

**SHELBY COUNTY BOARD OF COMMISSIONERS
MINUTE BOOK NO. 165**

1649

REGULAR ADJOURNED SESSION FROM JUNE 6, 2016 TO JUNE 20, 2016

The Board of County Commissioners met pursuant to adjournment at 3:00 p.m., June 20, 2016, in the Shelby County Commission's Chamber, 160 North Main Street, Memphis, Tennessee, with Chairman Terry Roland present and presiding; also present the following Associate County Commissioners, to wit: Van D. Turner, Jr., Mark Billingsley (ABSENT AT ROLL CALL), David Reaves (ABSENT AT ROLL CALL), George B. Chism, Sr., Heidi Shafer, Willie F. Brooks, Jr. (ABSENT AT ROLL CALL), Melvin Burgess, Walter L. Bailey, Jr. (ABSENT AT ROLL CALL), Reginald Milton, Eddie S. Jones, Jr. (ABSENT AT ROLL CALL), Justin J. Ford and Steve Basar (ABSENT AT ROLL CALL). Present, thirteen; Absent, none.

Mrs. Rosalind Nichols, Clerk of the County Commission, was also present.

Mr. Craig Willis, Assistant County Attorney and Parliamentarian, was also present.

Deputy Sheriff Sammie Jones opened the meeting in due form of law when the following proceedings were had, to wit:

Chairman Roland recognized Rev. Cary Vaughn, C.E.O., Love Worth Finding Ministries, Inc., who gave the opening prayer, followed by the Pledge of Allegiance.

APPROVAL OF MINUTES OF PREVIOUS SESSION

Mr. Willis, Assistant County Attorney, announced Approval of Minutes of Previous Session: June 6, 2016.

Minutes of the Previous Session of June 6, 2016, had been transcribed by the Clerk, clearly paraphrased, and correctly reflected the action which took place.

Chairman Roland stated that, without objection, the Minutes of Previous Session of June 6, 2016, was adopted.

CONSENT AGENDA

Resolutions of Memorial, Sympathy and Commendation

ITEM 1 (ADOPTED)

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SPECIAL RESOLUTION HONORING SMALL BUSINESS
ENTREPRENEUR CHEF PHILLIP ASHLEY RIX FOR HIS
AWARD-WINNING DESIGNER CHOCOLATIERS.
SPONSORED BY COMMISSIONER REGINALD MILTON.

“WHEREAS, Native Memphian Chef Phillip Ashley Rix is doing for chocolate what Kate Spade did for handbags, Christian Louboutin for women’s shoes and Versace for fashion; and

WHEREAS, With over a decade of experience in corporate sales and marketing for well-known brands, Phillip Ashley is considered an expert in the areas of strategic branding, sales and marketing as well as consumer product development; and

WHEREAS, Chef Phillip Ashley Rix opened his design chocolate studio and boutique, *Phillip Ashley Chocolates*, located at 798 S. Cooper Street in the historic Cooper Young District on November 6, 2013, where he showcases selections from his vast portfolio of over 200 designer chocolates and specializes in corporate gifting, luxury hotel amenities, special events and custom chocolate creations with emphasis on meeting your high touch needs; and

WHEREAS, Self-taught Chef Phillip Ashley spent over two years studying the history, chemistry and artistry of chocolate, perfecting the design and elaborate taste of the wildly imaginative chocolates with ingredients such as sweet potatoes, barbeque and bleu cheese, sourcing the finest fair trade, single origin chocolate and pairs it with extraordinary ingredients from around the world, creating visually stunning, decadent pieces of edible art; and

WHEREAS, The Chef’s passion for fanciful flavors and masterful attention to detail has led to him winning Memphis Business Journal’s Small Business Award and 3 gold medals for best taste, best ingredient combinations and most unique at the 2012 and 2015 International Chocolate Salon Awards in San Francisco; and

WHEREAS, Chef Phillip Ashley was named one of the Best Chocolatiers and Confectioners in America by TasteTV, listed in USA Today’s 10 Best, donned the "Real Life Willy Wonka" by FORBES, listed in the Top 5 best chocolate boutiques in the South by Garden & Gun, “Memphis’ King of Chocolate” by Local Palate magazine and a featured chef in the James Beard Foundation Celebrity Chef Tour in 2015; and

WHEREAS, Chef Phillip Ashley’s delectable gems were chosen as the official chocolate of the 2016 GRAMMYs Celebration® and 2016 OSCARS SALUTE® and selected

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as the official chocolatier for Horseshoe Casino Tunica and his signature collections being sold by national luxury retailers Neiman Marcus and Horchow; and

WHEREAS, Chef Phillip Ashley also created a one-of-a-kind chocolate crafted using ingredients with a history of healing to raise awareness and funds for the Heart Institute at Le Bonheur Children's Hospital, donating \$4 to Le Bonheur Heart Institute for every box sold.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, At the request of Commissioner Reginald Milton, That this Resolution shall serve as an expression of honor to the Small Business Entrepreneur, Chef Phillip Ashley Rix in recognition of his commitment and dedication as a rising star in the culinary and business world."

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 2 (ADOPTED)

RESOLUTION OF COMMENDATION FOR ASHLEY
FREEZE, RECIPIENT OF THE TERRY A. ROLAND
COMMUNITY LEADERSHIP SCHOLARSHIP.
SPONSORED BY CHAIRMAN TERRY ROLAND.

"WHEREAS, The Shelby County Board of Commissioners recognizes that it has a vital role in identifying and recognizing those individuals who display meritorious service to the community; and

WHEREAS, Terry A. Roland, Chairman of the Shelby County Board of Commissioners, awards scholarships each year to worthy high school seniors who have exhibited academic excellence, campus involvement and community leadership; and

WHEREAS, Ashley M. Freeze, 2016 graduate of Millington Central High School, possesses these attributes; and

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WHEREAS, Ashley M. Freeze has demonstrated Christian and family values through her involvement at Forestview Church of Christ and Fellowship of Christian Athletes as well as Family, Career, and Community Leaders of America (FCCLA,) all while demonstrating her athletic prowess on the volleyball court and barrel racing in the riding arena; and

WHEREAS, Ashley M. Freeze has given her time and talent to various charitable organizations; and

WHEREAS, Ashley M. Freeze attained a superior Grade Point Average during her time at Millington Central High School.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That we do hereby recognize and honor Miss Ashley M. Freeze for her accomplishments thus far and encourage her to continue to distinguish herself throughout the coming years.”

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 3

Mr. Craig Willis, Assistant County Attorney, announced Item 3, Resolution of commendation for Shea Morrow, recipient of the Terry A. Roland Community Leadership Scholarship. Sponsored by Chairman Terry Roland.

Chairman Roland stated that Mr. Morrow could not be at today's meeting and his commendation will be given to him at a later date.

ITEM 4 (ADOPTED)

RESOLUTION OF COMMENDATION FOR ETHAN
WATSON, RECIPIENT OF THE TERRY A. ROLAND

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COMMUNITY LEADERSHIP SCHOLARSHIP.
SPONSORED BY CHAIRMAN TERRY ROLAND.

“WHEREAS, The Shelby County Board of Commissioners recognizes that it has a vital role in identifying and recognizing those individuals who display meritorious service to the community; and

WHEREAS, Terry A. Roland, Chairman of the Shelby County Board of Commissioners, awards scholarships each year to worthy high school seniors who have exhibited academic excellence, campus involvement and community leadership; and

WHEREAS, Ethan Watson, 2016 graduate of Tipton Rosemark Academy, possesses these attributes; and

WHEREAS, Ethan Watson has distinguished himself academically as a Teacher’s Assistant, Vice President of the Science Club, Grill Club Founder, Beta Club, National Honor Society, and FCA, earning HOBY Seminar and TOTAL Graduate status; and

WHEREAS, Ethan Watson revealed his athletic abilities on the Varsity Football and Soccer teams; and

WHEREAS, Ethan Watson founded the Rosemary Branch of Young Life, earned the Life Scout rank from the Boy Scouts of America and gave freely of his time to the local Food Bank.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That we do hereby recognize and honor Mr. Ethan Watson for his accomplishments thus far and encourage him to continue to distinguish himself throughout the coming years.”

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 5

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Mr. Craig Willis, Assistant County Attorney, announced Item 5, Resolution of commendation for Sarah Katherine Harwell, recipient of the Terry A. Roland Community Leadership Scholarship. Sponsored by Chairman Terry Roland.

Chairman Roland stated that Ms. Harwell could not be at today's meeting and his commendation will be given to her at a later date.

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

ITEM 6 (ADOPTED)

RESOLUTION APPROVING THE PURCHASE OF GENERAL OFFICE FURNITURE FROM STAPLES ADVANTAGE-MEMPHIS ON BEHALF OF VARIOUS DEPARTMENTS WITHIN SHELBY COUNTY GOVERNMENT. THIS ITEM REQUIRES EXPENDITURE OF COUNTY OPERATING FUNDS IN THE ESTIMATED AMOUNT OF \$350,000.00. SPONSORED BY COMMISSIONER VAN D. TURNER, JR.

“WHEREAS, Shelby County Government has the continued need to purchase general office furniture for various departments within Shelby County Government; and

WHEREAS, The Purchasing Department requested and received sealed bids (SB-1000388) on May 4, 2016, with Staples Advantage-Memphis, submitting the most responsive bid that met specifications in the total estimated amount of \$350,000.00; and

WHEREAS, The bid award to Staples Advantage-Memphis shall be for the period beginning July 1, 2016, through June 30, 2017, with the option to renew for two (2) additional one (1) year periods.

WHEREAS, The annual renewal periods may be subject to price increases based upon the manufacturer's price increases for each renewal period and subject to the approval of the Purchasing Department.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the purchase of general office furniture from Staples Advantage-Memphis on behalf of various departments within Shelby County Government, in the total estimated amount of \$350,000.00, is hereby approved.

BE IT FURTHER RESOLVED, That the bid award to Staples Advantage-Memphis

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contains the option to renew for two (2) additional one (1) year periods. Said renewals are hereby approved, subject to the adoption of each fiscal year's Operating Budget by the Board of County Commissioners.

BE IT FURTHER RESOLVED, That the annual renewal periods may be subject to price increases based upon the manufacturers' price increases for each renewal period, and subject to approval of the Purchasing Department.

BE IT FURTHER RESOLVED, That the Purchasing Department is hereby authorized to issue purchase orders to Staples Advantage-Memphis in the estimated amount of \$350,000.00, from the subject departments' Fiscal Year 2016-2017 Operating Budgets, subject to the availability of funds at the time the purchase order is issued.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in the estimated amount of \$350,000.00, to Staples Advantage-Memphis for the purposes contained in this Resolution, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 7 (ADOPTED)

RESOLUTION APPROVING THE PURCHASE OF DISPOSABLE PAPER AND PLASTIC FROM VARIOUS VENDORS IN THE AMOUNT OF \$403,300.91 FOR VARIOUS DEPARTMENTS OF SHELBY COUNTY GOVERNMENT. THIS ITEM REQUIRES EXPENDITURE OF COUNTY OPERATING FUNDS IN THE ESTIMATED AMOUNT OF \$403,300.91. THIS ITEM IS SPONSORED BY COMMISSIONER VAN D. TURNER, JR.

"WHEREAS, Shelby County Government has the continued need to purchase

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disposable paper and plastic for the various departments within Shelby County Government;
and

WHEREAS, The Purchasing Department requested and received sealed bids (SB-1000383) on April 22, 2016, for Disposable Paper and Plastic, with Housekeepers Supply, American Paper & Twine Company, and Action Chemical, Inc., submitting the most responsive bids that met specifications in the total estimated amount of \$403,300.91; and

WHEREAS, The bid awards to Housekeepers Supply, American Paper & Twine Company, and Action Chemical, Inc., shall be for the period beginning July 1, 2016 through June 30, 2017, with the option to renew for two (2) additional one (1) year periods; and

WHEREAS, The annual renewal periods may be subject to price increases based upon the manufacturer's price increases for each renewal period and subject to the approval of the Purchasing Department.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the purchase of disposable paper & plastic from Housekeepers Supply, American Paper & Twine Company, and Action Chemical, Inc., on behalf of various departments of Shelby County Government, in the total estimated amount of \$403,300.91, is hereby approved.

BE IT FURTHER RESOLVED, That the bid awards contain the option to renew for two (2) additional one (1) year periods. Said renewals are hereby approved, subject to the adoption of each fiscal year's Operating Budget by the Board of County Commissioners.

BE IT FURTHER RESOLVED, That the annual renewal periods may be subject to price increases based upon the manufacturer's price increases for each renewal period and subject to the approval of the Purchasing Department.

BE IT FURTHER RESOLVED, That the Purchasing Department is hereby authorized to issue purchase orders to Housekeepers Supply, American Paper & Twine Company, and Action Chemical, Inc. in amounts not to exceed \$403,300.91, from various departmental Fiscal Year 2016-2017 Operating Budgets, subject to the availability of funds at the time the purchase order is issued.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in amounts not to exceed \$403,300.91, for the purposes contained in this Resolution and to take proper credit in their accounting therefor.

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BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 8 (ADOPTED)

RESOLUTION APPROVING THE PURCHASE OF JANITORIAL SUPPLIES FROM ACTION CHEMICAL, INC., AMERICAN PAPER & TWINE COMPANY, BOB BARKER, HOUSEKEEPERS SUPPLY, AND STAPLES ADVANTAGE (MEMPHIS, TN) ON BEHALF OF VARIOUS DEPARTMENTS WITHIN SHELBY COUNTY GOVERNMENT. THIS ITEM REQUIRES EXPENDITURE OF COUNTY OPERATING FUNDS IN THE ESTIMATED AMOUNT OF \$243,597.48. SPONSORED BY COMMISSIONER VAN D. TURNER, JR.

“WHEREAS, Shelby County Government has the continued need to purchase janitorial supplies for various departments within Shelby County Government; and

WHEREAS, The Purchasing Department requested and received sealed bids (SB-1000376) on April 18, 2016, with Action Chemical, Inc., American Paper & Twine Company, Bob Barker, Housekeepers Supply, and Staples Advantage (Memphis, TN), meeting specifications in the total estimated amount of \$243,597.48; and

WHEREAS, The bid award to Action Chemical, Inc., American Paper & Twine Company, Bob Barker, Housekeepers Supply, and Staples Advantage (Memphis, TN) shall be for the period beginning July 1, 2016 through June 30, 2017, with the option to renew for two (2) additional one(1) year periods; and

WHEREAS, The annual renewal periods may be subject to price increases based upon the manufacturers’ price increases for each renewal period, and subject to approval of the Purchasing Department.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMIS-

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SIONERS OF SHELBY COUNTY, TENNESSEE, That the purchase of janitorial supplies on behalf of various departments within Shelby County Government, in the total estimated amount of \$243,597.48, is hereby approved.

BE IT FURTHER RESOLVED, That the bid award to Action Chemical, Inc., American Paper & Twine Company, Bob Barker, Housekeepers Supply, and Staples Advantage (Memphis, TN) contain the option to renew for two (2) additional one (1) year periods. Said renewals are hereby approved, subject to the adoption of each fiscal year's Operating Budget by the Board of County Commissioners.

BE IT FURTHER RESOLVED, That the annual renewal periods may be subject to price increases based upon the manufacturer's price increases for each renewal period, and subject to approval of the Purchasing Department.

BE IT FURTHER RESOLVED, That the Purchasing Department is hereby authorized to issue purchase orders to Action Chemical, Inc., American Paper & Twine Company, Bob Barker, Housekeepers Supply, and Staples Advantage (Memphis, TN) in the estimated amounts not to exceed \$243,597.48, from the subject departments' Fiscal Year 2016-2017 Operating Budgets, subject to the availability of funds at the time the purchase order is issued.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants to the various named vendors in the estimated amounts not to exceed \$243,597.48, for the purposes contained in this Resolution, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016
ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 9 (ADOPTED)

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RESOLUTION APPROVING A CONTRACT WITH DIVERSIFIED COMPANIES, LLC. FOR PROFESSIONAL SERVICES TO PRINT AND MAIL SHELBY COUNTY AND OTHER MUNICIPALITIES' TAX NOTICES FOR FY 2017 IN THE AMOUNT NOT TO EXCEED \$619,606.00. THIS ITEM REQUIRES EXPENDITURE OF COUNTY GENERAL FUNDS IN THE AMOUNT OF \$619,606.00. SPONSORED BY COMMISSIONER MARK BILLINGSLEY.

"WHEREAS, The Shelby County Trustee has need for the printing and mailing of tax notices for Shelby County and other municipalities; and

WHEREAS, The County issued a Request for Proposals ("RFP") Number 16-003-53, on March 11, 2016, and Diversified Companies, LLC demonstrated sufficient knowledge and expertise to provide such services while providing the most responsive proposal on March 23, 2016; and

WHEREAS, The parties, Shelby County and Diversified Companies, LLC., desire to enter into a contract, Exhibit A, setting forth the terms and conditions under which Diversified Companies, LLC will provide said services; and

WHEREAS, Funds in the amount of \$619,606.00, have been included in the FY 2016-2017 Trustee Operating Budget, Account Numbers 042-800801-6678 Professional Services- Other in the amount of \$200,402.00, and 042-800801-6459 Postage and Mail Services in the amount of \$419,204.00, for a total request in the amount of \$619,606.00, subject to adoption by the County Commission and availability of funds at the time the purchase order is issued.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the contract, attached hereto as *Exhibit "A" and incorporated herein by reference, is hereby approved subject to approval of the FY 2017 Operating Budget with respect to the period beginning July 1, 2016 through June 30, 2017, in the total amount of \$619,606.00.

BE IT FURTHER RESOLVED, That the (3) additional one-year options to renew are hereby approved subject to the annual appropriation of funds for each renewal term, through the adoption of each fiscal year's Operating Budget by the Board of Commissioners.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute any and all documents necessary to the intents of this Resolution, executed copies of which documents shall be placed on file in Contracts Administration and Purchasing

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Department.

BE IT FURTHER RESOLVED, That the County Mayor and Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not to exceed \$619,606.00, to Diversified Companies, LLC., for the purposes contained in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That the Purchasing Department is authorized to issue purchase orders pursuant to said contract subject to the availability of funds in the account at the time the purchase order is issued.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

Commissioner Turner stated that Committee recommended aforesaid Items 6, 7, 8 and 9 for adoption.

ITEM 10 (REMOVED TO REGULAR AGENDA)

Mr. Craig Willis, Assistant County Attorney, announced Item 10, Resolution appropriating \$2,000,000.00, for FedEx Forum maintenance and \$1,000,000.00, for EMCP interest and issuance expense. This item requires the expenditure of FY 2017 Capital Improvement Funds in the total amount of \$3,000,000.00. Sponsored by Commissioner Van D. Turner, Jr.

At the request of Commissioner Ford, Chairman Roland stated that without objection, Item 10 would be removed to Regular Agenda.

ITEM 11 (ADOPTED)

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RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT BETWEEN SHELBY COUNTY GOVERNMENT AND EVANS TAYLOR FOSTER CHILDRESS ARCHITECTS, P.C. FOR THE DESIGN DEVELOPMENT THROUGH CONSTRUCTION ADMINISTRATION PHASES OF THE RENOVATION OF THE CRIMINAL JUSTICE CENTER AT 201 POPLAR AVENUE. THIS ITEM REQUIRES THE EXPENDITURE OF FY16 COUNTY CAPITAL IMPROVEMENT FUNDS IN THE AMOUNT OF \$1,150,057.00 AND APPROPRIATION OF SAID FUNDS. SPONSORED BY COMMISSIONER GEORGE B. CHISM, SR.

“WHEREAS, Shelby County is in the process of renovating the Criminal Justice Center at 201 Poplar Avenue pursuant to its Request for Qualifications (RFQ) No. 15-012-20 with proposals received on January 20, 2015; and

WHEREAS, The Shelby County Board of Commissioners by Resolution dated May 20, 2015, approved a contract with Evans Taylor Foster Childress Architects, P.C. to provide all architectural and engineering services for said renovation; and

WHEREAS, The architectural and engineering design phase of the project is now at the point that it is necessary for County to require Consultant to proceed with the design development through construction administration phases of said project; and

WHEREAS, It is necessary to amend the current contract with Consultant to provide for the Fee for the said phases; and

WHEREAS, Funds are available in the FY 2016 Capital Improvement Program (CIP) Budget from Account Number 906-630178-7072, Interior Renovation of Criminal Justice Center; and

WHEREAS, It is necessary to appropriate funds in the amount not to exceed \$1,150,057.00, to fund this Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Amendment to the Contract with Evans Taylor Foster Childress Architects, P.C. in the amount not to exceed \$1,150,057.00, to cover the Design Development through Construction Administration Phase Services for the renovation of the Criminal Justice Center at 201 Poplar Avenue, as outlined in *Exhibit A, attached hereto and incorporated herein by reference, is hereby approved.

BE IT FURTHER RESOLVED, That CIP funds in the amount not to exceed \$1,150,057.00, be and are hereby appropriated from the FY 2016 Budget, Account Number

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906-630178-7072, Interior Renovation of Criminal Justice Center; and

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not to exceed \$1,150,057.00, to Evans Taylor Foster Childress Architects, P.C. for the purposes contained in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute any and all documents necessary to fulfill the intent of this Resolution, executed copies of which documents shall be placed on file in Contracts Administration and Purchasing Department of Shelby County Government.

BE IT FURTHER RESOLVED, That the Purchasing Department is authorized to issue purchase orders pursuant to said Amendment for the Design Development through Construction Administration Phase Services for the renovation of the Criminal Justice Center at 201 Poplar Avenue from FY 2016 Budget, Account Number 906-630178-7072, Interior Renovation of Criminal Justice Center, subject to the availability of funds at the time the purchase order is issued.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 12 (ADOPTED)

RESOLUTION APPROVING A CONTRACT BETWEEN SHELBY COUNTY GOVERNMENT AND SELF + TUCKER ARCHITECTS, INC. FOR PROVIDING ARCHITECTURAL AND ENGINEERING SERVICES FOR A FACILITY MASTER PLAN FOR JUVENILE COURT AT 616 ADAMS AVENUE. THIS ITEM REQUIRES THE EXPENDITURE OF FY 2016 GENERAL FUNDS IN THE

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AMOUNT OF \$125,500.00. SPONSORED BY
COMMISSIONER GEORGE B. CHISM, SR.

“WHEREAS, The Shelby County Juvenile Court is located at 616 Adams, and occupies a facility that has been constructed in multiple stages, beginning in the 1930’s; and

WHEREAS, Numerous components of the building envelope and infrastructure have exceeded their useful life, and are in need of replacement; and

WHEREAS, Request for Qualifications (RFQ) No. 16-002-45, Architectural and Engineering Services for Shelby County Juvenile Court Facility Master Plan was issued, and proposals received on March 9, 2016, with the most responsive proposal being submitted by Self + Tucker Architects, Inc.; and

WHEREAS, The County desires to hire Self + Tucker Architects, Inc. to provide architectural and engineering services in the amount of \$125,500.00; and

WHEREAS, Funds are available in the FY 2016 General Fund Account 037-706151-6710.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the contract with Self + Tucker Architects, Inc. in the amount not to exceed \$125,500.00, for providing architectural and engineering services for Shelby County Juvenile Court Facility Master Plan, as outlined in *Exhibit A, attached hereto and incorporated herein by reference, is hereby approved.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute any and all documents necessary to the intents of this Resolution, executed copies of which documents shall be placed on file in Contracts Administration and Purchasing Department.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not to exceed \$125,500.00, to Self + Tucker Architects, Inc. for the purposes contained in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That the Purchasing Department is authorized to issue purchase orders pursuant to said contract for architectural and engineering services for Shelby County Juvenile Court Facility Master Plan from FY 2016 General Fund Account 037-706151-6710, subject to the availability of funds at the time the purchase order is issued.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in

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accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

Commissioner Chism stated that Committee recommended aforesaid Items 11 and 12 for adoption.

ITEM 13 (ADOPTED)

RESOLUTION APPROVING A CONTRACT WITH MORRIS & MCDANIEL FOR SHERIFF'S OFFICE LAW ENFORCEMENT PROMOTIONAL EXAMS. THIS ITEM REQUIRES EXPENDITURE OF COUNTY GENERAL FUNDS IN THE AMOUNT OF \$110,340.00. SPONSORED BY COMMISSIONER MARK BILLINGSLEY.

“WHEREAS, The Shelby County Sheriff's Office has the need for qualified professionals to provide validated law enforcement promotional exam testing; and

WHEREAS, The Shelby County Purchasing Department issued a Request for Proposals, RFP No.16-007-08, Law Enforcement Promotional Exam Process on behalf of the Sheriff's Office on August 18, 2015, and received four proposals.

WHEREAS, Morris & McDaniel, Inc. responded to said RFP on September 9, 2015, submitting the most responsive and cost efficient proposal, with the knowledge, skill and expertise necessary to provide the desired services for the Shelby County Sheriff's Department; and

WHEREAS, The Shelby County Sheriff's Department deems it prudent to enter into a contract with Morris & McDaniel, Inc. for the above-stated services in the total amount, not to exceed \$110,340.00; and

WHEREAS, The term of the contract will began July 1, 2016 through June 30,

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2017, with an option to renew for two additional one-year terms upon mutual agreement of the parties; and

WHEREAS, Funds in the amount of \$110,340.00, have been allocated in the FY 2017 proposed Operating Budget, Account Number 031-610901-6664, Operational Services, Contracted, contingent on the adoption of the FY 2017 Operating Budget by the Shelby County Board of County Commissioners.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY TENNESSEE, That the contract with Morris & McDaniel, Inc., in the amount of \$110,340.00, be hereby approved.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute said contract on behalf of Shelby County Government for purposes herein contained, an executed copy of which shall be placed on file in the Contract Administration Department.

BE IT FURTHER RESOLVED, That the annual options to renew are hereby approved subject to the annual appropriation of funds for each renewal term, through the adoption of each fiscal year's Operating Budget by the Board of County Commissioners.

BE IT FURTHER RESOLVED, That the Purchasing Department is hereby authorized to issue purchase order(s) to Morris & McDaniel, Inc., in an amount not to exceed \$110,340.00, from the proposed FY 2017 Operation Budget, Account No. 031-610901-6664 subject to the availability of funds at the time the purchase order(s) is issued.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not exceed \$110,340.00, to Morris & McDaniel, Inc. for the purposes contained in this Resolution, and to take proper credit in their accounting therefor."

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

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ITEM 14 (ADOPTED)

RESOLUTION APPROVING THE EXPENDITURE OF FY 2016-2017 GENERAL FUNDS AND INTERNAL SERVICE FUNDS IN AN AMOUNT NOT TO EXCEED \$210,000.00, FOR VEHICLE TIRE REPLACEMENT TO ACCOMMODATE FLEET NEEDS FOR THE SHELBY COUNTY SHERIFF'S OFFICE AND SHELBY COUNTY FLEET SERVICES. THIS ITEM REQUIRES THE EXPENDITURE OF GENERAL FUNDS AND INTERNAL SERVICE FUNDS IN AN AMOUNT NOT TO EXCEED \$210,000.00. SPONSORED BY COMMISSIONER MARK BILINGSLEY.

"WHEREAS, The County desires to obtain the lowest and best bid for tires to accommodate vehicle tire replacements for the Shelby County Sheriff's Office and Shelby County Fleet Operations; and

WHEREAS, The County has selected Southern Tire Mart, Direct Tire and Goodyear Tire Wholesale after a competitive selection process initiated by the Purchasing Department, Sealed Bid I000386 - Vehicle Tire Replacement, attached hereto as *Exhibit A, to provide this product; and

WHEREAS, The selected vendors, Southern Tire Mart, Direct Tire and Goodyear Tire Wholesale have the knowledge and expertise to provide such product; and

WHEREAS, The term of this award will commence on July 1, 2016, or immediately thereafter and upon execution and continue through June 30, 2017, with the option to renew for two additional one-year periods, upon the mutual written consent of the parties; and

WHEREAS, Funds are available for this purpose from FY 2016-2017 Shelby County Sheriff's Office General Funds in the amount not to exceed \$150,000.00, and FY 2016-2017 Shelby County Fleet Services Internal Service Funds in the amount not to exceed \$60,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the County Mayor is hereby authorized to execute said award on behalf of Shelby County Government for the purposes herein contained, an executed copy of which shall be placed on file in the Contract Administration Department.

BE IT FURTHER RESOLVED, That the term shall commence on July 1, 2016, or immediately thereafter and upon execution through June 30, 2017, with an option to renew

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for two additional one-year periods upon the mutual written consent of the parties, subject to the availability of funding.

BE IT FURTHER RESOLVED, That the Purchasing Department is hereby authorized to issue a purchase order or purchase orders to Southern Tire Mart, Direct Tire and Goodyear Tire Wholesale, in an amount not to exceed \$150,000.00, from the Shelby County Sheriff's Office FY 2016-2017 General Fund and an amount not to exceed \$60,000.00, from the Shelby County Fleet Services FY 2016-2017 Internal Service Funds, subject to the availability of funds at the time the purchase order is issued.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance be and are hereby authorized to issue their warrant or warrants to Southern Tire Mart, Direct Tire and Goodyear Tire Wholesale for the purposes contained in this resolution, in amounts not to exceed \$210,000.00, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 15 (ADOPTED)

RESOLUTION TO APPROVE A CONTRACT BETWEEN SHELBY COUNTY GOVERNMENT ON BEHALF OF THE JUVENILE COURT OF MEMPHIS AND SHELBY COUNTY AND CASTO INFORMATION MANAGEMENT SYSTEMS, INC. IN THE AMOUNT NOT TO EXCEED \$83,000.00, TO PROVIDE MAINTENANCE, LICENSE AND DEVELOPMENT ON THE ONBASE DOCUMENT MANAGEMENT SYSTEM. THIS ITEM REQUIRES THE EXPENDITURE OF FEDERAL THROUGH STATE GRANT FUNDS IN THE AMOUNT OF \$83,000.00. SPONSORED BY COMMISSIONER MARK BILLINGSLEY.

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“WHEREAS, There is a need by the Juvenile Court of Memphis and Shelby County for OnBase document management system maintenance, license and development services; and

WHEREAS, Casto Information Management Systems, Inc. (CIMS), demonstrated the requisite knowledge and expertise to provide the services; and

WHEREAS, Shelby County Government approved CIMS as a sole source vendor; and

WHEREAS, A contract between Shelby County Government on behalf of the Juvenile Court of Memphis and Shelby County and CIMS has been proposed for the period beginning upon the date of execution through June 30, 2017, with the option to renew for four additional one-year periods upon mutual written agreement of the parties and the appropriation of funds for future renewal periods by the Board of County Commissioners; and

WHEREAS, Grant Funds in the amount of \$63,000.00, are included in the Proposed FY 2017 Juvenile Court Budget in Line Item No. 550-706153-6465, Software Acquisitions and Licenses, and \$20,000.00, in Line Item No. 037-706154-6664, Professional Services Contracted, for this expenditure, subject to appropriation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Contract between Shelby County Government on behalf of the Juvenile Court of Memphis and Shelby County and CIMS in the amount not to exceed \$83,000.00, for the provision of maintenance, license and development on the OnBase document management system, for the period ending June 30, 2017, attached hereto as *Exhibit A and incorporated herein by reference, is hereby approved, subject to appropriation, an executed copy of which shall be placed on file in the Contracts Administration section of the County Attorney’s Office.

BE IT FURTHER RESOLVED, That said contract contains the option to renew for four additional one-year periods. Said renewals shall not exceed \$83,000.00, per year and are hereby approved subject to the adoption of each fiscal year’s Operating Budget by the Board of County Commissioners.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute the contract on behalf of Shelby County Government as well as all future renewals subject to the terms and conditions of the contract and this Resolution.

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with specified amounts allocated for salaries, other compensation, fringe benefits; and

WHEREAS, A payment representing several years of salary back pay and damages has been necessary as final judgment to close a lawsuit causing the FY 2015-2016 salary and fringe expenses to exceed budget; and

WHEREAS, Funds are available within the existing operating and maintenance budget balance is available in the Construction Code Enforcement Fund 950 to correct this budget shortage.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the FY 2015-2016 Shelby County Government Operating Budget for Fund 950 of the Office of Construction Code Enforcement is hereby amended per *Exhibit A, which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant(s) for the purposes contained in the Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, This Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06 (B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 17 (ADOPTED)

RESOLUTION APPROVING A CONTRACT WITH ACCELA, INC. FOR THE PROVISION OF SOFTWARE MAINTENANCE AND SUPPORT SERVICES FOR THE OFFICE OF CONSTRUCTION CODE ENFORCEMENT, A DEPARTMENT OF THE DIVISION OF PLANNING AND DEVELOPMENT. THIS ITEM REQUIRES THE EXPENDITURE OF CONSTRUCTION CODE ENFORCEMENT ENTERPRISE FUNDS IN THE

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AMOUNT OF \$68,002.00. SPONSORED BY
COMMISSIONER VAN D. TURNER, JR.

“WHEREAS, Shelby County Government, hereinafter the “COUNTY” previously entered into an agreement (the “Agreement”) with Accela, Inc. hereinafter referred to as “PROVIDER” dated July 1, 2015, to provide certain information technology products and services; and

WHEREAS, Codes Enforcement has a need for continued software maintenance for the Permits Plus Computer System; and

WHEREAS, Accela, Inc. has been approved as a Single Source vendor by letter dated May 28, 2015; and

WHEREAS, Funds have been included in the proposed FY 2017 Code Enforcement Operating Budget in the Computing Services Contracted line account 950-270802-6620 in the amount of \$68,002.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Agreement, attached hereto as *Exhibit “A” and incorporated herein by reference, is hereby approved subject to approval of the FY 2017 Operating Budget with respect to the period beginning July 1, 2016, through June 30, 2017, in the amount of \$68,002.00, subject to approval.

BE IT FURTHER RESOLVED, That the Mayor and Director of Administration and Finance be, and are hereby authorized to execute any and all documents necessary to the intents of this Resolution, executed copies of which documents shall be placed on file in Contracts Administration and Purchasing Department.

BE IT FURTHER RESOLVED, That the Mayor and Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not to exceed \$68,002.00, to Accela, Inc. for the purposes contained in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That the Purchasing Department is authorized to issue purchase orders pursuant to said contract subject to the availability of funds in the account at the time the purchase order is issued.

BE IT FURTHER RESOLVED, This Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

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*NOTE: EXHIBIT "A" REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

Commissioner Ford stated that Committee recommended aforesaid Items 16 and 17 for adoption.

ITEM 18 (ADOPTED)

RESOLUTION TO REALLOCATE REMAINING CAPITAL IMPROVEMENT FUNDS DESIGNATED FOR COLLIERVILLE HIGH SCHOOL ROOF REPLACEMENT PROJECT, AS APPROVED BY THE COUNTY COMMISSION ON MAY 12, 2014, RESOLUTION NO. 16, EXHIBITS B AND C, FOR ASPHALT RESURFACING AT CROSSWIND ELEMENTARY SCHOOL. THIS ITEM REQUIRES THE EXPENDITURE OF COUNTY CIP FUNDS IN THE AMOUNT OF \$88,000.00. SPONSORED BY COMMISSIONER DAVID REAVES.

"WHEREAS, The Shelby County Board of Commissioners approved and appropriated capital improvement funds for Shelby County Schools in the amount of \$52,161,500.00, on May 12, 2014, as Resolution No. 16; and

WHEREAS, Specific capital projects were approved on Exhibit C of that Resolution for the municipal school districts in the total amount of \$5,905,000.00, including replacement of the roof at Collierville High School in the amount of \$1,000,000.00; and

WHEREAS, The Collierville Schools Board of Education has requested that the available budget remaining from the roof replacement project at Collierville High School in the amount of \$88,000.00, be reallocated for asphalt resurfacing of the parking lot at Crosswind Elementary School.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the capital project allocation

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previously approved by the Shelby County Commission for the Collierville High School roof replacement is hereby amended to reallocate available funds in the amount of \$88,000.00, for asphalt resurfacing at Crosswind Elementary School.

BE IT FURTHER RESOLVED, That a copy of this Resolution will be placed on file and incorporated into the Minutes of this meeting of the Shelby County Board of Commissioners as evidence of this action.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

Commissioner Reaves stated that Committee recommended Item 18 for adoption.

ITEM 19 (ADOPTED)

**RESOLUTION RECEIVING AND FILING THE THIRD
QUARTER REPORT OF THE ECONOMIC
DEVELOPMENT GROWTH ENGINE (EDGE) FOR THE
YEAR ENDING JUNE 30, 2016. SPONSORED BY
COMMISSIONER WILLIE F. BROOKS, JR.**

“WHEREAS, The Economic Development Growth Engine (EDGE) presents a Quarterly Report to the Economic Development Committee of the Board of County Commissioners; and

WHEREAS, The Third Quarter Report for the Year Ending June 30, 2016, was submitted by the Economic Development Growth Engine (EDGE) and reviewed by Commissioners in the Economic Development Committee on June 15, 2016; and

WHEREAS, The Board of County Commissioners desires to receive and file said report which is attached hereto as Exhibit A and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMIS-

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SIONERS OF SHELBY COUNTY, TENNESSEE, That the Third Quarter Report of the Economic Development Growth Engine (EDGE) for the Year Ending June 30, 2016, a copy of which is attached hereto as *Exhibit A and incorporated herein by reference, is hereby received and filed.

BE IT FURTHER RESOLVED, That this Resolution shall take effect in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 20 (ADOPTED)

RESOLUTION APPROVING THE FISCAL YEAR (FY)
2017 BUDGET OF THE DOWNTOWN MEMPHIS
COMMISSION. SPONSORED BY COMMISSIONER
WILLIE F. BROOKS, JR.

“WHEREAS, The bylaws of the Downtown Memphis Commission (formerly known as the Center City Commission) require the review and approval of each annual Operating Budget by the Memphis City Council and the Shelby County Board of Commissioners; and

WHEREAS, The Downtown Memphis Commission Board of Directors reviewed and approved the Operating Budget for FY 2017, as detailed on Exhibit A, a copy of which is attached hereto and incorporated herein by reference, at their meeting on May 18, 2016; and

WHEREAS, The Operating Budget for the Downtown Memphis Commission for FY 2017 does not require an operating subsidy from the County or City funds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Downtown Memphis Commission Budget for FY 2017, attached as *Exhibit A, be and is hereby approved.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in

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shall be incorporated herein by reference; and

WHEREAS, It is necessary to amend the FY 2017 Position Control Budget pursuant to the attached Exhibit B which shall be incorporated herein by reference; and

WHEREAS, The State of Tennessee Department of Health award is for a term beginning July 1, 2016 through September 30, 2017, and its appropriation is subject to the approval of the future corresponding Fiscal Year's budget by the Board of County Commissioners; and

WHEREAS, All costs are reimbursable by the grant for services and activities delivered during the period of the grant.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY TENNESSEE, That the FY 2017 Operating Budget is hereby amended and funds appropriated in the amount of \$967,440.00, for the provision of the administration of HIV prevention pre-exposure prophylaxis (PrEP) services, pursuant to the attached *Exhibit A, which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, That the Position Control Budget is hereby amended pursuant to the attached *Exhibit B, which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, That the grant expenditures approved herein shall be contingent upon the adoption of the FY 2017 Operating Budget by the Shelby County Board of Commissioners, and thereafter subject to the annual appropriation of funds for the corresponding fiscal operating year through September 30, 2017.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute any and all grant documents necessary to comply with the awarding and acceptance of the subject grant, consistent with the intent of this Resolution.

BE IT FURTHER RESOLVED, That the County Mayor and Director of Administration and Finance are authorized to issue their warrant or warrants to the extent of appropriations made in this Resolution pursuant to the terms and conditions of said grant and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBITS A AND B REFERRED TO
HEREIN FILED WITH RECORD IN

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OFFICE OF CLERK OF COUNTY
COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 22 (ADOPTED)

RESOLUTION TO AMEND THE FY 2017 OPERATING BUDGET IN THE AMOUNT OF \$186,000.00, AND AMENDING THE POSITION CONTROL BUDGET FOR THE PROVISION OF ADMINISTERING NATIONAL HIV BEHAVIORAL SURVEILLANCE ACTIVITIES FOR THE PERIOD OF JULY 1, 2016 THROUGH JUNE 30, 2017. THIS ITEM REQUIRES THE APPROPRIATION AND EXPENDITURE OF STATE GRANT FUNDS IN THE AMOUNT OF \$186,000.00. SPONSORED BY COMMISSIONER WALTER L. BAILEY, JR.

“WHEREAS, Shelby County Government is receiving an award in the amount of \$279,000.00, for the period of July 1, 2016 through December 31, 2017, from the State of Tennessee Department of Health for the provision of National HIV Behavioral Surveillance activities; and

WHEREAS, The award is confirmed by the State of Tennessee Department of Health and attached as Exhibit C which shall be incorporated herein by reference; and

WHEREAS, The State of Tennessee Department of Health has designated Shelby County Government, Division of Community Services, Ryan White Department as the lead agency for the purpose of administering the program; and

WHEREAS, It is necessary to amend the FY 2017 Operating Budget in the amount of \$186,000.00, and appropriate said State funds pursuant to the attached Exhibit A which shall be incorporated herein by reference; and

WHEREAS, It is necessary to amend the FY 2017 Position Control Budget pursuant to the attached Exhibit B which shall be incorporated herein by reference; and

WHEREAS, The State of Tennessee Department of Health award is for a term

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WHEREAS, All costs are reimbursable by the grant for services and activities delivered during the period of the grant.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY TENNESSEE, That the FY 2017 Operating Budget is hereby amended and funds appropriated in the amount of \$186,000.00, for the purpose of conducting National HIV Behavioral Surveillance activities, pursuant to the attached *Exhibit A, which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, That the Position Control Budget is hereby amended pursuant to the attached *Exhibit B, which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, That the grant expenditures approved herein shall be contingent upon the adoption of the FY 2017 Operating Budget by the Shelby County Board of Commissioners, and thereafter subject to the annual appropriation of funds for the corresponding fiscal operating year through December 31, 2017.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute any and all grant documents necessary to comply with the awarding and acceptance of the subject grant, consistent with the intent of this Resolution.

BE IT FURTHER RESOLVED, That the County Mayor and Director of Administration and Finance are authorized to issue their warrant or warrants to the extent of appropriations made in this Resolution pursuant to the terms and conditions of said grant and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBITS A AND B REFERRED TO
HEREIN FILED WITH RECORD IN
OFFICE OF CLERK OF COUNTY
COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

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ATTEST:

/s/ Rosalind Nichols _____
Clerk of County Commission

ADOPTED: June 20, 2016

Commissioner Bailey stated that Committee recommended aforesaid Items 21 and 22 for adoption.

ITEM 23 (ADOPTED)

RESOLUTION APPROVING THE MAYOR'S
NOMINATION OF JAMES MARTIN FOR APPOINTMENT
AND RICHARD SWIGGART, DANIEL DENT FOR
REAPPOINTMENT TO THE SHELBY COUNTY
RETIREMENT BOARD. SPONSORED BY
COMMISSIONER REGINALD MILTON.

“WHEREAS, Pursuant to the rules and regulations governing the members of the Shelby County Retirement Board, in written correspondence to the Chairman of the Shelby County Board of Commissioners dated June 2, 2016, the County Mayor nominated James Martin for appointment and Richard Swiggart, Daniel Dent for reappointment to the Board; and

WHEREAS, The ratification and approval by Shelby County Board of Commissioners is required; and

WHEREAS, The members of the Shelby County Retirement Board are appointed for a term of four (4) years upon approval by the Shelby County Board of Commissioners or until the appointment of their successors; and

WHEREAS, The following nominees shall be appointed with approval of this Resolution as follows:

<u>Appointment</u>	<u>Term</u>
James Martin (replacing Michael Harris – term expired)	4/09/2020
Richard Swiggart (reappointment)	4/10/2020
Daniel Dent (reappointment)	9/26/2019

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE That the appointment of James Martin and reappointment of Richard Swiggart, Daniel Dent, for the terms listed above, are hereby approved with this Resolution.

BE IT FURTHER RESOLVED, That this Resolution shall take effect in accordance

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with the Shelby County Charter, Article II, Section 2.06(B).”

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

Commissioner Billingsley stated that Committee recommended Item 23 for adoption.

ITEM 24 (ADOPTED)

RESOLUTION AWARDING COUNTY FUNDS FROM THE
FY 2016 OPERATING BUDGET IN THE AMOUNT OF
\$2,500.00, TO MEMPHIS BEAT THE ODDS
FOUNDATION, A CHARITABLE ORGANIZATION.
SPONSORED BY COMMISSIONER MELVIN BURGESS.

“WHEREAS, Pursuant to the Community Enhancement Program Resolution (Agenda Item No. 7) passed on July 6, 2015 (the “CEP Resolution”), the Shelby County Board of Commissioners created a Community Enhancement Program and established policies and guidelines for the appropriation and disbursement of County funds to governmental entities and non-profit civic and charitable organizations meeting certain criteria, as set forth therein; and

WHEREAS, Said CEP Resolution provides that all grant appropriations pursuant to the Community Enhancement Program shall promote the general welfare of the residents of Shelby County and shall only be available to support public safety activities, cultural activities, community development activities, as well as County and municipal infrastructure improvements within Shelby County; and

WHEREAS, Said Resolution provides that community enhancement grant proceeds must be used for one (1) or more of the following purposes: programs, services, operating costs, equipment, construction, renovation and maintenance projects within Shelby County; and

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WHEREAS, Said Resolution provides that such grants shall be approved to specific entities by Resolution of the County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That funds from the FY 2016 Operating Budget are hereby allocated and awarded to Memphis Beat the Odds Foundation in the amount of \$2,500.00, as a grant listed in *Exhibit A hereto for the projects detailed in the attached plan of services for the grant.

BE IT FURTHER RESOLVED, That said grant proceeds must promote the general welfare of the residents of Shelby County and support public safety activities, cultural activities, community development activities, as well as County and municipal infrastructure improvements, and must be used for one (1) or more of the following purposes: programs, services, operating costs, equipment, construction, renovation and maintenance projects within Shelby County.

BE IT FURTHER RESOLVED, That the Office of the Chief Administrative Officer shall prepare and execute a grant contract with the specific entities designated herein within thirty (30) days of the grantee's compliance with the grant awarding conditions set forth in the CEP Resolution.

BE IT FURTHER RESOLVED, That payment of grant funds shall be made as provided by the CEP Resolution and the grant contract.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance are hereby authorized to issue their warrant or warrants for all amounts appropriated herein, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

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ADOPTED: June 20, 2016

Commissioner Ford stated that Committee recommended Item 24 for adoption.

ITEM 25 (ADOPTED)

RESOLUTION TO AWARD CONTRACTS FOR FINANCIAL STATEMENT AUDITS OF SHELBY COUNTY GOVERNMENT FOR FISCAL YEARS 2016 THROUGH 2020. THIS ITEM REQUIRES THE EXPENDITURE OF COUNTY GENERAL FUNDS IN THE AMOUNTS OF \$435,000.00 (FY 2017), \$457,950.00 (FY 2018), \$482,000.00 (FY 2019), \$507,400.00 (FY 2020) AND \$533,900.00 (FY 2021). RESOLUTION SPONSORED BY COMMISSIONER MELVIN BURGESS.

“WHEREAS, Section 2.02(B) of the Shelby County Charter, as amended, requires the County Commission to provide annually for an independent audit of the accounts and other evidences of financial transactions of the County and every County office and such special audits as deemed necessary; and

WHEREAS, Said audit shall be made by a certified public accountant or by a firm of certified public accountants designated by the Board of County Commissioners; and

WHEREAS, The designated certified public accountants shall be qualified by training and experience, and have sufficient staff to perform the audit for the term set by Resolution; and

WHEREAS, The County issued a Request for Proposals (“RFP”) No. 16-003-51, on March 3, 2016, for the financial statement audit and two firms responded jointly to said RFP; and

WHEREAS, The Shelby County Board of Commissioners reviewed the single proposal submitted and determined that Watkins Uiberall, PLLC and Banks, Finley, White & Co. submitted a responsive proposal and has the knowledge and expertise to provide auditing services.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Contract to Audit Accounts with Watkins Uiberall, PLLC and Banks, Finley, White & Co. for the audit of FY 2016 to be performed in FY 2017, in the amount of \$435,000.00, attached hereto and incorporated herein by reference, for auditing services is hereby approved.

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BE IT FURTHER RESOLVED, That future years' Contract to Audit Accounts with Watkins Uiberall, PLLC and Banks, Finley, White & Co. are hereby approved for each renewal term's corresponding Fiscal Operating Year as follows: FY 2017 audit in FY 2018, \$457,950.00; FY 2018 audit in FY 2019, \$482,000.00; FY 2019 audit in FY 2020, \$507,400.00 and FY 2020 audit in FY 2021, \$533,900.00.

BE IT FURTHER RESOLVED, That future year contracts are hereby approved subject to the annual appropriation of funds for each year's contract and that the County Mayor is authorized to execute annual contracts on behalf of Shelby County Government, an executed copy of which shall be filed with the Contract Administration Section.

BE IT FURTHER RESOLVED, That funds are appropriated in the amounts specified above for the audit of each fiscal year in Account No. 010-201201-6601, contingent upon the adoption of the Operating Budget for each fiscal year with sufficient funds allocated for this appropriation.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance be and are hereby authorized to issue their warrant of warrants in amounts not to exceed the annual audit costs as specified above for the purposes contained in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

Commissioner Burgess stated that Committee recommended Item 25 for adoption.

ITEM 26 (ADOPTED)

RESOLUTION APPROVING THE CONVEYANCE OF
TWO UNIMPROVED, COUNTY-OWNED DELINQUENT
TAX PARCELS, COLLECTIVELY TOTALING 5.08 ACRES

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IN SIZE, LOCATED ON THE SOUTH SIDE OF RALEIGH-LAGRANGE RD., EAST OF JACKSON AVE., TO THE CITY OF MEMPHIS, FOR NOMINAL CONSIDERATION, FOR USE AS PART OF ITS KENNEDY PARK AND FOR USE AS A TRAIL HEAD FOR ITS PROPOSED WOLF RIVER GREENWAY; AND AUTHORIZING THE SHELBY COUNTY MAYOR TO EXECUTE QUIT CLAIM DEEDS. SPONSORED BY COMMISSIONER EDDIE S. JONES, JR. AND CO-SPONSORED BY WILLIE F. BROOKS, JR.

“WHEREAS, The County of Shelby has acquired, for delinquent property taxes, two unimproved parcels of land, collectively totaling 5.08 acres in size, addressed as 4537 Raleigh-LaGrange Rd. and 0 Raleigh-LaGrange Rd., in Tax Sale Nos. 85.1 and 1102, identified as Tax Parcel Nos. 08803200001160 and 08803200001420 as listed on the spreadsheet and as shown in the aerial maps, which are attached hereto as *Exhibit “A” and *Exhibit “B”, respectively, and incorporated herein by reference; and

WHEREAS, The City of Memphis needs to acquire said two unimproved County owned, delinquent tax parcels of land for use as part of its Kennedy Park and for use as a trail head for its proposed Wolf River Greenway; and

WHEREAS, The City of Memphis has now requested that the County of Shelby convey said two parcels of land, collectively totaling 5.08 acres in size, addressed as 4537 Raleigh-LaGrange Rd. and 0 Raleigh-LaGrange Rd., to the City of Memphis, for nominal consideration, for use as part of its Kennedy Park and for use as a trail head for its proposed Wolf River Greenway; and

WHEREAS, Tennessee Code Annotated, Section 67-5-2509(d)(1), allows the County of Shelby to convey real property acquired in a tax sale to another governmental entity pursuant to terms deemed appropriate to both, so long as the acquiring governmental entity will use the real property for a public use and purpose; and

WHEREAS, It is deemed to be in the best interest of the County of Shelby to convey said two unimproved parcels of land, collectively totaling 5.08 acres in size, addressed as 4537 Raleigh-LaGrange Rd. and 0 Raleigh-LaGrange Rd., for nominal consideration, for use as part of its Kennedy Park and for use as a trail head for its proposed Wolf River Greenway.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the conveyance of the aforementioned two unimproved County-owned delinquent tax parcels to the City of

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Memphis, for nominal consideration, be and the same is hereby approved; and that the County Mayor be and he is authorized to execute the Quit Claim Deed documents affecting the same.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBITS A AND B REFERRED TO
HEREIN FILED WITH RECORD IN
OFFICE OF CLERK OF COUNTY
COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 27 (ADOPTED)

RESOLUTION APPROVING THE CONVEYANCE OF ONE UNIMPROVED, COUNTY-OWNED DELINQUENT TAX PARCEL, TOTALING 0.0340 ACRES IN SIZE, LOCATED ON THE NORTH SIDE OF MOSBY AVENUE, WEST OF ASHLAND STREET, AT SANDERSON ALLEY, TO THE CITY OF MEMPHIS, FOR NOMINAL CONSIDERATION, FOR USE AS PART OF ITS IMPROVEMENT OF SANDERSON ALLEY; AND AUTHORIZING THE SHELBY COUNTY MAYOR TO EXECUTE A QUIT CLAIM DEED. SPONSORED BY COMMISSIONER EDDIE S. JONES, JR. AND CO-SPONSORED BY COMMISSIONER WALTER L. BAILEY, JR.

“WHEREAS, The County of Shelby has acquired, for delinquent property taxes, one unimproved parcel of land, totaling 0.0340 acres in size, addressed as 0 Mosby Avenue, in Tax Sale No. 41, Exhibit # 4259, identified as Tax Parcel No. 05101400000520 as listed on the spreadsheet and as shown in the aerial map, which are attached hereto as *Exhibit “A” and *Exhibit “B”, respectively, and incorporated herein by reference; and

WHEREAS, The City of Memphis needs to acquire said unimproved County-owned, delinquent tax parcel of land for use as part of its improvement of Sanderson Alley; and

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WHEREAS, The City of Memphis has now requested that the County of Shelby convey said parcel of land, totaling 0.0340 acres in size, addressed as 0 Mosby Ave., to the City of Memphis, for nominal consideration, for use as part of its improvement for Sanderson Alley; and

WHEREAS, Tennessee Code Annotated, Section 67-5-2509(d)(1), allows the County of Shelby to convey real property acquired in a tax sale to another governmental entity pursuant to terms deemed appropriate to both, so long as the acquiring governmental entity will use the real property for a public use and purpose; and

WHEREAS, It is deemed to be in the best interest of the County of Shelby to convey said unimproved parcel of land, totaling 0.0340 acres in size, addressed as 0 Mosby Avenue, for nominal consideration, for use as part of its improvement of Sanderson Alley.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the conveyance of the aforementioned unimproved County-owned delinquent tax parcel to the City of Memphis, for nominal consideration, be and the same is hereby approved; and that the County Mayor be and he is authorized to execute the Quit Claim Deed document affecting the same.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

ITEM 28 (ADOPTED)

RESOLUTION APPROVING THE SALE OF **SEVENTY-NINE** COUNTY-OWNED DELINQUENT TAX PARCELS, ACQUIRED FROM VARIOUS SHELBY COUNTY TAX SALES, TO IDENTIFIED PURCHASERS AT VARIOUS PRICES COLLECTIVELY TOTALING \$408,910.00, PURSUANT TO THE SALE PROVISIONS OF TENNESSEE CODE ANNOTATED, SECTION 67-5-2507, AND AUTHORIZING THE SHELBY COUNTY MAYOR TO

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EXECUTE QUIT CLAIM DEEDS. SPONSORED BY
COMMISSIONER EDDIE S. JONES, JR.

“WHEREAS, Shelby County has acquired SEVENTY-NINE Delinquent Tax Parcels from Shelby County Tax Sale Nos. 2, 5, 89.3, 97.3, 98.02, 99.05, 103, 203, 205, 305, 403, 505, 602, 603, 604, 701, 703, 803, 804, 903, 1002, 1003, 1101, 1102, and 1201 which parcels being more particularly described in the listing thereof, which is attached hereto as Exhibit “A”, and further shown in Exhibit “B”, maps, and incorporated herein by reference; and

WHEREAS, Pursuant to the sale provisions of Tennessee Code Annotated, Section 67-5-2507, the Shelby County Land Bank Department has taken charge of and marketed said Delinquent Tax Parcels to secure purchase offers for each; and

WHEREAS, The purchase offers received for said Delinquent Tax Parcels were publicly advertised for increased offers pursuant to Tennessee Code Annotated, Section 67-5-2507, in conjunction with establishing the purchase offers received from the identified purchasers, listed in Exhibit “A”, as representing their highest and best sale price, and further shown in Exhibit “B”, maps, and incorporated herein by reference; and

WHEREAS, It is deemed to be in the best interest of Shelby County to sell said SEVENTY-NINE Delinquent Tax Parcels to the identified purchasers for the sale prices as listed in said Exhibit “A” and further shown in Exhibit “B”, maps, and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the sale of the aforementioned SEVENTY-NINE Delinquent Tax Parcels, acquired from Shelby County Tax Sale Nos. 2, 5, 89.3, 97.3, 98.02, 99.05, 103, 203, 205, 305, 403, 505, 602, 603, 604, 701, 703, 803, 804, 903, 1002, 1003, 1101, 1102, and 1201 to the identified purchasers for the sale prices listed in said *Exhibit “A” and further shown in *Exhibit “B”, maps, and incorporated herein by reference, collectively totaling \$408,910.00, be and the same is hereby approved.

BE IT FURTHER RESOLVED, That the Mayor be and is authorized to execute Quit Claim Deeds conveying the same, along with any other documents necessary for the closing of the Delinquent Tax Parcel sales described herein.

BE IT FURTHER RESOLVED, That the identified purchasers have followed all

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required County policies and procedures and shall close their purchase of said Delinquent Tax Parcels in accordance with the terms of the executed "Offer to Purchase Agreement".

BE IT FURTHER RESOLVED, That the identified purchasers have acknowledged that failure to close said Delinquent Tax Parcels in accordance with the terms of the executed "Offer to Purchase Agreement" shall result in their forfeiture to the County of any and all deposits and/or processing fees paid by them.

BE IT FURTHER RESOLVED, That the Shelby County Land Bank shall forward a failure-to-close notice to the Shelby County Trustee on those said failure-to-close parcels; and immediately thereafter incorporate said failure-to-close parcels back into its for sale inventory.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBITS A AND B REFERRED TO
HEREIN FILED WITH RECORD IN
OFFICE OF CLERK OF COUNTY
COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

Commissioner Ford stated that Committee recommended aforesaid Items 26, 27 and 28 for adoption.

Whereupon, passage of aforesaid items, was moved by Commissioner Ford duly seconded by Commissioner Milton.

The Clerk called the roll for casting of the vote with the following results:

AYES: Reaves, Billingsley, Milton, Ford, Basar, Chism, Burgess and Roland.

NAYS: None

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RECUSED: Turner

ABSENT: None

AYES, eight; NAYS, none; RECUSED, one; ABSENT, none (Bailey, Brooks, Shafer and Jones absent during roll call).

Chairman Roland declared the MOTION CARRIED.

REGULAR AGENDA

NOTE: CHAIRMAN ROLAND STATED THAT, WITHOUT OBJECTION ITEM 10, WHICH WAS REMOVED FROM THE CONSENT AGENDA TO THE REGULAR AGENDA, WILL GO TO THE HEEL OF THE AGENDA.

NOTE: CHAIRMAN ROLAND STATED THAT, WITHOUT OBJECTION ITEM 30 WOULD BE TAKEN UP AT THIS TIME.

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

ZONING AND SUBDIVISIONS

REPORTS AND/OR RESOLUTIONS FOR STANDING COMMITTEES

ITEM 30 (REFERRED BACK TO COMMITTEE)

Mr. Willis, Assistant County Attorney, announced Item 30, which is as follows:

RESOLUTION APPROVING AND APPROPRIATING SHELBY COUNTY GOVERNMENT'S OPERATING BUDGET FOR FISCAL YEAR 2017. SPONSORED BY COMMISSIONER VAN D. TURNER, JR.

Whereupon, passage of the Resolution was moved by Commissioner Basar; duly seconded by Commissioner Jones.

Chairman Roland recognized Mr. Harvey Kennedy, Chief Administrative Officer, who stated: "We – kind of recapping where we were with the submission of the Operating Budget Resolution. Amendments had been made to the documents that are in the system that have reflected the \$8.7 million dollars that we recommended be added to the school budget for this year was in the original budget submission. We had originally programmed \$16 million of the Wheel Tax to go to operations with \$16 million to go to CIP funding for the

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various school districts. That was amended at Committee to budget all of the Wheel Tax to go to the schools and that change has been made into the budget documents that are available for approval. There was also an amendment to split the difference of a \$7 million dollar addition to the school budget and the compromise was at \$3.5 million. We've got a situation where we would ask that the Commission to just reconsider that particular part of it. Right now we're looking at a situation where the schools have got a – all the districts combined have got \$391,288,000.00 carried forward from last year. Shelby County Schools including their charters and ASDs have asked for \$35 million which then would generate \$9.5 million for the municipal schools; a grand total of \$44.5 million increase request, which is just not doable within our budget without an enormous tax increase, an increase of this magnitude, we believe, just can't be justified with the total population declining by an average of 1.2 percent a year for the Shelby County Schools. In addition over the last five years, property taxes that fund education have increased by an average of 1.3 percent. The Shelby County General Fund by comparison the other large user of tax revenue has been relatively flat with the largest increase at 1.4 percent. The deficit that's been presented from the schools of \$27 million dollars, again is for – is for just the schools, does not include the charters and the ASDs. Our position on this is that the \$8.7 million that we have recommended be added to the budget initially, with \$16 million from the Wheel Tax, an additional \$16 million coming from the Wheel Tax, the school operation, raising their budget by \$24,700,000.00 increase of which \$19.4 million would go to the Shelby County Schools, we believe is a very generous increase. That would be an increase in school funding of 6.3 percent, largest increase we've given in any single year and this would be in addition to the \$35 million dollar increase that's been made over the last three fiscal years to school funding. Our recommendation again is back at the \$24.7 million dollar figure for all of the Shelby County Schools. We also believe that the deficit that's been presented by the schools needs to be reconsidered. I think they need to continue to take a look at it. as we believe that they've understated their revenue by about \$11 million dollars based on a under projection for sales tax revenue and we also believe that they've used a very smaller number than should have been used to assess their ADA allocation. So we believe that there's \$11 million that is available for them to increase their revenue with expenditures remaining the same, that way if we adjusted the \$11 million from the \$35 million dollar ask that they have in front of us, that would be a \$24 million deficit they'd be looking at, with what we're offering

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would be \$19.4 million, leaving an adjusted deficit for the Shelby County Schools of only \$4.6 million. It would also reduce the municipals allocation to \$9.5 million down to \$6.8 million. So I believe that getting within \$4.6 million for the schools by the allocation of \$24,700,000.00 would be a very generous offer for the schools and we would hope that the Commission would agree with that.”

NOTE: CHAIRMAN PRO TEMPORE TURNER
ASSUMED THE CHAIR.

Chairman Pro Tempore Turner recognized Commissioner Burgess, who stated: “Yeah I want to Mulligan that. Is it okay if we could call up I guess the CFO and the Superintendent to kind of give us an explanation of the \$11 million dollars against the sales tax or whatever – where the numbers you know aren’t jiving, can you kind of give us some light on that, please.”

Chairman Pro Tempore Turner recognized Mr. Dorsey Hopson, Superintendent Shelby County Schools, who stated: “Thank you, Commissioners. Just to put bluntly we just don’t agree. I think at the end of the day, this Commission spent about four hours of coming up with a non-partisan agreement that required give and take from everybody including the schools. We had school board members up here who said they would be supportive of doing their part and using more fund balance. I just want to know for fund balance it’s interesting because you talk about second mortgages – well our last year’s budget had \$36 million dollars in it, which is why we’re in the position that we’re in now, so that’s a big second mortgage. So I think that we have demonstrated willingness, Commission, to do what needs to be done, not just for students but for the overall financial health of the Commission. And so I think that when you spend all the time that we did going through you know really working together as a team to come up with something that wasn’t perfect but that was an extraordinary effort by this Commission to now come back and try to revisit for some reason is distancing us further away from where we were when we left the other day. I think that there is some agreement when we went back to look at the numbers, we can adjust some of our estimates up, again of course they’re only estimates. And you know at the end of the day, Commissioners, you know we’re going to work with what we have. I’m just proud of the community for coming together to support education, I haven’t seen anything like that before. I haven’t seen this Commission work so well together before and what we all came up with

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last week was the Wheel Tax and an additional \$3.5 million dollars and if the County Commission decides not to do the extra \$3.5 million dollars, again we don't – we can't cut a check so we'll have to adjust to what – to the wisdom and the will of the Commission."

Chairman Pro Tempore Turner recognized Commissioner Bailey, who stated: "I wanted Mr. Kennedy to go back to those – his explanation here, because he was going rather fast and I failed to keep track...Go ahead."

NOTE: CHAIRMAN ROLAND RESUMED THE CHAIR.

Chairman Roland recognized Mr. Kennedy, who stated: "The only ask that we were making at this time, again the position we had all arrived at \$24.7 million dollars additional for school funding, the compromise of \$3.5 million takes us out of balance, essentially. It's not a matter – we don't necessarily believe that the schools don't need it, couldn't use the money, just like everybody that's asked for an increase could probably effectively use it increase services, but the \$3.5 million takes us out of balance and if the County Commission does in fact approve the additional \$3.5 million, rather than taking it from the County's fund balance then we're going to counter propose that we would look at the General Fund and see if we could come up with some reductions in the General Fund budget so that we could do that. But again the General Fund budget is very, very tightly controlled and we've got a number of elected officials that are probably going to be here today to ask you to increase their budget, so not only are we looking at \$.3.5 million that's going to take us out of balance, I expect you're going to have some elected officials that are going to continue to ask for the additional funds that are not within our balanced budget. So it's a matter of what can we afford within the existing revenue stream, which we believe is right on target and the \$3.5 million – even with our position here, we're giving an increase to school funding of 6.3 percent while the General Fund over the last five years has never had an increase of any greater than 1.4 percent, so \$24.7 million is our recommended increase to the school's budget, we think it's a very generous offer, it would get \$19.4 million and we still believe that there's some room to increase their revenue budgets that would get them closer to balancing their books."

Chairman Roland recognized Commissioner Bailey, who stated: "What makes you – what leads you to believe that there could be increase in their revenue?"

Chairman Roland recognized Mr. Kennedy, who stated: "They review by our

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finance – our CFO and his staff reviewing it. We believe that there was a very ultra conservative figure being used for the ADA number to split all of the funding together and we believe that they've understated the local option sales tax revenue. We believe that the total of that is right about \$11 million dollars."

Chairman Roland recognized Commissioner Bailey, who stated: "You're saying that they're \$11 million off in terms of ask?"

Chairman Roland recognized Mr. Kennedy, who stated: "We believe that they could budget \$11 million more in the revenue line therefore reducing the deficit that they produced of \$35 million down to \$24 million."

Chairman Roland recognized Commissioner Bailey, who stated: "Have you had a discussion with them, the Administration one on one since..."

Chairman Roland recognized Mr. Kennedy, who stated: "We have had discussions. I don't think we have an agreement on that."

Chairman Roland recognized Commissioner Bailey, who stated: "And why do you think that we shouldn't listen them in terms of their expertise and their explanation."

Chairman Roland recognized Mr. Kennedy, who stated: "Well we're back to what we can afford – we're back to what we can afford, Commissioner. We're trying to get a balanced budget, trying to walk a very fine line by giving enough to County operations the debt we got to take care of, so it's gets down to a matter of general operations for County government compared to the education budget. We believe that \$24.7 million increase in their operating funds is again a very generous offer from the county."

Chairman Roland recognized Commissioner Bailey, who stated: "But you're not absolutely sure that they are \$11 million off though are you in terms of their projections."

Chairman Roland recognized Mr. Kennedy, who stated: "That's our assessment from looking at the budget that was provided to us."

Chairman Roland recognized Commissioner Bailey, who stated: "I understand, but you're not absolutely sure though are you?"

Chairman Roland recognized Mr. Kennedy, who stated: "I can't say that I'm absolutely sure but I got a great deal of confidence in our finance folks as well."

Chairman Roland recognized Commissioner Bailey, who stated: "Now one other thing I want to inquire about is that is these – your recommendation to – for us to deny the increase funding pertaining to the Sheriff. Where are we on that?"

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Chairman Roland recognized Mr. Kennedy, who stated: "Well we'll have to meet with the Sheriff. We did meet. I presented my position that I believe that we can repurpose positions and do something a little bit extraordinary to get the cars, again much like the schools I can't say that I have an agreement from the Sheriff's Office on acceptance of my plan – our plan."

Chairman Roland recognized Commissioner Bailey, who stated: "So you want us to just – you're telling us to deny the Sheriff's request of the 4483 – for the \$4 million?"

Chairman Roland recognized Mr. Kennedy, who stated: "We had not recommended adding that money to the Sheriff's budget, not that we don't believe that he could effectively use it, but again it's a matter of what the tax revenues will bear."

Chairman Roland recognized Commissioner Bailey, who stated: "So you're asking us to deny the Sheriff's request?"

Chairman Roland recognized Mr. Kennedy, who stated: "Yes."

Chairman Roland recognized Commissioner Bailey, who stated: "And you're asking us to deny the request from the Attorney General's Office even though it includes the body cameras and other items that are set out here?"

Chairman Roland recognized Mr. Kennedy, who stated: "That's correct, that's correct, Commissioner. We're asking – we had offered in our review at the Committee that we could handle a small level of increases, we detailed a very few increases that we thought could be accommodated by just adjusting some restrictions, but none of the \$4.5 million or the \$3 million that the DA's looking at."

Chairman Roland recognized Commissioner Bailey, who stated: "And you're asking us to deny Juvenile Court its request of \$658,000.00?"

Chairman Roland recognized Mr. Kennedy, who stated: "That's correct."

Chairman Roland recognized Commissioner Bailey, who stated: "And – but you don't deny, of course when I say you I'm not talking about you personally – but the Administration doesn't deny or refute that these are essential well needed services."

Chairman Roland recognized Mr. Kennedy, who stated: "I'm sure that they could effectively use the money and expand their services and that's essentially what all of the increase are growth in government either through new positions or new funding or new programs and that is with the existing revenue and what we're providing to the schools, I just don't see how we can fund all of the increase requests."

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Chairman Roland recognized Commissioner Bailey, who stated: "And one final questions. I take it you are just unalterably opposed to a property tax increase, even though..."

Chairman Roland recognized Mr. Kennedy, who stated: "That's absolutely correct, Commissioner."

Chairman Roland recognized Commissioner Bailey, who stated: "And of course you acknowledge that on a \$70,000.00 medium priced home the property tax of six cents will only be \$10.50 a year?"

Chairman Roland recognized Mr. Kennedy, who stated: "I accept that completely, but we're still opposed to a property tax increase."

Chairman Roland recognized Commissioner Bailey, who stated: "And does it make rational sense though to say we don't want to impose a \$10.50 tax increase on a \$70,000.00 home – I'm talking about a year -- \$10.50 a year."

Chairman Roland recognized Mr. Kennedy, who stated: "It seems benign when you put it like that Commissioner, but from all sources we're being told that property taxes are too high. If we could find a way to lower them we would, but right now we've got all of these requests coming in so our position is to maintain the rate as is, fund as much as we possibly can, and be smart about the way we distribute the property tax revenues without increasing the rate. And that's what we've attempted to do in this particular budget proposal."

Chairman Roland recognized Commissioner Jones, who stated: "You know our last meeting we sat here and we went through a whole lot and you know what's puzzling to me, here it is we had a surplus last year, if the schools hadn't got their share that was in the property tax Ordinance that we passed – I figured it up it's about \$10,780,000.00, you had held on to it, now you want to come back and say well we don't think they should get more, but you kept money from them that was rightfully theirs in the Resolution that we passed – in an Ordinance that we passed. You want to answer that?"

Chairman Roland recognized Mr. Kennedy, who stated: "Commissioner we went over this in great detail last time. The school's money that was driven from the property tax in Fiscal 15, all of that money went to the schools. We did not withhold any money from the schools as a result of that. What we did was we didn't have to put as much of the Wheel Tax toward the approved budget for the schools. As we've done every year moving forward,

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that's exactly the process we've gone through, because we did in fact have a surplus in 15, there was additional funds collected but it did not exceed the amount of budget approved and appropriated by this body, therefore there was still some Wheel Tax that had to be transferred to the education fund in order to meet their specific budget. We didn't withhold any of their money, as again what I mentioned earlier the beneficiary of that excess turned out to be the Debt Service Fund because the balance of the Wheel Tax went to pay off school debt again for the schools, so they weren't withheld, they got exactly the amount of money that was approved by this body in their budget."

Chairman Roland recognized Commissioner Jones, who stated: "What schools, what debt, what schools? Because the debt for schools is set in the property tax rate, so what debt, what schools?"

Chairman Roland recognized Mr. Kennedy, who stated: "Well I can't tell you what schools, but it's out of the debt service..."

Chairman Roland recognized Commissioner Jones, who stated: "How about this, what systems – school systems?"

Chairman Roland recognized Mr. Kennedy, who stated: "All of them, Commissioners. The debt accrues to the County, it doesn't accrue to an individual school district. The assets accrue to the school district. The debt accrues to the County, that's us. We got the debt for school construction, for school renovation, for whatever, for all of the school districts in the County, it's not specific as to who gets it, but we could go back – I mean we could go back and get the debt schedule and tell you what specific projects were paid off when we did the refunding but suffice it to say we got rid of \$40 million dollars' worth of debt during the last refunding, which is where a good portion of that excess property tax receipts were deposited."

Chairman Roland recognized Commissioner Jones, who stated: "Well here's how I take everything that you're saying. In our last meeting, you explained it, you said hey we've held on to their money. I take that as being the truth. Today you're coming back and changing what you said in our last meeting and all of it is on the record, what you're saying."

Chairman Roland recognized Mr. Kennedy, who stated: "Well pull it out Commissioner, I'm not changing anything."

Chairman Roland recognized Commissioner Jones, who stated: "All of it is on the record."

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Chairman Roland recognized Mr. Kennedy, who stated: "Pull it out, I'm not changing anything. It's exactly what I said and we did increase the school budget for 16 by \$10 million dollars based on those increased receipts from Fiscal 15."

Chairman Roland recognized Commissioner Jones, who stated: "Alright, now let's move on to something else. Let's go on to the Sheriffs. If we were to release those restricted funds and they have about \$11 million in restricted funds, release some of that, could he not get what he needs in his budget?"

Chairman Roland recognized Mr. Kennedy, who stated: "He could, Commissioner, but by changing or releasing – moving the restriction, you take the budget out of balance. The restriction again..."

Chairman Roland recognized Commissioner Jones, who stated: "Could you put it back in balance?"

Chairman Roland recognized Mr. Kennedy, who stated: "By making cuts somewhere else in the budget you can."

Chairman Roland stated: "Before we go any further, hold on a second Commissioner Brooks, then I'll let you go. But when you say restricted funds, you're not actually talking about money, right."

Chairman Roland recognized Mr. Kennedy, who stated: "Commissioner it's an adjustment to everyone's personnel budget that reflects what the expected vacancy rate throughout the year will be and particularly in public safety where you have a fairly substantial turnover – for example in the Sherriff's office they have about 180 loses in personnel throughout the year, it happens in kind of normal stream and this accounts for the period of time that positions are vacant with a budget that's been provided for them you don't want to just – if you had no restriction there would be an enormous amount of money left on the table at the end of year, something like greater than \$20 million dollars, if you did not use the vacancy savings restriction."

Chairman Roland recognized Commissioner Brooks, who stated: "Thank you, Mr. Chairman. I guess my concerns are last Wednesday we spent at least a minimum of four hours talking about this budget and we walked away with a commitment from the Administration – the Mayor saying that we would find \$3.5 million with the agreement that the school Administration and the school board agreed to the 3.5 and now we are renegeing on what we agreed to do last – in our Committee meeting. I'm concerned about the integrity of

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our process when we go out on the front and the Mayor says we'll come up with \$3.5 million and today we're hearing that you renege on that."

Chairman Roland recognized Mr. Kennedy, who stated: "No we're recommending since the budget was reopened at the meeting before it ended, you passed certain amendments, the budget was reopened therefore everything is available and if the Commission approves the \$3.5 million then we will have some suggestions as to how we will find the \$3.5 million. We're not renege, we're just suggesting since we're reconsidering the budget's been reopened, that would be our position is that – get us back into balance by not appropriating the \$3.5 million in additional to \$24.7 million."

Chairman Roland recognized Commissioner Brooks, who stated: "But you haven't come back with the recommendation where you'll get the \$3.5 million."

Chairman Roland recognized Mr. Kennedy, who stated: "I'm going to see what happens with the amendments to the budget. We've only got a couple of them, I don't know what's going to happen yet. I don't know how much we're going to be looking for."

Chairman Roland recognized Commissioner Brooks, who stated: "But we're speaking in reference to the allocation for education, that's what we're talking about right now."

Chairman Roland recognized Mr. Kennedy, who stated: "If we increase the education budget by \$3.5 million then that's probably going to follow that we're going to ask you to adjust the tax rate by adding a couple of cents to the education portion of the tax rate, subtracting a couple of cents from the General Fund and then we'll have a couple of recommendation from where those funds could be saved from."

Chairman Roland recognized Commissioner Brooks, who stated: "That would be a recommendation?"

Chairman Roland recognized Mr. Kennedy, who stated: "Well, yeah. All of this is a proposal we provide to you."

Chairman Roland recognized Commissioner Brooks, who stated: "Is that the only recommendation that you would come with?"

Chairman Roland recognized Mr. Kennedy, who stated: "I've got several possibilities depending on what else happens here."

Chairman Roland recognized Commissioner Ford, who stated: "Yes, sir, Mr. Chairman. Thank you so much for acknowledging me at this time. Mr. Kennedy, you eluded

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to – when we talked about the budget the population decline as it led us to you know this particular numbers and we can't increase the taxes, can you go back to that particular part when you started off?"

Chairman Roland recognized Mr. Kennedy, who stated: "I can...the schools – Shelby County Schools is at a declining population by an average of 1.2 percent per year over the last five years since we – the last four years I guess since we consolidated. We're projecting continued decline in population, therefore the schools simply have got to have a plan to deal with it, because as the population declines they're going somewhere and they're going into some other system, either charter, ASDs or moving to the municipal school districts. So as they continue to lose population they're going to need to make budget adjustments because those increases, the money following the students is going to go somewhere else."

Chairman Roland recognized Commissioner Ford, who stated: "Alright, thank you, Mr. Kennedy, and that takes me to a question for Superintendent, CFO or the Chairman of the School Board. Mr. Superintendent, it's been great working with you and your team over the last couple of weeks and I have a fiduciary responsibility here in the county to make a decision not only on the tax rate but for the funding the school on some level and I'm going to do it just that, I've done it six previous times. Mr. Superintendent, let me ask you a question. He just eluded to the population decline, schools that were closed – that were voted to be closed, why were they closed? Were they closed based on population density, was it closed based on your budget? Give me a – walk me through that particular process."

Chairman Roland recognized Mr. Hopson, who stated: "Sure, Commissioner Ford. You're absolutely right. Those school closure decisions as well as the 20 other schools that we closed over the four years as well as the footprint analysis that's moving forward is based on declining enrollment. For example, you know one of a really, really tough decision that the board had to make recently and you know felt a lot of heartache in the community was to close Carver. But Carver had about 198 kids in it and you know so when you have very, very low enrollment, A) you have to supplement the teaching staff because they don't have enough students to generate a full staff and then secondly, you're not able to offer the educational programs in the most efficient way. So I mean just in all canter sir, I think we've closed about 22 schools and you know we have about 27,000 more seats than we have students so we will be presenting a plan on additional schools in the fall, but it's based on

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enrollment.”

Chairman Roland recognized Commissioner Ford, who stated: “And so you see that ours is based on population decline as well. The question that I have is of those 27 schools that are closing you said there are some projectives – more schools would be projected to close, where are those schools located in Shelby County?”

Chairman Roland recognized Mr. Hopson, who stated: “The overwhelming majority of those schools, Mr. Ford, are located in South Memphis, Southwest Memphis, Frayser, you know and the unfortunate thing Commissioners that all those schools have been severely neglected by county government, city government, school systems for decades, so it’s not just a problem that just popped up right now. So what you have to do is you know you say what you have and we literally have a situation where you have a school, three schools, two miles apart, all of them are halfway full and all of them are on the priority list. So we just have a strategy to combine those schools to get more resources in those schools so we can improve student achievement.”

Chairman Roland recognized Commissioner Ford, who stated: “So let me ask you a question, figuratively speaking, Mr. Superintendent, just we talking – someone poses this question to you why would you need an increase in your budget when your system is getting smaller? How can you answer that question for us?”

Chairman Roland recognized Mr. Hopson, who stated: “I think that’s a great question, it gives us a chance to clear up some misconception. Our budget is going down by \$30 million dollars – our budget is decreasing. So when hear some of the other departments that ask – our budget is going down by \$30 million dollars. What happened last year when we were at this point, there was a suggestion that – and I’ve said this you know we’re moving to new standards and so we got to a point where we said, alright we can cut some more. We talked about more funding and so there were suggestions made, well just use your fund balance, take that second mortgage out, use your fund balance. And then when you exhaust that fund balance you’ll be in a better position to ask for more funding. So we put up \$36 million dollars of fund balance last year to balance our budget and so this year we start off with a structural deficit. When we sit down to balance the books we start off with \$36 million dollars that we don’t have because we used it last year. So our budget is going down by \$30 million dollar, but we’re just still trying to account for that fund balance that we used last year, so we’re not asking for more money for our overall budget, we’re just asking for an increase

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of funding to account for the structural deficit we had going into last year.”

Chairman Roland recognized Commissioner Ford, who stated: “In this proposed increase – Mr. Chairman, if you don’t mind, two more questions – this proposed increase, if you got everything you wanted today – where I represent Southwest Memphis, Mr. Superintendent, no disrespect. But over the last five years I’ve had to witness school after school close in my district and it’s rather tough for me to sit here today to hear that we need \$50 more million, \$40 more million and the children that I represent, the schools that I represent are closing. My family was founded on education, they believe in education – Geeter Junior High School and High School. I want you to understand that this is important to us in what we’re going to do today – this tax rate we’re going to set, funding your school system, funding the Sheriff’s department, other entities of this government. But we have to have and I have to have in front of me – I can’t – I have to have a list, one showing me forecasts of what other schools are going to close – are they going to continue to be in South/Southwest Memphis, are they going to continue to be in the districts that Brother Jones represents or Brother Burgess represents or are we at a point now where you can say to me honestly Mr. Ford give us the forwarding we’re going to make sure we get a first class educational system, we’re make sure no more schools are closing because at the end of the day I’m sitting here voting for money for this one particular school systems when in about six weeks I see another school is about to close in my district, another school is going to close, I have to be able to put a band aid on that – at some point school board, I have to be able to put a band aid on it. I understand population density, because at this point when I vote on this particular budget, population density I’m going to throw it out the window. I’m going to leave it alone to take care of the school system, but at the same time I can’t throw it out the window when the population density in my district is the only justification for closing those schools. We have to make sure Mr. Superintendent, that schools in this particular county are great everywhere. Now, I want the budget to reflect some other things. I want to see a whole total makeover of the school system – the whole total investment in education – CLUE program – I enjoy CLUE, I’ve heard about CLUE, I know about the honors program – I’m a graduate of Memphis City Schools. But I want to make sure every school is like White Station High School where I graduated from. I want make sure Shelby County Schools has the best possible education – I can’t take anymore closings, school board I can’t take any more excuses on it; keep them open, keep them open. The money can come, don’t give up,

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but we've got to take care of business here now...Now what we have before us Mr. Superintendent, what we have before us today, what we have before us right now are 13 Commissioners, we're going to need the facts, we're going to need the numbers and we're going to have to work together today, but at the end of the day, if Shelby County Schools is no better with \$50 more million or \$100 more million that's incumbent upon yourself, the school board and your leadership, and today I'm challenging Shelby County Schools and all of the supporters, everyone who's here, the Delta's, the Stand for Children, all of you all, it's time to make sure that education in this county is the best in the country."

Chairman Roland recognized Mr. Hopson, who stated: "So Commissioner Roland, if I could just respond to Commissioner Ford. Great comments and I'm just going to say, Mr. Ford, because you know we've talked and we have real candid conversations, so I'm going to be as candid and as transparent with you as I can, because you know I grew up in Whitehaven too, spent plenty of time in South Memphis and you know when I see you know schools close in those communities it breaks my heart, because often times it leaves a big whole in that community. However, having said that we do more of a disservice to these babies when we have ...*** utilized schools where we cannot get them the resources that they need to make this the best school system. I talked to a group of principals a couple of weeks ago and I asked them – challenged them, I say you know what on the heels of Muhammad Ali passing we owe it to ourselves to try to be the greatest, and if we're going to be the greatest, first of all we have to believe we can be the greatest, but then we also have to have the courage to be the greatest and for us to get to where we need to be it's going to take a lot of courage and courage is going to mean – and I hear you all talk, if it was utopia, I'd be asking for \$200 million, because that's what we really need, but I know that's not realistic. So what we're going to have to do is take the resources that we have and the competing interests with those resources and make the best decisions that we can for kids and while closing schools – nobody wants to do this. I was telling your colleagues the running joke with me and my colleagues what do you call a Superintendent who closes schools? A former Superintendent, but not withstanding that when you have a minimal amount of money and you're trying to use it in the most or leveraging the best way possible, I wish I could stand up here and say that closing schools was not on the agenda, but what I will promise you Mr. Ford, is that when we're closing schools it's going to be data driven, it's going to be getting the community, and it's going to be – not based on money, because we

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don't save enough money to go through the audit of closing schools, it's going to be on the best interest of students. For example, Westhaven and Westhaven is a great example of what we do when we work together. You close the schools that are in bad shape, you combine them – that's going to be a state of the art school right there in your district. The Empowerment Zone; is another we're going to do to make sure that we wrap our arms around and plant – and part the DNA from Whitehaven High School and other schools within that community. So we really have to do both ...***; we got to take care of their efficiencies and we got to beef up what we can beef up, because at the end of the day I share your vision. This needs to be the best school system in the country.

Chairman Roland recognized Commissioner Ford, who stated: “And Mr. Superintendent – one more question, Mr. Chairman. How much are you asking today, what's your round figure that you need right now? What is the figure that you and Shelby County Schools need?”

Chairman Roland recognized Mr. Hopson, who stated: “I think that our board you know did some analysis and if there were no – what if – you know if there weren't any constraints you know when you think about the behavioral needs that we have, the security needs that we have, the needs for more Guidance Counselors, the needs for more Teacher Assistants, the needs for more literacy resources, the needs for more iZone schools, if we costed out – if we had – if we did 20 more iZone schools like we know we need – we have 87 schools in the bottom 10 percent, if all of those were iZone schools, you'd be talking about a price tag north of \$100 million dollars, but I think – but knowing that you know realizing where we are – I know you guys are – my heart goes out to these Deputy Jailers and everybody else in this county. I know you guys have a tremendous responsibility to take care of everybody. So we walked out of here very comfortable last week with the bipartisan compromise, I think it was – whatever the number was and we said you know what, I've never seen the County Commission work that well and work so together on behalf of this county. I was proud to be a constituent. So I think that you know the number that we said that we agreed on, we'd be happy with that.”

Chairman Roland recognized Commissioner Ford, who stated: “And Mr. Chairman, last question to Mr. Kennedy. Mr. Kennedy, that number that we worked on last week, how amendable could that be as far as without a tax increase what we could move around to see if we could come to a somewhat of a...”

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Chairman Roland recognized Mr. Kennedy, who stated: "The amended number from the Committee and with what we had done with the Wheel Tax and with the \$3.5 million is \$419,471,000.00."

Chairman Roland recognized Commissioner Basar, who stated: "I want to ask the Administration a couple of questions. What are the assumptions on the bonds payable next year and the interest?"

Chairman Roland recognized Mr. Mike Swift, Director of Administration and Finance, who stated: "The amounts budgeted for bonds for next year are the amount that are outstanding that are due next year."

Chairman Roland recognized Commissioner Basar, who stated: "And are you making any assumptions about refinancing those bonds and extending more debt?"

Chairman Roland recognized Mr. Swift, who stated: "No we are not."

Chairman Roland recognized Commissioner Basar, who stated: "Okay, so folks, if we made some assumptions about issuing a little bit of debt, that would free up some money, wouldn't it?"

Chairman Roland recognized Mr. Swift, who stated: "There are no bonds currently available for refunding in order to generate that savings. The next bonds that we can refund are first refundable in 2019, so we can't realistically save money by refunding bonds during 2017."

Chairman Roland recognized Commissioner Basar, who stated: "But we just went through an issuing of debt, did we not?"

Chairman Roland recognized Mr. Swift, who stated: "We did a refunding bond issue in February, I believe."

Chairman Roland recognized Commissioner Basar, who stated: "Okay, and then how much – did we issue any new debt when we did that?"

Chairman Roland recognized Mr. Swift, who stated: "No we did not. We will have to issue some new debt in 2017 to replace the EMCP Commercial Paper that we are using to do current capital projects."

Chairman Roland recognized Commissioner Basar, who stated: "So we will be issuing new debt next year?"

Chairman Roland recognized Mr. Swift, who stated: "We will be issuing new debt that doesn't generate any savings. It creates new Debt Service payments but we will

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structure it where the first Debt Service payments are in fiscal 2018.”

Chairman Roland recognized Commissioner Basar, who stated: “So are any of our capital expenses scheduled for next year, pay as you go?”

Chairman Roland recognized Mr. Swift, who stated: “There are some, yes.”

Chairman Roland recognized Commissioner Basar, who stated: “How much is that?”

Chairman Roland recognized Mr. Swift, who stated: “Probably in the neighborhood of \$10 million dollars.”

Chairman Roland recognized Commissioner Basar, who stated: “Okay, so theoretically there’s \$10 million dollars that we have pay as you go in capital next year that we could issue debt for.”

Chairman Roland recognized Mr. Swift, who stated: “I would have to look at the individual part, some of them won’t qualify for debt, some will.”

Chairman Roland recognized Commissioner Basar, who stated: “But some of them would?”

Chairman Roland recognized Mr. Swift, who stated: “Some of them would.”

Chairman Roland recognized Commissioner Basar, who stated: “And we might be able to balance the budget by coming up with \$3 to \$5 million dollars’ worth of those capital expenses that we could issue debt for and then not have to make other cuts somewhere else. Is that correct?”

Chairman Roland recognized Mr. Swift, who stated: “There is a possibility. I would have to really look at it and I wouldn’t recommend it.”

Chairman Roland recognized Commissioner Basar, who stated: “Okay, well Commissioners I recommend we consider that as something to do, you know sometimes there’s fiscal stimulus and while I’m not a big super fan of that, I think in this particular instance that might be something that we could consider. I think it would be fairly prudent – we’ve done an amazing job paying down the debt. We’ve reduced our debt by \$600 million dollars or so in the last eight years, which is amazing, it’s just amazing. But at the same time given the circumstances I guess I would propose that we look at maybe you know reducing or adding a little bit to the debt, a couple million dollars, so we don’t have to cut somewhere else and we could still afford to give the schools the extra \$3.5 million dollars. Thank you.”

Chairman Roland recognized Commissioner Shafer, who stated: “Thank you, Mr.

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Chairman. I'll get right into it. So, you know I always want the government operations to perform and I want them to do the very best and be the most frugal that they can. In fact one of the concerns that I've had as a Commissioner is why year after year we give money to the schools and year after year it doesn't seem to be enough, but I believe that we hit on something that because of the way that Wheel Tax had been utilized. So we will be taking care of some of the sliding aspects of the Wheel Tax a little bit later on, on the agenda, but I think that that will stabilize some of the funding that has actually been able to go for operations and operations is where you're going to see the money go to the classroom. I'm for refunding debt as much as anybody else, you know and we have really done – I don't want to take away anything from what the Administration has done, because we've had – you set an aggressive plan to refund the debt, right, to get the debt payed off. That has been a good plan. Where I was a little nonplused was that the – about \$13 million that should have gone to the schools for – from the surplus last year also got thrown over into debt relief and that was awfully – you know \$13 million would have gone a long way to getting us to where we're trying to go. And so if I'm looking at it right, it looks like, you know that – there was about \$40 million dollars that went to debt service last year, so are we still using the same figure for debt service this year, the same percentage or have we ratcheted down anywhere except taking some from the Wheel Tax?"

Chairman Roland recognized Mr. Kennedy, who stated: "We changed revenue sources for the Debt Service Fund substantially by taking the half of the Wheel Tax that we would normally have budgeted to go into debt service that now is either going to go to school's CIP, which was our original plan or it's going to school operations, so that's about \$15 million dollars and we've also diverted \$3 million dollars from sales tax from the unincorporated area that has historically gone into the Debt Service Fund, we've redirected that infrastructure improvements for roads and bridges, so we've taken a good \$17 million dollars out of the revenue source for the Debt Service Fund, therefore we didn't need to touch the specific penny value amount coming from the property tax. We took some of the sources into the Debt Service Fund, and also I think Mr. Swift plans a very small use of fund balance. I've forgotten it is, but it's a small use of fund balance in order to make the debt service payments that are above what would go into the Debt Service Fund."

Chairman Roland recognized Commissioner Shafer, who stated: "And thank you that – thank you for that answer for that, because you know we ask the school system to take

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a significant amount out of their fund balance last year, so I think if it was – you know I think we need to hold ourselves to the same standard if it's good for the schools to be able to take money out of their fund balance it's not also equally then or oppositely absolutely terrible for us to take money out of fund balance. Tell me a little bit about the Administration's budget for FY 16 and FY 17, what is the current fiscal year's budget for Administration -- Administration and Finance?"

Chairman Roland recognized Mr. Swift, who stated: "Total expenditure for the Administration and Finance division are \$74 million dollars and that includes over \$27 million dollars to the Med, but that's the total."

Chairman Roland recognized Commissioner Shafer, who stated: "So \$74 million and what was it – is that what it is – you're recommending for FY 17? What is it currently?"

Chairman Roland recognized Mr. Swift, who stated: "It's a million more this year than projected for next year."

Chairman Roland recognized Commissioner Shafer, who stated: "One million more, so it's \$75 million for 17 or it was \$73 million for 16?"

Chairman Roland recognized Mr. Swift, who stated: "It's \$75 million for 16 and \$74 million for 17."

Chairman Roland recognized Commissioner Shafer, who stated: "Okay and I'm assuming you're talking round numbers there?"

Chairman Roland recognized Mr. Swift, who stated: "So it's a million less."

Chairman Roland recognized Commissioner Shafer, who stated: "A million less, so you're saying your budget for 16 was \$75 million and your budget for 17 is \$74 million?"

Chairman Roland recognized Mr. Swift, who stated: "Correct."

Chairman Roland recognized Commissioner Shafer, who stated: "Okay. Thank you."

Chairman Roland recognized Commissioner Jones, who stated: "Mr. Chairman, could I get a Mulligan on what she said? Thank you, Mr. Chairman. I guess when I listen to Commissioner Shafer and we're talking about all the money and I'm looking in this book and when I see last year's budget and what it was for FY 16, it was \$1,000,000,229.00, the proposed budget for this year is \$1,000,000,195.00, but when I look at property taxes collected it was \$12 million more collected in taxes, if I'm correct didn't the value of the penny go up, which means we would have collected more actual dollars and it's just – I guess when

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I look at this and I look at these numbers it's very difficult for me to understand how we did a budget with taking in less money and reduced it almost \$35 million – well not quite that much, but it's reduced and I'm saying if we're taking in more money and we're presenting a lower budget, where's the rest of the money? Because I can't see it – oh in the General Fund and what is all of that being used for?"

Chairman Roland recognized Mr. Kennedy, who stated: "Commissioner if we – I can help you a little bit on that one. You're looking at the entire budget including all of the grant funds, all of the special revenue funds, all of the other sources of revenue but we gave you a sheet earlier where just talking about property taxes which is what we're generally discussing, our budget for fiscal year 16, current year that we're going to come very close to was 756 and a fraction million dollars for projecting for fiscal 16, we're going up to \$768.8 million dollars. So we are projecting an increase in property tax revenue, but all of the other sources of revenue – remember property taxes are only about 66 percent of our total revenue. So there are numerous other sources from special revenue funds, like the fire department, like the gas tax, all of those and many of those are not increasing. Many of the fines and fees through the court system are not as high as they once were. There are a large number of sources of revenue, so we have a tendency to concentrate on property taxes because that's where the school gets funded – really two sources, property taxes and Wheel Tax, but you're looking at the entire revenue and expenditure stream, which includes everything. So they're not necessarily related but property taxes, yes. We are most definitely projecting an increase for fiscal 17 going up a substantial amount and that's where we generated the additional \$8.7 million that we recommended for schools and that's where we're going."

Chairman Roland recognized Commissioner Jones, who stated: "Okay, alright, a couple of other quick questions on that. From the debt service rate, on what we collect for schools, put it in dollar figures for me. How much of that comes in from schools – the 60 cents you say go to schools, put it in dollar figures and then put the remaining that comes in for I guess county infrastructure, put that in dollar figures for me."

Chairman Roland recognized Mr. Swift, who stated: "Would you restate what your question is, I'm not sure I follow?"

Chairman Roland recognized Commissioner Jones, who stated: "For school debt, you said it was 60 cent, so what is the total dollar amount for that, for school debt services

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and then the remaining amount, which I guess is, tell me what that is for county infrastructure debt?”

Chairman Roland recognized Mr. Swift, who stated: “That would be approximately \$102 million for school debt and about \$22 million for other debt.”

Chairman Roland recognized Commissioner Jones, who stated: “Okay and when I look at the debt revenue, because that comes out to \$134 million – the debt revenue was \$152 million. Where did the other 18 – where did that come from, where is that?”

Chairman Roland recognized Mr. Swift, who stated: “Okay, the total property taxes are \$138 million, what I gave you was just the current property taxes, which would be total between the two about \$124 million; the additional \$13 million would be delinquent and other taxes, so they would be allocated basically on the same ratio of – so about of that about \$10 million more – no about \$15 million more, so about \$117 million probably to school debt and about \$27 million to other debt.”

Chairman Roland recognized Commissioner Jones, who stated: “Okay. So we ended up with about \$156 million in that pot and then I saw where some was being transferred out, where’s that going?”

Chairman Roland recognized Mr. Swift, who stated: “The amount transferred out is going to CIP.”

Chairman Roland recognized Commissioner Jones, who stated: “Okay. So we actually took in more than what we needed to pay in on the debt?”

Chairman Roland recognized Mr. Swift, who stated: “That transfer to CIP has been a standard for the last 10 years or so.”

Chairman Roland recognized Commissioner Jones, who stated: “Okay, here’s my question, we actually took in more revenue than the debt that’s owed that we have to pay this year and if that is, how much is that?”

Chairman Roland recognized Mr. Swift, who stated: “In this year’s budget, that would be about \$3 million dollar.”

Chairman Roland recognized Commissioner Billingsley, who stated: “Thank you, Mr. Chairman and I appreciate the time. As we go back on the last Committee Meeting, as you remember we literally at the \$7 million dollar stopping block and we had floundered around for quite a while and I offered up to Superintendent Hopson and to the Mayor a compromise, which was the \$7 million and I asked Mayor Luttrell if he would please look at a

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\$3.5 million addition of revenue and then I ask the Superintendent and the Chairwoman and they were willing to compromise. So like you Chairman I sort of left here feeling like we were in one place and then it went somewhere else, which I do understand. This is a complex situation and I join my colleagues in thanking all the parents that showed up today, but we really didn't talk about, I'll be brief, Chairman, are the 22,000 kids that don't start school when school starts, they don't show up for weeks. We didn't talk about poverty that much, we didn't really talk about the crime in the schools. The Memphis Police Department will be leaving the Shelby County school system effective July 1st and really quite frankly, what we all talk about which is the lack of family foundation. So on my short time on this body, Mr. Chairman and Commissioners, I think you've learned to understand that I care about a kid in South Memphis just like I do in East Memphis and the color of a child's skin does not bother me. Quite frankly, I feel a great earnest to work very, very hard for those kids who don't have the privileges that some of the kids in my district do. I also believe very, very strongly that we've got to be a part of the solution. So today, Mr. Chairman, my district and my leadership -- when I say my leadership I talk about the City of Germantown, who is investing in their schools. They are stretching from a municipal standpoint as far as they can, just like Collierville and Bartlett and schools in the municipalities want Shelby County Schools to succeed, they want private schools to succeed, they want charters to succeed. If we're not all successful at the end of the day, we've failed. So today, Commissioners, I offer to you a solution or at least part of a solution and I did not create this, this was strictly done by the City of Germantown and our Mayor Mike Palazzolo and on Friday -- this past Friday, June 17th, the City of Germantown Mayor Palazzolo offered up for consideration to Shelby County Schools, that the City of Germantown purchase both Germantown Middle School and Germantown Elementary School for a combined purchase of \$5 million dollars. They would agree to develop a plan to serve the currently enrolled students and I think that -- for those of you in the audience, I want you to really listen to that. 'We will agree to develop a plan to serve the currently enrolled students with these schools in a mutually agreed upon transition plan.' In my district, when we talk about -- Commissioner Ford is gone right now, but when he talks about losing schools in his area, in my district I have Shelby County School buses that pass a really good school Oak Forest -- they drive -- they bust kids out of the district -- or not out of the district, but pass a really good school to send them to Germantown Elementary School, for example. So the City of Germantown is trying to be a part of the solution. We

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talk about municipal schools not wanting to be a part -- they do want to be a part. They've offered that up and I will also add, Mr. Chairman, the operational cost of these schools and the deferred maintenance has a net fiscal impact to Shelby County Schools for \$11 million dollars, \$11 million dollars. So what we're talking about doing is continuing to serve the kids, making it a win-win for Shelby County Schools and municipal schools, giving us even more money -- I'm not backing away from my commitment to Mr. Hopson -- Superintendent Hopson to fund the schools. I have championed schools -- there's not the divine that was presented during some of the presentations -- there's 13 County Commissioners who has championed education ever since we've started this budget process and we're not alone. We've gotten phone calls from quite frankly, every significant leader that I know in this county has called asking for support for schools, and I thank them for that. So I just offer that up, Mr. Chairman, I know this was only delivered to Superintendent Hopson on Friday, it's Monday now. I seriously doubt he's even had an opportunity to review this with the board members or consider this. Also don't assume that we're going to be done today, so I think it'll give some time for the City of Germantown and for the SCS to really open their hearts, look at the numbers and see if it could work. I'm hopeful as a County Commissioner that represents all children that we look at this as an option. And quite frankly, to Superintendent Hopson's comments previously, you know we can be part of perpetuating something that is not working or we can be open minded about working together. And I'm hoping -- at least this Commissioner and my district wants to be part of this solution, because we've got heavy lifting to do and if we don't think outside the box like Germantown has done, we will not move forward. Thank you, Mr. Chairman."

Chairman Roland recognized Mr. Hopson, who stated: "Just want to clear it up for the Commission because this came up not in connection with trying to help close the budget gap, but rather I think Germantown is considering building some new schools and they wanted to engage our board's interest in buying buildings from us before they issued debt. I think also I spoke with -- via text. Mayor Palazzolo was concerned that this would somehow be linked and politics would get in play and it would have an impact on our budget and was assured by him that the two things were not related. I mean it wasn't like the offer had anything to do with the budget, it just really the desire before they make long term debt decisions to see what was available. And I also just want to mention to because -- I think you are absolutely right, Commissioner Billingsley, he was very supportive of our funding request

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and said he'd say the same. And just for the record I know Shelby County Schools has kind of led the charge, but funded proposal would have a good impact on all of the districts. Arlington would get \$1 million dollars, Bartlett \$1.7 million dollars, Collierville \$1.6 million dollars, Germantown \$1.2 million dollars, Lakeland \$200,000.00, and Millington about \$600,000.00, so just wanted you to know for the record that while we've been the ones – you know the most people engaged it will certainly impact all kids.”

NOTE: CHAIRMAN PRO TEMPORE TURNER
ASSUMED THE CHAIR.

Chairman Pro Tempore Turner recognized Commissioner Reaves, who stated: “Thank you, Mr. Chair. Superintendent, if you could come up, please. It's been a great process and I think one of the great parts about pushing the district to do its best is there is an adversary sitting across the way. The part of the role that I've seen myself playing over the past few months. But I know that you've done your best with this district and I appreciate that. As we're looking at next year, kind of projecting out into the future, what are we looking at in terms of declining enrollment for next fiscal year and are we looking at an ask coming next fiscal year, as you're looking at your projections?”

Chairman Pro Tempore Turner recognized Mr. Hopson, who stated: “I think that – yeah I think that I would agree that the declined enrollment is about 1.2 ½ percent. I think that getting funded in the right way this year will go a long way towards closing structure deficit so that future asks certainly will not be anywhere near where we are now. I think when we do our footprint work and some of the other things that we need to do you know we're going to get a much more manageable situation.”

Chairman Pro Tempore Turner recognized Commissioner Reaves, who stated: “If I could ask the Administration a question? If we allocate all of this this year will we have anything left over next year for any requests that come from these guys? Are we looking at having to raise revenue to do that?”

Chairman Pro Tempore Turner recognized Mr. Kennedy, who stated: “We'll have the growth of --

Chairman Pro Tempore Turner recognized Commissioner Reaves, who stated: “How much do you think projected?”

Chairman Pro Tempore Turner recognized Mr. Kennedy, who stated: “I'm not sure...it will be minimal until we get to the reappraisal and then that's when everything gets

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reset and quite frankly the reappraisal process is an opportunity for some increased revenue, even with the certified tax rate adjustment that's required, but yeah, it will be just similar to what we're looking at here – some growth.”

Chairman Pro Tempore Turner recognized Commissioner Reaves, who stated: “Order of magnitude -- \$7 or \$8 million, just trying to get an idea. Do you know, do you know if that's the case?”

Chairman Pro Tempore Turner recognized Mr. Kennedy, who stated: “One to two percent is normal during a reappraisal year which is by the way next year, 17 is the reappraisal. It would probably be three or four percent.”

Chairman Pro Tempore Turner recognized Commissioner Reaves, who stated: “Okay. And as it pertains to – as we're kind of looking at the OPEB issue kind of coming down the road and if we're going to help be a part of that solution, this would basically tap us out. If we do this we would be tapped out. We would have to raise revenue to help these guys, particularly if they need year over year type of funding increases. We are going to be hard pressed to find money to fund OPEB.”

Chairman Pro Tempore Turner recognized Mr. Kennedy, who stated: “Absolutely. OPEB issue is not being addressed in this budget even with the increase request. We've got some – we're working with the school system, we've got some plans, I'm going to help – we're going to contribute some of the effort so that we can get a validation of some projected savings, but then they've got to go to the school board and get some benefit changes done so that we can lower the liability so we can deal with it.”

Chairman Pro Tempore Turner recognized Commissioner Reaves, who stated: “Superintendent. So I know that there's a disagreement between the Administration and you guys on projected BEP and sales tax. So if we were to go ahead and approve this amount and those projections actually came up being higher, the actuals came up being higher, would you be opposed to us putting a claw back within the Resolution that we would recover those dollars? Or we would amend your budget.”

Chairman Pro Tempore Turner recognized Mr. Hopson, who stated: “I don't know Mr. Reaves, whether that's even legal, quite frankly. I think that – I don't know so I'm just thinking off the top of my head. You know but what we will do is – I think that the board chair, Mr. Woods was here, last time Ms. Love, so I think that the consensus was that we go on and use \$3.5 million dollars on our fund balance but we would make some adjustments in

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terms of the projections to get to the balanced budget.”

Chairman Pro Tempore Turner recognized Commissioner Reaves, who stated: “Okay, because I think that there may be a point of contention a little bit with the group – not with some of these folks but with the Administration particularly. Because we could – you could come under on purpose and we could over allocate – we could basically over allocate and you could kind of get a win fall from the State and then you would have a significant increase, but we would have already allocated that amount of money. So I think – but that’s a bit of – I mean I think it’s a bit of concern. I think legally if that did happen – and Ms. Ingram could you correct me if I’m wrong. Can we amend their budget next year, if that’s the case; if they come in and they take more.

Chairman Pro Tempore Turner recognized Ms. Marcy Ingram, who stated: “I don’t know off hand, we’d be happy to look at that for you.”

Chairman Pro Tempore Turner recognized Commissioner Reaves, who stated: “I mean let’s just look at it I mean because I think that that’s an issue that I think we need to address. So kind of speaking on a practical level, two things. One, my district supports the increased funding, but the older population supports a tax decrease. You know, so is there a way to split the difference? Is there a way that we can support the funding for these guys – I’ve heard what you talked about with the Sheriff and some of the solution as it pertains to the Sheriff’s cruisers and things like that, but on the other hand there’s a group of people who really clamor that – we’ve had \$30 million dollars in surpluses these past two years and not given one cent back to the populous. One cent is six percent. I mean it’s \$1.7 million dollars, so I’m trying to bridge two different gaps here. I mean part of it is I want to support the funding, but the other part is I have a group that also wants a tax decrease of a least a cent. So my question is can we get there to get a unanimous vote on the budget? Is that possible? Not for Commissioner Bailey, he wants six cent increase. I mean it’s – so that’s what I’m trying to bridge. So realize this the votes already exist here to pass what we’ve got, but if I wind up voting against it it’s very specifically because I have a group that wants a tax decrease and if this puts us in a position to where we can’t do it then I can’t support it. So I need both to get it done -- for me personally to get it done. Thank you.”

Discussion ensued amongst the Commission.

NOTE: CHAIRMAN ROLAND RESUMED THE
CHAIR.

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Chairman Roland recognized Commissioner Jones, who stated: “So for this, are there any projections of a surplus for this year and what those projections are?”

Chairman Pro Tempore Turner recognized Mr. Hopson, who stated: “There is a projection from a small surplus from property taxes. We estimate that there will be about \$7.2 million over budget in current property taxes, about \$5 million under budget for prior year taxes and a small amount for the community redevelopment TIFs. Looks like the most we could anticipate with figures that we have now which is almost at the end – just a little bit over \$2 million dollars, but there’s also a loss of \$1.1 million dollars in interest and penalty costs this year, so there’s a very small surplus being projected from revenues. Now there may be some other savings from under expenditures of budgets and I don’t know what that would be until we close out the books. It’s a matter of accumulating all of the cost at the end, but on revenue looks like a very small surplus of maybe just over \$2 million dollars.”

Chairman Roland recognized Commissioner Jones, who stated: “Okay, that’s coming from the Administration. I want to hear that from the Trustee – he’s the banker, he’s keeping up with the monies. You know last year we were told one thing after we passed the budget, boom, we’re at \$22 million in surplus, so I’m just – I just need those answers. I know that’s based on your projections and I don’t have a problem with that, but I would like to hear that from the Trustee.”

Chairman Roland recognized Mr. Kennedy, who stated: “This is also agreed to by the Trustee. We worked with him on that. That’s where we are and we’re almost at the end of the collection year so we’re sure we’re going to be very accurate this time.”

Chairman Roland recognized Commissioner Jones, who stated: “Okay. Thank you.”

Chairman Roland recognized Commissioner Brooks, who stated: “Thank you, Mr. Chairman. Last week we in good faith negotiated and came up with an agreement of where we were going with the school budget and allocation of funds. I remain committed in that position of where I am and I think when the Mayor came back with his comments, he also supported that request. I’m going to recommend that we defer this to the Committee Meeting on Wednesday.”

Chairman Roland recognized Commissioner Brooks, who Made a Motion to Refer to Committee; duly seconded by Commissioner Shafer.

Chairman Roland recognized Commissioner Brooks, who stated: “And let me

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clarify this. With the intent of addressing these issues as well as the other issues that came after I had left, because when I walked out of here on Wednesday, we all were in agreement in the direction we were going with funding education and then somehow after I left things changed. So I'm firm in commenting to do that and we will have a Special Call Meeting on that same day after we deal with the full budget downstairs."

Chairman Roland recognized Commissioner Reaves, who stated: "Mr. Chair, just point of information. Are we going to add the sales tax reading as well? can we do it all together – Third Reading at the meeting?"

Chairman Roland stated: "Mr. Kennedy, does that put us in a bind?"

Chairman Roland recognized Mr. Kennedy, who stated: "It does, but there's a way out. We can have a Special Meeting before – we need to get the budget approved before the end of the fiscal year or we need to put a continuing Resolution into effect, otherwise we're really not able to operate on July 1st if we don't have either an approved budget or a continuing Resolution."

Chairman Roland stated: "I had already figured on having two meetings, a Committee Meeting and a Commission Meeting on the 29th."

Chairman Roland recognized Mr. Kennedy, who stated: "That would work. If we can get the budget approved and we can operate and then we...if we can approve the budget before the end of the year then we can operate. We need to get the Tax Rate Ordinance approved at the first meeting in July, but if we can get the Second Reading in before the end of the month then we're good to go."

Chairman Roland stated: "Alright, so let me get this straight. We're going to move 30, which is the Operating Budget and we're going to move 29, which is the Second Reading of the Ordinance...alright so we're go ahead and do 29, we'll send 30 back to Committee, am I right? And we'll have a double meeting on the 29th."

Discussion ensued amongst the Commission concerning setting a Special Call Meeting.

Chairman Roland stated that Item 30 would be Referred to Special Call Committee; without objection.

NOTE: CHAIRMAN ROLAND STATED THAT ITEMS
30, 31 AND 32 WOULD BE REFERRED
BACK TO COMMITTEE A SPECIAL

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CALLED MEETING, WITHOUT
OBJECTION.

Chairman Roland recognized Mr. Kennedy, who stated: "Chairman, you mentioned, you know – I guess maybe it was Commissioner Brooks, but anybody who would like to sit down with any of the Administration, the three of us are available. Just let us know when you'd like to meet and talk. We'll go over it, I'll even share some of our thoughts about some reductions to General Fund budget that we've been working on so that if it comes to that – if we have some amendments we can – we'll have discussed those ahead of time."

ITEM 33 (ADOPTED)

Mr. Willis, Assistant County Attorney, announced Item 33, which is as follows:

RESOLUTION APPROVING THE ELECTION OF
NOTARIES PUBLIC FOR APPOINTMENT AND/OR
REAPPOINTMENT FOR SHELBY COUNTY,
TENNESSEE. SPONSORED BY COMMISSIONER
MELVIN BURGESS.

"WHEREAS, The Shelby County Board of Commissioners is required to elect as many notaries public as they deem necessary pursuant to Tennessee Code Annotated, Section 8-16-101(a); and

WHEREAS, The Shelby County Clerk's Office has reviewed the applications for appointment and/or reappointment of the notaries public listed in Exhibit "A," which is attached hereto and incorporated herein by reference, and has verified that each applicant has signed the application certifying that they are in compliance with Tennessee Code Annotated, Section 8-16-101(c), they are not disqualified by Tennessee Code Annotated, Section 8-18-101, and they meet the age and residency requirements of Tennessee Code Annotated, Section 8-16-101(a); and

WHEREAS, Committee No. 10 - General Government recommends these notaries public for appointment and/or reappointment be elected by the Shelby County Board of Commissioners at this time.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the individuals applying for appointment and/or reappointment listed in *Exhibit "A," which is attached hereto and incorporated herein by reference, be and are hereby elected notaries public for Shelby

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County, Tennessee.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06 (B)."

*NOTE: EXHIBIT "A" REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

Whereupon, passage of the Resolution was moved by Commissioner Reaves; duly seconded by Commissioner Basar.

The Clerk called the roll for casting of the vote with the following results:

AYES: Bailey, Reaves, Milton, Ford, Basar, Jones, Chism, Burgess, Turner and Roland.

NAYS: None

ABSENT: None

AYES, ten; NAYS, none; ABSENT, none (Brooks, Billingsley and Shafer absent during roll call).

Chairman Roland declared the MOTION CARRIED.

NOTE: CHAIRMAN ROLAND STATED THAT ITEM
29 WOULD BE TAKEN UP AT THIS TIME.

ITEM 29 (SECOND READING) (REFERRED BACK TO COMMITTEE)

Mr. Willis, Assistant County Attorney, announced Item 29, Ordinance Second Reading –Ordinance fixing the Tax Rate for Shelby County for the Tax Year 2016. Sponsored by Commissioner Van D. Turner, Jr.

ORDINANCE NO.: ____

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ORDINANCE FIXING THE TAX RATE FOR SHELBY COUNTY FOR THE TAX YEAR 2016. SPONSORED BY COMMISSIONER VAN D. TURNER, JR.

NOTE: PURSUANT TO THE SHELBY COUNTY CHARTER, ONLY THE CAPTION OF AN ORDINANCE IS READ ON FIRST AND SECOND READING. SEE MINUTES OF THIRD READING FOR FULL TEXT OF ORDINANCE.

Whereupon, passage of the Resolution was moved by Commissioner Billingsley; duly seconded by Commissioner Chism.

Chairman Roland recognized Commissioner Jones, who stated: "Thank you, Mr. Chairman. I wanted to bring – there was a lot of language in all the Resolutions that wasn't really connecting. If we're going to make some additional changes, I think part of it needs to go in here to specifically specify what needs to happen. Because basically there's language in this Resolution that provided for the funding to go in a certain place and it didn't based on language in the Ordinance. So I think it needs to be..."

Chairman Roland stated: "Did you ask for that in Committee to be done?"

Chairman Roland recognized Commissioner Jones, who stated: "Yeah we talked about it and then when we got back here, Mr. Swift says, 'All no that's okay, we don't want to change that one.' But I was trying to have everything across the board – the Wheel Tax and what was in the operation budget and in the Ordinance so that all of it said the same thing."

Chairman Roland recognized Mr. Swift, who stated: "Commissioner Jones was concerned about the second BE IT FURTHER RESOLVED in the tax Ordinance that says that should be the amount collected for schools – that should the amount collected for schools exceed the amount appropriated for fiscal 17, the excess collections over the amount appropriated shall be held in the education fund be applied to the appropriation for fiscal year 2018. If it's okay with the County Attorney, I don't see a problem with just removing that statement."

Discussion ensued amongst the Commission.

Chairman Roland recognized Commissioner Jones, who Made to remove the second BE IT FURTHER RESOLVED in the Ordinance; duly seconded by Commissioner Shafer.

Chairman Roland recognized Commissioner Ford, who Made a Motion to Refer to Committee; duly seconded by Commissioner Reaves.

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Chairman Roland stated that Item 29 would be Referred Back to Committee; without objection.

ITEM 34 (ADOPTED)

Mr. Willis, Assistant County Attorney, announced Item 34, which is as follows:

RESOLUTION TO AMEND RULE 6(E) OF THE BOARD OF COMMISSIONERS' PERMANENT RULES OF ORDER TO PROVIDE CLARITY AND TRANSPARENCY IN CAPTIONS AND SET FORTH INFORMATION DEEMED NECESSARY IN THE BODY OF RESOLUTIONS AND ORDINANCES FOR LEGISLATIVE OVERSIGHT. SPONSORED BY COMMISSIONER HEIDI SHAFER.

“WHEREAS, The Shelby County Permanent Rules of Order, Rule 27, Section (a) allows for the Board of Commissioners to amend the Permanent Rules of Order by a majority vote of the legally constituted body; and

WHEREAS, This Board is charged by the Charter of Shelby County with the duty of appropriating funds for various county governmental operations, which requires it to exercise appropriate legislative oversight; and

WHEREAS, This Board endeavors to be fully transparent when acting upon Ordinances and Resolutions and whenever action is authorized by this Board which will result in an expenditure of public and/or taxpayer funds; and

WHEREAS, This Board will be better enabled to fully consider any request for expenditure or amendment to an authorization for expenditure, if the Caption to the Item is fully explanatory as to the fiscal ramifications of such Item.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That Rule 6(e) of the Permanent Rules of Order (PRO) for the Shelby County Board of Commissioners be, and is hereby amended by striking subsection (e) in its entirety and substituting in lieu thereof the following:

Rule 6

(e) Caption of Items; Operative Clauses in Body of Resolutions and Ordinances.

(1) All Items shall include a clear, easily understandable caption which shall contain:

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- (i) A concise statement identifying such Item as a Resolution or Ordinance and describing the action/approval sought, and in addition to information required by subsection (e)(1)(ii) hereof, shall state the full dollar amount of the total expenditure authorized, and if the Item amends a previous authorization it shall clearly so state and indicate the total amount authorized to be expended after the amendment to the amount previously authorized to be expended is approved by the Commission;
- (ii) If an Item authorizes the expenditure of funds, the following statement: "This item requires the expenditure of (source of funds) in the amount of \$_____";
- (iii) The following statement: "Sponsored by: Commissioner _____"; unless exempted by subsection (f); and
- (iv) Blanks for the name of the mover and seconder, which shall be filled in by the Minutes Clerk after approval of each Item.

(2) Whenever execution or implementation of the authorized action by the administration and/or contractor, or other entity, will span a time period exceeding six (6) months, such Items shall include in an operative Clause of the Resolution or Ordinance a provision for written quarterly updates or other periodic reports to be provided to the Commission setting forth whether benchmarks for implementation have been timely achieved, and informing the Commission of its current status and projected completion date, including expenditures to date.

(3) Any Item that authorizes an expenditure, or amends any such authorization, shall include in the operative Clause(s) of the Resolution or Ordinance, in reasonable detail, the exact use of the funds, information identifying the entity or entities with whom such funds will be expended or awarded, the public necessity or public purpose for the expenditure, a provision stating the full amount authorized or approved, or, if an amendment to an authorization, the original amount authorized or approved; the exact dollar amount of the increase requested to be expended or authorized to be expended; the total sum tax payers of Shelby County will be responsible for and obligated to expend, directly or indirectly, if the expenditure is authorized, even if such Item involves the receipt of grant and/or matching funds; and if the Item involves an expenditure funded through the issuance of bonds, notes or other paper or debt instruments, the current interest rate(s) and anticipated rate of interest.

BE IT FURTHER RESOLVED, That all other Rules shall remain in full force and effect as currently written.

BE IT FURTHER RESOLVED, That the Permanent Rules of Order, as hereby amended, shall remain in full force and effect until such time as these Rules, or any of them, are subsequently amended or repealed.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

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/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

Whereupon, passage of the Resolution was moved by Commissioner Jones; duly seconded by Commissioner Shafer.

The Clerk called the roll for casting of the vote with the following results:

AYES: Reaves, Billingsley, Milton, Shafer, Ford, Jones, Chism, Turner and Roland.

NAYS: None

ABSENT: None

AYES, nine NAYS, none; ABSENT, none (Bailey, Brooks, Basar and Burgess absent during roll call).

Chairman Roland declared the MOTION CARRIED.

ITEM 35 (ADOPTED)

Mr. Willis, Assistant County Attorney, announced Item 35, which is as follows:

RESOLUTION AWARDING COUNTY FUNDS FROM THE
FY 2016 OPERATING BUDGET IN THE AMOUNT OF
\$6,750.00, TO GAMEDAY HEALTHY KIDS
FOUNDATION, INC., A CHARITABLE ORGANIZATION.
SPONSORED BY COMMISSIONER MARK
BILLINGSLEY.

“WHEREAS, Pursuant to the Community Enhancement Program Resolution (Agenda Item No. 7) passed on July 6, 2015 (the “CEP Resolution”), the Shelby County Board of Commissioners created a Community Enhancement Program and established policies and guidelines for the appropriation and disbursement of County funds to governmental entities and non-profit civic and charitable organizations meeting certain criteria, as set forth therein; and

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WHEREAS, Said CEP Resolution provides that all grant appropriations pursuant to the Community Enhancement Program shall promote the general welfare of the residents of Shelby County and shall only be available to support public safety activities, cultural activities, community development activities, as well as County and municipal infrastructure improvements within Shelby County; and

WHEREAS, Said Resolution provides that community enhancement grant proceeds must be used for one (1) or more of the following purposes: programs, services, operating costs, equipment, construction, renovation and maintenance projects within Shelby County; and

WHEREAS, Said Resolution provides that such grants shall be approved to specific entities by Resolution of the County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That funds from the FY 2016 Operating Budget are hereby allocated and awarded to Gameday Healthy Kids Foundation, Inc. in the amount of \$6,750.00, as a grant listed in *Exhibit A hereto for the projects detailed in the attached plan of services for the grant.

BE IT FURTHER RESOLVED, That said grant proceeds must promote the general welfare of the residents of Shelby County and support public safety activities, cultural activities, community development activities, as well as County and municipal infrastructure improvements, and must be used for one (1) or more of the following purposes: programs, services, operating costs, equipment, construction, renovation and maintenance projects within Shelby County.

BE IT FURTHER RESOLVED, That the Office of the Chief Administrative Officer shall prepare and execute a grant contract with the specific entities designated herein within thirty (30) days of the grantee's compliance with the grant awarding conditions set forth in the CEP Resolution.

BE IT FURTHER RESOLVED, That payment of grant funds shall be made as provided by the CEP Resolution and the grant contract.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance are hereby authorized to issue their warrant or warrants for all amounts appropriated herein, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in

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accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION/s/ Mark H. Luttrell, Jr.
County MayorDate: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County CommissionADOPTED: June 20, 2016

Whereupon, passage of the Resolution was moved by Commissioner Billingsley; duly seconded by Commissioner Turner.

The Clerk called the roll for casting of the vote with the following results:

AYES: Reaves, Billingsley, Milton, Shafer, Ford, Jones, Chism, Burgess, Turner and Roland.

NAYS: None

ABSENT: None

AYES, ten NAYS, none; ABSENT, none (Bailey, Brooks and Basar absent during roll call).

Chairman Roland declared the MOTION CARRIED.

ITEM 36 (ADOPTED)

Mr. Willis, Assistant County Attorney, announced Item 36, which is as follows:

RESOLUTION AWARDED COUNTY FUNDS FROM THE
FY 2016 OPERATING BUDGET IN THE AMOUNT OF
\$4,500.00, TO FISHERVILLE CIVIC CLUB, INC., A
CHARITABLE ORGANIZATION. SPONSORED BY
COMMISSIONER GEORGE B. CHISM, SR.

“WHEREAS, Pursuant to the Community Enhancement Program Resolution (Agenda Item No. 7) passed on July 6, 2015 (the “CEP Resolution”), the Shelby County Board of Commissioners created a Community Enhancement Program and established policies and guidelines for the appropriation and disbursement of County funds to governmental entities and non-profit civic and charitable organizations meeting certain

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criteria, as set forth therein; and

WHEREAS, Said CEP Resolution provides that all grant appropriations pursuant to the Community Enhancement Program shall promote the general welfare of the residents of Shelby County and shall only be available to support public safety activities, cultural activities, community development activities, as well as County and municipal infrastructure improvements within Shelby County; and

WHEREAS, Said Resolution provides that community enhancement grant proceeds must be used for one (1) or more of the following purposes: programs, services, operating costs, equipment, construction, renovation and maintenance projects within Shelby County; and

WHEREAS, Said Resolution provides that such grants shall be approved to specific entities by Resolution of the County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That funds from the FY 2016 Operating Budget are hereby allocated and awarded to Fisherville Civic Club, Inc. in the amount of \$4,500.00, as a grant listed in *Exhibit A hereto for the projects detailed in the attached plan of services for the grant.

BE IT FURTHER RESOLVED, That said grant proceeds must promote the general welfare of the residents of Shelby County and support public safety activities, cultural activities, community development activities, as well as County and municipal infrastructure improvements, and must be used for one (1) or more of the following purposes: programs, services, operating costs, equipment, construction, renovation and maintenance projects within Shelby County.

BE IT FURTHER RESOLVED, That the Office of the Chief Administrative Officer shall prepare and execute a grant contract with the specific entities designated herein within thirty (30) days of the grantee's compliance with the grant awarding conditions set forth in the CEP Resolution.

BE IT FURTHER RESOLVED, That payment of grant funds shall be made as provided by the CEP Resolution and the grant contract.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance are hereby authorized to issue their warrant or warrants for all amounts appropriated herein, and to take proper credit in their accounting therefor.

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BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

Whereupon, passage of the Resolution was moved by Commissioner Jones duly seconded by Commissioner Turner.

Chairman Roland recognized Commissioner Jones, who stated: "I would like for this item to be sent back to Committee.

Chairman Roland recognized Commissioner Jones, who Made a Motion to Refer Back to Committee; duly seconded by Commissioner Ford.

Chairman Roland stated that Item 11 would be Referred Back to Committee, without objection.

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: July 5, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: June 20, 2016

Whereupon, passage of the Resolution was moved by Commissioner Chism, duly seconded by Commissioner Shafer.

The Clerk called the roll for casting of the vote with the following results:

AYES: Reaves, Billingsley, Milton, Shafer, Ford, Chism, Burgess, Turner and Roland.

NAYS: None

ABSENT: None

AYES, nine NAYS, none; ABSENT, none (Bailey, Brooks, Basar and Jones absent during roll call).

Chairman Roland declared the MOTION CARRIED.

Chairman Roland recognized Commissioner Turner, who stated: "Mr. Chairman, I apologize. Item 19 – I should have pulled it to recuse. I thought the processes if we had to

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recuse it should have been on the Regular Agenda. I apologize for not catching. So if I could do it without objection, I just need to move to reconsider 19 – I was on the prevailing side and have a vote on it so I can recuse from it to make sure my ethics are correct.”

Chairman Roland recognized Ms. Marcy Ingram, who stated: “Mr. Chairman, I’m sorry, maybe my request to speak button isn’t working, but the proper motion would be to reconsider the Consent Agenda, because you voted on that item as a whole it wasn’t separated.”

Chairman Roland recognized Commissioner Turner, who Made a Motion to Reconsider the Consent Agenda; duly seconded by Commissioner Ford.

NOTE: CHAIRMAN ROLAND STATED THAT THE
CONSENT AGENDA WOULD BE
RECONSIDERED AT THIS TIME.

Chairman Roland stated that the board agreed unanimously that the Consent Agenda would be adopted.

NOTE: CHAIRMAN ROLAND STATED THAT ITEM 10
WOULD BE TAKEN UP AT THIS TIME.

ITEM 10 (ADOPTED)

Mr. Willis, Assistant County Attorney, announced Item 10, which is as follows:

RESOLUTION APPROPRIATING \$2,000,000.00, FOR
FEDEX FORUM MAINTENANCE AND \$1,000,000.00,
FOR EMCP INTEREST AND ISSUANCE EXPENSE. THIS
ITEM REQUIRES THE EXPENDITURE OF FY 2017
CAPITAL IMPROVEMENT FUNDS IN THE TOTAL
AMOUNT OF \$3,000,000.00. SPONSORED BY
COMMISSIONER VAN D. TURNER, JR.

“WHEREAS, A Five Year Capital Improvement Plan for Shelby County for Fiscal Years 2017-2021, has been prepared by the Shelby County Administration which is deemed to be a working five year plan for Shelby County to project and plan for future debt service needs; and

WHEREAS, The Commission’s Committee No. 1, Budget and Finance, has reviewed the Proposed Five Year Capital Improvement Plan and the related Proposed Fiscal Year 2017 Capital Improvement Budget and recommends approval and adoption of the Plan

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and related Budget.

WHEREAS, The Capital Improvement Budget for Fiscal Year 2017 includes allocations for maintenance of the FedEx Forum in the amount of \$2,000,000.00, and for interest and issuance expenses related to the Extended Municipal Commercial Paper (EMCP) program for CIP funding in the amount of \$1,000,000.00; and

WHEREAS, Any allocations included in the Capital Improvement Budget for Fiscal Year 2017 projects must be appropriated by Resolution of the County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That funds are hereby appropriated for FedEx Forum maintenance in the amount of \$2,000,000.00, and for EMCP Interest & Issuance expense in the amount of \$1,000,000.00, with payments to be authorized upon receipt of appropriate documentation of expenditures.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants for all amounts appropriated herein, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, 2.06(B)."

Whereupon, passage of the Resolution was moved by Commissioner Turner duly seconded by Commissioner Reaves.

The Clerk called the roll for casting of the vote with the following results:

AYES: Reaves, Billingsley, Ford, Jones, Chism, Burgess, Turner and Roland.

NAYS: None

ABSENT: None

AYES, eight NAYS, none; ABSENT, none (Bailey, Brooks, Milton, Shafer and Basar absent during roll call).

Chairman Roland declared the MOTION CARRIED.

ANNOUNCEMENTS AND STATEMENTS

Chairman Roland recognized Commissioner Burgess, who stated: "I'd just want to – I'd just like to – to all of the Commissioners who didn't get a chance to take the tour of the new Crosstown project, it is really a site to see. I think Commissioner Shafer was there, Commissioner Milton, Commissioner Brooks, and Commissioner Turner and Commissioner

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Chism...I mean it is unbelievable, so...Commissioners if you get a chance to go look it – it's state of the art."

ADJOURNMENT

ITEM 37

Mr. Willis, Assistant County Attorney, announced Item 37, Adjournment to Wednesday, June 29, 2016.

Chairman Roland stated that, without objection, the Commission meeting of Monday, June 20, 2016, was adjourned until Wednesday, June 29, 2016.

(COMPLETE DIGITAL RECORDING ON FILE IN OFFICE OF CLERK OF COUNTY COMMISSION)

COMPILED AND EDITED:

ROSALIND NICHOLS
CLERK OF COUNTY COMMISSION

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