Shelby County Government

LEE HARRIS
MAYOR

May 29, 2020

Chairman Mark Billingsley
Shelby County Board of Commissioners
160 North Main Street, Suite 600
Memphis, Tennessee 38103

VIA INTEROFFICE MAIL

Dear Mr. Chairman:

I have received Commission approval of the FY2021 Capital Improvement Project (CIP) Budget. Unfortunately, the amended resolution removes funding for the Youth Justice and Education Center. I would note that this is the second consecutive year that the Commission has removed funding for the Youth Justice and Education Center.

As you know, we have been repeatedly advised by the Sheriff and a variety of community stakeholders, including the NAACP, the Urban League, and others, that the current detention facility is inadequate and potentially harmful to children. Further, we are required by state law, effective in 2021, to maintain certain levels of housing for children that the current building is not capable of doing. I understand that state funding may be available to fund this construction and I, like all of you, believe that there is a reasonable chance we may win a state award this year. However, this is a project that has already been delayed too long and I believe that a local funding commitment should be a priority. Moreover, even if we are awarded state funding, the funding will only cover part of the costs of this project.

Children in detention and their families have tolerated these conditions for far too long. We have to take every opportunity to move forward and provide relief and support to these children and their families. I approve Commission action to adopt the FY2021 CIP Budget and I will affix my signature to the same. However, I hereby veto action by the County Commission in the FY2021 CIP Budget that removes local funding for the Youth Justice and Education Center.

All the best,

Lee Harris
Mayor

VASCO A. SMITH, JR. ADMINISTRATION BUILDING
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Item # 21A

Moved by: TURNER

Prepared by: Mathilde Crosby

Seconded by: FORD

Reviewed by: Megan Smith

RESOLUTION APPROVING THE SHELBY COUNTY PROPOSED CAPITAL IMPROVEMENT BUDGET FOR FISCAL YEAR 2021 IN THE AMOUNT OF $88,248,000.00. SPONSORED BY COMMISSIONER VAN D. TURNER, JR., COMMISSIONER REGINALD MILTON, COMMISSIONER EDMUND FORD, JR., COMMISSIONER EDDIE S. JONES, JR., COMMISSIONER MICKELL LOWERY, COMMISSIONER BRANDON MORRISON AND CHAIRMAN MARK BILLINGSLEY.

VETO
DATE
BY SHELBY COUNTY MAYOR

WHEREAS, A Proposed Five-Year Capital Improvement Plan for Shelby County for Fiscal Years 2021-2025 was prepared by the Shelby County Administration that was deemed to be a working five-year plan for Shelby County to project and plan for future capital and debt service needs; and

~~WHEREAS, The Commission's Committee No. 1, Budget and Finance modified such Five-Year Capital Improvement Plan by eliminating $4,500,000.00 for the Youth Justice Education Center from Fiscal Year 2021 in anticipation of State of Tennessee COVID-19 funds being awarded for such purpose; and~~

~~WHEREAS, The Commission's Committee No. 1, Budget and Finance modified such Five-Year Capital Improvement Plan by adding $4,500,000.00 for Regional One Health in Fiscal Year 2021; and~~

WHEREAS, The Commission's Committee No. 1, Budget and Finance, has reviewed the Proposed Five-Year Capital Improvement Plan as amended and the related Proposed Fiscal Year 2021 Capital Improvement Budget and recommends approval and adoption of the Fiscal Year 2021 Capital Improvement Budget as amended.

adoption of the Fiscal Year 2021 Capital Improvement Budget as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the first year of the Five-Year Capital Improvement Plan for Fiscal Years 2021-2025, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, is hereby adopted as the Capital Improvement Budget for Shelby County and the following amounts are hereby allocated for Fiscal Year 2021:

Roads and Bridges	$ 6,600,000.00
Information Technology	11,946,350.00
Buildings and Property	19,279,500.00
Community Projects and Contingency	11,025,000.00
Schools	32,999,150.00
Pay-as-You-Go Projects	6,398,000.00
Total	$ 88,248,000.00

BE IT FURTHER RESOLVED, That the allocations for the Fiscal Year 2021 Capital Improvement Budget shall be funded as follows:

County Funding: Debt	$ 75,000,000.00
County Funding: Pay-as-You-Go	6,398,000.00
Federal Funding	5,050,000.00
Other Government Reimbursements	1,800,000.00
Total	$ 88,248,000.00

BE IT FURTHER RESOLVED, That the FY 2021 Capital Improvement Budget includes an allocation for all school districts within Shelby County in the total amount of $32,999,150.00 to be distributed on the basis of the prior-year Weighted Full-Time Equivalency Average Daily Attendance (ADA) as set forth in separate Resolution.

BE IT FURTHER RESOLVED, That in order to maintain fiscal stability, each County Agency to which Capital Improvement Plan allocations have been made is authorized to prepare plans and specifications and to take bids for the projects identified in the Capital Improvement Plan subject to additional authorization by the Mayor and the Board of Commissioners of Shelby County, Tennessee, in order that sufficient funds will be available to pay said obligations on scheduled due dates.

BE IT FURTHER RESOLVED, That any allocations included in the Fiscal Year 2021 Capital Improvement Budget for County projects must be appropriated by Resolution of the County Commission.

BE IT FURTHER RESOLVED, That any project balances from current or prior appropriations that have not been obligated by contract or resolution by June 30, 2021, shall be cancelled and deemed unavailable for further appropriation with the exception of Shelby County Schools (SCS), which will follow the process outlined below:

- Remaining funds on completed capital projects will revert back to Shelby County for future appropriation and lower future bond debt issuances.
- Upon approval by the Board of Shelby County Commissioners, SCS can reallocate appropriated capital funds to new or other projects within the Fiscal 2021 budget year. After the first year, the reallocation of capital funds for that particular year will not be approved, ermegency circumstances being excepted.
- Capital project balances from current or prior appropriations that have been fully or partially obligated by contract shall remain available in future fiscal years, as capital projects occur in interdependent phases, starting with design, with most of the schools' construction occurring during the summer when school is not in session.

BE IT FURTHER RESOLVED, That the accounting and budget records of the

Resolution No. 8, adopted by this Commission on June 3, 2013.

BE IT FURTHER RESOLVED, That the Administration is directed to write-off all appropriated allocations that remain following final payment, including any contract retainage and, after review and consideration, any appropriated allocations from prior fiscal years that remain for which no payment has been made against the original appropriation, as approved in the applicable Resolution.

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).

Except for amendment that defunds $4,500,000 for the Youth Justice + Education Center, I approve.

Lee Harris
County Mayor

Date: 5/29/2020

ATTEST:

Ronlin Nichols
Clerk of County Commission

ADOPTED
AS AMENDED: May 18, 2020

MAY 28 2020 PM 1:18

Item # 21B

Moved by: JONES

Prepared by: Mathilde Crosby

Seconded by: FORD

Reviewed by: Megan Smith

RESOLUTION APPROVING THE SHELBY COUNTY FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2021-2025. SPONSORED BY COMMISSIONER VAN D. TURNER, JR., CHAIRMAN MARK BILLINGSLEY, COMMISSONER REGINALD MILTON, COMMISSIONER MICKELL LOWERY, COMMISSIONER EDDIE S. JONES, JR., AND COMMISSIONER WILLIE F. BROOKS, JR.

WHEREAS, A Proposed Five-Year Capital Improvement Plan for Shelby County for Fiscal Years 2021-2025 was prepared by the Shelby County Administration that was deemed to be a working five-year plan for Shelby County to project and plan for future capital and debt service needs; and

WHEREAS, The Commission's Committee No. 1, Budget and Finance modified such Five-Year Capital Improvement Plan by eliminating funding for the Youth Justice Education Center in the amounts of $4,500,000.00 in Fiscal Year 2021 and $3,200,000.00 in Fiscal Year 2022 in anticipation of State of Tennessee COVID-19 funds being awarded for such purpose; and

WHEREAS, The Commission's Committee No. 1, Budget and Finance modified such Five-Year Capital Improvement Plan by adding $4,500,000.00 for Regional One Health in Fiscal Year 2021; and

WHEREAS, The Commission's Committee No. 1, Budget and Finance modified such Five-Year Capital Improvement Plan by adding $6,700,000.00 for the Memphis River Parks Partnership in Fiscal Year 2022; and

WHEREAS, The Commission's Committee No. 1, Budget and Finance set forth a requirement that the total bond-funded Capital Improvement Plan not exceed $75,000,000.00 in any year in keeping with the County's plan use for capital projects for debt services; and

WHEREAS, The increased funding for Memphis River Parks Partnership in Fiscal Year 2022 necessitated a reduction in other County projects in Fiscal Year 2022 to remain within the $75,000,000.00 maximum, and the Administration achieved this directive by reducing the Courthouse Restoration/Records Renovation project by $950,000 in Fiscal Year 2022 and the County's Enterprise Resource Planning System funding by $2,500,000.00 in Fiscal Year 2022 and reallocating such funds to Fiscal Year 2024; and

WHEREAS, The Commission's Committee No. 1, Budget and Finance, has reviewed the Proposed Five-Year Capital Improvement Plan and recommends approval and adoption of the Plan as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Five-Year Capital Improvement Plan for Fiscal Years 2021-2025, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, is hereby approved.

BE IT FURTHER RESOLVED, That in order to maintain fiscal stability, each County Agency to which Capital Improvement Plan allocations have been made is authorized to prepare plans and specifications and to take bids for the projects identified in the Capital Improvement Plan subject to additional authorization by the Mayor and the Board of Commissioners of Shelby County, Tennessee, in order that sufficient funds will be available to pay said obligations on scheduled due dates.

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

Lee Harris
County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED
AS AMENDED: May 18, 2020

CERTIFIED COPY

CLERK OF COUNTY COMMISSION

DATE 8/7/2020