



SHELBY COUNTY BOARD OF COMMISSIONERS

COMMITTEE AGENDAS

Wednesday, December 3, 2014

11/26/2014 11:23 AM

[NOTE: All Committee meetings will be held at the Vasco A. Smith, Jr., Administration Building, 160 N. Main Street, 6th floor conference room unless otherwise noted]

Live streaming <http://www.shelbycountyttn.gov/index.aspx?NID=1218>

Wednesday, December 3, 2014

8:30 a.m. Committee # 3 - HOSPITALS & HEALTH
 8:40 a.m. Committee # 1 - BUDGET AND FINANCE
 9:15 a.m. Committee # 7 - ECONOMIC DEVELOPMENT AND TOURISM
 9:40 a.m. Committee # 9 - CONSERVATION
 9:50 a.m. Committee # 4 - LAW ENFORCEMENT, FIRE, CORRECTIONS & COURTS
 10:40 a.m. Committee # 5 - LAND USE, PLANNING, TRANSPORTATION & CODES
 11:20 a.m. Committee # 12 - LEGISLATIVE AFFAIRS
 11:40 a.m. Committee # 8 - COMMUNITY SERVICES
 11:50 a.m. Committee # 14 - DELINQUENT TAX PROPERTY
 12:00 p.m. LUNCH BREAK
 12:30 p.m. Committee # 2 - PUBLIC WORKS
 1:10 p.m. Committee # 10 - GENERAL GOVERNMENT

8:30 a.m. - Committee # 3 - HOSPITALS & HEALTH

1. Resolution to amend the FY15 Operating Budget in the amount of \$50,000.00 and the Position Control Budget in the amount of \$7,900.00 and to appropriate said funds awarded from Shelby County Schools Nutrition Services Center for the provision of the Chronic Disease Management and School Health Promotion Services Program. This item requires Fiscal Year 2015 expenditure of Grant Funds in the amount of \$50,000.00. Sponsored by Commissioner Walter Bailey, Jr.
2. Resolution to approve the emergency purchase of personal protective equipment (PPE) from McKesson Medical Supply Company for distribution to hospitals in Shelby County. This item requires the expenditure of Federal through State Grant Funds in an amount not to exceed \$200,000.00. Sponsored by Commissioner Walter Bailey.

8:40 a.m. - Committee # 1 - BUDGET AND FINANCE

1. A resolution authorizing the issuance of not exceeding \$120,000,000 (One Hundred Twenty Million Dollars) Shelby County, Tennessee Capital Outlay Extendible Municipal Commercial Paper (EMCP) Notes, 2015 series a pursuant to Section 9-21-601, et seq., of the T.C.A.; providing for the terms of the notes; authorizing the negotiated sale of the notes; appointing an issuing and paying agent; authorizing the execution and delivery of an issuing and paying agency agreement; appointing a dealer for the notes; authorizing the execution and delivery of a dealer agreement; authorizing the execution and delivery of the notes; authorizing the execution and delivery of an offering memorandum; appointing financial advisors; amending the Fiscal 2015 Capital Improvement Projects Fund Operating Budget; authorizing the proper officials of the County to do all things deemed necessary or advisable in connection with the issuance and sale of the notes; and providing an effective date. Sponsored by Commission Heidi Shafer.

2. A resolution authorizing the issuance of General Obligation Refunding Bonds, 2015 Series A (the "Bonds") of Shelby County, Tennessee, in the principal amount of not to exceed Two Hundred Million Dollars (\$200,000,000) pursuant to Sections 9-21-101, et seq., of Tennessee Code Annotated ("T.C.A.") for the purpose of currently refunding all or a portion of the County's General Obligation Refunding Bonds, 2005 Series A issued pursuant to Sections 9-21-901 through 9-21-916 of T.C.A. and all or a portion of the outstanding general obligation variable rate demand refunding bonds, 2006 Series C (the "2006c Bonds") issued pursuant to Sections 9-21-101, et seq. and 49-3-1001, et seq., of T.C.A.; financing all or a portion of cost of the termination of the interest rate swap agreement related to the 2006c Bonds; making provision for the raising annually by tax upon all property subject to taxation by Shelby County, Tennessee, of a sum sufficient to pay, as the same shall become due, the interest and principal of the bonds; authorizing the use of a preliminary official statement, notice of sale, summary notice of sale and bid forms in connection with the competitive public sale of such bonds; authorizing the county mayor to accept the best bids for the purchase of the bonds; prescribing the maximum interest rate to be borne thereby, the form thereof and certain details relating thereto; deeming final at its date the form of the preliminary official statement within the meaning of 17 C.F.R. section 240.15c2-12; authorizing the execution and delivery of an official statement; providing for the undertaking required by Rule 15c2 12 of the securities and exchange commission; approving the form of and authorizing the execution and delivery of an escrow deposit agreement; ratification of all actions taken by the Director Of Administration And Finance, County Officials and their agents in obtaining the report of the Tennessee Director of the Office of State and local finance concerning the refunding; authorizing the termination of the interest rate swap agreement related to the 2006c Bonds; appointing financial advisors and bond counsel; authorizing proper officials to do all other things deemed necessary or advisable in connection with the issuance, sale and delivery of said bonds; amending the Fiscal 2015 Debt Service Fund Operating Budget; and providing an effective date. Sponsored by Commissioner Heidi Shafer.

3. Resolution amending Resolution No. 21 passed on November 11, 2007 to modify the County Mayor's requirement to obtain County Commission approval prior to the execution of contracts from the amount of \$100,000.00 to \$50,000.00. Sponsored by Commissioner Terry Roland.
4. Resolution approving a contract for banking services with Regions Bank for custody and deposit of County Funds for the period January 1, 2015 through June 30, 2018. This item requires the expenditure of County General Funds in an amount not to exceed \$25,000.00. Sponsored by Commissioner Heidi Shafer.

9:15 a.m. - Committee # 7 - ECONOMIC DEVELOPMENT & TOURISM

1. Resolution of the Board of County Commissioners of Shelby County, Tennessee requesting the execution of an Interlocal Agreement with the City of Memphis and supporting the City of Memphis Development of the Fairgrounds Tourism Development Zone. Sponsored by Commissioner Eddie Jones. (DEFERRED IN NOVEMBER 12, 2014 COMMITTEE MEETING)
2. Resolution to approve the Economic Development Plan for the Graceland Development Area. Sponsored by Commissioner Steve Basar.

9:40 a.m. - Committee # 9 - CONSERVATION

1. Resolution to grant a non-exclusive ingress/egress & utility easement across a parcel of land jointly owned by the City of Memphis and County of Shelby, designated for use by City of Memphis Division of Park Services & Neighborhoods for Audubon Park to TV6 Signal Source Towers, LLC, a Tennessee Limited Liability Company, for nominal consideration, for use in conjunction with its leased site for a new wireless communications tower. Sponsored by Commissioner Willie Brooks.
2. Resolution by the Board of Commissioners of Shelby County, Tennessee, approving an amended and restated management agreement between Shelby County, Tennessee and Shelby Farms Park Conservancy. Sponsored By Commissioner Steve Basar.

9:50 a.m. - Committee # 4 - LAW ENFORCEMENT, FIRE, CORRECTIONS & COURTS

1. DISCUSSION: STATUS UPDATE from AMR (30 minutes)
2. Resolution to amend the Shelby County Sheriff's Office FY 2015 Operating Budget to accept and approve a grant in the amount of \$5,000.00 from the Federal Emergency Management Agency for the purchase of Port Security Equipment. This item requires appropriation of Federal Grant Funds in the amount of \$5,000.00. Sponsored by Commissioner Mark Billingsley.

3. Resolution restricting use of inmate, non-violent offenders or other offenders on work-release detail to clean the Vasco A. Smith County Administration Building during non-business hours. Sponsored by Commissioner Terry Roland.
4. Resolution approving the purchase of fleet replacement vehicles from Chrysler Dodge Jeep Ram of Columbia, Dobbs Ford, Chuck Hutton Chevrolet and Sam Swope Automotive Group for the Shelby County Sheriff's Office. This item requires the expenditure of Shelby County General Funds in the amount of \$465,186.08 and federal narcotics funds in the amount of \$286,007.08. Sponsored by Commissioner Mark Billingsley.
5. Resolution Supporting the Law Enforcement Efforts of Sheriff Bill Oldham, Memphis Police Director Toney Armstrong, District Attorney General Amy Weirich and the Goals of the Operation Safe Community Plan. Sponsored by Commissioner Mark Billingsley.
6. Resolution to amend the FY 2015 Operating Budget in the amount of \$749,850.00 to fully expend funds from the local Edward Byrne Memorial Justice Assistance Grant Program and to appropriate said funds. This item requires the expenditure of Federal Grant Funds in the amount of \$749,850.00. Sponsored by Commissioner Mark Billingsley.

10:40 a.m. - Committee # 5 - LAND USE, PLANNING, TRANSPORTATION & CODES

1. DISCUSSION: Zoning 101 (20 minutes) (DEFERRED IN NOVEMBER 12, 2014 COMMITTEE MEETING)
2. ORDINANCE - SECOND READING - A Joint Ordinance amending the Memphis and Shelby County Unified Development Code as adopted by the City of Memphis August 10, 2010 and Shelby County on August 9, 2010, to revise and enhance the joint zoning and subdivision regulations by amending regulations pertaining to fireworks, private clubs, group living, cell towers, gas stations, car lots, temporary use permits, side setbacks for existing buildings, parking for restaurants, fencing, outdoor seating for restaurants in the S.C.B.I.D. District, hotels and vehicle service and repair in the Uptown District, permissible building materials in the Midtown and University Districts, number of holds by the Land Use Control Board and Board of Adjustment, planned developments, subdivision phasing, setback encroachments, nonconforming landscaping, rooming houses, terminology, cross references and other provisions of the code, being case No. ZTA 14-001 CC. Sponsored by Commissioner Terry Roland.
3. Resolution encouraging the Tennessee Department of Transportation to initiate discussion(s) with the Illinois Department of Transportation to address requirements for expanding passenger train service from Chicago, IL to Carbondale, IL operating over the Canadian National Railway (Illinois Central Railroad) to Memphis, TN with stops in Fulton, KY and Newbern, TN. Sponsored by Commissioner Mark Billingsley and Commissioner Terry Roland.

4. CASE NO. P.D. 14-315 CC

APPLICANT: TV6W, LLC, DBA Tower Ventures

REPRESENTATIVE: Lou Katzerman

LOCATION: Northwest and southwest corners of Macon View Road and Houston Levee Road, extending west 1,324'

REQUEST: Amend the Planned Development to allow a CMCS Tower as a permitted use

RECOMMENDATIONS:

Memphis and Shelby County Office of Planning and Development - Approval with Conditions

Memphis and Shelby County Land Use Control Board - Approval with Conditions

No opposition at Land Use Control Board, no notice of Public Hearing required

11:20 a.m. - Committee # 12 - LEGISLATIVE AFFAIRS

1. DISCUSSION: Proposed Legislative Agenda (20 minutes)

11:40 a.m. - Committee # 8 - COMMUNITY SERVICES

1. Resolution amending the FY 2015 Operating Budget in the amount of \$78,713.00 to maximize grant funds and appropriate unexpended Federal Funds for the Head Start Program. This resolution requires the expenditure of Federal Grant Funds in the amount of \$78,713.00 and appropriation of said funds. Sponsored by Commissioner Eddie Jones.
2. Resolution to approve a subcontract with Healing Word Counseling Center d.b.a. the Emotional Fitness Center of Tennessee to continue a Federal through State grant formerly identified as Just Care Family Network in the amount of \$329,862.00. This item requires the expenditure of pass through state of Tennessee grant funds in the amount not to exceed \$329,862.00. Sponsored by Commissioner Eddie Jones.

11:50 a.m. - Committee # 14 - DELINQUENT TAX PROPERTY

1. Resolution approving the sale of twenty-two County owned delinquent tax parcels, acquired from various Shelby County Trustee tax sales to identified purchasers at various prices collectively totaling \$34,650.00, pursuant to the sale provisions of Tennessee Code Annotated, Section 67-5-2507, and authorizing the Shelby County Mayor to execute quit claim deeds. Sponsored by Commissioner Eddie Jones.

2. A resolution approving the conveyance of three unimproved parcels of County owned delinquent tax property to Magnolia First Baptist Church, a Tennessee Not-For-Profit Corporation, for nominal consideration; and to authorize the Shelby County Mayor to execute quit claim deeds. Sponsored by Commissioner Eddie Jones.
3. Resolution finding that twenty-four properties scheduled for tax sale number 12.01 on January 9, 2015 pose an environmental risk or are non-conforming or non-buildable so as to allow the County Commission to advise the Clerk of the Chancery Court to not make a bid on such properties on behalf of Shelby County Government. Sponsored by Commissioner Eddie Jones.

12:00 p.m. - LUNCH BREAK

12:30 p.m. - Committee # 2 - PUBLIC WORKS

1. Resolution approving Interlocal Agreement between Memphis Light, Gas and Water Division and Shelby County Government on behalf of the Public Works Division for Fire and Sewer Fee Billing in Shelby County, Tennessee. Sponsored by Commissioner George Chism.
2. Resolution amending the FY 2015 Operating Budget and approving the purchase of fleet replacement vehicles from Beaman Automotive Group, Sam Swope Auto Group, LLC. and Dobbs Ford, Inc. for Shelby County Government. This item requires the expenditure of County Internal Services fleet replacement funds in an amount not to exceed \$1,372,841.00 and appropriates said funds. Sponsored by Commissioner George Chism.
3. A resolution approving a contract with Buchart Horn, Inc. for environmental and design services for the Walnut Grove Road Widening CIP Project #301082 in the amount of \$205,905.00. This item requires the FY 2015 expenditure and appropriation of Federal through State Grant Funds in the amount of \$154,429.00 and County CIP Funds in the amount of \$51,476.00. Sponsored by Commissioner George Chism.
4. A resolution to amend the FY 15 Operating Budget to carry forward unexpended Federal through State Grant Funds in the amount of \$1,640,675.00 and unexpended private donor funds in the amount of \$410,169.00 and accepting additional private donor funds in the amount of \$199,563.00 and approving a contract in the amount of \$2,129,947.00 with Barnes & Brower, Inc. for construction of the Shelby Farms Trails Enhancement Project through the Tennessee Department of Transportation and appropriating said funds. This item requires an expenditure of Federal through State Grant Funds in the amount of \$1,640,675.00 and \$609,732.00 in matching donor funds for a total expenditure of \$2,250,407.00. No County Funds required. Sponsored By Commissioner George Chism.

5. Resolution approving expenditure of funds by Shelby County Government for the purchase of knuckle boom trucks in the amount of \$264,084.00. This item requires an expenditure of State Gas Tax Funds in the amount of \$264,084.00. Sponsored by Commissioner George Chism.
6. A resolution amending the Shelby County Operating Budget for FY 15 in the amount of \$1,000,000.00 for receipt of a disaster related Community Development Block Grant special allocation from the Tennessee Department of Economic and Community Development to provide assistance to Shelby County for the replacement of the Raleigh Millington road bridge and appropriating said funds in the amount of \$1,000,000.00. This item requires the expenditure of Federal through State Grant Funds in the amount of \$1,000,000.00. Sponsored by Commissioner George Chism.
7. Resolution to amend the FY 2015 Capital Improvement Budget in the amount of \$312,500.00, appropriating said funds, and approving a purchase sale agreement with CSX Transportation, Inc. In the amount of \$2,500,000.00 for the purchase of a 4.15 mile long section of CSX Rail Line Corridor, located between Farm Road at Shelby Farms and "b" Street, just east of the Old Cordova Train Depot site, for use as the phase II east extension of the public trail known as the Shelby Farms Greenline. This item requires an expenditure of Federal through State Grant Funds in the amount of \$1,875,000.00 and private donor funds in the amount of \$312,500.00 and FY 2015 County CIP Funds in the amount of \$312,500.00 for a total expenditure of \$2,500,000.00. Sponsored by Commissioner George Chism.

1:10 p.m. - Committee # 10 - GENERAL GOVERNMENT

1. DISCUSSION: OPEB and Pension Actuary Report (20 minutes)
2. Resolution approving the County Mayor's nomination of Todd Van Beck for appointment to the Shelby County Historical Commission. Sponsored by Commissioner Van Turner.
3. ORDINANCE - FIRST READING - An Ordinance to Adopt Supplement No. 2 to the 2011 Code of Ordinances of Shelby County, Tennessee. Sponsored by Chairman Justin Ford. (DEFERRED IN NOVEMBER 12, 2014)
4. ORDINANCE - THIRD READING - An ordinance to amend the Shelby County Code of Ordinances, Chapter 14, Article V, Sections 14-135 to 14-144, by removing language from the existing ordinance requiring private employers wishing to do business with the County to provide a living wage as such requirements are now prohibited by State Law. Sponsored by Commissioner Terry Roland.

5. ORDINANCE – THIRD READING - An ordinance to amend the Shelby County Code of Ordinances, Chapter 2, Art. IV, Section 2-230, entitled, prevailing wages and benefits, to comply with state statutes by removing requirements on those bidding on or receiving major public works projects, or their subcontractors, that they pay a local prevailing wage or a specific amount for fringe benefits or requiring them to provide health benefits. Sponsored by Commissioner Terry Roland.
6. ORDINANCE – THIRD READING - Ordinance to amend the Shelby County Code of Ordinances, Chapter 18, Article II, entitled "Code of Ethics." Sponsored by Commissioner Terry Roland.
7. Resolution amending Rule 6 of the Shelby County Board of Commissioners' Permanent Rules of Order so as to provide for Add-On items and proposals. Sponsored by Commissioner Steve Basar.
8. Resolution approving the Election of Notaries Public for appointment and/or reappointment for Shelby County, Tennessee. Sponsored by Commissioner Melvin Burgess.