



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

A G E N D A

JULY 23, 2007

Commissioner Joe Ford, Chairman
Commissioner David Lillard, Chairman Pro Tempore
Commissioner Joyce Avery
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner Sidney Chism

Commissioner George Flinn
Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Deidre Malone
Commissioner Steve Mulroy
Commissioner Mike Ritz

2:30 P.M. COMMISSION CONVENES

CALL TO ORDER

INVOCATION Commissioner Mike Carpenter

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session

MALONE June 11, 2007
ADOPTED

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

MALONE 1. Resolution to honor Shelby County Trustee Bob
ADOPTED Patterson as the winner of the 2007 Victor E. Martinelli
outstanding County Treasurer Award.

FLINN 1A. Resolution honoring John Lynn, Corey Garner, and
ADOPTED Michael Ethridge for uncommon valor and exemplary
service to the citizens of Shelby County.

Ordinances

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| CHISM
APPROVED | 2. | <u>ORDINANCE – FIRST READING</u> – An ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article III, Section 20-74 relative to procedure upon approach of authorized emergency vehicles. |
| CHISM
APPROVED | 3. | <u>ORDINANCE – FIRST READING</u> – An ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article I, Section 20-22 relative to child passenger safety responsibility. |
| CHISM
APPROVED | 4. | <u>ORDINANCE – FIRST READING</u> – An ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article III, Section 20-50 relative to off-highway motor vehicles. |
| CHISM
APPROVED | 5. | <u>ORDINANCE – FIRST READING</u> – An ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article III, Section 20-37 relative to compliance with Tennessee’s financial responsibility law of 1977. |
| MULROY
(DEFERRED
TO 08/27/07) | 6. | <u>ORDINANCE – SECOND READING</u> – Ordinance repealing Ordinance No. 81 relative to regulating and licensing sexually oriented businesses, and adopting the state Adult-Oriented Establishment Registration Act of 1998 in Shelby County. |
| LILLARD
APPROVED | 7. | <u>ORDINANCE - FIRST READING</u> – Ordinance setting a term limit for the appointment of members to Shelby County boards, authorities, and commissions and county appointees to joint city/county entities of two consecutive terms or ten consecutive years whichever is longer. |

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

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| LILLARD
ADOPTED | 8. | Resolution authorizing Second Amendment to the lease agreement with Cargill, Incorporated, dated October 9, 1992, as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on March 15, 2007. |
| CHISM
ADOPTED | 9. | Resolution approving Addendum No. 5 to the Lease Agreement by and between L&P, LLC and Shelby County Government on behalf of the Juvenile Court of Memphis and Shelby County, and approving the renewal of said lease for one year, beginning September 1, 2007. Addendum includes addition of 5,320 square feet of rental space in the building known as Lipscomb & Pitts at a cost of \$6,871.67 monthly, or \$82,460.00 for the year beginning September 1, 2007 necessary for the continued Child Support Enforcement Program in Shelby County. |

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| CHISM
ADOPTED | 10. Resolution authorizing the Shelby County Division of Corrections to accept and expend grant funds from the State of Tennessee Office of Criminal Justice Programs in the amount of \$225,000.00 and amending the FY2008 Operating Budget of the Division of Corrections in the amount of \$100,000.00. |
| CHISM
ADOPTED | 11. Resolution to approve a contract with Alcohol and Chemical Abuse Rehab Center, Inc. (ACAR) for the provision of treatment services to Shelby County Drug Court Outpatient Program in an amount not to exceed \$400,000.00. |
| CHISM
ADOPTED | 12. Resolution to approve a contract with New Directions, Inc., for the provision of treatment services to Shelby County Drug Court Outpatient Program in an amount not to exceed \$400,000.00. |
| FLINN
ADOPTED | 13. Resolution to accept federal grant fund sin the amount of \$688,821.00 for the Head Start Program and to amend the FY 2007/ 2008 Operating Budget. These funds are one time supplemental funds for the down payment on the purchase of two Head Start facilities. |
| FLINN
ADOPTED | 14. Resolution to accept federal grant funds in the amount of \$332,785.00 for the Head Start Program and to amend the FY 2007/2008 Operating Budget. |
| CARPENTER
ADOPTED | 15. Resolution approving funding in the amount of \$100,000.00 for the renovation of the Plough Park Playground Area at Shelby Farms and amending the FY 2007/2008 Budget. |
| CARPENTER
ADOPTED | 16. Resolution approving funding in the amount of \$100,000.00 for the stabilization of eroding banks along Patriot Lake at Shelby Farms and amending the FY 2007/2008 Budget. |
| CHISM
ADOPTED | CONSENT AGENDA |

REGULAR AGENDA

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| LILLARD
(DEFERRED TO
08/13/07) | 17. <u>Elections, Appointments, and Confirmations</u>
Resolution approving the county Mayor's nomination of <u>David D. McCray</u> for reappointment to the Memphis and Shelby County <i>Groundwater Control Board</i> . |
| LILLARD
ADOPTED | 18. Resolution approving the county Mayor's nomination of <u>Bobbi S. Gillis</u> for appointment to the Memphis and Shelby County <i>Center City Commission</i> . |

MULROY
ADOPTED

19. Resolution electing the Chairman of the Board of County Commissioners of Shelby County, Tennessee, pursuant to Shelby County Charter, Article II, Section 2.08.

MULROY
ADOPTED

20. Resolution electing the Chairman Pro Tempore of the Board of County Commissioners of Shelby County, Tennessee, pursuant to Shelby County Charter, Article II, Section 2.08.

Ordinances

CARPENTER
ADOPTED

21. ORDINANCE – THIRD READING – Ordinance to amend the Shelby County Code of Ordinances, Chapter 28, Article II, Division 3, Sections 28-76, 28-77 and 28-82 to provide for nuisance and urban blight prevention and protection in Shelby County.

RITZ
APPROVED
AS AMENDED
(DEFERRED
TO 08/13/07)

22. ORDINANCE – THIRD READING – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the *Joint Existing Building Code* of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 295 on June 6, 2005, and by the Council of the City of Memphis in Ordinance No. 5124 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
APPROVED
AS AMENDED
(DEFERRED
TO 08/13/07)

23. ORDINANCE – THIRD READING – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the *Joint Building Code* of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 296 on June 6, 2005, and by the Council of the City of Memphis in Ordinance No. 5122 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
APPROVED
AS AMENDED
(DEFERRED
TO 08/13/07)

24. ORDINANCE – THIRD READING – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the *Joint Electric Code* of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 297 on June 6, 2005, and by the Council of the City of Memphis in Ordinance No. 5123 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
APPROVED
AS AMENDED
(DEFERRED
TO 08/13/07)

25. ORDINANCE – THIRD READING – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the *Joint Fuel Gas Code* of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 298 on June 6, 2005, and by the

Council of the City of Memphis in Ordinance No. 5125 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
APPROVED
AS AMENDED
(DEFERRED
TO 08/13/07)

26. **ORDINANCE – THIRD READING** – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the *Joint Mechanical Code* of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 296 on June 6, 2005, and by the Council of the City of Memphis in Ordinance No. 5121 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
APPROVED
AS AMENDED
(DEFERRED
TO 08/13/07)

27. **ORDINANCE – THIRD READING** – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the *Joint Plumbing Code* of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 300 on June 6, 2005, and by the Council of the City of Memphis in Ordinance No. 5120 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

MALONE
(DEFERRED
TO 08/13/07)

28. Joint Resolution of the Board of County Commissioners of Shelby County, Tennessee and the Council of the City of Memphis, Tennessee approving \$50,000.00 from Commissioner's Contingency Fund to the Memphis and Shelby County Film Commission to support the building of infrastructure for Our Stories film.

MALONE
(DEFERRED
TO 08/27/07)

29. Resolution to approve changes to life insurance benefits provided to employees and retirees.

LILLARD
(DEFERRED
TO 08/13/07)

30. Resolution amending the FY 2008 Operating Budget and personnel complement for the Shelby County Human Resources Department to add two positions.

LILLARD
(DEFERRED
TO 08/13/07)

31. Resolution to enact a historically underutilized business policy for Shelby County Government.

BROOKS
(DEFERRED
TO 08/13/07)

32. Resolution of the Shelby County Board of Commissioners to broaden and further define the functions of the office of Equal Opportunity Compliance as established in Section 5.13 of the Shelby County Charter so as to provide for a Chief Diversity Officer and define his/her responsibilities.

**MALONE
ADOPTED**

- 32A. Resolution amending the FY 2007/2008 Operating Budget and Position Control Budget of the Juvenile Court of Memphis and Shelby County.**

**MALONE
ADOPTED**

- 32B. Resolution amending the FY 2007/2008 Operating Budget and Position Control Budget of the Juvenile Court Clerk's Office of Memphis and Shelby County.**

**LILLARD
(REMOVED TO
CONSENT
AGENDA)
ADOPTED**

- 32C. Resolution regarding creation and use of forms for the Shelby County Code of Ethics.**

Announcements/Statements

- 33. Notification from the county mayor of various appointments/reappointments of boards, commissions, and offices of Shelby County Government.**
- a. Resolution approving the county mayor's nomination of Al Bright, Jr. for appointment to the Memphis and Shelby County *Community Redevelopment Agency*.**

Adjournment

**LILLARD
ADOPTED**

- 34. Resolution of Adjournment to Monday, August 13, 2007, at 2:30 p.m.**

[If you have any questions about this agenda, please call Steve Summerall, Chief Administrator, at 545-4301]