



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## AGENDA

Monday September 28, 2020

*Commissioner Eddie S. Jones, Jr., Chairman  
Commissioner Brandon G. Morrison, Chairman Pro Tempore  
Commissioner Mark Billingsley  
Commissioner David C. Bradford  
Commissioner Willie F. Brooks, Jr.  
Commissioner Edmund Ford, Jr.  
Commissioner Mickell Lowery*

*Commissioner Amber Mills  
Commissioner Reginald Milton  
Commissioner Tami Sawyer  
Commissioner Van D. Turner, Jr.  
Commissioner Michael Whaley  
Commissioner Mick Wright*

*The meeting will also be held at 160 N. Main Street, First Floor, in Chambers as well as online using GoToWebinar <https://attendee.gotowebinar.com/register/8369663240404169486>  
**Webinar ID: 751-312-099***

9/25/2020 5:00 PM

**3:00 PM**

**COMMISSION CONVENES**

**OPENING OF THE COMMISSION**

**Deputy Sheriff**

**CALL TO ORDER**

**Chairman Eddie S. Jones, Jr.**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

### Update COVID-19 Pandemic in Shelby County, TN

1. Presenter: Dr. Alisa Haushalter, Director Shelby County Health Department (15 minutes)

### Approval of Minutes of Previous Session

2. September 14, 2020

**Announcement for Appearance Cards for Public Speaking/Public Comment Pursuant to Rule # 14(b)**

**CONSENT AGENDA**

**Resolutions of Memorial, Sympathy and Commendation**

**Zoning and Subdivisions**

**BROOKS**

Chairman, Land Use,  
Planning,  
Transportation, and  
Code Enforcement  
Committee

3. **Resolution approving an Agreement between Shelby County and Rockwood LLC. to secure the public improvements to Cordova Ridge PD 4th Amendment, Phase 12, Parcel IIB (P.D. 09-302 CC) and authorizing the recording of the plat when bonding procedures have been fulfilled. This item is funded by the Developer and does not require expenditure of County General Funds. Sponsored by Commissioner David Bradford.**

**BROOKS**

Chairman, Land Use,  
Planning,  
Transportation, and  
Code Enforcement  
Committee

4. **Resolution pursuant to Chapter 9.6 of the Unified Development Code of the County of Shelby, and the City of Memphis, Tennessee, granting a Planned Development for land located at 12611 U.S. Highway 64, south side of U.S. Highway 64, just east of Washington Road, known as CASE No. PD 20-06 CO. Sponsored by Commissioner Edmund Ford, Jr.**

**Reports and/or Resolutions for Standing Committees**

**FORD**

Chairman, Budget  
and Finance  
Committee

5. **Resolution approving contract with Loomis Armored US, LLC, in an annual amount not to exceed \$104,019.72, to provide armored car and safepoint services on behalf of the Shelby County Trustee's Office. Said contract commences upon execution and continues through June 30, 2023, with options to renew for two (2) additional one-year periods. This item requires expenditure of FY 2021 General Operating Funds in an amount not to exceed \$88,000.00, Enterprise Funds in an amount not to exceed \$15,000.00, and remaining \$1,019.72 from Shelby County Regions balancing account for a total contract amount not to exceed \$104,019.72. Sponsored by Chairman Eddie S. Jones, Jr.**

**FORD**  
Chairman, Budget  
and Finance  
Committee

6. Resolution to approve three vendor contracts for services related to the Trustee's Tax Collection System including (1) Tyler Technologies, Inc. in an amount not to exceed \$1,979,517.00 for a Property Tax Payment and Collection System from execution and continuing for a period of twelve (12) months with the option to renew for four additional one-year periods, (2) Bi Solutions, LLC for Data Migration and Application Integration in an amount not to exceed \$259,686.00 from execution through June 30, 2021 with the option to renew for two additional one-year periods, and (3) Risk Analytics, LLC for Project Management and Application Development Services in an amount not to exceed \$596,408.00 from execution through June 30, 2021 with the option to renew for two additional one-year periods, in aggregate for contracts totaling an amount not to exceed \$5,413,367.00 of which an amount not to exceed \$2,696,000.00 will be expended against FY 2021 Capital Improvement Program (CIP) Funds with ongoing General Fund Operating expenditures of \$409,502.00 in FY 2021 through FY 2024. This item requires the appropriation of \$1,398,000.00 and expenditure of FY 2021 CIP Funds in a total amount not to exceed \$2,696,000.00. Sponsored by Chairman Eddie S. Jones, Jr.

**BRADFORD**  
Chairman, Public  
Works Committee

7. Resolution approving the Grant of one Permanent Drainage Easement and one Temporary Construction Easement to the City of Memphis across a portion of County owned Real Property, designated for Shelby Farms Park use, for nominal consideration, for storm-water drainage improvements along Raleigh LaGrange Road; and authorizing the Shelby County Mayor to execute the Grant of Easement Document. Sponsored by Commissioner David Bradford and Commissioner Michael Whaley.

**TURNER**  
Chairman, Hospitals  
and Health  
Committee

8. Resolution to amend the FY21 Shelby County Operating Budget of the Health Department Health and Promotions Chronic Disease Prevention and Management Service Grant Fund 134-400606 in the amount of \$30,300.00 pursuant to the approval of a State of Tennessee Department of Health Grant agreement for the period of November 1, 2019 through June 30, 2023. This item requires the appropriation and expenditure of FY21 Federal through State Grant Funds in the amount of \$30,300.00. Sponsored by Commissioner Van Turner.

**TURNER**  
Chairman, Hospitals  
and Health  
Committee

9. Resolution to amend the FY 2021 Capital Improvement Plan (CIP) Budget and to approve a contract with Spaces Group, LLC, A Knoll Dealer, via Cooperative/Piggyback purchase through Omnia Partners to purchase furnishings and related design and installation services for the Shelby County Health Department space located at 1826 Sycamore View for an amount not to exceed \$351,577.72. This item requires the appropriation and expenditure of FY 2021 Capital Investment Program (CIP) Funds in the amount of \$351,577.72. Sponsored by Chairman Eddie Jones and Commissioner Van Turner.

**TURNER**  
Chairman, Hospitals  
and Health  
Committee

10. Resolution amending the FY21 Shelby County Operating Budget for the Shelby County Health Department in an amount not to exceed \$130,000.00 pursuant to the approval of a United States Environmental Protection Agency multi-year grant in the amount of \$260,000.00 for the period April 1, 2020 through March 31, 2022. This item requires the appropriation and expenditure of FY21 Federal Grant Funds in the amount of \$130,000.00. Sponsored by Commissioner Van D. Turner, Jr.

**MILLS**  
Chairman, Law  
Enforcement,  
Corrections, and  
Courts Committee

11. Resolution approving the purchase of equipment for activities and tasks related to mitigating COVID-19 including purchase of generators in an amount not to exceed \$158,800.00, light towers in an amount not to exceed \$90,011.20, the construction of a warehouse in an amount not to exceed \$410,000.00, with an extra work allowance in an amount not to exceed \$61,500.00, and tents in an amount not to exceed \$220,370.00 for total expenditures in an amount not to exceed \$940,681.20. This item requires the expenditure of FY2021 CARES Act Grant Funds in an amount not to exceed \$940,681.20. Sponsored by Commissioner Amber Mills, Commissioner Mark Billingsley and Commissioner Brandon Morrison.

**MILLS**  
Chairman, Law  
Enforcement,  
Corrections, and  
Courts Committee

12. Resolution approving a grant award from the Tennessee Department of Safety and Homeland Security to the Shelby County Emergency Management & Homeland Security Agency for the performance period of September 1, 2019 through April 30, 2022, amending the FY2021 Operating Budget in the amount of \$471,244.00 and approving the purchase of a mobile command trailer in an amount not to exceed \$259,939.12. This item requires the appropriation and expenditure of FY 2021 Federal thru State Grant Funds in the amount of \$471,244.00 under the U.S. Department of Homeland Security Grant Programs. Sponsored by Commissioner Amber Mills and Commissioner Mark Billingsley.

**MILLS**  
Chairman, Law  
Enforcement,  
Corrections, and  
Courts Committee

13. Resolution approving a one-time, non-recurring grant agreement with the Mid-South Chapter American Red Cross in the amount of \$150,000.00 for COVID-19 Antibody Testing. This item requires the expenditure of FY2021 CARES Act Funds in the amount of \$150,000.00. Sponsored by Commissioner Amber Mills, Commissioner Van Turner, Commissioner Mark Billingsley, Commissioner Edmund Ford, Jr., and Commissioner Brandon Morrison.

**SAWYER**  
Chairman, Education  
Committee

14. Resolution ratifying amendments by the Shelby County Board of Education to their Capital Improvement Projects (CIP) Budget for Fiscal Year 2021, as adopted by the Shelby County Board of Education on August 25, 2020, with a decrease in the amount of \$4,387,823.00 and a reappropriation of existing project funds in the amount of \$254,000.00. This resolution does not increase the approved FY 2021 funding level from Shelby County Government. Sponsored by Commissioner Michael Whaley.

**SAWYER**  
Chairman, Education  
Committee

15. Resolution ratifying amendments by the Shelby County Board of Education increasing their Operating Budget for Fiscal Year 2021 in the amount of \$37,256,148.00, as adopted by the Shelby County Board of Education on August 25, 2020. This resolution does not increase the approved FY2021 funding level from Shelby County Government. Sponsored by Commissioner Michael Whaley.

**SAWYER**  
Chairman, Education  
Committee

16. Resolution approving an amendment to Exhibit C of the grant contract with First 8 Memphis, LLC as the Fiscal Agent currently overseeing a program for Comprehensive and Universal Needs-Based Pre-Kindergarten (“PRE-K”) Education, and appropriating \$8,000,000.00 from the FY2021 Operating Budget. This item requires the appropriation and expenditure of FY 2021 General Funds. Sponsored by Commissioner Michael Whaley, Commissioner Tami Sawyer, Commissioner Mark Billingsley and Commissioner Willie Brooks.

**JONES**  
Chairman, General  
Government  
Committee

17. Resolution approving the Election of Notaries Public for appointment and/or reappointment for Shelby County, Tennessee. Sponsored by Commissioner Mark Billingsley.

Approval of the Consent Agenda

**REGULAR AGENDA**

Elections, Appointments, and Confirmations

Ordinances

**MILLS**  
Chairman, Law  
Enforcement,  
Corrections, and  
Courts Committee

18. ORDINANCE - SECOND READING - Ordinance to: 1) amend Personnel Policy No. 402 in order to disqualify applicants from Public Safety positions if prior work history depicts termination for excessive use of force; 2) request that the Shelby County Sheriff's Office seeks revocation of Peace Officer Standards and Training (POST) Certification for deputies terminated or disciplined for excessive use of force in violation of the POST Commission's Rules and Regulations; and 3) establish a tracking system of Public Safety Officers terminated or disciplined for use of excessive force. Sponsored by Commissioner Tami Sawyer, Commissioner Mickell Lowery and Commissioner Van D. Turner, Jr. (SENT DOWN WITHOUT RECOMMENDATION IN SEPTEMBER 23, 2020 COMMITTEE MEETING)

**MILLS**

Chairman, Law Enforcement, Corrections, and Courts Committee

19. ORDINANCE - SECOND READING - An ordinance to amend the Shelby County Code of Ordinances by amending Chapter 34-Public Safety to: (1) create a new article and (2) create special authorization and use limitation for Military equipment and weaponry for Shelby County Law Enforcement Agencies. Sponsored by Commissioner Van D. Turner, Jr., Commissioner Reginald Milton, Commissioner Mickell Lowery, and Commissioner Tami Sawyer. (SENT DOWN WITHOUT RECOMMENDATION IN SEPTEMBER 23, 2020 COMMITTEE MEETING)

**MILLS**

Chairman, Law Enforcement, Corrections, and Courts Committee

20. ORDINANCE - SECOND READING - Ordinance amending Personnel Policy No. 703, in order to prohibit Public Safety Officers, including without limitation, Deputy Sheriffs, Deputy Jailers, Corrections Officers, from: using excessive force in the use of chemical agents, like tear gas, in the scope of their employment with Shelby County Government. Sponsored by Commissioner Tami Sawyer. (AMENDED AND SENT DOWN WITHOUT RECOMMENDATION IN SEPTEMBER 23, 2020 COMMITTEE MEETING)

**MILLS**

Chairman, Law Enforcement, Corrections, and Courts Committee

21. ORDINANCE - SECOND READING - Ordinance amending Personnel Policy No. 703 in order to prohibit fraternization with inmates. Sponsored by Commissioner Tami Sawyer. (BIFURCATED AND SENT DOWN WITHOUT RECOMMENDATION IN SEPTEMBER 23, 2020 COMMITTEE MEETING)

Zoning and Subdivisions

**BROOKS**

Chairman, Land Use, Planning, Transportation, and Code Enforcement Committee

22. Resolution approving the appeal of Britton White seeking to overturn the action of the Memphis & Shelby County Land Use Control Board approving a five-year time extension for an existing Sand and Gravel Mining Operation at the subject property Municipally known as 10769 Millington-Arlington Road, known as Case Number SUP 09-217 CO correspondence. Sponsored by Commissioner Edmund Ford, Jr.

Reports and/or Resolutions for Standing Committees

**FORD**  
Chairman, Budget  
and Finance  
Committee

23. Resolution approving the purchase of voting equipment and related software and services from Elections System and Software, LLC for the Shelby County Election Commission in an amount not to exceed \$5,815,405.00, and to amend the Pay-As-You-Go Capital Improvement Program in the amount of \$2,410,000.00 to accept and utilize expected reimbursement funds from the State of Tennessee, Office of Elections. This item requires the appropriation and expenditure of FY 2021 Pay-As-You-Go Capital Improvement Program (CIP) Funds in an amount not to exceed \$5,815,405.00. Sponsored by Commissioner Van Turner. (SENT DOWN WITHOUT RECOMMENDATION IN SEPTEMBER 23, 2020 COMMITTEE MEETING)

**FORD**  
Chairman, Budget  
and Finance  
Committee

24. Resolution receiving and filing the August 2020 Monthly Comprehensive Financial update report entitled “Shelby County Government Monthly Commission Division Report for the year ending June 30, 2021”. Sponsored by Commissioner Edmund H. Ford, Jr. (AMENDED IN SEPTEMBER 23, 2020 COMMITTEE MEETING)

**FORD**  
Chairman, Budget  
and Finance  
Committee

25. Resolution amending Resolution No. 19, adopted on July 13, 2020, entitled “Resolution to re-establish a Hiring Freeze including the elimination of certain salary actions, i.e., Reclassifications, Salary Adjustments, and Promotions, and provide a process to allow for necessary exceptions to same”, to lift the Fiscal Year 2021 (FY21) Hiring Freeze and eliminate the need for County Commission approval for Budget neutral Personnel Salary Actions. Sponsored by Chairman Eddie S. Jones, Jr. (SENT DOWN WITHOUT RECOMMENDATION IN SEPTEMBER 23, 2020 COMMITTEE MEETING)

**FORD**  
Chairman, Budget  
and Finance  
Committee

26. Resolution amending Resolution No. 19, adopted on July 13, 2020, entitled “Resolution to re-establish a Hiring Freeze including the elimination of certain salary actions, i.e., Reclassifications, Salary Adjustments, and Promotions, and provide a process to allow for necessary exceptions to same”, to continue the Hiring Freeze while amending such Resolution to revise the composition of the Hiring Freeze Committee. Sponsored by Commissioner Mick Wright, Commissioner Willie F. Brooks, Jr., and Commissioner Brandon Morrison. (ADD-ON AND SENT DOWN WITHOUT RECOMMENDATION IN SEPTEMBER 23, 2020 COMMITTEE MEETING)



**TURNER**  
Chairman, Hospitals  
and Health  
Committee

27. Resolution establishing a Shelby County Board of Health as governed by Tennessee Code Annotated Section 68-2-601 Et Seq. to advise the Shelby County Health Department in matters of Public Health and Public Health Emergencies. Sponsored by Commissioner Van D. Turner, Jr., Commissioner Willie F. Brooks, Jr., Commissioner Mickell Lowery, and Chairman Eddie S. Jones, Jr., and Commissioner Tami Sawyer. (SENT DOWN WITHOUT RECOMMENDATION IN SEPTEMBER 23, 2020 COMMITTEE MEETING)

**TURNER**  
Chairman, Hospitals  
and Health  
Committee

28. Resolution approving the loan of surplus laboratory items to Lemoyne-Owen College Division of Natural and Mathematic Sciences and the University of Tennessee Health Science Center in furtherance of their missions to advanced science and research for a period beginning October 1, 2020 through June 30, 2025, with five options to renew. Sponsored by Commissioner Mickell Lowery, Commissioner Edmund Ford, Jr., and Commissioner Reginald Milton. (SUBSTITUTED AND AMENDED IN SEPTEMBER 23, 2020 COMMITTEE MEETING)

**JONES**  
Chairman, General  
Government  
Committee

29. Resolution amending Resolution No. 6 entitled "Resolution to strongly urge the Mayor's Administration to present to the Shelby County Board of Commissioners a Healthcare agreement that includes In-Network options for all major hospitals/systems and offers a low-cost "Basic Option" for County employees," adopted on June 8, 2020, in order to urge the Mayor's Administration to incorporate a cost benefits analysis into the Healthcare vendor selection process. Sponsored by Commissioner Brandon Morrison. (SENT DOWN WITH UNFAVORABLE RECOMMENDATION IN SEPTEMBER 23, 2020 COMMITTEE MEETING)
30. Resolution amending Resolution No. 8, adopted on August 10, 2020, entitled "Resolution approving service provider contracts with United Housing Inc., and Habitat For Humanity of Greater Memphis in an amount not to exceed \$300,000.00, upon execution through December 30, 2020 for the purpose of providing home repairs and improvements for seniors and those living with disabilities in Shelby County" to increase the contract aggregate amount not to exceed \$600,000.00. Sponsored by Chairman Eddie Jones. (ADD-ON FOR CONSIDERATION IN SEPTEMBER 28, 2020 COMMISSION MEETING)

31. Resolution amending Resolution No. 27 entitled “Resolution approving the appointments by the Chairman of the Shelby County Board of Commissioners to various Boards and Commissions for the 2020-2021 Term” to rename the Aging Commission Designee. Sponsored by Chairman Eddie S. Jones, Jr. (ADD-ON FOR CONSIDERATION IN SEPTEMBER 28, 2020 COMMISSION MEETING)

Announcements/Statements

Adjournment

32. Resolution to approve the motion to Adjourn the County Commission Meeting made pursuant to Rule 10 (B) of the Permanent Rules of Order of the Shelby County Board of Commissioners. Sponsored by Chairman Eddie S. Jones, Jr.