Million, Six Hundred Thousand Four, Five Hundred Forty Five Dollars, (\$2,604,545.00).



Memphis City Council Summary Sheet

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

This item is a resolution to accept grant funds from the State of Tennessee Department of Labor and Workforce Development in the amount of \$2,386,138.00. These funds will be used for the WIA Title One Adult Program.

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

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

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

This is a new grant award, pending council acceptance.

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

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

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

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



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

WHEREAS, the City of Memphis Workforce Investment Network has received grant funds in the amount of Two Million, Three Hundred Eighty Six Thousand, One Hundred Thirty Eight Dollars, (\$2,386,138.00) from the State of Tennessee Department of Labor and Workforce Development; and

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

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

WHEREAS, it is necessary to appropriate the grant funds in the amount of Two Million, Three Hundred Eighty Six Thousand, One Hundred Thirty Eight Dollars, (\$2,386.138.00) for the WIA Title One Adult Program;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the WIA Title One Adult Program in the amount of Two Million, Three Hundred Eighty Six Thousand, One Hundred Thirty Eight Dollars, (\$2,386,138.00) be accepted by the City of Memphis

BE IT FURTHER RESOLVED, that the Fiscal Year 2015 Operating Budget be and is hereby amended by appropriation the Expenditures and Revenues for the WIA Title One Adult Program in the amount of Two Million, Three Hundred Eighty Six Thousand, One Hundred Thirty Eight Dollars, (\$2,386,138.00).

RESOLUTION NO. _____

**A RESOLUTION TO ESTABLISH THE BEALE STREET
TOURISM DEVELOPMENT AUTHORITY**

WHEREAS, Beale Street is the number one tourist attraction in the State of Tennessee and was recently named America's favorite iconic street by USA Today; and

WHEREAS, Beale Street is of enormous cultural and historical significance; and

WHEREAS, pursuant to the legislation known as the "Tourism Development Authority Act," codified at Tenn. Code Ann. § 7-69-101 et seq., the City of Memphis is authorized to create a tourism development authority; and

WHEREAS, it is the desire of the Mayor and the Council of the City of Memphis to establish a tourism development authority specifically dedicated to that property known as the Beale Street Historic District and that property known as Handy Park, which shall be known as the Beale Street Tourism Development Authority; and

WHEREAS, the purposes of the Beale Street Tourism Development Authority shall be to provide oversight of the development and management of Beale Street and further expand the vibrancy of Beale Street with new investment and greater connectivity to the rest of Downtown Memphis; and

WHEREAS, the Beale Street Tourism Development Authority created pursuant to the Tourism Development Authority Act shall be a public body corporate and politic which performs a public function on behalf of the City of Memphis; and

WHEREAS, the Beale Street Tourism Development Authority created pursuant to the Tourism Development Authority Act shall be a public and governmental body acting as an agency and instrumentality of the City of Memphis; and

WHEREAS, pursuant to the Tourism Development Authority Act, any acquisition, operating and financing of any project by the created Beale Street Tourism Development Authority shall be for a public and governmental purpose and a matter of public necessity; and

WHEREAS, the Beale Street Tourism Development Authority shall encourage and support the inclusion of minority-owned, women-owned, and locally-owned small businesses in its projects through the formulation and implementation of a diversity plan;

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to acquire, whether by purchase, construction, exchange, gift, lease, or otherwise, and design, plan, site, improve, repair, extend, equip, furnish, operate and maintain one (1) or more projects, which projects shall be within the jurisdictional boundaries of the Beale Street Tourist Development Authority, as set forth herein, including all real and personal properties that the Board of Directors of the Authority may deem necessary in connection with the projects and regardless of whether or not any such projects shall then be in existence, and including the power to demolish any existing structures as may be on sites acquired when such structures are not needed for the project; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to appoint agents and employees, describe their qualifications and fix their compensation; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to operate, maintain, manage, and enter into contracts for the operation, maintenance and management of any project undertaken, and to make rules and regulations with regard to such operation, maintenance and management; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to employ, contract with, fix the compensation of, and discharge engineering, architectural, legal, financial and other professional experts, consultants, agents and employees as may be necessary to carry out the purposes of the Tourism Development Authority Act and to provide for the proper construction, operation and maintenance of any project; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to lease, rent and contract for the operation of all or any part of any project, and charge and collect rent for the project and terminate any such lease upon the failure of the lessee to comply with any of the obligations of the lease and include in or exclude from any such lease provisions that the lessee shall have the option to renew the term of the lease for such period or periods and at such rent as shall be determined by the Board of Directors; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to lease such space in a project as from time to time may not be needed for related purposes to any other person, corporation, partnership or association for such

purposes as the Board of Directors may determine are in the best interest of the Beale Street Tourism Development Authority or will help facilitate the purposes for which the Beale Street Tourism Development Authority was created, and upon such terms and in such manner as the Board of Directors may determine; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to fix and collect fees and charges for the use of any and all of the projects of the Beale Street Tourism Development Authority; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to make contracts, including, without limitation, contracts with service providers; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to sell, exchange, donate, and convey any or all of its properties, whenever the Board of Directors shall find any such action to be in furtherance of the purposes for which the Beale Street Tourism Development Authority was organized; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to procure and enter into contracts for any type of insurance or indemnity against loss or damage to property from any cause, including loss of use and occupancy, against death or injury of any person, against employer's liability, against any act of any member, officer or employee of the Authority in the performance of the duties of such person's office or employment, or any other insurable risk, as the Board of Directors, in its discretion, may deem necessary; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to accept donations, contributions, revenues, capital grants or gifts from any individuals, associations, public or private corporations, and municipalities, the state of Tennessee or the United States, or any agency or instrumentality of the state of Tennessee or the United States, for or in aid of any of the purposes of the Tourism Development Authority Act and enter into agreements in connection with the donations, contributions, revenues, capital grants or gifts; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including but not limited to all powers incidental to or necessary to obtain such licenses, permits, approvals and accreditations

as the Beale Street Tourism Development Authority deems necessary in connection with any project; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to borrow money from time to time and, in evidence of any obligation incurred, issue and, pursuant to Tenn. Code Ann. § 7-69-111, sell its revenue bonds in accordance with the Tourism Development Authority Act and the applicable provisions of title 9, chapter 21, in such form and upon such terms as its Board of Directors may determine, payable out of any revenues of the Beale Street Tourism Development Authority, including grants or contributions or other revenues specifically provided to the Beale Street Tourism Development Authority, for the purpose of financing the cost of any project and refund and refinance, from time to time, bonds so issued and sold, as often as may be deemed to be advantageous by the Board of Directors; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited to all powers incidental to or necessary to mortgage and pledge as security for the payment of the principal of and interest on any bonds so issued and any agreements made in connection with the bonds, any or all of the projects or any part or parts of the projects, whether then owned or thereafter acquired; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all the powers granted under the Tourism Development Authority Act, including but not limited to all powers incidental or necessary to exercise all powers expressly given under the Tourism Development Authority Act, as amended from time to time, and establish bylaws and make all rules and regulations not inconsistent with the Tourism Development Authority Act, deemed expedient for the management of the affairs of the Beale Street Tourism Development Authority; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all the powers granted under the Tourism Development Authority Act, including but not limited to all powers incidental or necessary to participate as a joint venturer in a joint venture or as a member in a nonprofit corporation that attracts and promotes tourism or performs activities related to the exercise of any power granted to a tourism development authority, including the power to elect all or any of the members of the board of directors of any nonprofit corporation of which the Beale Street Tourism Development Authority is a member and has the power to so elect under the nonprofit corporation's charter and bylaws, and including the power to accomplish and facilitate the creation, establishment, acquisition, operation or support of any such joint venture or nonprofit corporation, by means of loans of funds, acquisition or transfer of assets, leases of real or personal property, gifts and grants of funds or guarantees of indebtedness of such joint venture or nonprofit corporation; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited all powers and authority incidental or necessary to issue its bonds in accordance with the Tourism Development Authority Act and in accordance with the Local Government Public Obligations Law, compiled in title 9, chapter 21, and for such purposes the bonds shall be treated as revenue obligations of the Beale Street Tourism Development Authority under the Tourism Development Authority Act, in order to finance the costs of any project; the payment of the costs of issuance of such bonds, including underwriter's discount, financial advisory fee, preparation of the definitive bonds, preparation of all public offering and marketing materials, advertising, credit enhancement, and legal, accounting, fiscal and other similar expenses; reimbursement of the Beale Street Tourism Development Authority for moneys previously spent by the Beale Street Tourism Development Authority for any of the foregoing purposes; and the establishment of reasonable reserves for the payment of debt service on such bonds, for repair and replacement of any project, or for such other purposes as the Board of Directors shall deem necessary and proper in connection with the issuance of any bonds and operation of any project for the benefit of which the financing is being undertaken; and

WHEREAS, the Beale Street Tourism Development Authority shall be vested with all powers granted under the Tourism Development Authority Act, including, but not limited all powers and authority incidental or necessary to issue its bonds to refund and refinance outstanding bonds of the Beale Street Tourism Development Authority heretofore or hereafter issued or lawfully assumed by the Authority; provided, that in accordance with title 9, chapter 21, the Beale Street Tourism Development Authority shall request a report on any proposed refunding from the office of the comptroller. The proceeds of the sale of the bonds may be applied to the payment of the principal amount of the bonds being refunded and refinanced; the payment of the redemption or tender premium thereon, if any; the payment of unpaid interest on the bonds being refunded, including interest in arrears, for the payment of which sufficient funds are not available, to the date of delivery or exchange of the refunding bonds; the payment of fees or other charges incident to the termination of any interest rate hedging agreements, liquidity or credit facilities, or other agreements related to the bonds being refunded and refinanced; the payment of interest on the bonds being refunded and refinanced from the date of delivery of the refunding bonds to maturity or to, and including, the first or any subsequent available redemption date or dates on which the bonds being refunded may be called for redemption; the payment of the costs of issuance of the refunding bonds, including underwriter's discount, financial advisory fee, preparation of the definitive bonds, preparation of all public offering and marketing materials, advertising, credit enhancement, and legal, accounting, fiscal and other similar expenses, and the costs of refunding the outstanding bonds, including the costs of establishing an escrow for the retirement of the outstanding bonds, trustee and escrow agent fees in connection with any escrow, and accounting, legal and other professional fees in connection therewith; and the establishment of reserves for the payment of debt service on such bonds, for repair and replacement of any project, or for such other purposes as the Board of Directors shall deem

necessary and proper in connection with the issuance of any bonds and operation of any project for the benefit of which the refunding or refinancing is being undertaken.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and there hereby is created a Tourism Development Authority to be known as the Beale Street Tourism Development Authority, said Authority having all the responsibilities and powers set forth in Tenn. Code Ann. § 7-69-101 et seq., Chapter 846 of the Public Acts of 2012, known as the Tourism Development Authority Act, as amended from time to time;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is declared to be a public body corporate and politic, performing a public function on behalf of the City of Memphis, a public and governmental body acting as an agency and instrumentality of the City of Memphis, and that any acquisition, operating, and/or financing of any project is declared to be for a public and governmental purpose and a matter of public necessity;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the purposes of the Beale Street Tourism Development Authority are to provide oversight of the development and management of Beale Street and to further expand the vibrancy of Beale Street with new investment and greater connectivity to the rest of Downtown Memphis;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is authorized and empowered, to the extent permitted by the Tourism Development Authority Act and any and all other applicable federal, state, and local laws, to act as the tourism development authority for that property known as the Beale Street Historic District and that property known as Handy Park;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the City of Memphis shall retain its fee ownership of and interest in all that property known as the Beale Street Historic District;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that, upon the appointment of the initial Board of Directors of the Beale Street Tourism Development Authority, the Board of Directors shall diligently proceed to identify and retain professional and qualified development and management services for the day-to-day operations of the Beale Street Historic District and Handy Park as well as the planning and development of the district's potential with new investment and greater connectivity to the rest of Downtown Memphis;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that, effective upon the retention by the Board of Directors of the Beale Street Tourism Development Authority of such management and development services, pursuant to Tenn. Code Ann. § 7-69-110, the City of Memphis Administration is empowered and authorized to assign to the Beale Street Tourism Development Authority that leasehold interest assigned to the City of Memphis in that

certain Assignment and Assumption of Sublease, Merchant Subleases, and Ancillary Property Agreement, dated March 20, 2014, in the Beale Street Historic District, including all rights, powers, and responsibilities granted thereby, and such interests, rights, powers, and responsibilities conveyed to the Downtown Memphis Commission in that certain Memorandum of Understanding Between the City of Memphis and Downtown Memphis Commission regarding the Interim Management of Beale Street, dated December 10, 2013;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the City of Memphis shall ensure sufficient funding to the Beale Street Tourism Development Authority for the initial administration of the Authority, which funding shall come from income earned from Beale Street and not from the General Fund of the City of Memphis;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with any and all powers and authority available to tourism development authorities pursuant to the Tourism Development Authority Act, codified at Tenn. Code Ann. § 7-69-101, et seq., as amended from time to time, including all powers incidental to or necessary for the performance of those powers set forth in the Tourism Development Authority Act and/or set forth herein, in connection with its purposes related to Beale Street as set forth herein within the Beale Street Historic District and Handy Park, including the power to oversee, regulate, condition, and maintain the means and methods of access to the Beale Street Historic District and Handy Park to the extent permitted by law, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and the parties, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to acquire, whether by purchase, construction, exchange, gift, lease, or otherwise, and design, plan, site, improve, repair, extend, equip, furnish, operate, and maintain one or more projects, in connection with its purposes, which projects shall be within the Beale Street Historic District and/or Handy Park, including all real and personal properties that the Board of Directors may deem necessary in connection with the projects and regardless of whether or not any such projects shall then be in existence, and including the power to demolish any existing structures as may be on sites acquired when such structures are not needed for the project, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to appoint agents and

employees, describe their qualifications, and fix their compensation, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to operate, maintain, manage, and enter into contracts for the operation, maintenance, and management of any project undertaken, and to make rules and regulations with regard to such operation, maintenance, and management, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to employ, contract with, fix the compensation of, and discharge engineering, architectural, legal, financial and other professional experts, consultants, agents and employees as may be necessary to carry out the purposes of the Beale Street Tourism Development Authority and the Tourism Development Authority Act, and to provide for the proper construction, operation and maintenance of any project, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to lease, rent and contract for the operation of all or any part of any project, and charge and collect rent for the project and terminate any such lease upon the failure of the lessee to comply with any of the obligations of the lease and include in or exclude from any such lease provisions that the lessee shall have the option to renew the term of the lease for such period or periods and at such rent as shall be determined by the Board of Directors, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to lease such space in a project as from time to time may not be needed for related purposes to any other person, corporation, partnership or association for such purposes as the Board of Directors may determine are in the best interest of the Beale Street Tourism Development Authority, or will help facilitate the purposes for which the Authority was created, and upon such terms and in such manner as the Board of Directors may determine, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to fix and collect fees and charges for the use of any and all of the projects of the Beale Street Tourism Development Authority, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to make contracts,

including, without limitation, contracts with service providers, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to sell, exchange, donate, and convey any or all of its properties, whenever the Board of Directors shall find any such action to be in furtherance of the purposes for which the Beale Street Tourism Development Authority was organized, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to procure and enter into contracts for any type of insurance or indemnity against loss or damage to property from any cause, including loss of use and occupancy, against death or injury of any person, against employer's liability, against any act of any member, officer or employee of the Beale Street Tourism Development Authority in the performance of the duties of such person's office or employment or any other insurable risk, as the Board of Directors, in its discretion, may deem necessary, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to accept donations, contributions, revenues, capital grants or gifts from any individuals, associations, public or private corporations, and municipalities, the state of Tennessee or the United States, or any agency or instrumentality of the state of Tennessee or the United States, for or in aid of any of the purposes of this chapter and enter into agreements in connection with the donations, contributions, revenues, capital grants or gifts, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to obtain such licenses, permits, approvals and accreditations as the Beale Street Tourism Development Authority deems necessary in connection with any project, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to borrow money from time to time and, in evidence of any obligation incurred, issue and, pursuant to Tenn. Code Ann. § 7-69-111, sell its revenue bonds in accordance with this chapter and the applicable provisions of title 9, chapter 21, in such form and upon such terms as its Board of Directors may determine, payable out of any revenues of the Beale Street Tourism Development Authority, including grants or contributions or other revenues specifically provided to the Beale Street Tourism Development Authority, for the purpose of financing the cost of any project and refund and refinance, from time to time, bonds so issued and sold, as often as may be deemed to be advantageous by the Board of Directors, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to mortgage and pledge as security for the payment of the principal of and interest on any bonds so issued and any agreements made in connection with the bonds, any or all of the projects or any part or parts of the projects, whether then owned or thereafter acquired, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with the power to exercise all powers expressly given to tourism development authorities by the Tourism Development Authority Act, as amended from time to time, and establish bylaws and make all rules and regulations not inconsistent with the Tourism Development Authority Act, deemed expedient for the management of the affairs of the Beale Street Tourism Development Authority, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with all the powers granted under the Tourism Development Authority Act, including but not limited to all powers incidental or necessary to participate as a joint venturer in a joint venture or as a member in a nonprofit corporation that attracts and promotes tourism or performs activities related to the exercise of any power granted to a tourism development authority, including the power to elect all or any of the members of the board of directors of any nonprofit corporation of which the Beale Street Tourism Development Authority is a member and has the power to so elect under the nonprofit corporation's charter and bylaws, and the power to accomplish and facilitate the creation, establishment, acquisition, operation or support of any such joint venture or nonprofit corporation, by means of loans of funds, acquisition or transfer of assets, leases of real or personal property, gifts and grants of funds or guarantees of indebtedness of such joint venture or nonprofit corporation, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with all powers granted under the Tourism Development Authority Act, including, but not limited all powers and authority incidental or necessary to issue its bonds in accordance with the Tourism Development Authority Act and in accordance with the Local Government Public Obligations Law, compiled in title 9, chapter 21, and for such purposes the bonds shall be treated as revenue obligations of the Beale Street Tourism Development Authority under the Tourism Development Authority Act, in order to finance the costs of any project; the payment of the costs of issuance of such bonds, including underwriter's discount, financial advisory fee, preparation of the definitive bonds, preparation of all public offering and marketing materials, advertising, credit enhancement, and legal, accounting, fiscal and other similar expenses; reimbursement of the Beale Street Tourism Development Authority for moneys previously spent by the Beale Street Tourism Development Authority for any of the foregoing purposes; and the establishment of reasonable reserves for the

payment of debt service on such bonds, for repair and replacement of any project, or for such other purposes as the Board of Directors shall deem necessary and proper in connection with the issuance of any bonds and operation of any project for the benefit of which the financing is being undertaken, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with all powers granted under the Tourism Development Authority Act, including, but not limited all powers and authority incidental or necessary to issue its bonds to refund and refinance outstanding bonds of the Beale Street Tourism Development Authority heretofore or hereafter issued or lawfully assumed by the Beale Street Tourism Development Authority; provided, that in accordance with title 9, chapter 21, the Beale Street Tourism Development Authority shall request a report on any proposed refunding from the office of the comptroller. The proceeds of the sale of the bonds may be applied to the payment of the principal amount of the bonds being refunded and refinanced; the payment of the redemption or tender premium thereon, if any; the payment of unpaid interest on the bonds being refunded, including interest in arrears, for the payment of which sufficient funds are not available, to the date of delivery or exchange of the refunding bonds; the payment of fees or other charges incident to the termination of any interest rate hedging agreements, liquidity or credit facilities, or other agreements related to the bonds being refunded and refinanced; the payment of interest on the bonds being refunded and refinanced from the date of delivery of the refunding bonds to maturity or to, and including, the first or any subsequent available redemption date or dates on which the bonds being refunded may be called for redemption; the payment of the costs of issuance of the refunding bonds, including underwriter's discount, financial advisory fee, preparation of the definitive bonds, preparation of all public offering and marketing materials, advertising, credit enhancement, and legal, accounting, fiscal and other similar expenses, and the costs of refunding the outstanding bonds, including the costs of establishing an escrow for the retirement of the outstanding bonds, trustee and escrow agent fees in connection with any escrow, and accounting, legal and other professional fees in connection therewith; and the establishment of reserves for the payment of debt service on such bonds, for repair and replacement of any project, or for such other purposes as the Board of Directors shall deem necessary and proper in connection with the issuance of any bonds and operation of any project for the benefit of which the refunding or refinancing is being undertaken; and

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority is hereby vested with any and all other powers available to the Beale Street Tourism Development Authority under the laws of the United States, the State of Tennessee, and the City of Memphis, including all powers incidental or necessary thereto;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that, pursuant to the provisions of the Tourism Development Authority Act, the Beale Street Development Authority shall be managed by a Board of Directors, consisting of nine (9) voting members, who shall be qualified residents and voters of the City of Memphis, all of whom shall be appointed by

the Mayor of the City of Memphis and submitted to the Memphis City Council for approval. The Board of Directors shall also include one (1) non-voting member who shall be the Mayor of the City of Memphis, or a City official acting as the Mayor's designee, and one (1) non-voting member who shall be a member of the City Council. At no time, however, shall there be fewer than five (5) voting Directors;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that, pursuant to the provisions of the Tourism Development Authority Act, the Directors shall serve without compensation, except for reimbursement of necessary expenses incurred by Directors in performance of their duties;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that, pursuant to the provisions of the Tourism Development Authority Act, the initial voting Directors of the Beale Street Tourist Development Authority shall serve staggered terms so that an approximately equal number of Directors have terms that expire in each year;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the terms of the appointed members of the Board of Directors of the Beale Street Tourism Development Authority shall run on a calendar year basis and, after the initial terms, shall be for three (3) years, excepting the Mayor or mayoral designee and City Council designee, who shall serve at the pleasure of the Mayor and City Council, respectively. The cumulative terms of any voting Director shall, however, be limited to the term limitation imposed by City of Memphis at the time of appointment;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that when the term of office for a voting Director expires, the Mayor of the City of Memphis shall appoint and the City Council approve a Director to replace such successor Director, provided that any Director shall continue to serve beyond the end of the Director's term until the Director's successor has been appointed, and provided that nothing herein shall be construed to prohibit the reappointment of a serving Director;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that, in case of a vacancy on the Board of Directors, the Mayor of the City of Memphis shall appoint and City Council shall approve a successor to serve for the unexpired term of said Director position, provided that a position shall be considered vacant if the Director dies, resigns, or is adjudged incompetent, and it may be declared vacant by the Board of Directors if a Director misses three (3) consecutive meetings;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Board of Directors of the Beale Street Tourism Development Authority is instructed and empowered to formulate, approve, and implement a diversity plan to encourage the participation of minority-owned, women-owned, and locally-owned small businesses in the projects and activities of the Beale Street Tourism Development Authority;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority shall, pursuant to Tenn. Code Ann. § 7-69-109, (i) cause an annual audit to be made and filed with the City of Memphis, (ii) prepare and file with the City of Memphis an annual report of its business affairs and transactions, and (iii) before the commencement of each fiscal year, adopt and file with the City of Memphis an annual fiscal year budget;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the City of Memphis may, from time to time, perform legal and financial audits of the Beale Street Tourism Development Authority;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the Beale Street Tourism Development Authority shall, pursuant to Tenn. Code Ann. § 7-69-115, upon determination that sufficient provision has been made for the full payment of the expenses, bonds, and other obligations of the Authority, pay any remaining net earnings to the City of Memphis and used in connection with the redevelopment of Downtown Memphis, as determined by the Mayor;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that, in the event that the provisions of said Tourism Development Authority Act, as amended from time to time, may come into conflict with any provisions set forth herein or in any subsequent ordinances or resolutions relating to the Beale Street Tourism Development Authority, and/or its rules and regulations, the provisions of the Tourism Development Authority Act shall control;

BE IT FURTHER RESOLVED by the Council of the City of Memphis that a certified copy of this Resolution be filed with the Secretary of State of the State of Tennessee; and

BE IT FURTHER RESOLVED by the Council of the City of Memphis, that this Resolution shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified, and delivered to the Office of Mayor in writing by the comptroller, and become effective as otherwise provided by law.

CHAIRMAN
COUNCIL OF THE CITY OF MEMPHIS

APPROVED:

A C Wharton
MAYOR OF THE CITY OF MEMPHIS