

## OAK RIDGE CITY COUNCIL MEETING

Municipal Building Courtroom

June 15, 2017 - 7:00 p.m.

### AGENDA

I. INVOCATION

Minister Larry Tate, The House of Worship

II. PLEDGE OF ALLEGIANCE

Seth Blair, Jordan Meneffee, Aiden Lavoie, and Annie Lavoie, students at Glenwood Elementary School

III. ROLL CALL

IV. PROCLAMATIONS AND PUBLIC RECOGNITIONS

Public Recognitions

Proclamations

- a. A proclamation designating June 12-18, 2017 as Men's Health Week
- b. A proclamation paying tribute to Dr. Thomas E. Mason for his distinguished service and contributions to the Oak Ridge community

V. SPECIAL REPORTS

VI. CONSENT AGENDA

- a. Approval of the May 8, 2017 City Council regular meeting minutes
- b. Approval of the May 30, 2017 City Council special meeting minutes
- c. A RESOLUTION TO APPROVE AND ADOPT THE 2017 ANDERSON COUNTY HAZARD MITIGATION PLAN TO MAINTAIN THE CITY'S ELIGIBILITY FOR RECEIPT OF DISASTER FUNDING AND ASSISTANCE BY FEMA AND TEMA, AND TO AUTHORIZE THE CITY'S CONTINUED PARTICIPATION IN HAZARD MITIGATION PLANNING EFFORTS.
- d. A RESOLUTION RESCINDING RESOLUTION 06-43-2014 AS REQUIRED BY THE AGREED ORDER OF COMPROMISE AND DISMISSAL IN RESOLUTION 5-39-2017 DATED MAY 8, 2017 IN THE CASE OF *JACKSON SQUARE LLC V. CITY OF OAK RIDGE, OAK RIDGE CITY COUNCIL, RICK DOVER AND DOVER DEVELOPMENT CORPORATION FORMERLY KNOWN AS FAMILY PRIDE CORPORATION.*
- e. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO ORACLE AMERICA, INC., FOR FURNISHING OF ANNUAL MAINTENANCE SERVICES FOR THE FINANCIAL SOFTWARE SYSTEM UTILIZED BY THE CITY FOR FISCAL YEAR 2018 IN THE AMOUNT OF \$27,248.58.

- f. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MERCER, INSURANCE BROKER, FOR EMPLOYEE BASIC LIFE INSURANCE, DEPENDENT LIFE INSURANCE, SUPPLEMENTAL LIFE INSURANCE, AND LONG TERM DISABILITY INSURANCE WITH HARTFORD FOR FISCAL YEAR 2018 IN THE ESTIMATED AMOUNT OF \$82,030.00.
- g. A RESOLUTION EXERCISING THE OPTION TO RENEW THE METER READING SERVICES CONTRACT WITH OLAMETER CORPORATION (FY2014-128) FOR FISCAL YEAR 2018 IN THE ESTIMATED AMOUNT OF \$246,057.00.
- h. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MANSFIELD OIL COMPANY FOR FURNISHING UNLEADED AND DIESEL FUEL FOR FISCAL YEAR 2018 IN THE ESTIMATED AMOUNT OF \$525,000.00.
- i. A RESOLUTION APPROVING A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR MAINTENANCE OF STATE HIGHWAYS WITHIN THE CORPORATE CITY LIMITS WHEREBY THE CITY IS REIMBURSED BY TDOT FOR SAID SERVICES IN THE AMOUNT OF \$141,175.05.
- j. A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR AN OPERATING ASSISTANCE GRANT TO REIMBURSE THE CITY FOR UP TO EIGHTY PERCENT (80%) OF THE NET OPERATING EXPENSES OF THE CITY'S PUBLIC TRANSPORTATION PROGRAM IN THE ESTIMATED AMOUNT OF \$170,500.00.
- k. A RESOLUTION TO ENCUMBER ALL REMAINING UNSPENT BUDGETED FUNDS AT THE END OF FISCAL YEAR 2017 IN THE FOLLOWING GENERAL FUND ACTIVITIES: 845 INFORMATION SERVICES, 862 FINANCE, 946 CENTRAL SERVICE CENTER, 948 MUNICIPAL BUILDING, 951 STORMWATER, AND 976 PARKS.

VII. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

Public Hearing

- a. The Community Development Block Grant (CDBG) Consolidated Plan 2017-2020, including a Citizen Participation Plan and the PY2017/FY2018 Annual Action Plan (Note: A resolution will be considered as Item (c) under "Resolutions.")

VIII. FINAL ADOPTION OF ORDINANCES

- a. AN ORDINANCE ABANDONING A PORTION OF WEST MADISON LANE RIGHT-OF-WAY UPON CERTAIN CONDITIONS BEING MET BY THE ADJACENT PROPERTY OWNER. (Note: A substitute ordinance will be offered on this item.)

Public Hearing

- a. AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 002.00, ANDERSON COUNTY TAX MAP 100F, GROUP A, (APPROXIMATELY 1.99 ACRES) FROM UB-2, UNIFIED GENERAL BUSINESS DISTRICT, TO B-2, GENERAL BUSINESS DISTRICT, SAID PARCEL BEING LOCATED AT 699 EMORY VALLEY ROAD.

- b. AN ORDINANCE TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

IX. RESOLUTIONS

- a. A RESOLUTION GRANTING A PERMIT TO RASHMIKANT R. PATEL AND BHAVESH M. PATEL TO ENGAGE IN THE RETAIL SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF OAK RIDGE AT JB'S WINE AND SPIRITS, 202 S. ILLINOIS AVENUE.
- b. A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND ISSUE ON BEHALF OF THE CITY OF OAK RIDGE CERTIFICATES OF COMPLIANCE FOR RASHMIKANT R. PATEL AND BHAVESH M. PATEL TO ENGAGE IN THE RETAIL SALE OF ALCOHOLIC BEVERAGES AT JB'S WINE AND SPIRITS, 202 S. ILLINOIS AVENUE.
- c. A RESOLUTION APPROVING THE CDBG CONSOLIDATED PLAN 2017-2020, INCLUDING A CITIZEN PARTICIPATION PLAN; THE PY2017/FY2018 ANNUAL ACTION PLAN; AND PROPOSED ALLOCATIONS OF COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT FUNDS FOR PY2017/FY2018 ESTIMATED AT \$170,000.00.
- d. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO SPILLMAN TECHNOLOGIES, INC., SALT LAKE CITY, UTAH, FOR THE PURCHASE OF THE SPILLMAN COMPSTAT SOFTWARE MANAGEMENT SUITE IN THE ESTIMATED AMOUNT OF \$61,530.00.
- e. A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., NASHVILLE, TENNESSEE, FOR ENGINEERING SERVICES IN THE ESTIMATED AMOUNT OF \$298,800.00 RELATED TO THE MULTIMODAL ACCESS PROJECT AT OAK RIDGE TURNPIKE AND SOUTH ILLINOIS AVENUE.
- f. A RESOLUTION APPROVING A NEW WATER SERVICES CONTRACT BETWEEN THE CITY AND THE UNITED STATES DEPARTMENT OF ENERGY (DOE) THROUGH JUNE 30, 2027.
- g. A RESOLUTION AUTHORIZING A FIVE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH CTI ENGINEERS, INC., KNOXVILLE, TENNESSEE, FOR ENGINEERING SERVICES IN CONNECTION WITH THE REHABILITATION AND MAINTENANCE OF THE CITY'S ELEVATED WATER STORAGE TANKS AND IN-GROUND WATER STORAGE RESERVOIRS IN AN AMOUNT NOT TO EXCEED \$312,800.00.
- h. A RESOLUTION AWARDED A CONTRACT (FY18-005) TO DIVERSIFIED LANDSCAPE SERVICES, INC, OAK RIDGE, TENNESSEE FOR LITTER PICK-UP SERVICES FOR THE RECREATION AND PARKS DEPARTMENT IN THE ESTIMATED AMOUNT OF \$88,210.00.
- i. A RESOLUTION AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$75,000.00 TO THE SECRET CITY FESTIVAL OF OAK RIDGE, TENNESSEE, D/B/A CELEBRATE OAK RIDGE FOR EXPENSES ASSOCIATED WITH THE 2017 FESTIVAL EVENTS.

X. APPEARANCE OF CITIZENS

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

a. Elections/Appointments

- i. Confirmation of nomination of Nancy Stanley Riser to the Oak Ridge Utility District (ORUD) Board of Commissioners

b. Announcements

c. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

a. CITY MANAGER'S REPORT

b. CITY ATTORNEY'S REPORT

XIV. ADJOURNMENT

**PROCLAMATIONS  
AND  
PUBLIC RECOGNITIONS**

**CITY CLERK MEMORANDUM**  
**17-16**

DATE: June 7, 2017  
TO: Honorable Mayor and Members of City Council  
FROM: Mary Beth Hickman, City Clerk  
SUBJECT: PROCLAMATIONS FOR THE June 15, 2017 CITY COUNCIL MEETING AGENDA

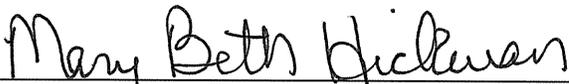
The following proclamations are presented for the June 15, 2017 City Council meeting for the City Council's consideration:

A proclamation designating June 12-18, 2017 as Men's Health Week

This request was submitted by Tyler Stoker, Program Coordinator with Men's Health Network, to designate June 12-18, 2017 as Men's Health Week.

A proclamation paying tribute to Dr. Thomas E. Mason for his distinguished service and contributions to the Oak Ridge community

This request was submitted by Greta Ownby with the Oak Ridge Chamber of Commerce to recognize Dr. Thomas E. Mason, Director of Oak Ridge National Laboratory, for his service and contributions to the Oak Ridge community. Dr. Mason is leaving his position to join the Battelle Memorial Team in Columbus, Ohio. A community reception is being held in his honor on Monday, June 26, 2017 from 5:00 to 7:00 pm at the Pollard Technology Conference Center.

  
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Mary Beth Hickman

Attachments:

Proclamation designating June 12-18, 2017 as Men's Health Week  
Proclamation paying tribute to Dr. Thomas E. Mason for his distinguished service and contributions to the Oak Ridge community

# PROCLAMATION

**WHEREAS**, despite advances in medical technology and research, men continue to live an average of five years less than women with African-American men having the lowest life expectancy; and

**WHEREAS**, educating the public and health care providers about the importance of a healthy lifestyle and early detection of male health problems will result in reducing rates of mortality from disease; and

**WHEREAS**, heightening the awareness of preventable health problems and increasing early detection and treatment of disease would significantly improve our Nation's health, as well as save limited health care dollars; and

**WHEREAS**, the Men's Health Network (MHN) worked with Congress to develop National Men's Health Week as a special campaign to help educate men, boys, and their families about the importance of positive health attitudes and preventative health practices; and

**WHEREAS**, MHN is a national non-profit organization whose mission is to reach men, boys, and their families where they live, work, play, and pray with health prevention messages and tools, screening programs, educational materials, advocacy opportunities, and patient navigation; and

**WHEREAS**, the City of Oak Ridge has similarly made an effort to promote a healthy lifestyle for the residents of Oak Ridge and city employees through the creation of a Wellness Fair; and

**WHEREAS**, Men's Health Week will focus on a broad range of men's health issues and will encourage the citizens of Oak Ridge to increase awareness of the importance of a healthy lifestyle, regular exercise, and medical check-ups.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE** that June 12-18, 2017 be proclaimed

## MEN'S HEALTH WEEK

and all citizens be encouraged to pursue preventative health practices and early detection efforts.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 15<sup>th</sup> day of June in the year 2017.

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**WARREN L. GOOCH**  
**MAYOR**

# PROCLAMATION

**WHEREAS**, Dr. Thomas E. Mason has served as Director of the Oak Ridge National Laboratory and President/CEO of UT-Battelle since May, 2007; and

**WHEREAS**, Dr. Mason joined Oak Ridge National Laboratory in 1998 as Scientific Director for the United States Department of Energy's Spallation Neutron Source (SNS) project and went on to serve as Associate Laboratory Director for SNS and Vice-President of UT-Battelle before becoming Associate Laboratory Director for Neutron Sciences in 2006; and

**WHEREAS**, Dr. Mason's research background has been in the application of neutron scattering techniques, supplemented by the use of X-rays, to perform transport and thermodynamic measurements; and

**WHEREAS**, as Director of the Department of Energy's largest science and energy laboratory, he has focused Oak Ridge National Laboratory's exceptional strengths in material, neutron, nuclear and computational science to drive innovation and technical solutions relevant to energy and global security; and

**WHEREAS**, Dr. Mason has made valuable contributions to the community as a member of the Board of Directors of the Oak Ridge Public Schools Education Foundation and as Chairman of Innovation Valley, Inc., and he played a key role in the renovation of Oak Ridge High School; and

**WHEREAS**, Dr. Mason has been a vocal advocate for Oak Ridge and Oak Ridge National Laboratory and has been actively supportive in advancing the missions of numerous organizations, such as the East Tennessee Economic Council and the Oak Ridge Chamber of Commerce; and

**WHEREAS**, Dr. Mason and his wife Jennifer have made their home in Oak Ridge and raised two sons who excelled in the Oak Ridge school system; and

**WHEREAS**, Dr. Mason is leaving Oak Ridge National Laboratory to join Battelle Memorial in Columbus, Ohio.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:**

That in recognition of his distinguished service and contributions to the Oak Ridge community, the City of Oak Ridge pays tribute to

## **DR. THOMAS E. MASON**

as we wish him and his family well and invite citizens to show their appreciation at a community reception to be held in his honor on Monday, June 26, 2017 from 5:00 to 7:00 pm in the Pollard Technology Conference Center.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 15<sup>th</sup> day of June in the year 2017.

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**WARREN L. GOOCH, MAYOR**

# CONSENT AGENDA

**OAK RIDGE CITY COUNCIL MEETING**  
Municipal Building Courtroom

May 8, 2017

Minutes

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on May 8, 2017 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

**INVOCATION**

The invocation was given by Father Dustin Collins, St. Mary's Catholic Church.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by the Jefferson Middle School Master Builders team.

**ROLL CALL**

Upon roll call the following councilmembers were present: Councilmember Kelly Callison; Mayor Pro Tem Rick Chinn, Jr.; Councilmember James Dodson; Mayor Warren L. Gooch; Councilmember Charles J. Hope, Jr.; Councilmember Ellen D. Smith; and Councilmember Hans Vogel.

Also present were Mark S. Watson, City Manager; Ken Krushenski, City Attorney; Mary Beth Hickman, City Clerk; and Janice McGinnis, Finance Director.

**PROCLAMATIONS AND PUBLIC RECOGNITIONS**

Proclamations

*A proclamation honoring Steve Reddick for his induction into the University of Tennessee Educators Hall of Honor.*

Mayor Pro Tem Chinn moved for approval, and Councilmember Smith seconded. The proclamation was approved by voice vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

*A proclamation designating May 14-20, 2017 as Police Week.*

Councilmember Smith moved for approval, and Councilmember Smith seconded. The proclamation was approved by voice vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

*A proclamation designating May 21-27 as Public Works Week.*

Mayor Pro Tem Chinn moved for approval, and Councilmember Smith seconded. The proclamation was approved by voice vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

*A proclamation recognizing the inaugural class of Encounter Oak Ridge.*

Mayor Pro Tem Chinn moved for approval, and Councilmember Vogel seconded. The proclamation was approved by voice vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

*A proclamation recognizing the Jefferson Middle School Master Builders for their performance in the Lego League World Championship.*

Mayor Pro Tem Chinn moved for approval, and Councilmember Hope seconded. The proclamation was

approved by voice vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.”

**SPECIAL REPORTS**

A public meeting was held to provide information concerning the City of Oak Ridge’s application for a Clean Water State Revolving Loan Fund loan for the Turtle Park Pump Station Improvement Project, and Dudney Fox with Trestles gave a presentation. Councilmember Smith moved to accept the report for the record, and Councilmember Hope seconded. The motion was approved by voice vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.”

Senior Advisory Board Chair Pat Gengozian presented a report of the Senior Advisory Board on its recommendation for a new senior center building. Councilmember Hope moved to accept the report for the record, and Mayor Pro Tem Chinn seconded. The motion was approved by voice vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.”

Councilmember Dodson made a motion to add the following item to the agenda:

Transmittal of Report of Debt Obligation – State Form CT-0253 - \$2,000,000 in State Revolving Loan Fund Program funds with a \$140,000 Loan Forgiveness (CG4-17-356)

Mayor Pro Tem Chinn seconded the motion to add the item to the agenda. Finance Director Janice McGinnis provided an overview of the report and answered questions from Council. The report was accepted for the record.

**CONSENT AGENDA**

Mayor Pro Tem Chinn moved for adoption of the Consent Agenda, and Councilmember Callison seconded.

The Consent Agenda was adopted unanimously by voice vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.”

Approval of the April 10, 2017 City Council regular meeting minutes

A RESOLUTION APPROVING THE PURCHASE AND INSTALLATION OF REPLACEMENT TURBIDIMETERS FOR THE WATER TREATMENT PLANT FROM HACH COMPANY, LOVELAND, COLORADO, IN THE ESTIMATED AMOUNT OF \$83,585.22.

A RESOLUTION APPROVING THE PURCHASE AND INSTALLATION UPGRADE OF THE ALLEN BRADLEY PROGRAMMABLE LOGIC CONTROLLER (PLC) AND ASSOCIATED COMMUNICATIONS CONTROLS TO THE ULTRA-VIOLET (UV) SYSTEM AT THE WASTEWATER TREATMENT PLANT FROM SOUTHERN SALES COMPANY, NASHVILLE, TENNESSEE, IN THE ESTIMATED AMOUNT OF \$96,995.00.

A RESOLUTION APPROVING THE PURCHASE OF ABBA PUMP PARTS FOR THE RAW WATER BOOSTER PUMPS FROM WASCON, INC., LIVINGSTON, TENNESSEE, IN THE ESTIMATED AMOUNT OF \$53,630.25.

A RESOLUTION AUTHORIZING THE EXPENDITURE OF APPROXIMATELY \$112,752.00 FROM THE EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE AND EQUIPPING OF TWO (2) PATROL VEHICLES FOR THE POLICE DEPARTMENT UTILIZING STATE CONTRACT PRICING.

The following item was removed from the Consent Agenda and deferred one month:

A RESOLUTION AUTHORIZING A FIVE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH CTI ENGINEERS, INC., KNOXVILLE, TENNESSEE, FOR ENGINEERING SERVICES IN CONNECTION WITH THE REHABILITATION AND MAINTENANCE OF THE CITY'S ELEVATED WATER STORAGE TANKS AND IN-GROUND WATER STORAGE RESERVOIRS IN AN AMOUNT NOT TO EXCEED \$312,800.00.

### **PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

#### Public Hearing and First Reading

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 002.00, ANDERSON COUNTY TAX MAP 100F, GROUP A, (APPROXIMATELY 1.99 ACRES) FROM UB-2, UNIFIED GENERAL BUSINESS DISTRICT, TO B-2, GENERAL BUSINESS DISTRICT, SAID PARCEL BEING LOCATED AT 699 EMORY VALLEY ROAD.

Councilmember Dodson moved for approval of the ordinance, and Mayor Pro Tem Chinn seconded. The ordinance was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

### **FINAL ADOPTION OF ORDINANCES**

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCELS 040.00, 041.00, 042.00, AND 043.00, ANDERSON COUNTY TAX MAP 100A, GROUP A, (APPROXIMATELY 5.62 ACRES) FROM R-3, MEDIUM RESIDENTIAL DISTRICT, TO R-3/PUD, MEDIUM RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY, SAID PARCELS BEING LOCATED AT 203 MICHIGAN AVENUE, 141 W. MADISON LANE, 139 W. MADISON, AND W. MADISON LANE (PARKING LOT).

Councilmember Callison moved for adoption of the ordinance, and Councilmember Vogel seconded. Community Development Director Kathryn Baldwin answered questions from Council.

Dr. Helen Vodopick, 107 Berwick Drive, Oak Ridge, addressed Council regarding drainage issues on this property and shared her concerns about how the rezoning would impact that. Councilmember Smith stated that there are regulations in place on management of storm drains, and the City Manager asked Public Works Director Shira McWaters to look into Dr. Vodopick's concerns.

The ordinance was adopted unanimously by board vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

AN ORDINANCE ABANDONING A PORTION OF WEST MADISON LANE RIGHT-OF-WAY UPON CERTAIN CONDITIONS BEING MET BY THE ADJACENT PROPERTY OWNER.

This item was withdrawn at the request of the applicant.

### **RESOLUTIONS**

A RESOLUTION AMENDING RESOLUTION 7-48-2016 TO PROVIDE FOR \$75,000.00 IN ADDITIONAL FUNDS FOR EMERGENCY STREET RESURFACING FOR FISCAL YEAR 2017.

Mayor Pro Tem Chinn moved for approval of the resolution, and Councilmember Dodson seconded. City Manager Mark Watson provided an overview of the resolution and answered questions from Council.

The resolution was approved unanimously by board vote with Councilmembers Callison, Dodson Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.”

A RESOLUTION AMENDING RESOLUTION 7-47-2016 TO PROVIDE FOR \$50,000.00 IN ADDITIONAL FUNDS FOR DISPOSAL OF BIOSOLIDS AT THE CHESTNUT RIDGE LANDFILL FOR FISCAL YEAR 2017.

Mayor Pro Tem Chinn moved for approval of the resolution, and Councilmember Callison seconded.

The resolution was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.”

A RESOLUTION TO RENAME THE OAK RIDGE BASEBALL COMPLEX LOCATED AT 15 WILBERFORCE AVENUE TO THE JOE MASON BASEBALL COMPLEX.

This item was deferred.

A RESOLUTION AWARDED A CONTRACT (FY2018-002) TO DIVERSIFIED LANDSCAPE SERVICES, INC., FOR MOWING AND TRIMMING SERVICES FOR THE RECREATION AND PARKS DEPARTMENT IN THE ESTIMATED AMOUNT OF \$180,750.00.

Councilmember Dodson moved for approval of the resolution, and Councilmember Callison seconded. Recreation and Parks Director Jon Hetrick answered questions from Council.

The resolution was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.”

A RESOLUTION APPROVING AN AGREED ORDER OF COMPROMISE AND DISMISSAL IN JACKSON SQUARE LLC V. CITY OF OAK RIDGE, OAK RIDGE CITY COUNCIL, RICK DOVER AND DOVER DEVELOPMENT CORPORATION FORMERLY KNOWN AS FAMILY PRIDE CORPORATION.

Mayor Pro Tem Chinn moved for approval of the resolution, and Councilmember Callison seconded. City Manager Attorney Ken Krushenski provided an overview of the resolution and answered questions from Council.

The resolution was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.”

### **APPEARANCE OF CITIZENS**

Mary Dixon, 192 Robertsville Road, Oak Ridge, asked Council why the City has such a large number of contracts with various entities to perform services rather than having City employees perform those functions. City Manager Mark Watson replied that the City is engaged in many different services and operations, and often it is more cost effective to contract out the work rather than to hire employees to perform that particular function.

### **ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

#### **Elections/Appointments**

Councilmember Hope moved that Councilmember Jim Dodson be elected to serve as the City Council representative on the Youth Advisory Board Screening Panel, and Mayor Pro Tem Chinn seconded. The motion was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting “Aye.”

#### **Announcements**

Councilmember Vogel reminded Council about the next Community Blueprint meeting, which will be held at Woodland Elementary School on May 15, 2017 from 5:00 to 7:00 pm.

Mayor Pro Tem Chinn gave a status update on the grant to revitalize Blankenship Field. He stated that the Title VI compliance information has been submitted to the Tennessee Department of Environment and Conservation, and that that agency is in the process of compiling responses from an environmental impact statement. He also applauded the efforts of the Oak Ridge Rowing Association and other volunteers and partners for getting the rowing course cleaned up after the recent storms.

### **Scheduling**

## **COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS**

### **SUMMARY OF CURRENT EVENTS**

#### **CITY MANAGER'S REPORT**

City Manager Mark Watson discussed a draft of a statement on housing that was previously distributed to members of Council. He stated that no action would be taken at this meeting, but he asked members to look it over as more discussion would occur at a later work session. Mayor Pro Tem Chinn stated that he liked where the statement is going, but that he would like to see more of an emphasis on single-family homes to be owned and would like to see the document encourage construction of multi-family homes.

Mr. Watson gave an update on the Secret City Festival and the ESG project, as well as an update on bills of interest currently pending in the Tennessee General Assembly. He also reminded Council about the special called meeting that will occur on Tuesday, May 30<sup>th</sup> for his budget presentation.

#### **CITY ATTORNEY'S REPORT**

**ADJOURNMENT: 8:24 p.m.**

**OAK RIDGE CITY COUNCIL SPECIAL MEETING**  
Municipal Building Courtroom

May 30, 2017

Minutes

The special meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on May 30, 2017 in the Courtroom of the Municipal Building with Warren L. Gooch presiding.

**ROLL CALL**

Upon roll call the following councilmembers were present: Councilmember Kelly Callison; Mayor Pro Tem Rick Chinn, Jr.; Councilmember Jim Dodson; Mayor Warren L. Gooch; Councilmember Charles J. Hope, Jr.; Councilmember Ellen Smith and Councilmember Hans Vogel.

Also present were Mark S. Watson, City Manager; Janice E. McGinnis, Mary Beth Hickman, City Clerk; and Kenneth R. Krushenski, City Attorney.

**RESOLUTION**

A RESOLUTION AUTHORIZING AND PROVIDING FOR THE FINANCING OF THE CONSTRUCTION OF A WASTEWATER FACILITIES PROJECT, INCLUDING AUTHORIZING THE EXECUTION OF APPLICATION, CONTRACTUAL AGREEMENTS, AND OTHER NECESSARY DOCUMENTS AND MAKING CERTAIN REPRESENTATIONS, CERTIFICATIONS, AND PLEDGES OF CERTAIN REVENUE IN CONNECTION WITH SUCH FINANCING.

Mayor Pro Tem Chinn moved for approval of the resolution, and Councilmember Dodson seconded. Finance Director Janice McGinnis provided an overview of the resolution and answered questions from Council.

The resolution was approved unanimously by board vote with Councilmembers Callison, Dodson, Hope, Smith, Vogel, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

**CITY MANAGER'S REPORT**

Presentation and transmittal of the City of Oak Ridge's FY2018 Proposed Budget by Mr. Mark S. Watson, City Manager.

City Manager Mark Watson presented the FY 2018 budget to the City Council and answered questions from Councilmembers. He also provided a brief update on the status of the energy savings project.

Mayor Gooch noted that the projects are split 2/3 for school facilities and 1/3 for the City. He asked if the projects would be agreed to in advance. City Manager Mark Watson stated that the Board of Education and City Council would have an opportunity for final authorization. Mayor Gooch also noted that the City's budget request includes a conservative estimate of 2% growth in tax revenue and a transfer of approximately \$538,000 in non-recurring money to the schools. Mr. Watson reminded Council that non-recurring money can be examined annually, but recurring money would become a part of the maintenance of effort. Mayor Gooch also reminded Council members that the Hall Income Tax is being reduced by 1.5% in this fiscal year.

Mayor Pro Tem Chinn thanked the City Manager and City staff for their hard work on presenting a flat budget. He stated that the energy savings project represents tackling items first that present the biggest return on investment.

He also appreciated that the funding for economic development is remaining steady and that extra is being included for Explore Oak Ridge. He agreed that a 2% estimate in revenue growth is pretty conservative.

Councilmember Smith stated that the cost estimate for the Senior Center is higher in the budget than the number originally discussed. Mr. Watson stated that the number included both the new space and remodeling of existing space. Councilmember Smith also asked about the compensation study and how that relates to raises for City employees. Mr. Watson stated that the amount in the budget pertaining to the compensation study is a placeholder amount and actual salary increases or cost of living adjustments are yet to be determined. Councilmember Smith also stated that with regard to the energy savings project that she would like to see an examination of maintenance costs in addition to potential energy savings.

Councilmember Callison noted that under a bill passed by the Tennessee General Assembly, revenue from sales tax is going to be reduced as the gas tax increases, but revenue from the gas tax is earmarked for particular uses under the statute.

Councilmember Hope stated that capital maintenance budgets need to be established in both the school and City budgets. He also stated that with Studio 4's assistance the constraint on the budget for Senior Center construction can be better defined. He also asked for clarification that there would be no pay raise for City employees until after the compensation study is completed. Mr. Watson stated that that was accurate.

The presentation was for informational purposes only; no action was taken.

#### **ADJOURNMENT**

The meeting adjourned at 8:37 p.m.

FIRE DEPARTMENT MEMORANDUM  
HQ-17-17

DATE: June 6, 2017  
TO: Mark S. Watson, City Manager  
FROM: Darryl Kerley, Fire Chief  
SUBJECT: ANDERSON COUNTY HAZARD MITIGATION PLAN

Introduction

An item for the agenda is a resolution authorizing the Mayor to sign the Anderson County Office of Emergency Management's Hazard Mitigation Plan

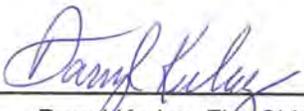
Background

On a periodic basis the Anderson County Office of Emergency Management (OEM) updates the County Hazard Mitigation Plan and submits copies to all municipalities in the county. This year the plan has again been updated and the County requires all agencies within the county to be a participating agency.

Since the plan is more than 300 pages, a digital copy was made available for review and is on file in the City Clerk's Office and Fire Department Headquarters in the County Emergency Operation Center (EOC). The County Emergency Management Office is requesting City Council to adopt a resolution accepting the updated plan and become a signatory agency on the document.

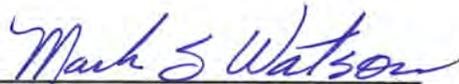
Recommendation

Staff recommends approval of the attached resolution.

  
\_\_\_\_\_  
Darryl Kerley, Fire Chief

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
\_\_\_\_\_  
Mark S. Watson

  
\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION TO APPROVE AND ADOPT THE 2017 ANDERSON COUNTY HAZARD MITIGATION PLAN TO MAINTAIN THE CITY'S ELIGIBILITY FOR RECEIPT OF DISASTER FUNDING AND ASSISTANCE BY FEMA AND TEMA, AND TO AUTHORIZE THE CITY'S CONTINUED PARTICIPATION IN HAZARD MITIGATION PLANNING EFFORTS.

WHEREAS, the Federal Emergency Management Agency (FEMA), under authority of the Disaster Mitigation Act of 2000, requires a FEMA-approved hazard mitigation plan in order to be eligible to receive pre-disaster and post disaster federal funding for mitigation purposes; and

WHEREAS, the State of Tennessee requires that every county and incorporated municipality in the state have a hazard mitigation plan approved by the Tennessee Emergency Management Agency (TEMA) to maintain eligibility for state disaster assistance; and

WHEREAS, the participating jurisdictions of Anderson County (Anderson County, City of Clinton, City of Norris, City of Oak Ridge, Town of Oliver Springs, City of Rocky Top, Anderson County Schools, Clinton City Schools, and Oak Ridge Schools) have worked together to develop a strategy known as the Anderson County Hazard Mitigation Plan to improve disaster resistance in the planning area, which plan has been approved the Mitigation Planning Committee; and

WHEREAS, the Anderson County Office of Emergency Management and the Mitigation Planning Committee recommend the adoption of the Anderson County Hazard Mitigation Plan; and

WHEREAS, the City Manager recommends formal adoption by City Council of the Anderson County Hazard Mitigation Plan and the City's participation in continued hazard mitigation planning efforts.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That in accordance with state and federal requirements, the 2017 *Anderson County Hazard Mitigation Plan* is hereby approved and adopted as recommended by the Anderson County Office of Emergency Management and the Mitigation Planning Committee.

BE IT FURTHER RESOLVED that the City of Oak Ridge, Tennessee, will continue to cooperate and participate in the hazard mitigation planning process, including regular meetings and reporting of progress as required by the Federal Emergency Management Agency and Tennessee Emergency Management Agency.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute all necessary legal documents to accomplish the same.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

**LEGAL DEPARTMENT MEMORANDUM**  
**17-21**

DATE: May 26, 2017

TO: Honorable Mayor and Members of City Council

FROM: Kenneth R. Krushenski, City Attorney

SUBJECT: A RESOLUTION RESCINDING RESOLUTION 06-43-2014 AS REQUIRED BY THE AGREED ORDER OF COMPROMISE AND DISMISSAL IN RESOLUTION 5-39-2017 DATED MAY 8, 2017 IN THE CASE OF JACKSON SQUARE LLC V. CITY OF OAK RIDGE, OAK RIDGE CITY COUNCIL, RICK DOVER, DOVER DEVELOPMENT CORPORATION FORMERLY KNOWN AS FAMILY PRIDE CORPORATION

Introduction

An item for the agenda is a resolution rescinding Resolution 6-43-2014, which action is required by the Agreed Order of Compromise and Dismissal approved by Resolution 5-39-2017.

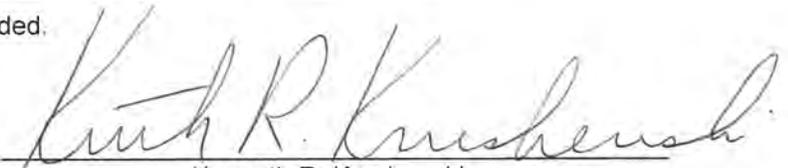
Background

On May 8, 2017, City Council passed Resolution 5-39-2017 approving an "Agreed Order of Compromise and Dismissal" in the case of Jackson Square LLC v. the City of Oak Ridge, et. al. A requirement of the settlement is that the City rescind Resolution 6-43-2014 entitled a "Resolution Authorizing the Conversion of East Madison Road from a One-Way Street to a Two-Way Street." Rescinding Resolution 6-43-2014 will keep East Madison Road open as a one-way public street in the current direction from Michigan Avenue toward the Alexander Guest House Property, with an exit onto Broadway through the Jackson Square property as required by the Agreed Order of Compromise and Dismissal and Settlement Agreement.

The attached resolution accomplishes the requirement set out in the Agreed Order of Compromise and Dismissal.

Recommendation

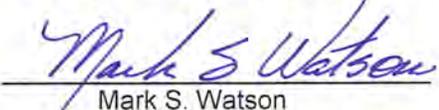
Approval of the attached resolution is recommended.

  
Kenneth R. Krushenski

Attachments: Resolution 6-43-2014  
Resolution 5-39-2017  
Resolution for Approval

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
Mark S. Watson      6/9/2017  
Date

RESOLUTION

A RESOLUTION APPROVING AN AGREED ORDER OF COMPROMISE AND DISMISSAL IN *JACKSON SQUARE LLC V. CITY OF OAK RIDGE, OAK RIDGE CITY COUNCIL, RICK DOVER AND DOVER DEVELOPMENT CORPORATION FORMERLY KNOWN AS FAMILY PRIDE CORPORATION.*

WHEREAS, on December 11, 2014, Jackson Square LLC, Plaintiff, filed a lawsuit against the City in Anderson County Chancery Court seeking to enjoin re-construction of East Madison Road from a one-way to a two-way street and, alternatively, demanded damages for inverse condemnation if injunctive relief was not granted; and

WHEREAS, as a result of extensive settlement negotiations among the parties, this matter has been settled; and

WHEREAS, a "Comprehensive Settlement Agreement and Joint Release" with supporting documentation will be entered with the Court, with no admission of fault or liability by any of the parties; and

WHEREAS, the City Attorney and the City Manager recommend approval of the compromise and dismissal of the lawsuit.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

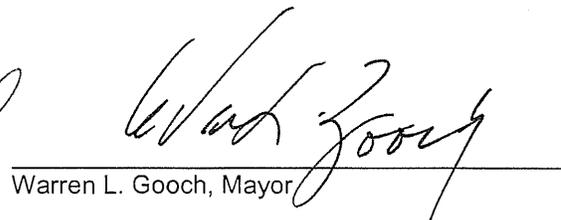
That the recommendation of the City Attorney and City Manager is approved and the City hereby agrees to an Agreed Order of Compromise and Dismissal in *Jackson Square LLC v. City of Oak Ridge, Oak Ridge City Council, Rick Dover and Dover Development Corporation, formerly known as Family Pride Corporation*, and approves a Comprehensive Settlement Agreement and Joint Release with supporting documentation with no admission of fault or liability by any of the parties.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute any and all documents pertaining to the settlement of this matter.

This the 8th day of May 2017.

APPROVED AS TO FORM AND LEGALITY:

  
Kenneth R. Krushenski, City Attorney

  
Warren L. Gooch, Mayor

  
Mary Beth Hickman, City Clerk

**RESOLUTION**

A RESOLUTION AUTHORIZING THE CONVERSION OF EAST MADISON ROAD FROM A ONE-WAY STREET TO A TWO-WAY STREET.

WHEREAS, East Madison Road is currently a one-way street with exit access through a parking lot located on the adjacent property commonly known as the Alexander Inn (formerly The Guest House); and

WHEREAS, with plans underway by Family Pride Corporation to restore the Alexander Inn building and convert it into an assisted living facility, exit access for East Madison Road through the adjacent property will soon cease; and

WHEREAS, at its April 15, 2014 meeting, the Traffic Safety Advisory Board recommended changing East Madison Road from a one-way street to a two-way street based upon the design plans prepared by City Staff; and

WHEREAS, the City Manager recommends approval of the conversion of East Madison Road into a two-way street with provisions for loading and unloading along the street.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

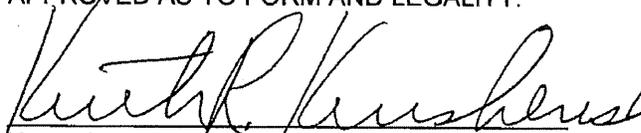
That the recommendation of the City Manager is approved and the City hereby authorizes the conversion of East Madison Road from a one-way street into a two-way street based upon the design plans prepared by City Staff.

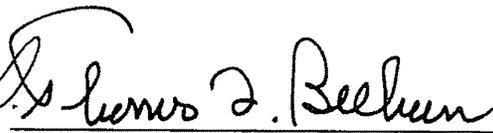
BE IT FURTHER RESOLVED that the City is hereby authorized to execute an agreement with Family Pride Corporation's contractor to work on City right-of-way as needed to complete this project.

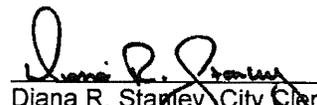
BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 2nd day of June 2014.

APPROVED AS TO FORM AND LEGALITY:

  
Kenneth R. Krushenski, City Attorney

  
Thomas L. Beehan, Mayor

  
Diana R. Stanley, City Clerk

**RESOLUTION**

A RESOLUTION RESCINDING RESOLUTION 6-43-2014 AS REQUIRED BY THE AGREED ORDER OF COMPROMISE AND DISMISSAL APPROVED BY RESOLUTION 5-39-2017 IN THE CASE OF JACKSON SQUARE LLC V. CITY OF OAK RIDGE, OAK RIDGE CITY COUNCIL, RICK DOVER AND DOVER DEVELOPMENT CORPORATION FORMERLY KNOWN AS FAMILY PRIDE CORPORATION.

WHEREAS, on June 2, 2014, City Council approved Resolution 6-43-2014 which authorized the conversion of East Madison Road from a one-way street to a two-way street; and

WHEREAS, on December 11, 2014, Jackson Square LLC, Plaintiff, filed a lawsuit against the City in Anderson County Chancery Court seeking to enjoin re-construction of East Madison Road from a one-way to a two-way street and, alternatively, demanded damages for inverse condemnation if injunctive relief was not granted; and

WHEREAS, on May 8, 2017, City Council approved Resolution 5-39-2017 which authorized the City to enter into an Agreed Order of Compromise and Dismissal in this case; and

WHEREAS, the settlement included a requirement that the City rescind Resolution 6-43-2014 and keep East Madison as a one-way street; and

WHEREAS, rescinding Resolution 6-43-2014 will keep East Madison Road as a one-way public street in the current direction of Michigan Avenue toward the Alexander Guest House property with an exit onto Broadway Avenue through the Jackson Square property as required by the settlement; and

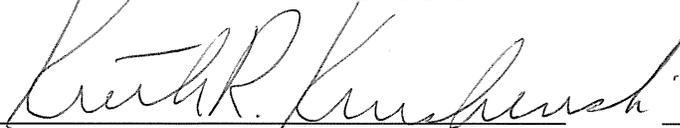
WHEREAS, approval of the attached resolution is required for compliance with the settlement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That Resolution 6-43-2014 is hereby rescinded.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**FINANCE MEMORANDUM**

**17-10**

**DATE:** June 2, 2017  
**TO:** Mark S. Watson, City Manager  
**FROM:** Janice E. McGinnis, Finance Director  
**SUBJECT:** JD EDWARDS SOFTWARE ANNUAL MAINTENANCE

Introduction

An item for City Council's consideration is a renewal of the annual maintenance agreement with ORACLE in the amount of \$27,248.58 for the JD Edwards financial software system utilized by the City. ORACLE purchased the JD Edwards software systems in 2005.

Funding

Funding is provided through the Equipment Replacement Rental Fund from user charges from the City Funds that utilize the software.

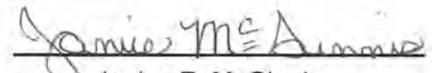
Background

The City purchased the JD Edwards software package in 1986. The software's last major update was in 1999. Systems maintained on JD Edwards include general ledger, accounts payable, purchasing, work order and warehousing/inventory.

Recommendation

The maintenance agreement provides ongoing technical support of the system. The City is currently in the process of selecting software to replace the JD Edwards software package and also to replace in-house developed programs, such as utility billing. Technical support is needed to maintain and support existing functions, modifications and external interfaces with JD Edwards as well provide technical support as the City migrates through the software conversion process. The Information Services Department concurs with the recommended continuation of the annual maintenance agreement.

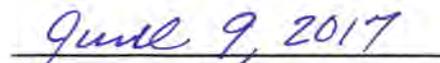
Attachment

  
Janice E. McGinnis

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
Mark S. Watson

  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO ORACLE AMERICA, INC., FOR FURNISHING OF ANNUAL MAINTENANCE SERVICES FOR THE FINANCIAL SOFTWARE SYSTEM UTILIZED BY THE CITY FOR FISCAL YEAR 2018 IN THE AMOUNT OF \$27,248.58.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2018 (July 1, 2017 through June 30, 2018) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, the City purchased its financial software system, formerly known as JD Edwards, in 1986; and

WHEREAS, Oracle America, Inc., purchased JD Edwards software systems in 2005; and

WHEREAS, the financial software system includes general ledger, accounts payable, purchasing, work order, and warehousing inventory; and

WHEREAS, technical support is needed to maintain and support existing functions, modifications, and external interfaces with the financial software system, as well as provide technical support as the City migrates through the software conversion process; and

WHEREAS, due to the age of the financial software system, city staff recommends utilizing the original company familiar with the complexities of the financial system; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to Oracle America, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Oracle America, Inc., for the furnishing of annual maintenance services to the City's financial software system for FY2018 (July 1, 2017 through June 30, 2018), in the estimated amount of \$27,248.58.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenki, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**PERSONNEL DEPARTMENT**  
**17-076**

June 5, 2017

**TO:** Mark S. Watson, City Manager  
**FROM:** Bruce M. Applegate Jr., Director of Administrative Services  
**SUBJECT:** EMPLOYEE LIFE AND LONG TERM DISABILITY INSURANCE

Introduction

The attached resolution provides for life insurance, dependent life insurance, supplemental life insurance and long term disability insurance for City employees for July 1, 2017 through June 30, 2018 with one-year renewal option.

Funding

Current projections based on previous experience have employer paid contributions totaled at \$82,030. There will be no changes to employee contribution rates.

Background

The City's broker, Emily Hailey, Principal Associate with Mercer in the Nashville Office, has provided the City with information relative to her research on prospective providers for basic life insurance, supplemental life insurance, dependent life insurance and long term disability for City employees. In addition to The Hartford Insurance Company, the City's current provider, Mrs. Hailey also contacted Standard, Unum, Guardian and CIGNA. The results of the research are attached.

Mrs. Hailey and Personnel Department staff members reviewed the results and determined that with all providers increasing costs, it is in the best interest of all parties to remain with our current provider The Hartford. The City has previously had insurance with the Hartford and had no problems. It is also significant that these rates are guaranteed for 2 years.

Under the Hartford proposal the rates that employees pay for dependent and supplemental life insurance remain the same as our current rates. Basic Life insurance rates will be reduced by \$2,819.00, which will offset a portion of the \$13,618.00 increase in Employer paid Long Term Disability. The included rates continue to be the lowest cost option among all responding providers. Long Term Disability insurance pays 60% of the employee's base salary after a 120 days waiting period. This insurance is provided as long as the employee is disabled or until age 65 and the benefit is reduced by any other disability benefits the employee receives. Long term disability insurance is not effective for disabilities as a result of on-the-job injuries that are covered by workers' compensation.

Recommendation

Approval of the attached resolution is recommended.

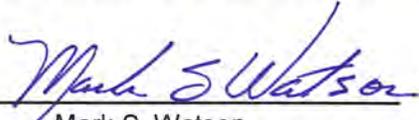
  
Bruce M. Applegate Jr.

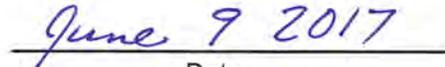
Attachment

2017 Mercer Life Insurance / Long Term Disability Renewal Exhibit

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
\_\_\_\_\_  
Mark S. Watson

  
\_\_\_\_\_  
Date



2017 Life and Disability Renewal / Marketing Summary				Removal of Continuing Benefit Period	Reduced LTD Commissions: 7.5%	3 year rate guarantee	Removal of Continuing Benefit Period	Reduced LTD Commissions: 7.5%	Removal of Continuing Benefit Period	Life insurance only	
	Hartford Current	Hartford Renewal	Hartford Revised Renewal	Hartford Revised Renewal	Hartford Revised Renewal	Hartford Revised Renewal	Hartford Revised Renewal	Hartford Revised Renewal	Guardian	Cigna	Standard
<b>Employer Paid Lines</b>											
Basic Life	\$19,480	\$21,018	\$16,661	\$16,661	\$16,661	\$16,661	\$16,661	\$16,661	\$38,448	\$28,195	\$16,661
Basic AD&D	\$3,588	\$3,588	\$3,588	\$3,588	\$3,588	\$3,588	\$3,588	\$3,588	\$3,076	\$3,588	\$3,588
Long Term Disability	\$48,163	\$54,308	\$54,308	\$63,276	\$61,781	\$67,262	\$67,262	\$84,700	\$97,986	\$0	\$0
Total Estimated Annual Premium	\$71,231	\$78,914	\$74,557	\$83,525	\$82,030	\$87,511	\$87,511	\$126,224	\$129,770	\$20,249	\$20,249
\$ Difference compared to Current		\$7,683	\$3,325	\$12,294	\$10,799	\$16,279	\$16,279	\$54,992	\$58,538	(\$50,982)	(\$50,982)
% Difference compared to current		11%	5%	17%	15%	23%	23%	77%	82%	-72%	-72%
<b>Employee Paid Lines</b>											
Supplemental Life	\$72,278	\$72,278	\$72,278	\$72,278	\$72,278	\$72,278	\$72,278	\$94,983	\$72,278	\$72,278	\$72,278
Basic Dependent Life	\$5,852	\$5,852	\$5,852	\$5,852	\$5,852	\$5,852	\$5,852	\$6,332	\$10,210	\$5,852	\$5,852
Total Estimated Annual Premium	\$78,130	\$78,130	\$78,130	\$78,130	\$78,130	\$78,130	\$78,130	\$101,315	\$82,489	\$78,130	\$78,130
\$ Difference compared to Current		\$0	\$0	\$0	\$0	\$0	\$0	\$23,185	\$4,359	\$0	\$0
% Difference compared to current		0%	0%	0%	0%	0%	0%	30%	6%	0%	0%
Total Estimated Annual Premium	\$149,361	\$157,044	\$152,687	\$161,655	\$160,160	\$165,641	\$165,641	\$227,539	\$212,258	\$212,258	\$212,258
\$ Difference compared to Current		\$7,683	\$3,325	\$12,294	\$10,799	\$16,279	\$16,279	\$78,178	\$62,897		
% Difference compared to current		5%	2%	8%	7%	11%	11%	52%	42%		
Rate Guarantees		2 years	2 years	2 years	2 years	3 years	3 years	2 years	1 year	3 years	3 years
<b>Commissions Paid to Mercer</b>											
Basic Life	\$1,169	\$1,261	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$2,307	\$2,820	\$1,000	\$1,000
Basic AD&D	\$215	\$215	\$215	\$215	\$215	\$215	\$215	\$185	\$359	\$215	\$215
Long Term Disability	\$4,575	\$5,159	\$5,159	\$6,011	\$4,634	\$5,045	\$5,045	\$8,046	\$9,799	\$0	\$0
Supplemental Life	\$4,337	\$4,337	\$4,337	\$4,337	\$4,337	\$4,337	\$4,337	\$5,699	\$7,228	\$4,337	\$4,337
Basic Dependent Life	\$351	\$351	\$351	\$351	\$351	\$351	\$351	\$380	\$1,021	\$351	\$351
Total Estimated Annual Commissions	\$10,647	\$11,323	\$11,062	\$11,914	\$10,536	\$10,947	\$10,947	\$16,617	\$21,226	\$5,903	\$5,903
\$ Difference compared to Current		\$676	\$415	\$1,267	(\$111)	\$300	\$300	\$5,969	\$10,578	(\$4,745)	(\$4,745)
% Difference compared to current		6%	4%	12%	-1%	3%	3%	56%	99%	-45%	-45%

Notes:  
 Volumes based on April invoice.  
 CIGNA rates include 10% commissions on all lines.  
 Standard declined to quote LTD  
 Unum declined to quote.

2017 Life and Disability Renewal / Marketing Results

Employer Paid Lines of Coverage

Removal of Continuing Benefit Period

Reduced LTD Commissions: 7.5%  
Removal of Continuing Benefit Period

3 year rate guarantee  
Reduced LTD Commissions: 7.5%  
Removal of Continuing Benefit Period

Life Insurance only

	Volume	Hartford Current	Hartford Renewal	Hartford Revised Renewal	Hartford Revised Renewal	Hartford Revised Renewal	Hartford Revised Renewal	Guardian	Cigna	Standard
<b>Basic Life (per \$1000)</b>	\$10,680,000	\$0.152	\$0.164	\$0.130	\$0.130	\$0.130	\$0.130	\$0.300	\$0.220	\$0.130
Total Estimated Annual Premium		\$19,480	\$21,018	\$16,661	\$16,661	\$16,661	\$16,661	\$38,448	\$28,195	\$16,661
\$ Difference compared to Current			\$1,538	(\$2,820)	(\$2,820)	(\$2,820)	(\$2,820)	\$18,968	\$8,715	(\$2,820)
% Difference compared to current			8%	-14%	-14%	-14%	-14%	97%	45%	-14%
<b>Basic AD&amp;D (per \$1000)</b>	\$10,680,000	\$0.028	\$0.028	\$0.028	\$0.028	\$0.028	\$0.028	\$0.024	\$0.028	\$0.028
Total Estimated Annual Premium		\$3,588	\$3,588	\$3,588	\$3,588	\$3,588	\$3,588	\$3,076	\$3,588	\$3,588
\$ Difference compared to Current			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	(\$512.64)	\$0.00	\$0.00
% Difference compared to current			0%	0%	0%	0%	0%	-14%	0%	0%
<b>Long Term Disability (per \$100 of covered payroll)</b>	\$1,383,984	\$0.290	\$0.327	\$0.327	\$0.381	\$0.372	\$0.405	\$0.510	\$0.590	
Total Estimated Annual Premium		\$48,163	\$54,308	\$54,308	\$63,276	\$61,781	\$67,262	\$84,700	\$97,986	
\$ Difference compared to Current			\$6,145	\$6,145	\$15,113	\$13,618	\$19,099	\$36,537	\$49,823	
% Difference compared to current			13%	13%	31%	28%	40%	76%	103%	
<b>Total Estimated Employer Paid Premium</b>		\$71,231	\$78,914	\$74,557	\$83,525	\$82,030	\$87,511	\$126,224	\$129,770	
\$ Difference compared to Current			\$7,683	\$3,325	\$12,294	\$10,799	\$16,279	\$54,992	\$58,538	
% Difference compared to current			11%	5%	17%	15%	23%	77%	82%	
<b>Commissions paid to Mercer</b>	<b>Commission Percentage</b>	<b>Hartford Current</b>	<b>Hartford Renewal</b>	<b>Hartford Revised Renewal</b>	<b>Hartford Revised Renewal</b>	<b>Hartford Revised Renewal</b>	<b>Hartford Revised Renewal</b>	<b>Guardian</b>	<b>Cigna</b>	<b>Standard</b>
Basic Life	6%	\$1,169	\$1,261	\$1,000	\$1,000	\$1,000	\$1,000	\$2,307	\$2,820	\$1,000
Basic AD&D	6%	\$215	\$215	\$215	\$215	\$215	\$215	\$185	\$359	\$215
Long Term Disability	9.50%	\$4,575	\$5,159	\$5,159	\$6,011	\$4,634	\$5,045	\$8,046	\$9,799	\$0
Estimated Annual Commissions		\$5,960	\$6,636	\$6,374	\$7,226	\$5,849	\$6,260	\$10,538	\$12,977	\$1,215
\$ Difference compared to current			\$676	\$415	\$1,267	(\$111)	\$300	\$4,578	\$7,017	(\$4,745)
% Difference compared to current			11%	7%	21%	-2%	5%	77%	118%	-80%

Notes:

Volumes based on April invoice.  
CIGNA rates include 10% commissions on all lines.  
Standard declined to quote LTD  
Unum declined to quote.



**2017 Life and Disability Renewal / Marketing Results**  
**Employee Paid Lines of Coverage**

3 year rate guarantee

		Hartford Current	Hartford Renewal	Hartford Revised Renewal	Hartford Revised Renewal	Guardian	Cigna	Standard
<b>Supplemental Life (per \$1000)</b>	Volume							
<25	\$570,000	\$0.045	\$0.045	\$0.045	\$0.045	\$0.086	\$0.045	\$0.045
25-29	\$2,630,000	\$0.045	\$0.045	\$0.045	\$0.045	\$0.086	\$0.045	\$0.045
30-34	\$2,330,000	\$0.055	\$0.055	\$0.055	\$0.055	\$0.102	\$0.055	\$0.055
35-39	\$1,490,000	\$0.080	\$0.080	\$0.080	\$0.080	\$0.136	\$0.080	\$0.080
40-44	\$2,790,000	\$0.125	\$0.125	\$0.125	\$0.125	\$0.164	\$0.125	\$0.125
45-49	\$2,460,000	\$0.205	\$0.205	\$0.205	\$0.205	\$0.281	\$0.205	\$0.205
50-54	\$3,440,000	\$0.350	\$0.350	\$0.350	\$0.350	\$0.479	\$0.350	\$0.350
55-59	\$2,560,000	\$0.550	\$0.550	\$0.550	\$0.550	\$0.665	\$0.550	\$0.550
60-64	\$1,160,000	\$0.820	\$0.820	\$0.820	\$0.820	\$0.933	\$0.820	\$0.820
65-69	\$370,000	\$1.180	\$1.180	\$1.180	\$1.180	\$1.496	\$1.180	\$1.180
70-74	\$200,000	\$2.100	\$2.100	\$2.100	\$2.100	\$3.550	\$2.100	\$2.100
75+	\$100,000	\$3.590	\$3.590	\$3.590	\$3.590	\$3.550	\$3.590	\$3.590
<b>Total Estimated Annual Premium</b>		<b>\$72,278.40</b>	<b>\$72,278.40</b>	<b>\$72,278.40</b>	<b>\$72,278.40</b>	<b>\$94,983.36</b>	<b>\$72,278.40</b>	<b>\$72,278.40</b>
\$ Difference compared to Current			\$0.00	\$0.00	\$0.00	\$22,704.96	\$0.00	\$0.00
% Difference compared to current			0%	0%	0%	31%	0%	0%
<b>Basic Dependent Life- (per family unit)</b>	143	\$3.410	\$3.410	\$3.410	\$3.410	\$3.690	\$5.950	\$3.410
<b>Total Estimated Employee Paid Premium</b>		<b>\$5,852</b>	<b>\$5,852</b>	<b>\$5,852</b>	<b>\$5,852</b>	<b>\$6,332</b>	<b>\$10,210</b>	<b>\$5,852</b>
\$ Difference compared to Current			\$0.00	\$0.00	\$0.00	\$480.48	\$4,358.64	\$0.00
% Difference compared to current			0%	0%	0%	8%	74%	0%
<b>Commissions paid to Mercer</b>	Commission Percentage	Hartford Current	Hartford Renewal	Hartford Revised Renewal	Hartford Revised Renewal	Guardian	Cigna	Standard
Supplemental Life	6%	\$4,337	\$4,337	\$4,337	\$4,337	\$5,699	\$7,228	\$4,337
Basic Dependent Life	6%	\$351	\$351	\$351	\$351	\$380	\$1,021	\$351
<b>Estimated Annual Commissions</b>		<b>\$4,688</b>	<b>\$4,688</b>	<b>\$4,688</b>	<b>\$4,688</b>	<b>\$6,079</b>	<b>\$8,249</b>	<b>\$4,688</b>
\$ Difference compared to current			\$0.00	\$0.00	\$0.00	\$1,391.13	\$3,561.06	\$0.00
% Difference compared to current			0%	0%	0%	30%	76%	0%

**Notes:**

Volumes based on April invoice.

CIGNA rates include 10% commissions on all lines.

Standard declined to quote LTD

Unum declined to quote.

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MERCER, INSURANCE BROKER, FOR EMPLOYEE BASIC LIFE INSURANCE, DEPENDENT LIFE INSURANCE, SUPPLEMENTAL LIFE INSURANCE, AND LONG TERM DISABILITY INSURANCE WITH HARTFORD FOR FISCAL YEAR 2018 IN THE ESTIMATED AMOUNT OF \$82,030.00.

WHEREAS, the City of Oak Ridge has a need for certain routine materials, equipment, and services during Fiscal Year 2018 (July 1, 2017 through June 30, 2018) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, the City's insurance broker, Emily Hailey Principal Associate with Mercer, contacted prospective insurance providers for basic life insurance, dependent life insurance, supplemental life insurance, and long-term disability insurance for City employees with four (4) providers submitting proposals; and

WHEREAS, Ms. Hailey and City Staff reviewed the results of the research and determined it was in the City's and employees' best interest to award a contract to Hartford; and

WHEREAS, Hartford has agreed to guarantee their rates for two years; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to Mercer, insurance broker, for life insurance and long-term disability insurance with Hartford.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Mercer, insurance broker, for employee basic life insurance, dependent life insurance, supplemental life insurance, and long-term disability insurance with Hartford for FY2018 (July 1, 2017 through June 30, 2018) in the estimated amount of \$82,030.00.

BE IT FURTHER RESOLVED that the City is hereby authorized to exercise the one-year renewal option at the same rates should services be satisfactory and sufficient funds are budgeted.

BE IT FURTHER RESOLVED that the Mayor and/or City Manager is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**ELECTRIC DEPARTMENT MEMORANDUM**  
**17-04**

**DATE:** June 2, 2017

**TO:** Mark S. Watson, City Manager

**FROM:** Jack L. Suggs, Electric Director

**SUBJECT:** RENEWAL OF METER SERVICE CONTRACT

Introduction

An item for City Council's consideration is the renewal of a contract with Olameter Corporation, Conroe, Texas for a one year period at an estimated cost of \$246,057.00 and granting authority to the City Manager for a second one year renewal.

Funding

Funding is provided by the Electric and Water Funds.

Review

On May 12, 2014, Council awarded a contract for meter reading services to Olameter Corporation. The contract contained provisions for two renewals after the initial three-year term. The contract also provided for a cost adjustment based on CPI.

The original resolution has been interpreted to require City Council action to execute the contract renewal, and as such, the attached resolution has been developed. You will note that the resolution also grants authority to the City Manager for the second (and final) renewal of the agreement. Renewal would, of course, be predicated on available funding and satisfactory performance of the contract.

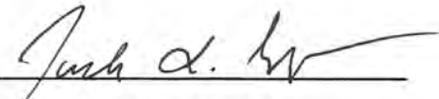
Olameter has performed satisfactorily in this contract and renewal is recommended.

Based on contract terms, the contractor is due a 2.8% increase in per unit prices. The original bid of \$718,065.22 covered a thirty-six month period. The renewal is for twelve months. Reducing the bid by one third and adding the CPI adjustment results in an estimated renewal cost of \$246,057.00.

The renewal amount includes incentive payments which assume excellent performance of approximately \$5,534.

Recommendation

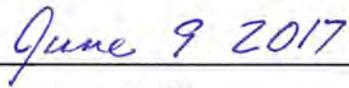
Staff recommends approval of the attached resolution.

  
\_\_\_\_\_  
Jack L. Suggs

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
\_\_\_\_\_  
Mark S. Watson

  
\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION EXERCISING THE OPTION TO RENEW THE METER READING SERVICES CONTRACT WITH OLAMETER CORPORATION (FY2014-128) FOR FISCAL YEAR 2018 IN THE ESTIMATED AMOUNT OF \$246,057.00.

WHEREAS, by Resolution 5-36-2014, City Council awarded a contract to Olameter Corporation, Conroe, Texas, to provide electric and water meter reading services in the estimated amount of \$718,065.22 for a three-year term; and

WHEREAS, after the initial three-year term, the contract provides the City with the option to renew for up to two (2) additional one-year terms with the contract price adjusted by the Consumer Price Index; and

WHEREAS, the contract's initial term expires on June 30, 2017; and

WHEREAS, Olameter's services under the contract have been satisfactory and the City desires to renew the contract for an additional one-year term (July 1, 2017 – June 30, 2018) (FY2018); and

WHEREAS, the City Manager recommends renewal of the contract for FY2018 and authorization to renew for FY2019 upon satisfactory services and sufficient budgeted funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the contract (FY2014-128) between the City and Olameter Corporation, Conroe, Texas, for the providing all labor, tools, materials, equipment, and supplies necessary for the furnishing of electric and water meter reading services is hereby renewed for the first renewal term (July 1, 2017 – June 30, 2018) in the estimated amount of \$246,057.00.

BE IT FURTHER RESOLVED that the City is hereby authorized to exercise the second and final renewal option (July 1, 2018 – June 30, 2019) under the contract provided the contractor is providing satisfactory services and sufficient funds are budgeted.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 15th day of June 2017

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

**FINANCE DEPARTMENT MEMORANDUM**  
**17-09**

**DATE:** May 24, 2017

**TO:** Mark S. Watson, City Manager

**THROUGH:** Janice E. McGinnis, Finance Director   
Andrew Mize, Accounting Manager 

**FROM:** Lyn Majeski, Accounting Division Manager

**SUBJECT:** BEST PROVIDER COMMODITY REQUIREMENTS FOR FISCAL YEAR 2018

Introduction

An item for City Council's consideration is a recommendation for authorizing the approval of the City's fuel requirements in the total estimated amount of **\$525,000**.

Funding

Funds are budgeted in FY 2018.

Background/Analysis/Review/Consideration

The following item is warehouse stock. The provider is determined to be the best source of the products based on the provider's expertise, service record or contractual agreement. It is recommended that competitive bids be waived and award made to this Best Provider based upon written quotations and agreements with the perspective supplier. The following information is provided to further explain the evaluation and recommendation process.

UNLEADED AND DIESEL FUEL

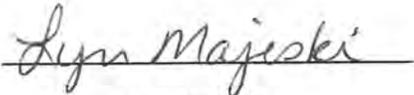
Fuel located at the Central Service Complex and at East Tennessee Technology Park is considered warehouse stock. The City of Oak Ridge has had an excellent long-term relationship with the vendor, Mansfield Oil Company. The City continues to receive the lowest rack price available from Mansfield. The pricing structure the City receives from Mansfield is no longer available with new contracts. Mansfield continues to honor our pricing due to our long-term relationship with them. As in the past, this pricing is less than the current State Contract pricing. Maintaining this relationship has been very beneficial to the City through the years and has insured fuel to be available for our fleet even during fuel shortages, as was the not the case for other area entities during the 2008 fuel shortage. A contract customer receives priority treatment versus a spot customer. Mansfield has many options to provide fuel, not just one provider, their network includes access to most major refiners, terminals and transportation companies. Mansfield has a large network of haulers which enables them more availability to get us a haul when we need it. During extreme working conditions, i.e. running trucks continuously after a bad storm, fuel has always been available for our fleet. This vendor saves several staff hours each month by monitoring and shipping fuel as needed. City fuel costs have historically fluctuated on an annual basis, as demonstrated by the table on the following page. Estimated fuel cost for FY17 is an increase of 10% from FY16. Due to these fluctuations, staff has averaged the last six years for FY18 projected cost for this commodity. The total estimated amount is **\$525,000**.

Finance Department Memorandum 17-09  
Page 2 of 2

YEAR	GALLONS	AMOUNT	DOLLAR CHANGE
FY12	236,703	\$688,033	
FY13	232,411	\$683,520	-0.7 %
FY14	232,153	\$666,414	-2.5 %
FY15	224,888	\$457,606	-31.3 %
FY16	214,932	\$308,485	-32.6 %
EST FY17	215,000	\$340,000	+10.2 %

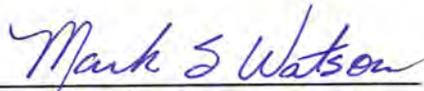
Recommendation

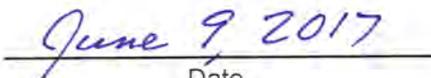
Staff recommends approval of the attached resolution as submitted. As the recommendation is that competitive bids be waived, council is reminded that a unanimous vote is required for approval of this resolution.

  
Lyn Majeski

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
Mark S. Watson

  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MANSFIELD OIL COMPANY FOR FURNISHING UNLEADED AND DIESEL FUEL FOR FISCAL YEAR 2018 IN THE ESTIMATED AMOUNT OF \$525,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2018 (July 1, 2017 through June 30, 2018) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, the City has a long-term relationship with Mansfield Oil Company for furnishing unleaded and diesel fuel and continues to receive a rack price competitive or below the State contract; and

WHEREAS, maintaining this relationship has been beneficial to the City, especially during the recent fuel shortages when the City's fuel supply was never low; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to Mansfield Oil Company for furnishing unleaded and diesel fuel.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Mansfield Oil Company for the furnishing of unleaded and diesel fuel for FY2018 (July 1, 2017 through June 30, 2018), in the estimated amount of \$525,000.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

**PUBLIC WORKS DEPARTMENT MEMORANDUM**  
**17-19**

**DATE:** June 7, 2017  
**TO:** Mark S. Watson, City Manager  
**FROM:** Shira A. McWaters, P.E., Public Works Director  
**SUBJECT:** **FY2018 STATE HIGHWAY MAINTENANCE CONTRACT**

Introduction

An item for City Council consideration is a resolution authorizing a contract between the City of Oak Ridge and the State of Tennessee, Department of Transportation (TDOT) that provides reimbursement to the City for maintenance of prescribed portions of State Highways located within the city limits for the period of July 1, 2017 to June 30, 2018.

Funding

The contract includes a total reimbursement of \$141,175.05 which is the same amount allowed for this fiscal year. The total is based on the approximate reimbursement of \$130,027.05 for roadway and pavement maintenance, \$5,580.00 for mowing of medians, and \$5,568.00 for litter removal.

The pavement maintenance reimbursement is calculated at \$0.15 per square yard of pavement with a total pavement or curb-to-curb width area of 866,847 square yards. While the cost of street maintenance continues to rise, based upon historical records our costs will continue to be fully reimbursed.

The mowing reimbursement is based on a monthly cycle for six months of the year for the 20.58 acres of median located along the state routes at a rate of \$45 per acre. The City is not reimbursed for any mowing of the right-of-way located back of the curb or edge of pavement. Based on the City's current mowing contract, the annual cost for mowing along the state routes and medians is approximately \$98,890.00. Unlike the state's criteria of once per month, the City mows medians and right-of-ways along the state routes once every 10 days or three times per month. The contract also provides reimbursement for twelve monthly litter pickups along state routes.

Analysis

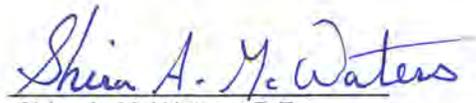
Activities covered by this contract include all routine maintenance such as pavement repair, striping, sweeping, snow removal, mowing of medians and litter removal. Only work performed in the areas located between curb and curb or between shoulders is eligible for reimbursement.

The sections of roadway included in the contract are:

- State Route 95 (Oak Ridge Turnpike) from the intersection of SR61 and SR95 to Wisconsin Avenue;
- State Route 62 (Illinois Avenue) from the northern city limit to the Solway Bridge; and
- State Route 170 (Edgemoor Road) from the Edgemoor Bridge to the SR62 interchange.

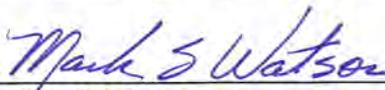
Recommendation

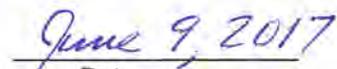
Staff recommends approval of the accompanying resolution as submitted.

  
Shira A. McWaters, P.E.

**City Manager's Comments:**

I have reviewed the above issue and recommend council action as outlined in this document.

  
Mark S. Watson

  
Date

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION APPROVING A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR MAINTENANCE OF STATE HIGHWAYS WITHIN THE CORPORATE CITY LIMITS WHEREBY THE CITY IS REIMBURSED BY TDOT FOR SAID SERVICES IN THE AMOUNT OF \$141,175.05.

WHEREAS, the City of Oak Ridge has heretofore entered into one-year contracts with the State of Tennessee whereby the City performs and is reimbursed for maintenance on State highways located within the corporate city limits; and

WHEREAS, the State has proposed a contract for said maintenance activity for the period beginning July 1, 2017 through June 30, 2018 for a total reimbursement of \$141,175.05, which contract the City Manager recommends be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into a contract with the State of Tennessee, Department of Transportation, Nashville, Tennessee, for the maintenance of prescribed sections of State routes within Oak Ridge during the period of July 1, 2017 through June 30, 2018 for a total reimbursement of \$141,175.05, and for the considerations set out in said contract prepared by the State and presented to the City for execution.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:



\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

## FINANCE DEPARTMENT MEMORANDUM

17-11

**DATE:** June 2, 2017  
**TO:** Mark S. Watson, City Manager  
**FROM:** Janice E. McGinnis, Finance Director  
**SUBJECT:** TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) OPERATING ASSISTANCE GRANT

### Introduction

An item for City Council's consideration is a resolution authorizing the City of Oak Ridge to approve a TDOT public transit operating assistance grant. The City has received this grant since 1993.

### Funding

The State has awarded \$170,500 in operational funding to the City of Oak Ridge for public transit programs for the grant period July 1, 2017 through June 30, 2018. The State grant reimbursement amount continues to be 80% of allowable expenditures for this grant period. The City's grant match for these programs is \$42,625 and is funded from restricted use state-shared special petroleum products tax proceeds.

### Background

The City's transportation program consists of a Demand Responsive System and a Transportation Assistance Program as outlined below:

Demand Responsive Transit System: The City's Demand Responsive Systems was created in 1993 to provide transportation service to all persons within the corporate limits of Oak Ridge. Riders can utilize the City's disabled-accessible minibuses to travel to their medical appointments, places of employment, shopping centers and social venues. The average number of annual trips for the last 5 fiscal years is 6,029 and there were be approximately 6,000 trips with 47% of the passenger trips for individuals in wheelchairs this fiscal year.

By Resolution 8-76-2013, City Council authorized the City to enter into a contract with the East Tennessee Human Resources Agency (ETHRA) for management of the City's transit system. ETHRA is responsible for the daily operations and management of the system. This contract was for an initial one-year term beginning on November 1, 2013 and provides for up to nine (9) additional one-year terms at the City's option and subject to grant funding. The maximum annual compensation under the contract is \$175,373.

ETHRA provides the fully ADA-compliant and wheelchair lift equipped buses for this program. A minimum of two vehicles are required to be in service at all times during service hours. The vehicles currently operate six days a week, Monday through Saturday, from 8:00 a.m. until 4:30 p.m. ETHRA is responsible for maintenance, at its expense, of the vehicles in accordance with manufacturers and state maintenance standards and also provides fuel for operation of the vehicles.

Passengers are picked up and delivered anywhere within the City limits for only \$2.00 per one-way trip, or \$4.00 round trip. Rides are scheduled one day in advance by calling 482-2785. Routine trips can be scheduled for a standing appointment.

Transportation Assistance Program: The Transportation Assistance Program began in December 1974, offering a means to supplement transportation for eligible participants to healthcare, shopping, social, cultural and recreational events. Originally established to assist senior citizens, the program was restructured in 1987 to provide help for disabled adults as well. Any resident aged 55 or older or any disabled resident aged 18 or older with documentation of disability may purchase taxicab coupons. One coupon may be used per one-way trip. In fiscal 2016, there were 200 participants in the program with 13,488 coupons sold.

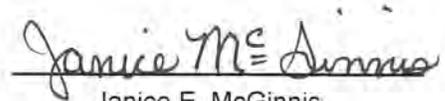
Coupons are sold from 9:00 a.m. to 4:00 p.m., Monday through Friday, at the Oak Ridge Senior Center. Proof of identification, age and residency is required. Any one person per year may purchase a maximum of 144 coupons. Coupons are sold in books of 12 for \$9.00 per book. Each coupon is good from July 1 through June 30. Persons' having coupons left over after June 30 can trade them at the Senior Center for current coupons. The taxicab company offers a 10% discount, absorbing thirty cents of the coupon cost, and the City provides the remaining \$1.95.

Ticket Breakdown:		
City's Share	\$1.95	65%
Participant's Share	\$0.75	25%
Taxicab Share	<u>\$0.30</u>	<u>10%</u>
	\$3.00	100%

Recommendation

Staff recommends requesting grant funding in order to continue funding these two programs.

Attachment

  
Janice E. McGinnis

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
Mark S. Watson

  
Date

**RESOLUTION**

A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR AN OPERATING ASSISTANCE GRANT TO REIMBURSE THE CITY FOR UP TO EIGHTY PERCENT (80%) OF THE NET OPERATING EXPENSES OF THE CITY'S PUBLIC TRANSPORTATION PROGRAM IN THE ESTIMATED AMOUNT OF \$170,500.00.

WHEREAS, the City has implemented a public transportation program including a demand-responsive transit system and a transportation assistance program; and

WHEREAS, the Tennessee Department of Transportation (TDOT) has grant monies available under its Operating Assistance Grant program and has allocated funding in the amount of \$170,500.00 to reimburse the City for a portion of the operating expenses for the City's transit system; and

WHEREAS, by Resolution 8-76-2013, City Council authorized the City to enter into a contract with the East Tennessee Human Resources Agency (ETHRA) for management of the City's transit system, which contract is renewable for up to nine (9) additional one-year terms contingent upon the City's receipt of grant funding from TDOT for partial funding of the City's operating expenses for the transit program; and

WHEREAS, the City Manager recommends acceptance of the TDOT grant which will allow continued operation of the City's transit system.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to accept an Operating Assistance Grant from the Tennessee Department of Transportation to reimburse the City for up to eighty percent (80%) of the net operating expenses of the City's Public Transportation Program in the estimated amount of \$170,500.00.

BE IT FURTHER RESOLVED that, upon approval of grant funding, the contract with ETHRA will be renewed for the fourth renewal option term (July 1, 2017 through June 30, 2018); and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

## FINANCE DEPARTMENT MEMORANDUM

17-12

**DATE:** June 8, 2017  
**TO:** Mark S. Watson, City Manager  
**FROM:** Janice E. McGinnis, Finance Director  
**SUBJECT:** ENCUMBRANCES FISCAL 2017 YEAR END

### Introduction

An item for City Council's consideration is a resolution to encumber all remaining unspent budgeted funds at the end of fiscal 2017 in General Fund activities 845 Information Services (IS), 862 Finance, 946 Central Service Center, 948 Municipal Building, 951 Stormwater and 976 Parks.

### Funding

This action will allow remaining unspent budgeted fiscal 2017 funds to be combined with fiscal 2018 budgeted funding to finance specific projects and/or allow for higher spending levels for some programs as outlined below.

### Review

845 Information Services (IS) – Remaining unspent budgeted funding will primarily be from employee vacancies and \$72,175 in unspent funding for technology consultants. The encumbrance of remaining unspent fiscal 2017 IS budgeted funds will allow for this funding to be combined and utilized with fiscal 2018 budgeted funding for consulting services and other costs related to the purchase and installation of utility billing, financial and other related software that is scheduled to begin in fiscal 2018.

862 Finance and 946 Central Service Center – The remaining 2017 unspent funds from these two activities will be combined and utilized with budgeted fiscal 2018 funds to purchase destratification fans for the warehouse and equipment shop locations in the Central Service Center. These areas are not air conditioned and the installation of these fans was a recommendation of the ESG study but was cut from the final list of projects to move forward with at this time from the study. Six fans are planned, 3 in each area, to be purchased and installed at an estimated cost of \$60,000. The warehouse is under the management of the Finance Department and the remaining funds are primarily from the new Accounting Manager position that was not filled until late fiscal 2017. Finance encumbered funds will also be utilized to purchase a fork lift boom and a pallet automatic level loader at an estimated cost of \$3,000.

948 Municipal Building - The remaining 2017 unspent funds in the Municipal Building will be combined with fiscal 2018 budgeted funding to remodel the women and men's restrooms. The restrooms in that building that are handicapped accessible were remodeled a couple of years ago. Similar updates will be made to the other two facilities. The estimated cost of this remodel is \$28,000.

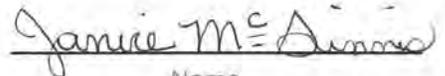
951 Stormwater - The Public Works Department has been actively mapping stormwater drainage and assets over the past several years. With this data they are preparing a prioritized list of projects, identified through the mapping efforts, requiring replacement or rehabilitation. While many of the projects will be completed in-house, the department is looking to combine and contract out projects that are larger in size and scope so that Stormwater projects can be completed in a more expeditious manner.

976 Parks - The remaining 2017 unspent funds in the Parks activity will be combined with fiscal 2018 budgeted funding to purchase a compact mini track loader. This piece of equipment replaces manual labor and equipment like wheelbarrows and shovels and is useful in tight areas where larger equipment will not fit. The estimated cost is \$30,000.

Recommendation

Staff recommends approval of the attached resolution. This action will allow remaining unspent fiscal 2017 funds to be combined with fiscal 2018 funding to accomplish some much needed projects. In particular for the encumbrances in the Municipal Building and Central Service Center, it is difficult to schedule these type projects during the fiscal year since maintenance, safety or mechanical failure items take precedence and it is unknown until near the end of fiscal year how much funding will remain.

Attachment

  
Name

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
Mark S. Watson

  
Date

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION TO ENCUMBER ALL REMAINING UNSPENT BUDGETED FUNDS AT THE END OF FISCAL YEAR 2017 IN THE FOLLOWING GENERAL FUND ACTIVITIES: 845 INFORMATION SERVICES, 862 FINANCE, 946 CENTRAL SERVICE CENTER, 948 MUNICIPAL BUILDING, 951 STORMWATER, AND 976 PARKS.

WHEREAS, it is anticipated that an amount of budgeted funds will remain in the General Fund budget at the end of Fiscal Year 2017; and

WHEREAS, the City desires to encumber all remaining unspent budgeted funds in the following General Fund activities: 845 Information Services, 862 Finance, 946 Central Service Center, 948 Municipal Building, 951 Stormwater, and 976 Parks; and

WHEREAS, said funds will be combined with Fiscal Year 2018 budgeted funds to finance specific projects and/or to allow for higher spending levels for certain programs as designated by the City Manager.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That all available residual budgeted funds in certain General Fund FY2017 activities (845 Information Services, 862 Finance, 946 Central Service Center, 948 Municipal Building, 951 Stormwater, and 976 Parks) are hereby encumbered for FY2018 for payment toward specific projects and/or to allow for higher spending levels for certain programs as designated by the City Manager.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:



\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

**FINAL ADOPTION  
OF  
ORDINANCES**

**COMMUNITY DEVELOPMENT MEMORANDUM  
PLANNING DIVISION  
17-24**

**DATE:** May 26, 2017  
**TO:** Mark Watson, City Manager  
**FROM:** Jordan Clark, Senior Planner   
**THROUGH:** Kathryn Baldwin, Community Development Director   
**SUBJECT:** REVISED W. MADISON LN. STREET ABANDONMENT

Introduction

As part of the Azalea Place Planned Unit Development, a request was made to abandon a portion of W. Madison Ln. The Oak Ridge City Council approved the first reading of the ordinance for the abandonment on April 10, 2017. As the applicant has finalized the plans for the buildings within the PUD, a revised portion of the street abandonment has been submitted.

The portion requested for abandonment is located at the point where the street dead-ends at several properties now under common ownership. The purpose of the request is to allow for the property to be utilized for a planned unit development with the portion of the abandoned street to be utilized for an assisted living facility.

Funding

No funding is necessary to approve this request.

Analysis

The request has been made due to the adjoining properties coming under common ownership by Oak Ridge Senior Living LLC. The owner is proposing a Planned Unit Development which would utilize the abandoned ROW. If abandoned, the entirety of the area would revert to the adjoining properties, all owned by Oak Ridge Senior Living LLC. A plat subdividing the property will be filed as part of the PUD's development, a condition of which is an adequate public turnaround be retained and dedicated for public use. The cost of the plat and updated deeds as well as the public turnaround will be borne by the owner.

Community Development staff reviewed the request and identified the following findings of fact and recommendation:

- The current road is a dead-end which terminates at property now under common ownership.
- Given the existing development of adjacent property to the east of the proposed abandonment, a future connection of E. Newkirk Ln. (to the west of the development) and W. Madison Ln. is infeasible.

Recommendation

Staff recommends approval of the request to abandon 14,021 square feet of W. Madison Lane to be executed upon submission of a subdivision plat for the properties and adequate completion of a public turnaround as proposed on the PUD Master Plan. The proposed street abandonment was reviewed and discussed by the Oak Ridge Planning Commission and recommend for approval to the City Council by a vote of 8-0 during the regularly scheduled meeting on March 16, 2017.

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

*Mark S. Watson*

Mark S. Watson

*June 9 2017*

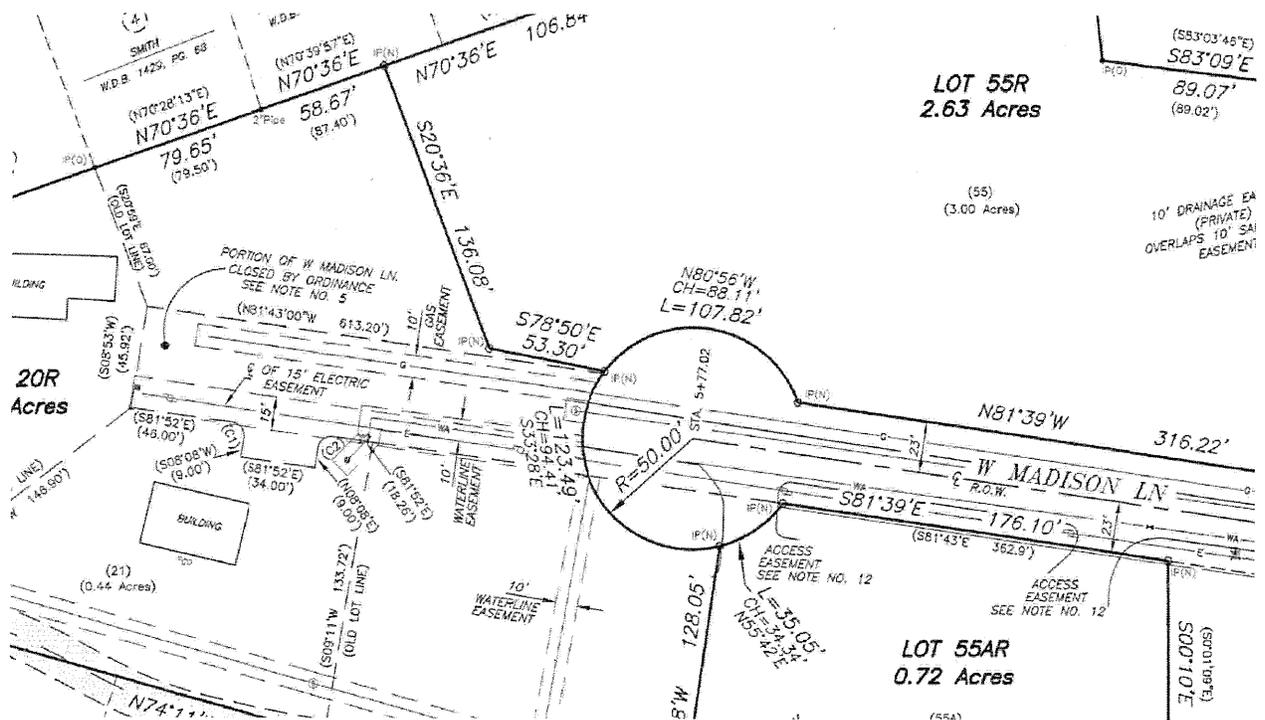
Date

**LEGAL DESCRIPTION**

**Right-of-Way Abandonment**

Situated in the Second Civil District of Anderson County, Tennessee and within the City of Oak Ridge and more particularly described as follows:

POINT OF BEGINNING is a point at the intersection of the existing right-of-way line and proposed right-of-way line of W. Madison Avenue (Oak Ridge Grid Coordinates of N40295.63, E68844.87), thence North 81 degrees 52 minutes West, 205.90 feet to a point; thence along a curve having an arc distance of 9.42 feet, a radius of 6.00 feet, and a chord bearing and distance of South 53 degrees 8 minutes West, 8.49 feet to a point; thence South 8 degrees 8 minutes West, 9.00 feet to a point; thence North 81 degrees 52 minutes West, 34.00 feet to a point; thence North 8 degrees 8 minutes East, 9.00 feet to a point; thence along a curve having an arc distance of 9.42 feet, a radius of 6.00 feet, and a chord bearing and distance of North 36 degrees 52 minutes West, 8.49 feet to a point; thence North 81 degrees 52 minutes West, 46.00 feet to an existing iron pin; thence North 8 degrees 53 minutes East, 45.92 feet to an existing iron pin; thence South 81 degrees, 39 minutes East, 296.81 feet to a point at the intersection of the existing right-of-way line and proposed right-of-way line of W. Madison Avenue (Oak Ridge Grid Coordinates of N40340.10, E68850.73), thence South 7 degrees 30 minutes West, 44.86 feet to the POINT OF BEGINNING, containing 14,021 square feet or 0.32 acres, as shown on the plat titled "Resubdivision of Blocks 16CE & 17CE, Tracts 55 and 55A and Lots 20 and 21", prepared by Roane Land Surveying (surveyor James L. Hill, RLS # 2440), dated April 25, 2017.



TITLE

AN ORDINANCE ABANDONING A PORTION OF WEST MADISON LANE RIGHT-OF-WAY UPON CERTAIN CONDITIONS BEING MET BY THE ADJACENT PROPERTY OWNER.

WHEREAS, Oak Ridge Senior Living, LLC, is the owner of the adjacent properties at the western point where West Madison Lane dead-ends; and

WHEREAS, Oak Ridge Senior Living, LLC, has proposed a development (Azalea Place Planned Unit Development) which would utilize a portion of the right-of-way on West Madison Lane and has requested the City abandon a portion of the right-of-way to allow a more efficient use of the property while still providing adequate access to the lots; and

WHEREAS, City Staff has recommended abandonment of this portion of right-of-way upon submission of a subdivision plat by Oak Ridge Senior Living, LLC, for the adjacent properties and adequate completion of a public turnaround as proposed on the PUD Master Plan for Azalea Place; and

WHEREAS, on March 16, 2017, the Oak Ridge Municipal Planning Commission reviewed the request and unanimously recommended City Council approval; and

WHEREAS, the City Manager recommends abandonment of a portion of right-of-way on West Madison Lane.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. An approximate 7,495 square feet of right-of-way at the western point of West Madison Lane is hereby abandoned upon submission of a subdivision plat by Oak Ridge Senior Living, LLC, for the adjacent properties and adequate completion of a public turnaround as proposed on the PUD Master Plan for Azalea Place. The adjacent property owner is Oak Ridge Senior Living, LLC, who will receive the entire right-of-way once abandoned, and shall bear the costs of recording the recording deeds and revised subdivision plat creating the new lot lines. The City will retain any easements for city-owned utilities that cross the property.

Section 2. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

First Reading: 4/10/2017  
Publication Date: 4/13/2017  
Second Reading: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

SUBSTITUTE ORDINANCE

ORDINANCE NO. \_\_\_\_\_

TITLE

AN ORDINANCE ABANDONING A PORTION OF WEST MADISON LANE RIGHT-OF-WAY UPON CERTAIN CONDITIONS BEING MET BY THE ADJACENT PROPERTY OWNER.

WHEREAS, Oak Ridge Senior Living, LLC, is the owner of the adjacent properties at the western point where West Madison Lane dead-ends; and

WHEREAS, Oak Ridge Senior Living, LLC, has proposed a development (Azalea Place Planned Unit Development) which would utilize a portion of the right-of-way on West Madison Lane and has requested the City abandon a portion of the right-of-way to allow a more efficient use of the property while still providing adequate access to the lots; and

WHEREAS, City Staff has recommended abandonment of this portion of right-of-way upon submission of a subdivision plat by Oak Ridge Senior Living, LLC, for the adjacent properties and adequate completion of a public turnaround as proposed on the PUD Master Plan for Azalea Place; and

WHEREAS, on March 16, 2017, the Oak Ridge Municipal Planning Commission reviewed the request and unanimously recommended City Council approval; and

WHEREAS, the City Manager recommends abandonment of a portion of right-of-way on West Madison Lane.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. An approximate 14,021 square feet of right-of-way at the western point of West Madison Lane is hereby abandoned upon City approval of a subdivision plat by Oak Ridge Senior Living, LLC, for the adjacent properties and adequate completion of a public turnaround as proposed on the PUD Master Plan for Azalea Place. The adjacent property owner is Oak Ridge Senior Living, LLC, who will receive the entire right-of-way once abandoned, and shall bear the costs of recording the recording deeds and revised subdivision plat creating the new lot lines. The City will retain any easements for city-owned utilities that cross the property.

Section 2. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

First Reading: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**PUBLIC HEARING  
AND  
FINAL ADOPTION  
OF ORDINANCES**

**COMMUNITY DEVELOPMENT MEMORANDUM**  
**PLANNING DIVISION**  
**17-19**

**DATE:** April 19, 2017  
**TO:** Mark Watson, City Manager  
**FROM:** Jordan Clark, Senior Planner   
**THROUGH:** Kathryn Baldwin, Community Development Director   
**SUBJECT:** REZONING OF PARCEL 002.00, GROUP A, TAX MAP 100F – 699 EMORY VALLEY ROAD FROM UB-2 TO B-2

Introduction

An item for City Council's consideration is a request to approve rezoning of a 1.99 acre parcel from UB-2 Unified Business District to B-2 General Business District. The property is currently owned by RBV Development LLC. Staff has initiated the rezoning request due to amendments to the UB-2 zoning district in 2015 removing certain uses allowed or allowed by special exception.

Funding

No funding is necessary to approve this request.

Analysis

The property is a 1.99 acre lot. The most recent land use was the Paragon Athletic Club which ceased operations in 2006. Subsequently in 2015, the building on the property was demolished. Currently, the property is vacant with the exception of remaining asphalt and concrete from the prior use.

The property is located on Emory Valley Road. Direct access to Emory Valley Road is provided on the northern part of the property. Secondary access is provided through an easement to the east of the property which also provides access to Emory Valley Road through the adjacent shopping center.

The existing zoning is UB-2 Unified Business District. The proposed rezoning is for the B-2 General Business District. Both zoning designations allow for a variety of commercial uses and intensity of use is relatively uniform between them. However, with the 2015 amendments to the UB-2 zoning district, several uses which were deemed to not be appropriate for the city center were removed from the UB-2 zoning district.

A B-2 zoning for the property is consistent with the area. B-2 zoning is present on the opposite side of Emory Valley Road as well as to the west of the property opposite the inactive railroad tracks. The shopping center to the east of the property is zoned B-1 a similar, albeit more restrictive commercial zoning district.

Recommendation

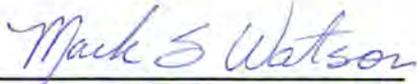
Staff recommends approval of the rezoning request. The differences between the UB-2 and B-2 zoning district are minute and generally the uses are of the same intensity. The UB-2 zoning was amended in 2015 as a result of the redevelopment of the city center. This amendment removed several uses from the zoning district particularly from those allowed as special exception with approval by the Board of Zoning Appeals. The aim of the UB-2 amendment was to promote a specific type and character of development within the city center. Given the 2015 amendment to the UB-2 and its intent, a rezoning to the B-2 for the subject property is more appropriate given its location outside of the city center development area.

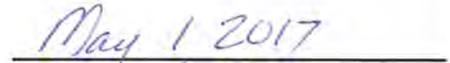
Moreover, staff does not anticipate any negative impacts from the rezoning given the relative similarities in the existing UB-2 zoning and its similarity with the proposed B-2 zoning.

The rezoning request was reviewed and discussed by the Oak Ridge Planning Commission and recommended for approval to City Council by a vote of 8 – 0 during the regularly scheduled meeting on April 27, 2017.

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
\_\_\_\_\_  
Mark S. Watson

  
\_\_\_\_\_  
Date

# Proposed Rezoning - 699 Emory Valley Road - UB-2 to B-2 Aerial



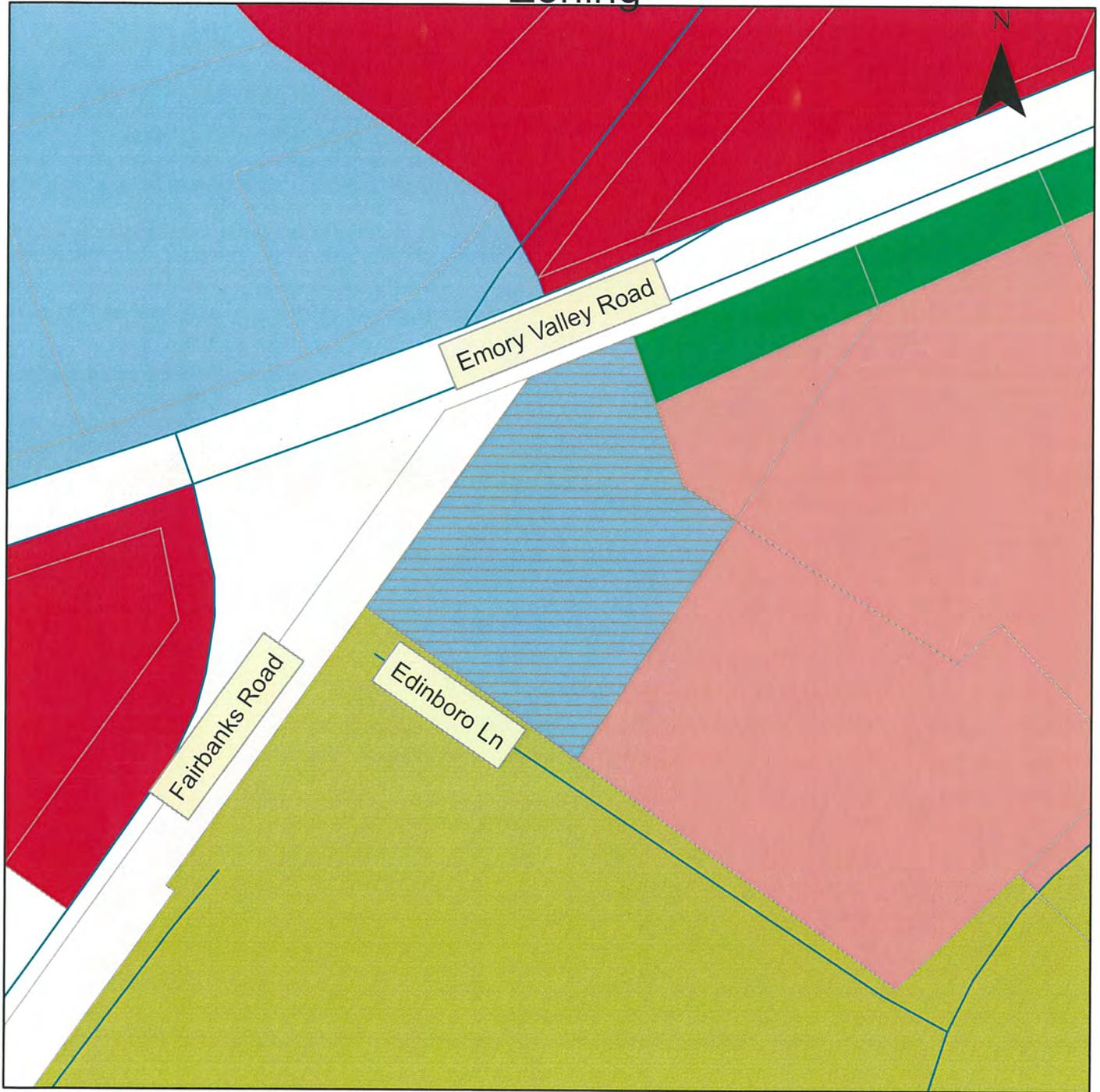
0 100 200 400 Feet

This map was prepared by the City of Oak Ridge Community Development Department. The map is for illustrative purposes only and is not an engineering map or survey.

**Legend**

 699 Emory Valley Road

# Proposed Rezoning - 699 Emory Valley Road - UB-2 to B-2 Zoning



0 100 200 400 Feet

This map was prepared by the City of Oak Ridge Community Development Department. The map is for illustrative purposes only and is not an engineering map or survey.

## Legend

 699 Emory Valley Road

## Zoning

-  B-1
-  B-2
-  R-4-B
-  RG-1
-  UB-2

**TITLE**

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 002.00, ANDERSON COUNTY TAX MAP 100F, GROUP A, (APPROXIMATELY 1.99 ACRES) FROM UB-2, UNIFIED GENERAL BUSINESS DISTRICT, TO B-2, GENERAL BUSINESS DISTRICT, SAID PARCEL BEING LOCATED AT 699 EMORY VALLEY ROAD.

WHEREAS, the following change has been submitted for approval or disapproval to the Oak Ridge Municipal Planning Commission and the Commission has approved the same; and

WHEREAS, a public hearing thereon has been held as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE TENNESSEE:

Section 1. The district boundaries of the zoning map attached to and made a part of Ordinance No. 2, as amended, are revised in the following particulars:

<u>Property Description</u>	<u>Location</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
Parcel 002.00 Map 100F, Group A (± 1.99 Acres)	699 Emory Valley Road	UB-2, Unified General Business District	B-2, General Business District

Section 2. The change shall be imposed upon said map and shall be as much a part of Ordinance No. 2 as if fully described therein.

Section 3. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

First Reading: 05/08/2017  
Publication Date: 05/11/2017  
Public Hearing: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

FINANCE DEPARTMENT MEMORANDUM

17-13

**DATE:** June 9, 2017  
**TO:** Mark S. Watson, City Manager  
**FROM:** Janice E. McGinnis, Finance Director  
**SUBJECT:** FY2018 BUDGET APPROPRIATION ORDINANCE ADOPTION – SECOND READING

Introduction

An item for City Council's consideration is the fiscal 2018 Budget Appropriation Ordinance reflecting changes adopted by City Council at first reading of the ordinance on June 5, 2017.

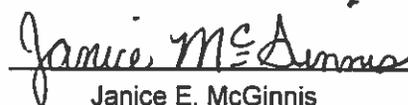
Review

Amendments to the Budget Appropriation Ordinance included a reduction in the property tax rate from \$2.56 back to the fiscal 2017 tax rate of \$2.52 per \$100 of assessed valuation. The operating transfer to the Oak Ridge Schools was reduced from the requested \$15,811,725 to the fiscal 2017 level of \$15,493,963 a reduction of \$317,762. The \$15,493,963 operating transfer to the Schools has been designed as reoccurring funds and will be subject to inclusion in the Maintenance of Effort formula.

Recommendation

Adoption of the attached ordinance is recommended. This will be the final reading of the fiscal 2018 Budget Appropriation Ordinance.

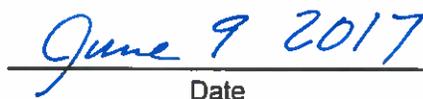
Attachment

  
Janice E. McGinnis

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
Mark S. Watson

  
Date

**TITLE**

AN ORDINANCE TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

WHEREAS, the City Manager, in accordance with the requirements of Article V, Section 10, of the Charter of the City of Oak Ridge, has submitted to City Council a proposed budget prior to the beginning of the fiscal year upon which a public hearing was held on June 5, 2017 and June 12, 2017 as required by law; and

WHEREAS, in accordance with the requirements of the same Charter section, the Council held meetings which served to provide guidance to the City Manager on the preparation of the proposed budget.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. The budget for the fiscal year beginning July 1, 2017 submitted to City Council by the City Manager, is hereby adopted.

Section 2. In order to provide revenue for municipal purposes, there is hereby imposed on the value of all property within the City of Oak Ridge as such value has been ascertained by the taxing authority of the City, a levy at the rate of \$2.52 upon each One Hundred Dollars' (\$100.00) worth of assessed value of all taxable property, this levy to be the tax rate for the year 2017. This levy shall also be imposed upon such assessments as may be certified for tax purposes to the City of Oak Ridge by the Public Service Commission of the State of Tennessee.

Section 3. In accordance with Article V, Section 13, of the Charter of the City of Oak Ridge, the following amounts shall be and hereby are adopted as appropriations by funds for the operation of the City of Oak Ridge, Tennessee, for Fiscal Year 2018:

General Fund, Municipal Operations	\$ 23,219,384
Debt Service (Bond and Interest Redemption Fund)	\$ 8,621,000
State Street Aid Fund	\$ 1,821,000
Drug Enforcement Program Fund	\$ 255,200
General Purpose School Fund	\$ 60,829,021
Golf Course Fund	\$ 1,212,417
Capital Projects Fund	\$ 21,367,110
Solid Waste Fund	\$ 2,883,615
West End Fund	\$ 2,965,205

Section 4. The following amounts in the proprietary-type funds are projected expenses for Fiscal Year 2018 and are provided for informational purposes:

Electric Fund	\$ 53,148,629
Waterworks Fund	\$ 19,272,332
Emergency Communications District Fund	\$ 594,336

Section 5. In order to provide funds to meet the expenditure requirements, the following transfers are projected for Fiscal Year 2018 and are provided for informational purposes:

<u>To General Fund For Tax Equivalent</u>	
From Electric Fund	\$ 1,705,350
From Waterworks Fund	\$ 1,793,000
 <u>To General Purpose School Fund for Operations</u>	
From General Fund	\$ 15,493,963
 <u>To Debt Service Fund</u>	
From General Fund	\$ 4,650,000
 <u>To Capital Projects Fund</u>	
From General Fund	\$ 1,200,000
 <u>To State Street Aid Fund</u>	
From General Fund	\$ 530,000
 <u>To Solid Waste Fund</u>	
From General Fund	\$ 820,000
 <u>To Golf Course Fund</u>	
From General Fund	\$ 100,000

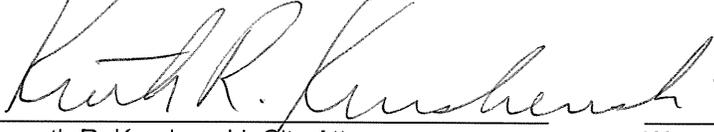
Section 6. All proceeds received through fines, forfeitures and the disposal of seized goods resulting from the City's drug enforcement program shall be used exclusively for that program. A Special Revenue Fund has been established and any funds expended will be limited to the funds collected for that program.

Section 7. The taxes levied under this Ordinance shall become due and payable, shall become delinquent and shall be subject to penalties, the execution of distress warrants and sale of property levied upon as provided by law.

Section 8. The levy provided for herein shall be imposed on all taxable property as the same has been reported to the Council as a final total assessment of each class of property by the legally constituted Boards of Equalization for property situated in either Anderson County or Roane County within the City of Oak Ridge. The written report of the Equalization Boards shall be the assessment roll of the City of Oak Ridge.

Section 9. This Ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

Publication Date: 5/25/2017  
Public Hearing: 6/5/2017  
First Reading: 6/5/2017  
Public Hearing: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

# RESOLUTIONS

**LEGAL MEMORANDUM**  
**17-23**

DATE: June 6, 2017  
TO: Honorable Mayor and Members of City Council  
FROM: Kenneth K. Krushenski, City Attorney  
SUBJECT: APPLICATION FOR RETAIL PACKAGE STORE  
PERMIT AND CERTIFICATE OF COMPLIANCE

Introduction

Two items for City Council's consideration are (1) a resolution granting a permit for Rashmikant R. Patel and Bhavesh M. Patel to engage in the retail sale of alcoholic beverages at JB's Wine and Spirits, 202 S. Illinois Avenue, and (2) a resolution authorizing the Mayor to sign and issue on behalf of the City of Oak Ridge certificates of compliance for Rashmikant Patel and Bhavesh Patel.

Background

Rashmikant R. Patel and Bhavesh M. Patel recently purchased the business known as JB's Wine and Spirits, 202 S. Illinois Avenue, and are requesting a City of Oak Ridge Retailer's Permit and their state-required Certificates of Compliance. Pertinent information concerning their application has been distributed to the Council, and notice has been published in The Oak Ridger advising that consideration of the issuance of their Certificates of Compliance would be considered at the June 15, 2017 Council meeting. Staff has advised the applicants to be in attendance at the meeting to answer any questions Council may have.

Recommendation

Adoption of the attached resolutions is recommended.

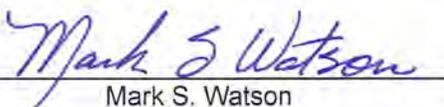
  
Kenneth R. Krushenski

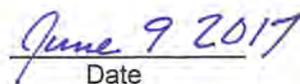
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Attachments

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
Mark S. Watson

  
Date

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION GRANTING A PERMIT TO RASHMIKANT R. PATEL AND BHAVESH M. PATEL TO ENGAGE IN THE RETAIL SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF OAK RIDGE AT JB'S WINE AND SPIRITS, 202 S. ILLINOIS AVENUE.

WHEREAS, Title 8, Chapter 4, of the Oak Ridge Code of Ordinances requires a permit to be issued before anyone may engage in the retail sale of alcoholic beverages, and

WHEREAS, Rashmikant R. Patel and Bhavesh M. Patel have made proper application for such a permit, and

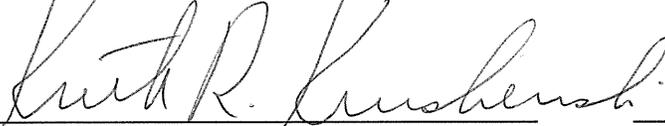
WHEREAS, said applicants meet all the necessary conditions and requirements of the laws of the City of Oak Ridge and the State of Tennessee.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That Rashmikant R. Patel and Bhavesh M. Patel are hereby granted a permit to engage in the retail sale of alcoholic beverages in the City of Oak Ridge at JB's Wine and Spirits, 202 S. Illinois Avenue and that the Mayor is authorized to sign said permit on behalf of the City of Oak Ridge.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:



\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND ISSUE ON BEHALF OF THE CITY OF OAK RIDGE CERTIFICATES OF COMPLIANCE FOR RASHMIKANT R. PATEL AND BHAVESH M. PATEL TO ENGAGE IN THE RETAIL SALE OF ALCOHOLIC BEVERAGES AT JB'S WINE AND SPIRITS, 202 S. ILLINOIS AVENUE.

WHEREAS, after diligent inquiry and careful investigation of Rashmikant R. Patel and Bhavesh M. Patel, City Council has found their general character to be good, and

WHEREAS, City Council feels assured that Rashmikant R. Patel and Bhavesh M. Patel will refrain from any violation of Title 8, Chapter 4, of the Oak Ridge Code of Ordinances, and Title 57, Chapters 1, 6, 7, and 8, of the Tennessee Code Annotated (Chapter No. 49, Public Acts, 1939), which are the alcoholic beverage laws, or any statutory amendment thereof or any rule or regulation promulgated pursuant thereto, and

WHEREAS, City Council has granted the necessary permit to Rashmikant R. Patel and Bhavesh M. Patel for the retail sale of alcoholic beverages thereby signifying full compliance with the ordinances of the City of Oak Ridge, and

WHEREAS, City Council is of the opinion that said applicants are entitled to the State license applied for.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the Mayor is hereby authorized to sign and issue on behalf of the City of Oak Ridge Certificates of Compliance for Rashmikant R. Patel and Bhavesh M. Patel, JB's Wine and Spirits, 202 S. Illinois Avenue, City Council finding that neither has been convicted of a felony, that all local regulations have been complied with, and that they will refrain from any violations hereinabove set forth.

This the 15<sup>th</sup> day of June 2017.

APPROVED AS TO FORM AND LEGALITY:



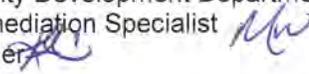
\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

**COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM  
17-23**

**DATE:** May 25, 2017  
**TO:** Mark S. Watson, City Manager  
**FROM:** Kathryn Baldwin, Community Development Department Director  
Matt Widner, Housing Remediation Specialist  
Kelly Cottrell, Senior Planner



**SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANT**

**Introduction**

An item for City Council's consideration is a resolution authorizing the approval of the CDBG Consolidated Plan 2017-2020 and the Annual Action Plan for PY2017/FY2018.

**Funding**

The City of Oak Ridge receives Community Development Block Grant (CDBG) entitlement funds annually from the U.S. Department of Housing and Urban Development (HUD). The proposed 3 Year CDBG Consolidated Plan budget requests \$480,000. Any available prior year's carryover amount will be added to the PY2017/FY2018 annual action allocation.

**Background**

An Executive Summary of the CDBG 3 Year Consolidated Plan and Annual Action Plan for PY2017/FY2018 is attached. The full document is available for review in the City Council mailroom. Copies are also available on the City's website on the Community Development Department web page, in the City Clerk's office, the Community Development Department, and the Oak Ridge Public Library.

The City held four public hearings to receive input from citizens and nonprofit agencies on the Consolidated Plan 2017-2020 and the Annual Action Plan for PY2017/FY2018. The first two hearings were held on February 8, 2017 and the second two were held on February 22, 2017 both of which were prior to the 30-day comment period. Another public hearing for both the Consolidated and Annual Action Plan will be held on June 12, 2017 prior to Council adoption of both plans.

The Annual Action Plan (AAP) for PY2017/FY2018 is the document that implements policies established in the three-year Consolidated Plan 2017-2020. Any significant changes to the Consolidated Plan 2017-2020 would require a formal amendment and approval by the Department of Housing and Urban Development (HUD).

The following projects are recommended for funding during the PY2017/FY2018 CDBG Entitlement Program:

**City of Oak Ridge Programs:**

Acquisition/Removal of Vacant Blighted Housing	\$ 125,000.00
Neighborhood Improvement Projects	\$ 10,000.00
Residential Electrical Upgrades MORE	\$ 15,000.00
Right of Way Infrastructure, Traffic Calming, Public Transportation Access	\$ 10,000.00
Grant Administration	<u>\$ 10,000.00</u>
Total	\$ 170,000.00

All listed activities in this proposed 3 year Consolidated Plan 2017-2020 and proposed Annual Action Plan PY2017/FY2018 budget will be proportionally increased or decreased from the estimated funding levels to match actual allocation amounts.

**Recommendation**

Staff recommends approval of the Consolidated Plan 2017-2020 and the Annual Action Plan PY2017/FY2018 and submission to the Department of Housing and Urban Development for Community Development Block Grant funding.

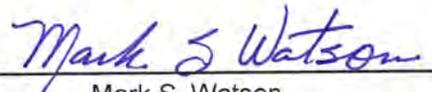
**Attachments**

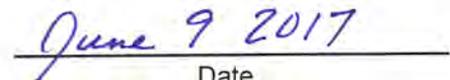
Consolidated Plan Executive Summary  
Annual Action Plan

  
\_\_\_\_\_  
Matthew Widner,  
Housing Remediation Specialist

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
\_\_\_\_\_  
Mark S. Watson

  
\_\_\_\_\_  
Date

**CITY OF OAK RIDGE  
COMMUNITY DEVELOPMENT BLOCK GRANT  
**PROPOSED**  
CONSOLIDATED PLAN  
for  
THE PERIOD OF  
July 1, 2017 – June 30, 2020**



***Warren L. Gooch, Mayor  
Rick Chinn, Jr, Mayor Pro-Tem  
Kelly Callison  
Jim Dodson  
Chuck Hope  
Ellen Smith  
Hans Vogel***

***Mark S. Watson, City Manager***

**CDBG Staff Committee**

***Matt Widner, Community Development  
Kathryn Baldwin, Community Development  
Ken Krushenski, Legal  
Susan Fallon, Public Works  
Wes Bunch, Police  
Kay Brookshire, Citizen***

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## Executive Summary

### ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b) Introduction

The City of Oak Ridge receives CDBG funding administered by the U.S. Department of Housing and Urban Development. The Consolidated plan is the document that the City of Oak Ridge submits to the U.S. Department of Housing and Urban Development (HUD) as a requirement to receive funding for the CDBG program. All CDBG recipients are required to submit a Consolidated Plan every three to five years to HUD for review. These plans identify community-specific housing and non-housing needs and outline strategies for addressing them. The Consolidated Plan is required to address the following HUD National Objective Categories:

- L/M Income Area Benefit – Acquisition of Real Property
- Prevention/Elimination of Slum or Blighted Area – Code Enforcement & Clearance
- Rehabilitation Activities Benefiting L/M Income area – Slum and Blight

The Consolidated Plan is the City's guide for implementation of policies and programs that further HUD national objectives for the CDBG program. CDBG funds can be used for a variety of activities to help low to moderate (L/M) income people and neighborhoods such as housing rehabilitation, public facilities, community services, infrastructure, transitional housing, economic development, code enforcement activities, and elimination of blight. The City of Oak Ridge Consolidated Plan for the years 2017-2020 was developed through a public participation process. The City held three public meetings to receive comments and recommendations from citizens, non-profit agencies, faith-based organizations, and City staff. The data for this plan is based on a working paper of 2010 – 2014 American Community Survey (ACS) with July 1, 2015 Census population estimates and the 2009-2013 Comprehensive Housing Affordability Strategy (CHAS) data provided by the U.S. Department of Housing and Urban Development has released.

The City will submit three Annual Action Plans during the Consolidated Plan period of 2017-2020. Each Annual Action Plan will describe the City's plan for investing CDBG entitlement funds for the upcoming year. The first Annual Action Plan for the City of Oak Ridge's Consolidated Plan 2017-2020 will be for Program Year (PY) 2017/Fiscal Year (FY) 2018.

### Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

Through the data collection and public participation processes, the City of Oak Ridge developed priority strategies, objectives, and performance measurements to meet the needs of the homeless, the non-homeless with special needs, and community development initiatives. The City's CDBG entitlement funds for the three-year period of July 1, 2017 through June 30, 2020 support the following initiatives:

- Electrical upgrades supporting energy retrofits for L/M persons in the MDO
- Removal of vacant blighted housing
- Infrastructure improvements that provide safety and connectivity within specific areas
- Grant administration
- Neighborhood Improvement Projects
- Matching funds for housing partnerships

The investment activities listed above focus on revitalization efforts that improve the overall quality of life for Oak Ridge residents.

### **Evaluation of past performance**

The City of Oak Ridge has been achieving its objectives over the past three years. The City has eliminated blight, helped homeless persons and persons at risk of becoming homeless, assisted in the provision of housing options for persons with special needs, including the elderly, acquired and demolished structures to remove dilapidated housing, provided code enforcement services to address property maintenance issues, improved public facilities, and supported infrastructure improvements that provide safety, accessibility, and connectivity.

The City has been successful in achieving its goals through community partnerships. Last year, the City contracted with Trinity Outreach Center of Hope (TORCH) to assist the homeless population through rapid rehousing and prevention efforts. TORCH provided emergency services to a number of individuals in Oak Ridge, and their services were an invaluable asset to the community. The City also continues to partner with ADFAC through their homeless prevention program, which is funded by City tax dollars.

The City also partnered with Aid to Distressed Families of Appalachia (ADFAC) to identify L/M income households that needed electrical service upgrades in order to participate in the MORE2 program. Many of the improvements were made in deteriorating neighborhoods, which magnifies the scale of positive impact for area residents.

Over the past three years, the City transferred several parcels of cleared land using various funding sources including CDBG and EDI to the Oak Ridge Land Bank Corporation (ORLBC) for revitalizations purposes. ORLBC was created pursuant to the authority of the Tennessee Local Land Bank Pilot Program set forth in Tennessee Code Annotated (TCA) §13-30-101 et seq. By the statute, ORLBC has the authority to create a land bank for real property located in the boundaries of Oak Ridge. For the purposes of this document, "land bank means real property, however obtained or acquired and held by the ORLBC, with the intent of acquiring and returning property to a productive use benefitting L/M families and Neighborhoods. The land bank may also hold the real property so acquired until such time as the corporation is able to find willing and able buyer/developers to make block by block improvements."

### **Summary of citizen participation process and consultation process**

The City of Oak Ridge recognizes the importance of citizen participation and includes it as a goal in the CDBG program. Citizens are informed of public hearings, staff meetings, City Council meetings and work sessions, and Fair Housing Month. Information about the CDBG program is also available on the City's website at: <http://www.oakridgetn.gov/department/CommDev/Planning-Division/CDBG-Program>.

The Consolidated Plan, Annual Action Plan, (AAP) and Consolidated Annual Performance and Evaluation Report (CAPER) are available for download on the City's website as well. City staff attempts to stay informed about programs funded through other sources, and makes every effort to inform community organizations of this information.

### **Summary of public comments**

The City held four public meetings to receive input from citizens. The first and second public meetings were held on Wednesday February 8<sup>th</sup>, 2017 at 12:00-1:30 p.m. and then again 5:30-7:30 p.m. in the City of Oak Ridge Municipal Building. Representatives from Habitat for Humanity, Trinity Outreach Center of Hope (TORCH), and Aid to Distressed Families of Appalachia assisted by informing their respective networks of the

scheduled meetings. The third and fourth public meetings were held on Wednesday February 28<sup>th</sup> 2017 at 12:00-1:30 p.m. and then again 5:00-7:30 p.m. in the Scarboro Community Center.

While there were not any general citizens present at any of the advertised public meetings, citizen did provide feedback using fifteen received online surveys through the web based app "Survey Monkey®" as advertised on the City's Community Development webpage: <https://www.surveymonkey.com/r/2017CDB> . Information from the HUD surveys can be found in the Consolidated Plan. In summary, citizens rated abandoned, blighted and foreclosed residential/commercial properties being a problem as very high. While survey results revealed all respondents were residents of Oak Ridge reporting that they generally felt safe in their immediate neighborhoods. Youth Services, Services for Persons with Disabilities; Homeless Services and Domestic Violence ranked equally high in the level of need. Nearly all respondent were white female reporting they owned their primary residence who have not looked for housing in the past five years with the majority of those not having or being persons with special needs in their households. Moderate issues noted from the received surveys included the need for traffic flow improvement and more development on Oak Ridge Turnpike located properties.

All public meetings were advertised in the Oak Ridger newspaper in accordance with the Citizen Participation Plan prior to each meeting. A summary of survey questions, answers and comments follows:

Questions	Answers
What happens to the acquired & demolished houses?	Some are transferred to the Land Bank and the City is also pursuing partners for potential redevelopment.
Where is a list of the purchased properties?	The list of purchased properties is in the CAPER. A list of properties transferred to the Land Bank can also be found in the Board minutes.
What happens to people who are displaced?	The City only acquires houses through voluntary acquisition and no one is displaced.
Why is the Consolidated Plan general?	The 3-year Consolidated Plan is a broader plan than the 3 consecutive Annual Action Plans.
Why are there carryover funds?	Acquisition and demolition is a multistep process that involves appraisals, demolition orders by the Board of Building and Housing Code Appeals, offer letters, and approval by the State Historic Preservation office. The City is making progress and is in compliance with HUD regulations related to spending.
How are the projects decided?	The City's internal housing committee reviews projects and any applications from sub-recipients and makes a recommendation to the City Manager who passes the recommendation to City Council for approval.

SP-45 Goals Summary—91.215 (a)(4) Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding Estimated	Goal Outcome Indicator
1	Removal of vacant blighted housing	July 2017	June 2020	Housing - Acquisition and demolition -- community development	Within the Manhattan District Overlay (MDO)	Prevention Elimination Slum/Blight	\$375,000  3yr	Improvement, stabilization, and revitalization of neighborhoods in the MDO district
2	Neighborhood Improvement Projects	July 2017	June 2020	Non-housing Infrastructure, Sidewalks, Pocket Parks, Accessibility – Community Development	Within the Manhattan District Overlay (MDO)	Activities Benefitting L/M Area	\$30,000  3yr	Improvement, revitalization of neighborhood areas that benefit L/M persons
3	Residential Electrical Upgrades  (PY17) only	July 2017	June 2018	Housing – Community Development	Within the Manhattan District Overlay (MDO)	Rehab Activities Benefitting L/M Area	\$15,000  1yr	Provide Electrical service upgrades to residential dwellings that are participating in the MORE2 program
4	Right of Way infrastructure, Traffic calming, Public Transportation access	July 2017	June 2020	Non-Housing, Non-Homeless Community Development,	Within the Manhattan District Overlay (MDO)	Activities Benefitting L/M Area	\$30,000  3yr	Provide infrastructure improvements to areas that Benefit low to moderate income persons
5	Grant Administration	July 2017	June 2020	Non-Housing Community Development	200 S. Tulane Ave		\$30,000  3yr	Provide funding and training for CDBG admin
						<b>Total</b>	<b>\$480,000</b>	At least 70% of funds to be expended on L/M persons

Table 42 – Goals Summary (Consolidate Plan)

**PLEASE NOTE:** ALL LISTED ACTIVITIES IN THIS PROPOSED CONSOLIDATED 2017-2020 PLAN AND THE PROPOSED PY17/FY18 ANNUAL ACTION PLAN BUDGETS WILL BE PROPORTIONALLY INCREASED OR DECREASED FROM THE ESTIMATED FUNDING LEVELS TO MATCH ACTUAL ALLOCATION AMOUNTS.

**CITY OF OAK RIDGE  
COMMUNITY DEVELOPMENT BLOCK GRANT  
PROPOSED ANNUAL ACTION PLAN OF THE  
CONSOLIDATED PLAN  
for  
THE PERIOD OF  
July 1, 2017 – June 30, 2018**



*Warren L. Gooch, Mayor  
Rick Chinn, Mayor Pro-Tem  
Jim Dodson  
Chuck Hope  
Ellen Smith  
Hans Vogel*

*Mark S. Watson, City Manager*

*CDBG Committee, Staff & Citizen*

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Ken Krushenski, Legal  
Wes Bunch, Police Department  
Matt Widner, Community Development**

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# Table of Contents

INTRODUCTION 1	
AP-05 EXECUTIVE SUMMARY .....	3
<b>THE PROCESS</b> .....	5
PR-05 LEAD & RESPONSIBLE AGENCIES .....	5
AP-10 CONSULTATION .....	6
AP-12 CITIZEN PARTICIPATION .....	8
<b>STRATEGIC &amp; ANNUAL ACTION PLAN</b> .....	14
SP-10 GEOGRAPHIC PRIORITIES .....	14
SP-25 PRIORITY NEEDS .....	15
SP-45 GOALS .....	15
AP-15 EXPECTED RESOURCES .....	16
AP-35 PROJECTS .....	16
AP-55 AFFORDABLE HOUSING .....	16
AP-60 PUBLIC HOUSING .....	17
AP-65 HOMELESS AND OTHER SPECIAL NEEDS ACTIVITIES .....	17
AP-75 BARRIERS TO AFFORDABLE HOUSING .....	18
AP-85 OTHER ACTIONS .....	19
AP-90 PROGRAM SPECIFIC REQUIREMENTS .....	21
<b>APPENDIX</b> .....	21
A. CERTIFICATIONS .....	23
B. PUBLIC NOTICES .....	28

## Executive Summary

### AP-05 Executive Summary

#### Introduction

The City of Oak Ridge receives Community Development Block Grant (CDBG) funding administered by the U.S. Department of Housing and Urban Development (HUD). The Annual Action Plan is the document that details action strategies for carrying out the City's three year Consolidated Plan as a requirement to receive funding for the CDBG program. These plans identify community-specific priorities, including housing, and outlines strategies for addressing them. The Consolidated Plan is required to address the following HUD National Objective Categories:

- Acquisition and Removal of Dilapidated Housing
- Rehabilitation of MDO Housing
- Infrastructure
- Neighborhood Improvement

The Annual Action Plan is the City's annual guide for the implementation of policies and programs that further HUD's national objectives for the CDBG program. CDBG funds can be used for a variety of activities to help low to moderate (L/M) income people and neighborhoods such as housing rehabilitation, providing public facilities, community services, infrastructure, transitional housing, economic development, code enforcement activities and the elimination of blight. The City of Oak Ridge Consolidated Plan for the years 2017-2020 was developed through a public participation process. The City held four public meetings to receive comments and recommendations from citizens, non-profit agencies, faith-based organizations and city staff as listed below:

Municipal Bldg: Wednesday February 8 at 12:00 p.m.    Wednesday February 8 at 5:30 p.m.  
Scarboro Ctr:    Wednesday February 22 at 12:00 p.m.    Wednesday February 22 at 5:30 p.m.

This Annual Action Plan is the first of three Annual Action Plans during the Consolidated Plan period of 2017-2020. Each of the Annual Action Plans describe the City's intent for investing CDBG entitlement funds for the upcoming year. This annual plan was developed from the priorities established in the Consolidated Plan, along with a public participation process. The City held four public meetings, in February of 2017.

#### Needs Assessment Summary

Through data collection and a public participation processes, the City of Oak Ridge developed priority strategies, objectives, and performance measurements to meet the needs of community development initiatives, the homeless, and citizens with special needs. The City's CDBG entitlement funds for the year beginning July 1, 2017 through June 30, 2018 support the following initiatives (in no particular order):

- Acquisition and Removal of Dilapidated Housing
- Rehabilitation of MDO Housing
- Grant Administration
- Neighborhood Improvement

The investment activities listed above focus on revitalization and housing efforts that lead to the improvement of the overall quality of life for Oak Ridge residents.

## **Evaluation of past performance**

The City of Oak Ridge has achieved all of their objectives in the past year, but still has considerable work to do in the community with regard to their main initiative of eliminating blight and revitalizing neighborhoods. The City has worked steadily for the past four years to eliminate blight throughout the historic neighborhoods through the acquisition and demolition of structures to remove dangerous, dilapidated housing; provided code enforcement services to address property maintenance issues; helped homeless persons and persons at risk of becoming homeless; and assisted in the provision of various housing renovations for low to moderate income families, persons with special needs and the elderly.

The City has been successful in achieving many of its goals through community partnerships. Last year, the City partnered for the third year with the Trinity Outreach Center for Hope (TORCH) to assist the homeless population throughout the City focusing on rapid rehousing response as well as some prevention efforts. TORCH provided emergency services to a number of individuals and families in Oak Ridge.

The City has continued to transfer parcels of cleared land as well as land with vacant housing units, to the Oak Ridge Land Bank Corporation for revitalization purposes. The Oak Ridge Land Bank Corporation was created pursuant to the authority of the Tennessee Local Land Bank Pilot Program set forth in Tennessee Code Annotated §13-30-101 et seq. By such statute, the Oak Ridge Land Bank Corporation has authority to create a land bank for real property located within the boundaries of Oak Ridge. For purposes of this chapter, "Land Bank" means real property, however obtained or acquired and held by the Oak Ridge Land Bank Corporation, with the intent of acquiring and holding on to the real property until such time as the corporation is able to find a willing and able buyer to acquire the real property from the corporation. To date, the Oak Ridge Land Bank has donated two properties to the non-profit organization Aid to Distressed Families of Appalachian Counties (ADFAC). The Land Bank also donated three properties to Habitat for Humanity of Anderson County (Habitat) for the benefit of L/M income households. Additionally the Land Bank has sold three properties at fair market value and has listed approximately 30 properties with the Oak Ridge Realty Center for purchase. Nearly half of the 30 properties were acquired with CDBG funds.

## **Citizen Participation Summary**

The City of Oak Ridge recognizes the importance of citizen participation and includes it as a goal in the CDBG program. Citizens are informed of public hearings, Community Development workshops, City Council meetings and work sessions, and City sponsored activities throughout April's Fair Housing Month. Information about the CDBG program is also available on the City's website at:

<http://www.oakridgetn.gov/department/CommDev/Planning-Division/CDBG-Program>.

The Consolidated Plan, Annual Action Plan, (AAP) and Consolidated Annual Performance and Evaluation Report (CAPER) are available for download on the City's above listed website as well. City staff attempt to stay informed about programs funded through other sources, and makes every effort to inform community organizations of this information.

## Public Comments

The City held four public meetings prior to the 30-day comment period to receive input from the public with additional public meetings to be scheduled, the first and second meeting was on Wednesday February 8, 2017 in the City of Oak Ridge Municipal Building RM # 104 at 12:00-1:30 p.m. - then again at 5:30 p.m.-7:00 p.m.

The third and fourth public meetings were held on Wednesday February 22, at 12:00 p.m.-1:30 p.m. – then again at 5:30 p.m.-7:00 p.m. in the Scarboro Community Center. All public meetings are published in the Oak Ridger newspaper and online at Oak Ridge Today a week or more prior to the meeting dates.

Citizens provided feedback through discussion and in writing on comment cards and surveys. In summary, citizens were still interested in the Scarboro Community Center and the perceived lack of its usage. Other comments focused on ideas to help the Scarboro Early Learning Center stay available for the community, as well as the City providing resources toward projects that will attract and keep young families in the area.

A summary of citizens comments about the City and our CDBG Program are listed below.

- The Scarboro Center needs to be better utilized by the community. Open Access to the basketball courts and baseball fields would give the youth something to do. City Officials that are interested in holding youth activities at the Center should pursue that option.
- City needs to help provide a place for more youth activities.
- Oak Ridge needs to have activities that will attract and keep young professionals in the area. To do this, there needs to be more affordable housing and funds available to renovate older housing for future homeowners.
- Oak Ridge needs a better variety of housing types available between the \$150,000 - \$250,000 price points.
- City needs to focus more attention on sidewalks and public transportation point access.
- City could focus on bringing in additional employment sectors – for youth and those without specialized college degrees.

## The Process

### PR-05 Lead & Responsible Agencies

The City of Oak Ridge is the lead agency and local jurisdiction responsible for overseeing the development of the Consolidated Plan, the implementation of the Annual Action Plans and the administration of CDBG entitlement funds. A modified City Manager-Council form of government governs the City of Oak Ridge. This governing body consists of a seven member City Council that elects one of its members as Mayor to serve as the ceremonial head of the City and presiding officer of the City Council. The City Manager and City Attorney are appointed by the City Council.

### Development of the 1<sup>st</sup> Annual Action Plan / Consolidated Plan

Four public meetings were held during the preparation of this Annual Action Plan. Notice was published in *The Oak Ridger* newspaper and posted online at Oak Ridge Today. The meeting dates and times were:

Municipal Bldg: Wednesday February 8 at 12:00 p.m. Wednesday February 8 at 5:30 p.m.

Scarboro Ctr: Wednesday February 22 at 12:00 p.m. Wednesday February 22 at 5:30 p.m.

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
GRANTEE	CITY of OAK RIDGE	COMMUNITY DEVELOPMENT

**Table 1 – Responsible Agencies**

**Consolidated and Annual Action Plan Contact Information**

Copies of the City of Oak Ridge Consolidated Plan 2017-2020 and the PY2017/FY2018 Annual Action Plan are available for review in the City Clerk’s office, in the Community Development Department, and in the Oak Ridge Public Library. Both plans are also available online at: [http://www.oakridgetn.gov/department/CommDev/Planning- Division/CDBG-Program](http://www.oakridgetn.gov/department/CommDev/Planning-Division/CDBG-Program). Please contact Matt Widner at [mwidner@oakridgetn.gov](mailto:mwidner@oakridgetn.gov) or 865-425-3584 with any questions about either of the plans.

**PR-10 Consultation**

**Introduction**

The development of the Annual Action Plan involved consultation with public and private agencies that provide assisted housing, health services and social services, including providers to children, elderly people, people with disabilities and their families, and homeless people. Agencies specifically asked for comments included:

- Aid to Distressed Families of Appalachian Counties, Inc. (ADFAC)
- Ridgeview Psychiatric Hospital and Services, Inc.
- National Association for the Advancement of Colored People (NAACP)
- Oak Ridge Neighborhood Watch
- Oak Ridge Housing Authority
- Trinity Outreach Center for Hope (TORCH)
- Tennessee Valley Coalition for the Homeless (TVCH)
- League of Women Voters
- Oak Ridge Land Bank, Inc (ORLB)

The City also consults with an internal CDBG committee that consists of staff from various departments, as well as community citizens. Employees from Community Development, Finance, Public Works, Legal and the Police Department meet quarterly to discuss CDBG program initiatives. On occasion, the committee meets with external stakeholders to discuss partnership opportunities that are mutually beneficial.

**General Information**

The City of Oak Ridge values its partnerships with area nonprofit organizations, the Oak Ridge Public Housing Authority (ORHA), the regional Continuum of Care (CoC), state and federal officials, and the public at large. Coordination among the aforementioned entities, in addition to City staff and HUD regional staff, is essential to provide a coordinated, wide- array of much needed community services.

### **Continuum of Care Coordination**

The City is an active member of the Tennessee Valley Coalition for the Homeless (TVCH), the lead agency in the regional Continuum of Care (CoC). The City's Senior Planner and/or Housing Specialist attends monthly CoC meetings and serves on additional sub-committees. Coordination with the CoC is invaluable as it provides the City an opportunity to participate in dialog with numerous organizations that are committed to addressing the needs of the homeless population.

### **Continuum of Care Consultation: ESG, Standards/Outcomes and HMIS**

The City of Oak Ridge receives Emergency Solution Grant (ESG) funds from the State of Tennessee's Tennessee Housing Development Agency (THDA) and those funds are used to address the needs of the homeless in the City. Oak Ridge is currently partnering with TORCH to use ESG funds for rapid rehousing activities within the Oak Ridge city limits. Rapid rehousing involves activities that place clients who are experiencing homelessness in housing. Examples of assistance provided by the ESG program are payments for daily hotel fees, rent for housing, deposits for various housing related resources, mortgage and utilities. TORCH records the number of clients they serve on a monthly basis and this information is available quarterly for monitoring purposes.

TORCH is a member of the Tennessee Valley Coalition for the Homeless (TVCH), and they have the required Certification of Participation with Continuum of Care, certifying that their application is aligned with the Continuum of Care's strategies for preventing and ending homelessness and creating housing stability. More information about TORCH is available at: <http://www.oakridgetorch.org>.

TORCH acknowledges that agencies using ESG grant funds to provide services must coordinate with other agencies by entering information into the Homeless Management Information System (HMIS). HMIS helps prevent the duplication of community services to the same individuals. The TVCH provides TORCH quarterly monitoring reports for data entered in the HMIS system. As an ESG grantee, the City reviews the monitoring reports to verify program compliance. Toward the end of the ESG program year, the City meets with TORCH to discuss the success of their program and determine a path forward.

### **Participation from Area Social Service & Housing Organizations**

In addition to holding three public meetings, the City of Oak Ridge reached out to many community organizations to take note of any comments about community development programs in Oak Ridge. Feedback focused on the following:

- Acquisition and demolition of blighted properties and its impact in neighborhoods
- Partnerships to rehabilitate deteriorated structures in neighborhoods
- Homeless prevention activities and the impacts on the community
- Rapid rehousing activities
- Transfer of select properties to the Oak Ridge Land Bank Corporation for revitalization purposes

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Emergency Solutions Grant (ESG)	City of Oak Ridge	Homeless services and prevention

**Table 2 – Other local / regional / federal planning efforts**

**AP-12 Citizen Participation**

**Introduction**

The City of Oak Ridge is an entitlement jurisdiction receiving Community Development Block Grant (CDBG) funds directly from the U.S. Department of Housing and Urban Development (HUD). Pursuant to the CDBG program regulations, the City is required to prepare an Annual Action Plan before the beginning of every program year that addresses goals and priorities established in the three year Consolidated Plan. The City is also required to prepare a Consolidated Annual Performance Evaluation Report (CAPER) on an annual basis to evaluate the previous year’s performance.

The Citizen Participation Plan (CPP) establishes the City of Oak Ridge’s policies and procedures for citizen participation in the development of the CDBG Consolidated Plan, Annual Action Plans, including any subsequent amendment(s) and the CAPER. The CPP provides an opportunity for nonprofit service agencies and the community to work in partnership with the City to identify needs and allocate the CDBG funds. The CPP encourages participation from all citizens. Preparation of the Annual Action Plan includes the involvement of community development staff, an internal CDBG Committee, the City Manager and City Council. Currently, the City’s CDBG administrator is Matt Widner. The CDBG program administrator records the CDBG committee’s recommendations, tracks CDBG expenditures and serves as the City’s contact person for the CDBG program.

The CDBG committee is comprised of the City’s CDBG program administrator, representatives from various City departments, and community citizens. This committee serves as an advisory group to the City Manager and City Council on planning, implementation and assessment of CDBG programs/activities through the following tasks:

- Collection of citizen input with respect to neighborhood/community needs;
- Consultation with potential CDBG sub-recipients during the application process;
- Review of applications and proposed projects for CDBG funding;
- Review of required HUD documents (Consolidated Plan, Annual Action Plan and CAPERs);
- Recommendations for staff to provide to the City Manager for City Council’s approval;
- Review of progress on projects/programs

As noted above, the CDBG committee provides program and funding recommendations to the City Manager for City Council’s review and approval. The City Council is responsible for executing the procedures established in the Consolidated and Annual Action Plans. The City Council makes the final determination about the priority of various community needs each year when allocating CDBG funds through the approval of the Annual Action Plan.

The City of Oak Ridge staff and elected officials recognize that CDBG entitlement funds are taxpayer money returned to the City to be used primarily to benefit extremely low, low and moderate-income residents.

City staff and elected officials are stewards of this public money and will openly discuss all records, except for those confidential records protecting a household's privacy.

### **Citizen Participation Plan (CPP)**

The City of Oak Ridge provides opportunities for citizens, public agencies, and other interested parties, including citizens directly affected, adequate information on the CDBG program, including the anticipated amount of CDBG funds that are available for the current fiscal year and the range of activities that the City may undertake with the funds. Citizens are provided the opportunity to submit comments to the City on any of the identified housing and community development needs, the amount of funds received, and the activities undertaken to assist with the identified needs.

### **Anti-displacement/Relocation – Federal and/or State Funding**

In the event that any residential displacement and relocation must take place in order to carry out a CDBG program activity, or any project that utilizes federal and/or state funding, the City of Oak Ridge ensures that it will develop an Anti-displacement and Relocation Plan in connection with that project as applicable per Federal regulations. This will include compliance with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended and implementing regulations of 49 CFR part 24.

### **Anti-displacement/Relocation – Local Funding**

The following policy may be used for residential displacement and relocation of Oak Ridge residents if the project uses only local funds.

### **CITY OF OAK RIDGE, TENNESSEE LOCAL RELOCATION ASSISTANCE POLICY**

The City of Oak Ridge Relocation Assistance Policy has been developed to assist residents living in rental units within the city limits with assistance to move from their rental units due to redevelopment efforts. This policy is to be considered a local policy and will be utilized in the event no Federal or State funding is involved in the project that causes residents to be relocated.

#### **Definitions:**

1. City refers to the City of Oak Ridge.
2. Authorized Administrator is any private or governmental agency, which administers the relocation policy to eligible clients living within the city limits.
3. Bona fide Resident is a person, eighteen years of age or older who is listed on the City of Oak Ridge utility records with corresponding proof of a valid lease and has been living in the affected rental unit for one year prior to the notice to vacate the unit.
4. Displacement is when tenants are forced to move from their rental units because of action taken by the City.
5. Eligible Tenant is a tenant that applies for assistance who meets the eligibility requirements.
6. Relocation Assistance is money and/or other support to help displaced tenants find a new place to live.

**Displacement:**

Displacement occurs when tenants are forced to move from their rental units because of action taken by the City. The reasons to order a tenant to move include but may not be limited to the following:

1. The building is to be boarded up and/or torn down with government approval.
2. The landlord is ordered by the housing and/or building inspector to make repairs that cannot be made unless the tenants move
3. The landlord has allowed more people to live in a unit than the law allows, or the landlord has made a separate apartment out of a part of the building, such as an attic or a basement, that is not legal to rent
4. The building is being taken over by the City to be used to build a school playground, a highway, a neighborhood renewal program, or some other public project
5. The landlord is not allowed to rent the apartment because of zoning laws.

**Relocation Assistance:**

Relocation assistance is money and/or other support services to help displaced tenants find a new place to live. Tenants that are displaced may or may not receive relocation assistance. Monetary relocation assistance shall be limited to \$500 per Eligible Tenant. Available relocation assistance shall be limited to the following:

1. Money for temporary housing until the tenant finds a permanent home, if the City and/or the Authorized Administrator forces the tenant to move out immediately because of an emergency. This is limited to \$500 per Eligible Tenant.
2. A payment to assist with the Eligible Tenant's actual moving costs. This is limited to \$500 per Eligible Tenant and requires receipts for the actual moving costs.
3. A dislocation payment to the Eligible Tenant's dislocation, which includes an allowance of \$200 and a fixed moving payment of \$300. The payment does not require receipts.
4. Help by the City, Authorized Administrator and other partners to locate a new, affordable place for the Eligible Tenant to live.

**Eligibility:**

Eligible Tenants are applicants that request relocation assistance and meet the following minimum requirements:

1. Bona-fide resident of Oak Ridge which requires the following:
  - a. Eighteen years of age or older
  - b. Listed on the City of Oak Ridge utility records for the affected unit being vacated
  - c. Utility account with the City of Oak Ridge shall be in good standing with any past-due balances being paid in full by the date of application for relocation assistance
  - d. Proof of a written lease for the unit being vacated with the name listed on the lease being the same name as listed on the City of Oak Ridge utility records
  - e. Lived in the affected rental unit for 12 months consecutively and prior to the date of notice to vacate
2. Proof of legal residence within the United States of America.
3. If a tenant has been convicted for drug and/or alcohol violations within the previous twelve months (12) from the date of notice to vacate, they must provide proof they are currently or have been receiving treatment for this condition.

### Authorized Administrator

The Relocation Assistance Policy for the City of Oak Ridge allows the City to contract with a qualified agency to administer the relocation policy. This qualified agency will be the Authorized Administrator of the policy. With approval and assistance by the City, the Authorized Administrator will be responsible for determining Displacement has occurred, determining tenant Eligibility and providing Relocation Assistance.

### Plan Publication

Summaries and/or complete copies of the Consolidated Plan, Annual Action Plans, and substantial amendments to either document or the CAPER will be available to the public for free upon written request to the CDBG program administrator.

### Public Hearings

The City of Oak Ridge will schedule and hold at least three (3) Public Hearings each year to solicit citizen comments on the Consolidated Plan, Annual Action Plans and CAPER. Although held at different stages of the program year, these public hearings will address housing and community development needs, proposed activities to assist with the needs, and program performance. These hearings will be held at times and locations that are hopefully convenient to both potential and actual beneficiaries. The hearings will be scheduled separately from the City Council meetings that require approval of CDBG activities.

The schedule for the 2017-2018 Public Hearings are:

Needs Assessment	February 2016
Con Plan /Annual Action Plan	May 2017
CAPER for 2017-2018	September 2017

### Notice of Public Hearings

Adequate advance notice of each public hearing will be provided to all of Oak Ridge’s citizens. At least two (2) weeks prior to a public hearing a notice will be published in a local newspaper. The notice will include sufficient information on the hearing, including the purpose, date, time, and location. A notice will be displayed in a public area within the following city facilities:

Municipal Building Courtroom	Public Library
Recreation Center	Senior Center
Scarboro Community Center	Scarboro Center

### Access to Meetings

All meetings and public hearings related to the CDBG program will be held in locations accessible to those with physical disabilities and upon notice and in compliance with the American with Disabilities Act, the City will attempt to provide for individuals needing special accommodations (including auxiliary communicative aids and services) during the hearings.

## Public Comments

In preparing the Consolidated Plan, Annual Action Plans and CAPER, the City of Oak Ridge will consider the views of its citizens, public agencies and all other interested parties. Public comments will be accepted for at least 30 days for the Consolidated Plan and/or Annual Action Plans prior to submission of the documents to HUD for review and approval. All citizen comments provided to the City either orally or in writing will be considered prior to City Council approving the Consolidated Plan and/or Annual Action Plans.

Public comments will be accepted for at least 15 days for the CAPER prior to submission of the document to HUD. A summary of these citizen comments will be included in the CAPER prior to submitting the document to HUD. If a major project, such as the construction or expansion of a public facility, uses CDBG funds, additional public meetings will be held along with the acceptance of public comments, specific to the project.

All Oak Ridge City Council agendas include the opportunity for citizen comments that are not related to an agenda item. Citizens could use this forum to express their comments concerning the City's CDBG program. All Oak Ridge City Council members have email addresses that are accessible from the City's website at <http://www.oakridgetn.gov/departmentpg/CityClerk/City-Council/Meet-City-Council>

## Substantial Amendments

Once approved by City Council and HUD, the City of Oak Ridge may amend the Consolidated Plan and Annual Action Plans if the need arises. Any amendments to the Consolidated Plan and/or Annual Action Plan shall include a 30-day public comment period. The City will give reasonable notice and an opportunity for citizens to comment on proposed amendment(s). All comments provided to the City, either orally or in writing, will be considered prior to City Council approval of the amendment(s). A summary of the citizen comments and the City's response with respect to their acceptance will be included with the substantial amendment(s) document prior to submission to HUD.

The City of Oak Ridge will amend the approved Consolidated Plan whenever a decision is made to propose a substantial change in funding priorities and/or a substantial change in the method of the distribution of funds. A "substantial change" is defined as a change equal to or in excess of 50% of the City's CDBG entitlement funds for the current program year.

The City of Oak Ridge will amend an approved one-year Annual Action Plan whenever one of the following decisions is made:

- to carry out an activity that was not included or approved in the one-year Annual Action Plan;
- to cancel an activity, prior to the end of the plan year, that was included and approved in the one-year Annual Action Plan;
- to increase or decrease the amount to be expended on a particular activity from the amount stated in the one-year Annual Action Plan by more than 50%;
- to change the purpose, scope, specific location or beneficiaries of an activity that was included and approved in the one-year Annual Action Plan.

**PLEASE NOTE:** ALL LISTED ACTIVITIES IN THIS PROPOSED CONSOLIDATED 2017-2020 PLAN AND THE PROPOSED PY17/FY18 ANNUAL ACTION PLAN BUDGETS WILL BE PROPORTIONALLY INCREASED OR DECREASED FROM THE ESTIMATED FUNDING LEVELS TO MATCH ACTUAL ALLOCATION AMOUNTS.

## **Performance Reports**

The City of Oak Ridge will submit a Consolidated Annual Performance Evaluation Report (CAPER) to HUD on the City's CDBG funded projects outlined in each one-year Annual Action Plan. Like the Consolidated Plan and the Annual Action Plans, citizens will be provided with an opportunity to comment on the CAPER. Prior to submission of the CAPER to HUD, all citizens will be provided a fifteen (15) day comment period. Any citizen comments provided either orally or in writing to the City will be considered prior to submission of the report and a summary of the citizen comments will be included with the report.

## **Plan Availability and Access to Records**

The City of Oak Ridge Consolidated Plan, Annual Action Plans, substantial amendment(s) to either document or the CAPER will be made available to the public when they are developed and during the public comment periods. Once submitted and/or approved by City Council and HUD, the documents will be available on the City's website, <http://www.oakridgetn.gov/department/CommDev/Planning-Division/CDBG-Program> CDBG icon and to any interested party, upon written request to:

Matt Widner  
City of Oak Ridge Municipal Building  
Community Development Department 200 S. Tulane Avenue Oak Ridge, TN 37830  
[mwidner@oakridgetn.gov](mailto:mwidner@oakridgetn.gov)

## **Technical Assistance**

When needed, the City of Oak Ridge will offer technical assistance directly to groups representing low-to-moderate income persons, neighborhood organizations, and community service organizations. The City may also refer these groups to a competent local organization that can provide such assistance. The City's technical assistance contact for the CDBG entitlement program is: Matt Widner, Community Development Housing Specialist: [mwidner@oakridgetn.gov](mailto:mwidner@oakridgetn.gov).

## **Complaints**

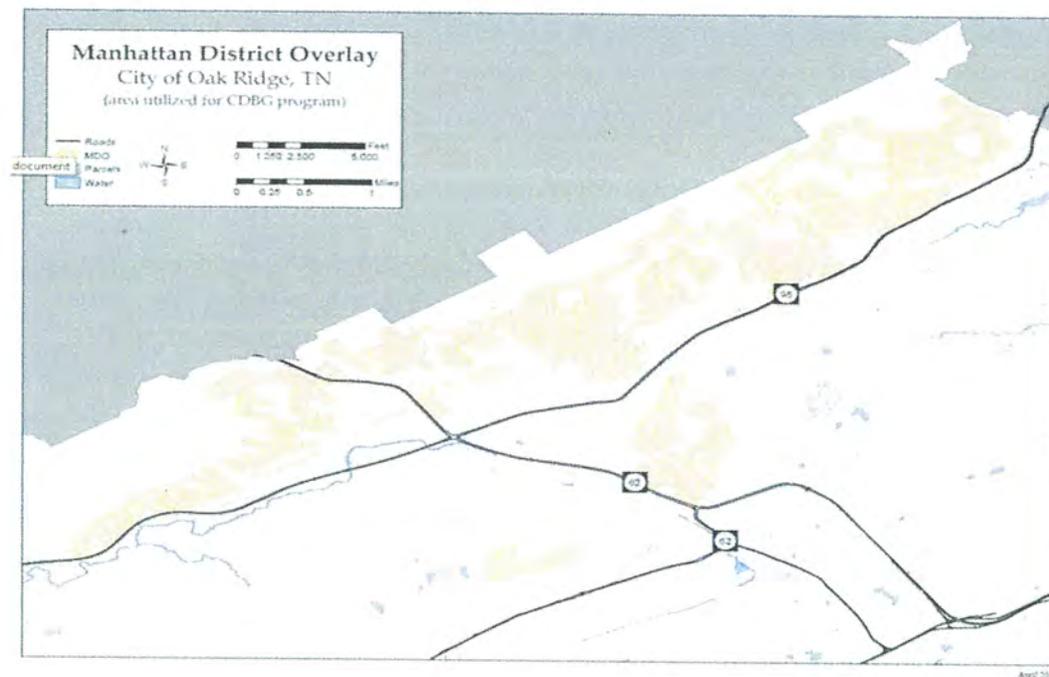
Written complaints from citizens with respect to the Consolidated Plan, one-year Annual Action Plans, any amendments, and the CAPER will receive a response from the City within thirty (30) days.

## **SP-10 Geographic Priorities**

The City of Oak Ridge is concentrating its revitalization efforts within the Manhattan District Overlay (MDO). The MDO is a historic district where the majority of the structure were originally built by the Federal Government in the early 1940s to house employees and their families during the Manhattan Project. Many of these units were not intended to be permanent residential structures, but as the Project came to a close, the Federal Government sold all housing units to willing buyers. To date, the majority of these structures are still occupied and many need improvements. The MDO area includes the following neighborhoods: Highland View, Scarboro, East Village and Woodland.

This area is in the north central part of the city, much of which is along a ridge known as Black Oak Ridge. The borders for this area are Outer Drive and West Outer Drive to the north and much of the housing south to Oak Ridge Turnpike (but not all). The eastern border is East Drive at the eastern city limits. The western border at Outer Drive is Jefferson Avenue. There is also a portion to the west that runs between

Robertsville Road and Oak Ridge Turnpike. The southern portion also includes the Woodland Neighborhoods, which is between Lafayette Drive to the east and South Illinois Avenue to North and South Purdue Avenue. Manhattan Avenue bisects this area. The Scarboro Neighborhood lies west of Woodland and is historically an African-American community.



## SP-25 Priority Needs

The priority needs for the City of Oak Ridge CDBG Annual Action Plan for 2017-2018 are:

- Acquisition and removal of dilapidated housing
- Grant administration

## SP-45 Goals & Objectives

Below is a table that provides a summary of the City's annual goals for the CDBG program.

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Addresses	Funding	Goal Outcome Indicator
1	Removal of vacant blighted housing	July 2017	June 2018	Acquisition and demolition -- community development	Within the Manhattan District Overlay (MDO)	Prevent Eliminate Slum/Blight	Estimated \$125,000	Improvement, stabilization, and revitalization of neighborhoods in the MDO district
2	Neighborhood Improvement Projects	July 2017	June 2018	Non-housing	Within the Manhattan District Overlay (MDO)	Activities Benefitting L/M Area	\$10,000	Provide neighborhood public space, sidewalks, Public Transportation access
3	Residential Electrical Upgrades (PY17) only	July 2017	June 2018	Housing – Community Development	Within the Manhattan District Overlay (MDO)	REHAB Activities Benefitting L/M Area	\$15,000	Provide Electrical service upgrades to residential dwellings that are participating in the MORE2 program
4	Right of Way infrastructure, Traffic calming, Public Transportation access	July 2017	June 2018	Non-housing community development, non-homeless community development	Within the Manhattan District Overlay (MDO)	Activities Benefitting L/M Area	\$10,000	Provide infrastructure improvements in areas that benefit low to moderate income persons
5	Grant Administration	July 2017	June 2018	Non-housing community development	200 S. Tulane Ave		\$10,000	Provide funding and training for CDBG admin to ensure compliance with program-related HUD
<b>TOTAL:</b>							<b>\$170,000</b>	

AP-15 Expected Resources

Annual Action Plan FY17/FY18: Expected Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Narrative Description
			Annual Allocation:	Program Income:	Prior Year Resources:	Total:	
			\$	\$	\$	\$	
Emergency Solutions Grant (ESG)	HUD through THDA	Homeless Prevention	\$46,697.00	0	\$57,762.00	\$0.00	TORCH supports The City's homeless prevention program (rapid rehousing activities within the City of Oak Ridge)

AP-35 Projects

Project Number	Project Name
1	Removal of Vacant, Blighted housing
2	Neighborhood Improvement Projects
3	Residential Electrical (EEM) MORE2
4	Right of Way / Infrastructure traffic calming
5	Grant Administration

AP-55 Affordable Housing

One Year Goals for the Number of Households to be Supported	
Homeless	100
Non-Homeless	100
Special-Needs	30
<b>Total</b>	<b>230</b>

One Year Goals for the Number of Households Supported	
Rental Assistance	30
The Production of New Units	4
Rehab of Existing Units	4
Acquisition of Existing Units	10
<b>Total</b>	<b>48</b>

**AP-60 Public Housing Introduction –**

Residents of the City of Oak Ridge are served by the Oak Ridge Housing Authority (ORHA), which was incorporated September 5, 1969 under the “Housing Authorities Law” Chapters 8 through 11 Title 13 TCA Sections 801 through 1113. PY2017/FY2018 will be the second year of the ORHA Five-Year Agency’s Plan.

In summary, the ORHA Five-Year Agency Plan, and it’s 2016 update, encourages public housing residents to be involved with ORHA and promotes self-sufficiency for homeowners. More information about the ORHA, and its programs and sites can be found at: <http://orha.net/>.

**AP-65 Homeless and Other Special Needs Activities**

Information to this section will be updated as information about potential social services and the resources they provide are verified by the City.

<b>Homelessness Prevention Services</b>	<b>Available in the Community</b>	<b>Targeted for Homeless</b>	<b>Targeted to People with HIV</b>
<b>Homelessness Prevention Services</b>			
Counseling/Advocacy	Yes	Yes - TORCH	Yes - TORCH
Legal Assistance	Yes	Yes – Legal Aid	Yes – Legal Aid
Mortgage Assistance	Yes	Yes - TORCH	Yes - TORCH
Rental Assistance	Yes	Yes - TORCH	Yes - TORCH
Utilities Assistance	Yes	Yes - TORCH	Yes - TORCH
<b>Street Outreach Services</b>			
Law Enforcement	Yes	Yes - ORPD	No
Mobile Clinics (Free Clinic)	Yes	Yes – Free Medical Clinic of Oak Ridge	Unknown
Other Street Outreach Services	Yes	Yes - TORCH	Yes - TORCH
<b>Supportive Services</b>			
Alcohol & Drug Abuse	Yes	Yes - Ridgeview	Unknown
Child Care	Yes	Unknown	Unknown
Education	Yes	Yes - TORCH	Yes - TORCH
Employment and Employment Training	Yes	Yes - ETHRA	Unknown
Healthcare	Yes	Yes – Free Medical Clinic of Oak Ridge	Unknown
HIV/AIDS	Yes	Unknown	Unknown
Life Skills	Yes	Yes - TORCH	Unknown
Mental Health Counseling	Yes	Yes – Ridgeview	Unknown
Transportation	Yes	Yes - ETHRA	Unknown

## AP-75 Barriers to affordable housing

### Introduction

The regulations for the Annual Action Plan require an explanation of whether the cost of housing or the incentives to develop, maintain or improve affordable housing are negatively affected by public policies, including tax policies, land use controls, zoning ordinances, building codes, fees and charges, growth limits and policies that affect the return on residential development.

The City of Oak Ridge has and continues to be actively involved in issues concerning the housing market. The adoption and enforcement of zoning and subdivision regulations and building codes has shaped the growth of neighborhoods and influenced the design, quality, and cost of the community's housing stock. The Community Development Department administers these policies, which have made Oak Ridge a planned and livable city. During the last several years, City of Oak Ridge officials and staff have been determined to reduce the perception that the regulations and policies are detrimental to residents and residential developers. These policies and the methods to reduce the barriers to affordable, quality housing include:

- **Building codes and standards** – The City of Oak Ridge has adopted the 2012 International Building Code and International Residential Code as published by the International Code Council
- **Building permits and fees** – The City of Oak Ridge has an administrative policy D-200 titled Fees and Municipal Services and Supplies. Section 2.110, Affordable Housing Fee Adjustments eliminates any zoning fees, moving fee and demolition fee and reduces to \$25.00 the permit fees. Item a, of Section 2.110 will be updated to reference the CDBG target areas utilizing data from the most recent U.S. Census
- **Property tax abatement** – City Council approved a resolution authorizing a local option property tax freeze program for taxpayers 65 years of age or older based on income and ownership of eligible property and other guidelines as set forth in the resolution.
- **Lack of knowledge of available programs and resources** – The City of Oak Ridge will continue efforts to communicate information concerning available programs and resources through the website and newspaper notices and articles.
- **Nationwide affordable housing trends** - The private housing market does not generally provide new or updated affordable housing without some type of subsidy or incentive and older housing units that are affordable often have physical problems that make the units ineligible for financing from private lending institutions.

In addition to these barriers, many older and affordable homes in Oak Ridge available to low or moderate-income residents require some type of financing or subsidy when purchasing a home, which includes inspection of the home prior to purchase. Methods to address the barriers to affordable housing that are stated above include:

- Use of innovative approaches and cooperative partnerships with other public agencies and private organizations to meet the need for new affordable housing.
- Promote housing rehabilitation programs for older homes so that an increased number of houses meet the 2012 International Property Maintenance Code.

## **AP-85 Other Actions Introduction**

City of Oak Ridge staff and officials, non-profit organizations, businesses, faith-based organizations, neighborhood groups and citizens are all vital partners in the housing and community development delivery system.

The City of Oak Ridge uses a committee approach instead of assigning one staff member and/or one department with full responsibility for the CDBG program. The City's internal CDBG committee reviews all CDBG program activities and makes recommendations to the City Manager for his evaluation and prioritization to City Council.

The City of Oak Ridge uses CDBG entitlement funds, Emergency Solutions Grant (ESG) set-aside funds and city general fund dollars to assist with the strategies of the CDBG program. Leadership begins with the City's elected officials with the approval of the Annual Action Plan activities.

Effective program delivery would not be possible without the coordination of Federal, State and local partners. The City of Oak Ridge staff and officials rely on the area non-profit organizations, state and federal officials to provide insight with respect to the needs of our residents.

The non-profit organizations in our community are vital partners for the delivery of services and programs for Oak Ridge residents. The organizations work and coordinate to provide a valuable network of resources for Oak Ridge residents. City staff will continue to be an active participant with the area Continuum of Care, TVCH.

The Knoxville HUD office is also a valuable resource, providing advice and assistance with statutory and regulatory requirements, technical assistance and training for the CDBG Entitlement Program City of Oak Ridge staff and officials. The HUD office also helps with marketing and outreach efforts to promote community development and affordable housing for the region.

### **Actions planned to reduce lead-based paint hazards**

Childhood lead based paint poisoning is a significant problem nationally. On September 15, 2000, HUD regulation (24 CFR Part 35) took effect streamlining, modernizing and consolidating all lead-based paint requirements in federally- assisted housing to ensure that children are adequately protected from lead poisoning. The regulation prescribes certain action by HUD grantees to identify, stabilize or remove lead-based paint hazards in any housing receiving HUD assistance.

The rule only affects residential structures built before 1978. The scope of activities required by HUD is dependent upon the type of housing impacted and the amount of federal assistance being provided, with rehabilitation activities using in excess of \$25,000 of HUD funds requiring the highest level of treatment.

The City of Oak Ridge includes a detailed and strict requirement in the CDBG sub recipient agreements pertaining to the treatment of lead-based paint. The article of the sub recipient agreement specifies the Lead-Based Paint Poisoning Prevention Act and the HUD Lead-Based Paint Regulations. The City of Oak Ridge also verifies with all sub recipients that information concerning lead-based paint hazards is provided to their clients. Matt Widner, the Housing Remediation Specialist, is certified as an EPA Lead

Inspector. He is certified & licensed to conduct all lead-based paint initial inspections and risk assessments.

The City of Oak Ridge and partners will continue to address the hazards of lead-based paint in the activities receiving HUD funding, in compliance with the prescribed regulations and for the health, safety and welfare of our citizens.

### **Actions planned to reduce the number of poverty-level families**

The City's primary tools to address poverty are currently limited to tax policies, social service programs, housing assistance and economic development programs. When these are combined with the provision of life safety programs such as police and fire protection and the construction and maintenance of city infrastructure (streets, parks and utilities) they help create the kind of environment where citizens can concentrate on positive life activities and outcomes (working, taking care of themselves, their families and their property).

The City, in conjunction with other public agencies and private organizations, will seek to provide very low- and low-income households with various opportunities to gain the knowledge, skills and motivation to become fully self-sufficient. The City of Oak Ridge will continue to pursue resources and innovative partnerships to promote the development of affordable housing, assist with strategies that help with homeless prevention, provide emergency assistance, support health services and transportation; all with the intent of building a community that is empowered to provide a constructive quality of life for all its citizens.

### **Actions planned to develop institutional structure**

A requirement of the Annual Action Plan is to describe the organizations that assist the City of Oak Ridge to provide the housing and community development-related programs. Institutional structure is defined as the private, public and non-profit organizations through which a jurisdiction will carry out the Consolidated Plan activities. City of Oak Ridge staff and officials, non-profit organizations, businesses, faith-based organizations, neighborhood groups and citizens are all vital partners in the housing and community development delivery system.

#### **City of Oak Ridge Staff and Officials**

The City of Oak Ridge uses a CDBG committee approach instead of assigning one staff member and/or one department with the full responsibility for the CDBG program. The City's internal CDBG committee reviews all CDBG program activities and makes recommendations to the City Manager for his evaluation and prioritization to City Council.

This Annual Action Plan 2017 – 2018 reflects input by city staff, officials, non-profit agencies and residents. The Community Development Department was tasked with the responsibility of conducting public meetings, collecting data, documenting the process and drafting the Annual Action Plan.

**Housing and Community Development Partners**

The City of Oak Ridge uses CDBG entitlement and ESG funds along with the City’s general fund dollars to assist with HUD’s national goals of the CDBG program. Leadership begins with the City’s elected officials and the approval of the Annual Action Plan activities.

Effective program delivery would not be possible without the coordination of Federal, State and local partners. The City of Oak Ridge staff and officials rely on the area non- profit organizations (social service agencies), as well as state and federal officials to provide insight with respect to the needs of our residents. The non-profit organizations in our community are vital partners for the delivery of services and programs to Oak Ridge residents. The organizations throughout the region and particularly here in Oak Ridge work and coordinate together to provide necessary resources to everyone in Oak Ridge who is need of them.

The Knoxville HUD office is also a valuable resource that provides advice and assistance with statutory and regulatory requirements, technical assistance, and training for staff and officials to better understand the CDBG entitlement program. The Knoxville HUD office also helps with marketing and outreach efforts to promote community development and affordable housing for the region.

City of Oak Ridge residents appreciate the dedicated service and support of their state and federal elected officials.

**Summary of Institutional Delivery Structure**

Responsible Entity	Responsible Entity	Role	Geographic Area Served
The City of Oak Ridge	Government	Grant	City of Oak Ridge
Sub-recipients	Nonprofit organizations	Sub-recipient	City of Oak Ridge

**Table 49 - Institutional Delivery Structure Program Specific Requirements**

**AP-90 Program Specific Requirements**

The City of Oak Ridge does not generate Program Income from CDBG monies.

**APPENDIX**

**A. CERTIFICATIONS**

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing**

The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

**Anti-displacement and Relocation Plan**

It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG program.

**Anti-Lobbying**

To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

**Authority of Jurisdiction**

The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with plan**

The housing activities to be undertaken with CDBG funds are consistent with the strategic plan.

**Section 3**

It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

## Specific CDBG Certifications

The Entitlement Community certifies that:

### Citizen Participation

It is in full compliance and following a citizen participation plan that satisfies the requirements of 24 CFR 91.105.

### Community Development Plan

Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

### Following a Plan

It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

### Use of Funds

It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year 2017-2018, shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue

sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

**Excessive Force**

It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations;
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

**Compliance with Anti-discrimination laws**

The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

**Lead-Based Paint**

Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

**Compliance with Laws**

It will comply with applicable laws.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Title

Date:

**RESOLUTION**

A RESOLUTION APPROVING THE CDBG CONSOLIDATED PLAN 2017-2020, INCLUDING A CITIZEN PARTICIPATION PLAN; THE PY2017/FY2018 ANNUAL ACTION PLAN; AND PROPOSED ALLOCATIONS OF COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT FUNDS FOR PY2017/FY2018 ESTIMATED AT \$170,000.00.

WHEREAS, PY2017/FY2018 will be the 34<sup>th</sup> year that the City of Oak Ridge is the recipient of Community Development Block Grant (CDBG) Entitlement funds from the U. S. Department of Housing and Urban Development (HUD); and

WHEREAS, HUD requires the development and submission of a Consolidated Plan at least every five years, however, the Consolidated Plan may be developed and submitted for a three-year period if deemed appropriate by the grant recipient; and

WHEREAS, the Consolidated Plan document shall include a citizen Participation Plan and the Annual Action Plan; and

WHEREAS, the amount of funds available for distribution under the PY2017/FY2018 CDBG Entitlement Program is estimated at \$170,000.00; and

WHEREAS, HUD requires that a description of the City's proposed allocations of CDBG Entitlement funds be included in the PY2017/FY2018 Annual Action Plan of the Consolidated Plan, which is subject to HUD approval before disbursement of CDBG allocations; and

WHEREAS, the City Manager recommends approval of the City of Oak Ridge CDBG Consolidation Plan 2017-2020, including a Citizen Participation Plan; the PY2017/FY2018 Annual Action Plan; and proposed funding allocations.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City of Oak Ridge Consolidated Plan 2017-2020, including a Citizen Participation Plan, is hereby approved.

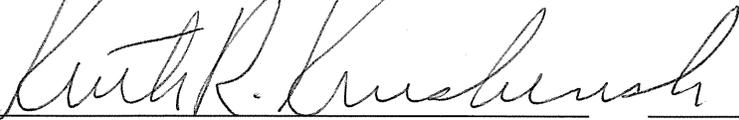
BE IT FURTHER RESOLVED that the PY2017/FY2018 Annual Action Plan and the following proposed allocations of Community Development Block Grant Entitlement funds estimated to be available for PY2017/FY2018 totaling \$170,000.00 are hereby approved:

- Acquisition/Removal of Vacant Blighted Housing \$125,000.00
- Residential Electrical Upgrades MORE<sup>2</sup> Program \$ 15,000.00
- Neighborhood Improvement Projects \$ 10,000.00
- Right-of-Way Infrastructure, Traffic Calming, Public Transportation Access \$ 10,000.00
- Program Grant Administration \$ 10,000.00

BE IT FURTHER RESOLVED that the proposed allocations listed above are based upon estimated funding and will be proportionately adjusted from estimated funding levels to match actual funding levels.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

**OAK RIDGE POLICE DEPARTMENT MEMORANDUM  
17-02**

DATE: May 19, 2017  
TO: Mark S. Watson, City Manager  
FROM: James T. Akagi, Chief of Police  
SUBJECT: Purchase of Spillman CompStat Management Suite

Introduction

An item for City Council's consideration is a resolution authorizing the purchase and installation of the Spillman CompStat Management Dashboard, Community Dashboard, Command Staff Productivity Dashboard, and the Computer Aided Dispatch (CAD) Management Dashboard for the Police Department (ORPD) in an estimated amount of \$61,530.00.

Funding

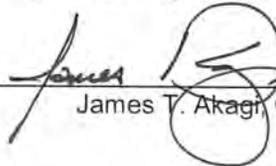
Funding for this purchase will come from a federal Department of Energy grant in which the Police Department received.

Background

The Spillman CompStat Software suite is proprietary to the Spillman CAD and records management system (RMS). This item will be a bid waiver, which requires unanimous approval of Council. This software suite will provide statistical and analytical information on crimes, officer and dispatcher workload, the software also includes a mapping feature that allows supervisors to visually present where the work is needed and being performed. The community dashboard will allow citizens to see where crime is occurring in their community and provide further transparency. CompStat Management Dashboard eliminates the need to run multiple reports by compiling information stored in the RMS database into easily analyzed charts and graphs of crime trends and more. This feature allows command staff to quickly make informed decisions about where to focus personnel and other agency resources.

Recommendation

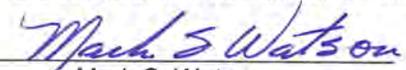
Approval of the attached resolution is recommended to purchase and installation of the Spillman CompStat Management Dashboard, Community Dashboard, Command Staff Productivity Dashboard, and the Computer Aided Dispatch (CAD) Management Dashboard for the Police Department (ORPD) in an estimated amount of \$61,530.00. This will be purchased with grant funding.

  
James T. Akagi, Chief of Police

Attachment(s):  
Resolution

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
Mark S. Watson      6-9-17  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO SPILLMAN TECHNOLOGIES, INC., SALT LAKE CITY, UTAH, FOR THE PURCHASE OF THE SPILLMAN COMPSTAT SOFTWARE MANAGEMENT SUITE IN THE ESTIMATED AMOUNT OF \$61,530.00.

WHEREAS, by Resolution 2-13-2014, City Council awarded a contract with Spillman Technologies, Inc., for implementation and annual maintenance of an enterprise-wide records management system (RMS) for the Police Department, which included but is not limited to recurring training, software upgrades and enhancements for workstations and mobile servers, and 24/7 critical technical support for remote support connectivity and mobile records management; and

WHEREAS, Spillman Technologies, Inc., is the sole source provider of their products and services, and the Police Department desires to purchase Spillman's CompStat software suite which contains the CompStat Management Dashboard, Community Dashboard, Command Staff Productivity Dashboard, and Computer Aided Dispatch (CAD) Management Dashboard; and

WHEREAS, this software suite will provide statistical and analytical information on crimes, officer and dispatcher workload, and will compile information in the RMS database into easily analyzed charts and graphs; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to Spillman Technologies, Inc.

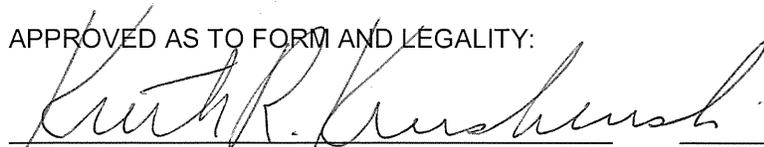
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager to waive competitive bids is approved and award is hereby made to Spillman Technologies, Inc., 4625 Lake Park Blvd, Salt Lake City, Utah 84120, for purchase of the CompStat software suite containing the CompStat Management Dashboard, Community Dashboard, Command Staff Productivity Dashboard, and Computer Aided Dispatch (CAD) Management Dashboard, in the estimated amount of \$61,530.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to enter into the appropriate legal instruments to accomplish the same.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

**PUBLIC WORKS DEPARTMENT MEMORANDUM**  
**17-16**

**DATE:** May 24, 2017  
**TO:** Mark S. Watson, City Manager  
**THROUGH:** Shira A. McWaters, Pubic Works Director *SAW*  
**FROM:** Roger Flynn, P.E., City Engineer  
**SUBJECT: REQUEST FOR PROFESSIONAL ENGINEERING SERVICES - SR-95 & 62  
MULTIMODAL ACCESS PROJECT**

Introduction

An item for City Council consideration is a recommendation approving a contract to provide professional engineering services for the Oak Ridge Turnpike (ORTP) & South Illinois Multimodal Access Project, provided by Kimley-Horn of Nashville, TN, in the approximate amount of \$298,800.

Funding

The total cost for professional engineering services is approximately \$298,800. Anticipated budget for the project as a whole, including both engineering and construction, is approximately \$975,811. This project is being funded with a Tennessee Department of Transportation (TDOT) Multimodal Access Grant in the amount of \$927,021.40 which requires a 5% match of \$48,790. The grant is allocated in three (3) phases over a three (3) year period.

Background

At the August 8, 2016 meeting, City Council approved, by Resolution 8-52-2016, acceptance of a Multimodal Access Grant to fund engineering and construction of improvements for pedestrian connectivity on South Illinois Avenue and ORTP. The improvements include the addition of approximately 43 handicap ramps, 30 longitudinal crosswalks and countdown pedestrian signals with pushbuttons. In addition, the project will construct sections of new sidewalk at up to 24 locations, with the footage totaling approximately one (1) mile. Repairs to as much as 800 linear feet of existing sidewalk is also proposed. The actual footage amount will depend on bid prices prior to construction.

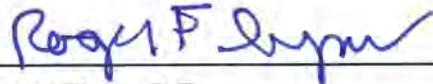
This contract includes a total of nine (9) tasks. Tasks one through seven include pre-construction services, such as existing conditions survey of the entire project corridor, National Environmental Protection Act (NEPA) survey and documentation, preliminary design, final design, environmental permitting and project management, as well as progress meetings and public involvement. Tasks eight and nine provide professional engineering services during the bid and Construction phases, and Engineering and Inspection (CEI) services during construction. This contract lump sum with the fees is as follows:

Total of Tasks 1 thru 7	\$175,300
Total of Tasks 8 and 9	<u>\$123,500</u>
Total	\$298,800

TDOT Local Programs Manual specifies a procedure that must be followed during the selection of engineering consultants and also requires that any consultant used on a project funded by TDOT must be pre-qualified by TDOT. Public Works formed an internal Consultant Evaluation Committee and solicited Statements of Qualifications for the project; seven (7) responses were received. The committee reviewed all proposals and requested presentations from three (3) firms. All were found to be capable; however, Kimley-Horn was the unanimous choice.

Recommendation

The Consultant Evaluation Committee, and Staff, recommends approval of the accompanying resolution as submitted.



\_\_\_\_\_  
Roger Flynn, P.E.

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.



\_\_\_\_\_  
Mark S. Watson



\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., NASHVILLE, TENNESSEE, FOR ENGINEERING SERVICES IN THE ESTIMATED AMOUNT OF \$298,800.00 RELATED TO THE MULTIMODAL ACCESS PROJECT AT OAK RIDGE TURNPIKE AND SOUTH ILLINOIS AVENUE.

WHEREAS, by Resolution 8-52-2016, City Council accepted a Multimodal Access Grant from the State of Tennessee Department of Transportation in the estimated amount of \$927,021.40 for sidewalk improvements including new sidewalks, ADA-compliant ramps, and crosswalk improvements along the Oak Ridge Turnpike between Illinois Avenue and Fairbanks Road; and

WHEREAS, the grant includes funds for engineering and construction improvements for pedestrian conductivity on South Illinois Avenue and the Oak Ridge Turnpike, said improvements to include accessibility ramps, longitudinal crosswalks, countdown pedestrian signals with pushbuttons, construction of new sidewalk, and repair of existing sidewalk; and

WHEREAS, the City is now ready to move forward with this project and developed a Statement of Qualifications process for the engineering services; and

WHEREAS, an internal Consultant Evaluation Committee evaluated the seven (7) responses received, with Kimley-Horn and Associates, Inc., Nashville, Tennessee, selected as the most qualified firm to provide the needed engineering services beginning with the pre-construction phase through the construction and inspection phase; and

WHEREAS, the City Manager recommends approval of a professional services agreement with Kimley-Horn.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and a Professional Services Agreement with Kimley-Horn and Associates, Inc., 214 Oceanside Drive, Nashville, Tennessee 37204, for engineering services from the pre-construction phase through the construction and inspection phase related to the Multimodal Access Project at Oak Ridge Turnpike and South Illinois Avenue is hereby approved in the estimated amount of \$298,800.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**CITY MANAGER MEMORANDUM**  
**17-22**

DATE: June 9, 2017

TO: Honorable Mayor and City Council Members

FROM: Mark S. Watson, City Manager  
Janice E. McGinnis, Finance Director

SUBJECT: WATER PLANT CONTRACT WITH US DEPARTMENT OF ENERGY

Introduction

An item for City Council's consideration is the revision and extension of the water services contract with the US Department of Energy (DOE). The term of the contract will be through June 30, 2027.

Background/Review

The City has had a water services contract with DOE since May 2000. The contract has had several modifications and extensions since the time. The major changes or provisions to the contract are as outlined below:

B.3 Price (a) Page 2 - This sets the water rate for July 1, 2017 to June 30, 2018 at \$2,206,674, which will be paid in monthly installments of 183,889.50. DOE is currently paying \$175,323 per month.

B.3 Price (b) Page 2 - Much of this language was in earlier versions. Referencing maps and clarifying language have been added. This section outlines the process that will be used for DOE to contribute to future capital improvement projects. DOE's share of the improvement is 50% (unless both parties agree to a modification). This section applies to planned capital projects where DOE's share is over \$100,000 (\$200,000 total project).

B.4 (a) Page 4 - Economic Price Adjustment – This section outlines the calculation for DOE's annual water rate and cost sharing split. Section J, Attachment D Water Rate Calculation Workbook outlines the methodology for calculating the rate. Each future year the rate resets to an actual water treatment plant expense base from the last City's audited fiscal year. That year's actual cost is indexed to obtain a current year expense estimate and then indexed again to obtain the next year's contract expense base. The base rate includes \$250,000 annually for routine capital that is not indexed.

B.4 (b) Page 4 - Economic Price Adjustment – This section sets DOE's share of the expense base calculated in (a) above. DOE's share will be 50% through June 30, 2022. For the subsequent five years of the contract, DOE will pay 50%, unless the last 5 years average of DOE's water usage falls outside 48% to 52% of total water distributed from the plant. If that occurs, then DOE's rate will be based on their average last 5 years percentage usage.

B.7 (1) Page 6 – Substantial Events – The applicable event amount where DOE shares costs was reduced from \$500,000 to \$300,000.

H.9 Audit Page 16 – This provision was added so that the applicable annual costs related to the water plant expense and capital, which are a part of the City's annual independent audit, could be specifically identified by DOE and used for calculation of the annual water rate. While DOE has not given up their right to audit these costs, their intent is to rely on the City's independent auditor's report.

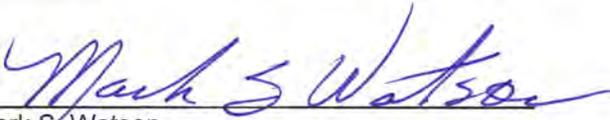
There were other minor verbiage changes and updates to contract clauses and reporting requirements that the City must follow to meet current federal FAR provisions.

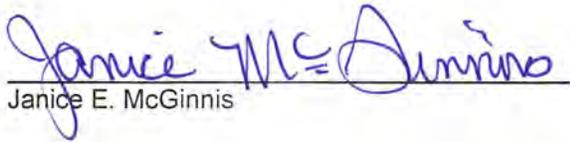
Recommendation

Staff recommends approval of the attached resolution.

Attachments

Water Plant Contract with referenced attachments  
Resolution

  
\_\_\_\_\_  
Mark S. Watson

  
\_\_\_\_\_  
Janice E. McGinnis

## SECTION B SUPPLIES OR SERVICES AND PRICES/COSTS

### B.1 DEFINITIONS

(a) As used in this Contract:

- (1) The term "City" and "Contractor" means the City of Oak Ridge.
  - (2) The term "Government" and "DOE" means the U.S. Department of Energy.
  - (3) The term "Government Sites" means the DOE Sites consisting of the Y-12 National Security Complex ("Y-12") and the Oak Ridge National Laboratory ("ORNL"), including the Spallation Neutron Source ("SNS") and the High Flux Isotope Reactor ("HFIR").
  - (4) The term "Potable Water" means water that meets current and future Federal and State of Tennessee drinking water standards applicable to municipalities.
  - (5) The term "Non-potable Water" means water from the intake facility that has not been processed at the Water Treatment Facility located on Bear Creek Road and does not meet Potable Water standards.
  - (6) The term "Government Easement" means property owned by the Government to which the City has been granted a legal easement which establishes terms and conditions for the use of that easement
  - (7) The term "back-flow prevention facilities" means those facilities which prevent the Government Sites from contaminating the City's Water Treatment Facility.
- (b) This clause is hereby expanded to include the additional definitions contained in Federal Acquisition Regulation ("FAR") Clause 52.201-1, Definitions (OCT 1995) (as modified by the Department of Energy Acquisition Regulation (DEAR) 952.202-1) (MAR 1985), which is included in its entirety in Section I.

### B.2 OBLIGATION OF FUNDS

The total amount currently obligated to the Contract for the services described in Section C is \$417,000. It is anticipated that from time to time additional funds will be obligated to this Contract as necessary to reimburse the City at the rates established for metered quantities of Potable Water supplied to the points of delivery identified in Section C throughout the term of this Contract.

The total funds are obligated specifically for metered consumption at either the Y-12 Plant or

ORNL as follows:

<u>Government Site</u>	<u>B&amp;R No. / Local Use:</u>	<u>Total Amount</u>
ORNL	0471981	<u>\$150,000</u>
Y-12 Plant	0473411	<u>\$267,000</u>

### **B.3 PRICE**

In consideration of the performance under this Contract, the City shall be paid the consideration identified below; consideration shall constitute complete payment for all services and materials furnished and accepted pursuant to the statement of work.

The "Potable Water Rate" shall be the rate charged by the City to DOE for Potable Water supplied to DOE points of delivery for Potable Water as set in accordance with this Section. In accordance with the Quitclaim Deed ("Deed") executed on April 28, 2000, at no time shall the City charge DOE a Potable Water Rate which is higher than the rate the City charges the City's Water Distribution Center.

(a) POTABLE WATER RATES BEGINNING JULY 1, 2017

- (1) From July 1, 2017, through June 30, 2018, DOE shall pay an annual rate of \$2,206,674; payable in equal monthly increments pursuant to Section G.2. For each subsequent contract year the rate shall be adjusted in the month of July in accordance with Section B.4 and shall be made part of this contract by issuance of a contract modification

(b) CONTRIBUTIONS TO CAPITAL IMPROVEMENT PROJECTS

- (1) In accordance with state law, the City is required to charge fees necessary to provide for all expenses of operation, maintenance and improvements of the municipally operated utility water system. Such being the case, the customers/beneficiaries of the water service contribute towards the costs of facilities operation and maintenance including the updating of the facilities which the City refers to as "capital improvements." DOE maintains its own distribution system (beyond the "delivery points" identified in Section J, Attachment A), but as a customer of the City, DOE receives a beneficial use from the Water Treatment Plant (WTP). DOE is only required to contribute towards the capital improvements related specifically to the WTP. For the purposes of this contract, the WTP is defined as the plant footprint, to include all purification sections (filters, basins, flocculators, etc. and related areas in Parcel 1 as identified in the Quitclaim Deed), such as any building or equipment directly related to the purification of the raw water up to that point where the treated water piping branches off to feed DOE facilities only and does NOT include the City's distribution system. The term WTP also includes the intermediate raw water intake at the Clinch River and all equipment (mechanical & electrical) and piping associated with pumping the raw water from the river to the WTP as defined above.

The process by which DOE will contribute towards the WTP capital improvement projects during the period of performance is established in the following paragraphs.

- i. The City will charge DOE for capital improvements to the WTP. DOE’s share for any capital improvement will be 50 percent. Any funding provided pursuant to this paragraph will only be utilized for such capital improvement projects designated for the WTP and agreed upon by DOE and the City pursuant to a modification.

**Status Meetings and Project Reporting.** If DOE contributes funds to an individual capital improvement project in an amount over \$100,000.00 (excluding situations covered in B.7), City and Government shall participate in in-person meetings wherein the City will provide updates regarding the status (schedule, cost, performance, and risk) at the frequency identified in the modification obligating such funds to the City. For each bill for payment by DOE, the City shall provide the Government a written report summarizing this project status and costs expended through such date and DOE shall pay its 50 percent share (or such other agreed upon percentage or amount in a modification) of such project costs as set forth in the modification.

- ii. Notwithstanding paragraph B.3(b)(1)(i) the Government may contribute a mutually agreed upon amount of funding greater than its cost share for a capital improvement project which is for the principal benefit of DOE in consideration for the City’s agreement to commence and complete the project within the projected schedule identified by the City and agreed to by the Government. Prior to the obligation of funds by the Government, the City shall provide the Engineers Cost Estimate and the Statement of Work from the bid package specifications. The amount of funding contributed by the Government pursuant to this paragraph represents its total contribution towards the completion of each specific project, except as set forth in this Contract.

Projects undertaken pursuant to this clause are shown in the table below:

<b><u>Project Title</u></b>	<b>Government Funds Obligated</b>		
	Design	Construction/Engineering	Total
WTP Chemical Feed Building (Design Only)	\$25,000	\$0	\$25,000

The City agrees that it shall provide DOE with status reports regarding each project’s schedule and other such information related to such project reasonably requested by the Government. Any funding provided pursuant to this sub-paragraph ii will only be utilized for the designated capital improvement project.

- iii. All work performed by the City for capital improvement projects is done so under the direction and responsibility of the City. Except as set forth in

this Contract, the Government assumes no responsibility or liability for any aspect of the City’s engineering and construction related to the capital improvement projects or subsequent future operation of the capital improvement projects contributed to by DOE.

**B.4 ECONOMIC PRICE ADJUSTMENT**

(a) CONTRACT YEAR POTABLE WATER RATE ADJUSTMENT

By March 1 of each contract year the City shall submit a copy of the City’s official audited report regarding the City’s operation costs for the water treatment plant from the prior fiscal year (July 1 – June 30 identified as the “Contract Year”) to DOE in form set forth in Section J, Attachment F (“Water Treatment Plant Audit”).

The change in the United States, AHE, Trade Transportation, and Utilities Index (CEU4000000008), as published by IHS Markit or its successor publisher (or similar index as mutually agreed to by parties if the aforementioned index is unavailable), (“Index Rate”), will be used to calculate each subsequent Contract Year Potable Water Rate. The Index Rate shall be provided by DOE to the City within fifteen (15) days of its publication in March of each year. Upon the City’s request, DOE may provide access to the underlying information that forms the basis of the Index Rate to the extent such access complies with DOE’s terms of use agreement with IHS Markit®.

The Index Rate will be applied to the City’s operational costs from the Water Treatment Plant Audit as outlined in Section J, Attachment D Water Rate Calculation Workbook. The next Contract Year’s Potable Water Rate shall be calculated by the City and provided to DOE by April 15.

(b) ALLOCATION OF WATER RATE

For the period of July 1, 2017 – June 30, 2022, DOE’s pro rata share for the purchase of water shall be fifty percent (50%) of the City’s cost to operate the WTP (“Share”).

On March 1, 2022, the Share will be re-evaluated by the City and DOE to determine the Share for the subsequent five (5) years of the Contract. The City’s average actual delivery of water to DOE in the five (5) prior City fiscal years will be calculated (“5 Year Average”). If the 5 Year Average is more than fifty-two percent (52%) or less than forty-eight percent (48%) of the water distributed from the WTP, the Share shall be adjusted to reflect the 5 Year Average; otherwise, the Share shall remain equal to fifty percent (50%) of the City’s cost to operate the WTP.

**B.5 CLIN STRUCTURE**

Contract Line Items for Period of Performance beginning July 1, 2017 through June30, 2027:

CLIN NUMBER	DESCRIPTION	Period of Performance	UNITS Months	UNIT COST	TOTAL COST
00005	WTP Chemical				\$

	Feed Building Project				
00006	Potable Water	July 1, 2017 – June 30, 2018	12	<b><u>\$183,889</u></b>	<b><u>\$2,206,674</u></b>
00007	Potable Water	July 1, 2018 – June 30, 2019	12	\$	\$
00008	Potable Water	July 1, 2019 – June 30, 2020	12	\$	\$
00009	Potable Water	July 1, 2020 – June 30, 2021	12	\$	\$
00010	Potable Water	July 1, 2021 – June 30, 2022	12	\$	\$
00011	Potable Water	July 1, 2022 – June 30, 2023	12	\$	\$
00012	Potable Water	July 1, 2023 – June 30, 2024	12	\$	\$
00013	Potable Water	July 1, 2024 – June 30, 2025	12	\$	\$
00014	Potable Water	July 1, 2025 – June 30, 2026	12	\$	\$
00015	Potable Water	July 1, 2026 – June 30, 2027	12	\$	\$

**B.6 INSTALLATION OF BACK-FLOW PREVENTION STATION**

If additional back-flow prevention is required by law to prevent contamination of the City's water supply by the Government Sites, the City shall construct back-flow prevention facilities

(including required modifications to the system, metering relocation, piping modification, and pressure modification) on its property or on easements provided by the Government. The Government recognizes that it will be DOE's responsibility to reimburse the City for the cost of these facilities. DOE will negotiate specifications and cost with the City. The City shall not receive reimbursement in excess of the cost incurred for the Installation and shall provide the Government with documentation supporting such costs. DOE shall have the right to review and approve the design of all back-flow prevention facilities.

#### **B.7 SUBSTANTIAL EVENTS**

- (1) For purposes of this clause, the term "Substantial Event" means an event, e.g., structural, pipe or mechanical failure, that cannot be reasonably insured against; that would occur unexpectedly that was not the result of the City's failure to perform routine inspection, maintenance and repair, and that would cause the City to incur costs in excess of \$300,000.
- (2) The City shall charge DOE in accordance with Section B.3(b)(1) for its contribution to projects undertaken to address repairs related to Substantial Event(s) that occur during the term of the Contract.

#### **B.8 ANTI-DEFICIENCY**

Unless otherwise authorized by Public Law or Federal Regulation nothing contained herein shall be construed as binding the Government to expend, in any one fiscal year, any sum in excess of the appropriation made by Congress for that fiscal year in furtherance of the matter of the Contract or to involve the Government in an obligation for the future expenditure of monies before an appropriation is made (Anti-Deficiency Act, 31 U.S.C. Section 1341)

**SECTION C**  
**DESCRIPTION/SPECIFICATIONS/WORK STATEMENT**

**C.1 STATEMENT OF WORK**

The City shall use reasonable efforts to provide a continuous supply of Potable Water to the Government Sites as defined in Section B.1, Definitions, at the points of delivery specified below.

The City shall not reconfigure, or otherwise modify, the current water distribution system to the Government Sites in a manner that could result in changes to the operational characteristic of facilities at the Government Sites without prior consultation with the DOE Contracting Officer's Representative ("COR"). DOE shall not modify any pipes, valves, or other personal property owned by the City without the consent of the City.

The City is responsible for complying with all applicable federal, state and local laws when operating the water system. DOE shall provide the City with at least eight (8) months prior notice before changing or amending a point of delivery, except for an emergency situation.

The City shall provide DOE a copy of the monthly electronic spreadsheet of the Tennessee Department of Environment and Conservation "TDEC", Division of Water Supply, Comprehensive Monthly Operation Report ("MOR") to the Contracting Officer's Representative on a monthly basis.

Due to variations in monthly consumption of water, DOE shall by January 30 of each year provide the City with an estimate of its prospective water consumption for two (2) years annually ("Water Usage Estimate") to assist the City with planning for future water requirements. The Water Usage Estimate does not obligate DOE to make any minimum level of purchases and shall be used by the City for planning purposes only. In addition, since the HFIR at ORNL has a large impact on usage, the following website can be accessed for the HFIR operating schedule.

<https://neutrons.ornl.gov/hfir>

**C.2 POINTS OF DELIVERY**

The points of delivery for Potable Water delivered to the Y-12 site shall be:

- (a) Flange of tee on downstream side of the City's valve V-100 at East Elevated Water Tank.
- (b) Flange of tee on downstream side of the City's valve V-200 at East Elevated Water Tank

The point of delivery for Potable Water delivered to the ORNL shall be the elbow joint on the 24" line where the line turns South at Bear Creek Road.

All delivery points are identified on the map included in this Contract as Section J, Attachment A.

**SECTION D**  
**PACKAGING AND MARKING**

RESERVED

**SECTION E**  
**INSPECTION AND ACCEPTANCE**

**E.1 INSPECTION AND ACCEPTANCE**

The Government reserves the right to inspect or test water quality at the points of delivery; however, the Government is not obligated to do so.

The City shall notify the Contracting Officer if any Potable Water from the Water Treatment Facility to the Government Sites fails to meet the Federal and/or State of Tennessee standards for municipal water production facilities in Tennessee. If the Potable Water delivered to any Point of Delivery does not meet these standards, the City shall be responsible for corrective actions required to bring the Potable Water yet to be delivered into conformance with state and federal law at no additional cost to the Government except as provided in the clause in Section B.7(a) entitled, "Substantial Events."

The City shall not modify the chemicals used in the treatment of Potable Water without reasonable advance notification to DOE Contracting Officer's Representative. The chemicals used in the treatment of potable water are identified in Section J, Attachment B.

**SECTION F**  
**DELIVERIES OR PERFORMANCE**

**F.1 TERM OF CONTRACT**

The term of this contract is ten (10) years and shall expire on June 30, 2027.

**F.2 ORO FOS PRINCIPAL PLACE OF PERFORMANCE (MAY 1997)**

The principal place of performance is Oak Ridge, Tennessee.

**SECTION G**  
**CONTRACT ADMINISTRATION DATA**

**G.1 ORO G01 CORRESPONDENCE PROCEDURES (MAY 1997) (Revised)**

- (a) Correspondence: All correspondence submitted by the City (except for invoices and reports) shall be subject to the following procedures:
- (1) Technical Correspondence. Technical correspondence concerning performance of this Contract shall be addressed to the DOE COR, with an information copy of the correspondence to the DOE Contract Specialist
  - (2) Non-technical Administrative Correspondence. All correspondence, other than technical correspondence, shall be addressed to the Contracting Officer or Contract Specialist designated in Clause G.4, with information copies of the correspondence to the DOE COR.
  - (3) Subject Line(s). All correspondence shall contain a subject line commencing with the Contract number, as illustrated below:

"SUBJECT: Contract No.DE-AC05-000R22777 [(Insert subject topic after Contract number, e.g., "Request for subcontract placement consent").]"

- (b) Notices: Any notice required by this Contract shall be given in writing to the Parties designated below. Notices shall be effective
- (1) when delivered personally to any Party, or
  - (2) three (3) business days after deposited, postage fully prepaid, registered or certified, in an official receptacle of the United States Postal Service, or
  - (3) upon confirmation of receipt, if electronically communicated by electronic mail ("e-mail") or telecopier (provided that the receipt of e-mail or telecopier communication is confirmed by the other Party in writing or by return e-mail or telecopier message).

To the City:           City of Oak Ridge  
                          Attn: Mark S. Watson, City Manager  
                          P.O. Box 1  
                          Oak Ridge, Tennessee 37831-0001

Telephone: 865-425-3551  
Facsimile: 865-425-3420  
e-mail: [mwatson@oakridgetn.gov](mailto:mwatson@oakridgetn.gov)

with a copy to: City of Oak Ridge  
Department of Public Works Attn: Shira McWaters  
Director of Public Works 100 Woodbury Lane  
Oak Ridge, Tennessee 37830

Telephone: 865-425-1875  
Facsimile: 865-425-1843  
e-mail: [smcwaters@oakridgetn.gov](mailto:smcwaters@oakridgetn.gov)

City of Oak Ridge  
Attn: Janice McGinnis, Finance Director  
P.O. Box 1  
Oak Ridge, Tennessee 37831-0001

Telephone: 865-425-3617  
Fax: 865-425-3425  
Email: [jmcginnis@oakridgetn.gov](mailto:jmcginnis@oakridgetn.gov)

Government: U.S. Department of Energy  
Oak Ridge Office  
Procurement and Contracts  
Acquisition Services Branch  
Attn: Casey McCracken Contracting Officer  
P.O. Box 2001  
Oak Ridge, Tennessee 37831

Telephone: 865-574-1322  
e-mail: [casey.mccracken@science.doe.gov](mailto:casey.mccracken@science.doe.gov)

Without the need to modify this clause, a Party may at any time, by written notice, change the designation, address, telephone number or facsimile number of the person specified. This paragraph does not apply to notices and requests of a routine character in connection with delivery or receipt of water, or in connection with operation of facilities.

## **G.2 DOE-G-2005 Billing Instructions (OCT 2014)**

(a) Contractors shall use Standard Form 1034, Public Voucher for Purchases and Services Other than Personal, when requesting payment for work performed under the contract.

(b) Contractors shall submit vouchers electronically through the Oak Ridge Financial Service Center's (ORFSC) Vendor Inquiry Payment Electronic Reporting System (VIPERS). VIPERS allows vendors to submit vouchers, attach supporting documentation and check the payment status of any voucher submitted to the DOE. Instructions concerning contractor enrollment and use of VIPERS can be found at <https://vipers.doe.gov>.

(c) A paper copy of a voucher that has been submitted electronically will not be accepted.

### **G.3 CONTRACTING OFFICER'S REPRESENTATIVE**

Pursuant to the clause at DEAR 952.242-70, Technical Direction, the Contracting Officer shall designate in writing a Contracting Officer's Representative (COR) for this contract, and provide a copy of such designation to the contractor, including the delegated responsibilities and functions. The COR does not have authority to perform those functions reserved exclusively for the Contracting Officer.

The Contracting Officer's Representative (COR) for the purposes of monitoring and coordinating the technical requirements of this contract is Kara Bush, 865-574-0107  
kara.bush@science.doe.gov.

### **G.4 ORO G25 CONTRACT ADMINISTRATION (MAY 1997)**

The Contract will be administered by:

U.S. Department of Energy

Oak Ridge Office

Procurement and Contracts

Acquisition Services Branch

Attn: Casey McCracken, Contracting Officer

P.O. Box 2001

Oak Ridge, Tennessee 37831

Written communication shall make reference to the Contract number and shall be mailed to the Contract Specialist designated via separate correspondence to the above address.

**SECTION H  
SPECIAL CONTRACT REQUIREMENTS**

**H.1 ORO H05 MODIFICATION AUTHORITY (MAY 1997)**

Notwithstanding any of the other clauses of this Contract, the Contracting Officer shall be the only individual authorized to:

- (a) Accept nonconforming work,
- (b) Waive any requirement of this Contract, or
- (c) Modify any term or condition of this Contract.

**H.2 CHLORINE STORAGE**

The City shall manage the storage and use of chlorine in a manner consistent with all applicable regulations for municipal utilities. The City shall not exceed the current level of onsite chlorine cylinder usage and storage without notifying DOE sixty (60) days in advance.

**H.3 EXCAVATION (OCT 1999)**

- (a) DOE shall notify the City and request a utility locate through the Tennessee One Call systems ("utility locate") at least three (3) working days before performing excavation on within thirty (30) feet of the water production system pipelines, unless the work is being performed in an emergency situation, under which DOE shall notify the City and request a utility locate as soon as the Government has knowledge of the need.
  
- (b) The City shall notify DOE ten (10) days prior to commencing any non-emergency excavation work on any portion of any parcel to which DOE has granted the City an easement. 10 day notification will allow DOE and its contractors time to conduct monitoring activities necessary to assure the City the area in question is free of any contamination. When the City conducts activities provided by this clause on the Government Easement, DOE will provide Environmental, Safety, and Health assistance and consultation for the City at no cost to the City since the Occupational Safety and Health Agency does not provide such oversight at DOE facilities.

**H.4 CONTINUITY OF SUPPLY AND EMERGENCY RESPONSE**

Since the City will be providing water to nuclear facilities, the City shall use its best efforts to provide a regular and uninterrupted supply of water to the facilities at the Government Sites pursuant to the requirements of the contract. The City agrees to treat the Government Sites as priority customers.

And to divert water from other customers, if necessary, to prevent any potential nuclear incident once the DOE Oak Ridge Office (ORO) Manager or designee notifies the City's Manager about the threat of a potential nuclear incident. DOE's notification to the City will take place as soon as practicable. If the City is required to divert water to the Government sites to prevent a potential nuclear incident, the Government waives the requirement that the water diverted to the Government Sites be Potable Water.

The City shall immediately notify the Government and the Government shall immediately

notify the City when either becomes aware of the need for an emergency repair to a portion of the City's water system located on the Government Easement.

Additionally, the City agrees that in the event there is a utility line emergency in the City's distribution system, and the City cannot respond in a reasonable time and requests assistance from DOE, DOE has the option of dispatching one of its contractors to take appropriate action to assure a continuing supply of water. If a Government Site is threatened, or if there is an immediate threat to human health or the environment; DOE has the option of dispatching one of its contractors to take responsible, proportionate and appropriate action after notice to the City to assure a continuing supply of water to DOE at the points of delivery.

DOE shall respond immediately to any utility line emergency located on the Government Easement that requires emergency service and immediately assess the portion of the property affected by the portion of the water system that is in need of repair for the presence of environmental and radioactive contamination. If contamination is not found on the portion of the water system in need of emergency repair, the City shall immediately take appropriate action to repair that portion of the water system. If contamination is found on the property, DOE shall make the appropriate repair to that portion of the water system. When making any repairs to the City's water system, DOE shall utilize generally acceptable water line repair practices. The City further agrees to reimburse DOE for costs DOE reasonably incurs as a result of the required response of DOE's contractors set forth in this paragraph, except for costs arising due to damages caused by action or inaction of DOE or from environmental or radioactive contamination or other hazard existing on DOE Property that is not caused by the City.

In the event that equipment owned by the City or its subcontractors becomes contaminated during the repair of the water system, DOE or its contractors shall clean the equipment to remove the contamination. If the contamination cannot be removed from the equipment, ownership of the affected equipment shall revert to DOE, and DOE shall pay for the replacement of the affected equipment. DOE or its contractors shall use its best efforts to clean or replace any contaminated equipment as expeditiously as possible.

## **H.6 FACILITY SAFEGUARDS**

The City shall maintain the current fencing and access controls for the City's property. The City will make arrangements for all eligible City employees to be badged in order to pass specific Security Checkpoints for access to those parts of Bear Creek Road which require authorization. The City shall maintain an intrusion-detection and alarm system for the City's property. The City shall permit communication repeaters to remain on water tanks and provide reasonable access after notice to the City to DOE's badged contractors and/or subcontractors to service the repeaters. Such service shall not interfere with the City's operations.

All required badging and processing of security clearances will be completed at the expense of DOE. DOE shall use reasonable efforts to assist the City to accommodate badging. To the extent that the City's ability to provide water under this Contract is

compromised due to access issues, DOE recognizes that the City may have difficulty in delivering water to DOE.

#### **H.7 THIRD PARTIES**

Other than as provided in the clause in Section I, entitled "Assignment of Claims," nothing contained in this Contract, including any amendments or modifications thereto, shall be construed to grant, vest, or create any rights in any person not a party to this Contract. This provision is not intended to limit or impair the rights which any person may have under applicable Federal Statutes.

#### **H.8 APPLICABILITY OF CONTRACT CLAUSES**

The DOE is a customer of the City of Oak Ridge for the purposes of supplying water to the Government Sites. This Contract is for DOE's purchase of water; it is not for the management and operation of the Water Treatment Facilities. Certain clauses have been added in Sections B through H of the Contract based on requirements peculiar to the Government Sites, and these clauses apply to all aspects of services provided to the Government Sites. Section I of the Contract contains a number of clauses which apply only when the City is delivering water services solely to the Government Sites which are not as a part of the normal maintenance and operation of the Water Treatment Facilities.

The specific clauses from Section I are listed below:

52.215-21 REQUIREMENTS FOR COST OR PRICING DATA OR INFORMATION  
OTHER THAN COST OR PRICING DATA—MODIFICATIONS (OCT 2010)

52.219-9 SMALL BUSINESS SUBCONTRACTING PLAN (OCT 2015)

52.219-16 LIQUIDATED DAMAGES-SUBCONTRACTING PLAN (JAN 1999)

52.244-5 COMPETITION IN SUBCONTRACTING (DEC 1996)

52.244-6 SUBCONTRACTS FOR COMMERCIAL ITEMS AND COMMERCIAL  
COMPONENTS (DEC 2015)

#### **H.9 AUDIT**

As required by Section B.4.(a), the City shall provide a Water Treatment Plant Audit to DOE. The Water Treatment Plant Audit shall provide a schedule of the Water Treatment Plant operational expenses and capital expenditures, as well as an opinion from the auditor in the form set forth in the Water Treatment Plant Audit on such costs. The City will provide a breakout of the capital expenditures, to identify the costs associated with capital maintenance, substantial events as defined in this Contract, and other capital costs incurred at the WTP. DOE intends to rely on the City's third party accounting firm's audit to the fullest extent possible; however, in the event DOE determines the report to be inadequate, upon the written request of DOE identifying the inadequacies, the City will provide additional

supporting documentation to resolve such identified inadequacies.

**SECTION I  
CONTRACT CLAUSES**

**I.1 52.252-2 CLAUSES INCORPORATED BY REFERENCE (Feb 1998)**

This Contract incorporates the following clauses by reference with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make the full text available. Also, the full text of a clause may be accessed electronically at these addresses:

<http://www.acquisition.gov/far>

FAR/DEAR Reference	Title	Fill-in Information See FAR 52.104(D)
52.203-3	Gratuities (Apr 1984)	
52.203-5	Covenant Against Contingent Fees (May 2014)	
52.203-6	Restrictions on Subcontractor Sales to the Government (Sep 2006)	
52.203-7	Anti-Kickback Procedures (May 2014)	
52.203-8	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity (May 2014)	
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity (May 2014)	
52.203-12	Limitation on Payments to Influence Certain Federal Transactions (Oct 2010)	
52.203-13	Contractor Code of Business Ethics and Conduct (Oct 2015)	
52.203-17	Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (Apr 2014)	
52.204-4	Printing/Copying Double-Sided on Recycled Paper (May 2011)	
52.204-9	Personal Identity Verification of Contractor Personnel (Jan 2011)	
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards (Oct 2016)	
52.204-13	System for Award Management Maintenance (Oct 2016)	
52.209-6	Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (Oct 2015)	
52.209-10	Prohibition on Contracting With Inverted Domestic Corporations (Nov 2015)	

52.215-8	Order of Precedence-Uniform Contract Format (Oct 1997)	
52.215-11	Price Reduction for Defective Certified Cost or Pricing Data – Modifications (Aug 2011)	
52.215-13	Subcontractor Certified Cost or Pricing Data -- Modifications (Oct 2010)	
52.215-19	Notification of Ownership Changes (Oct 1997)	
52.215-21	Requirements for the Cost or Pricing Data or Information Other Than Cost or Pricing Data-Modifications (Oct 2010)	
52.219-8	Utilization of Small Business Concerns (Oct 2014)	
52.219-9	Small Business Subcontracting Plan (Oct 2015)	
52.219-16	Liquidated Damages-Subcontracting Plan (Jan 1999)	
52.222-3	Convict labor (Jun 2003)	
52.222-21	Prohibition of Segregated Facilities (Apr 2015)	
52.222-26	Equal Opportunity (Apr 2015)	
52.222-35	Equal Opportunity for Veterans (Oct 2015)	
52.222-36	Equal Opportunity for Workers with Disabilities (Jul 2014)	
52.222-37	Employment Reports on Veterans (Oct 2015)	
52.222-50	Combating Trafficking in Persons (Mar 2015)	
52.223-6	Drug-Free Workplace (May 2001)	
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving (Aug 2011)	
52.225-13	Restrictions on Certain Foreign Purchases (Jun 2008)	
52.229-4	Federal, State, and Local Taxes (State and Local Adjustments)(Feb 2013)	
52.232-1	Payments (Apr 1984)	
52.232-11	Extras (Apr 1984)	
52.232-23	Assignment of Claims (May 2014)	
52.232-25	Prompt Payment (Jul 2013)	
52.232-33	Payment by Electronic Funds Transfer-- System for Award Management (Jul. 2013)	
52.232-39	Unenforceability of Unauthorized Obligations (Jun 2013)	
52.232-40	Providing Accelerated Payments to Small Business Subcontractors (Dec 2013)	
52.233-1	Disputes (May 2014) Alternate I (Dec 1991)	

52.233-3	Protest After Award (Aug 1996)	
52.233-4	Applicable Law For Breach Of Contract Claim (OCT 2004)	
52.241-2	Order of Precedence -Utilities (Feb 1995)	
52.241-4	Change in Class of Service (Feb 1995)	
52.241-5	Contractor's Facilities (Feb 1995)	
52.241-11	Multiple Service Locations (Feb 1995)	
52.242-13	Bankruptcy (Jul 1995)	
52.244-5	Competition in Subcontracting (Dec 1996)	
52.244-6	Subcontracts for Commercial Items (Dec 2015)	
52.246-25	Limitation of Liability -Services (Feb 1997)	
52.249-2	Termination for Convenience of the Government (Fixed- Price)(Apr 2012)	
52.249-8	Default (Fixed-Price Supply and Service) (Apr 1984)	
52.253-1	Computer Generated Forms (Jan 1991)	

In addition, the following clauses apply:

**52.202-1 Definitions. (NOV 2013)/Modified by DEAR 952.202-1 Definitions**

When a solicitation provision or contract clause uses a word or term that is defined in the Federal Acquisition Regulation (FAR), the word or term has the same meaning as the definition in FAR 2.101 in effect at the time the solicitation was issued, unless-

- (a) The solicitation, or amended solicitation, provides a different definition;
- (b) The contracting parties agree to a different definition;
- (c) The part, subpart, or section of the FAR where the provision or clause is prescribed provides a different meaning; or
- (d) The word or term is defined in FAR Part 31, for use in the cost principles and procedures.
- (e) When a solicitation provision or contract clause uses a word or term that is defined in the Department of Energy Acquisition Regulation (DEAR) (48 CFR chapter 9), the word or term has the same meaning as the definition in 48 CFR 902.101 or the definition in the part, subpart, or section of 48 CFR chapter 9 where the provision or clause is prescribed in effect at the time the solicitation was issued, unless an exception in (a) applies.

Special Note: The FAR clause 52.201-1 has been updated effective November 2013; however, the DEAR has not been updated. Due to the FAR changes, the paragraph (c) referenced in the DEAR clause is now paragraph (e), and the paragraph (a) referenced is now paragraphs (a), (b), (c), or (d).

**52.241-3 SCOPE AND DURATION OF CONTRACT (FEB 1995)**

- (a) For the period of the Contract the City agrees to furnish and the Government agrees to purchase water utility service in accordance with the applicable tariff(s), rules, and regulations as approved by the applicable governing regulatory body and as set forth in the contract.
- (b) It is expressly understood that neither the City nor the Government is under any obligation to continue any service under the terms and conditions of this Contract beyond the expiration date.
- (c) The City shall provide the Government with one complete set of rates, terms, and conditions of service which are in effect as of the date of this Contract and any subsequently approved rates.
- (d) The City shall be paid at the applicable rate(s) under the tariff and the Government shall be liable for the minimum monthly charge, if any, specified in this Contract commencing with the period in which service is initially furnished and continuing for the term of this Contract Any minimum monthly charge specified in this Contract shall be equitably prorated for the period in which commencement and termination of this Contract becomes effective.

**52.241-6 SERVICE PROVISIONS (FEB 1995)**

(a) *Measurement of service.*

- (1) All water furnished by the City shall be measured by suitable metering equipment of standard manufacture, to be furnished, installed, maintained, repaired, calibrated, and read by the City at its expense. When more than a single meter is installed at a service location, the readings thereof may be billed conjunctively, if appropriate. In the event any meter fails to register (or registers incorrectly) the water furnished, the parties shall agree upon the length of time of meter malfunction and the quantity of water delivered during such period of time. An appropriate adjustment shall be made to the next invoice for the purpose of correcting such errors. However, any meter which registers not more than three percent (3%) slow or fast shall be deemed correct.
- (2) The City shall read all meters at periodic intervals of approximately 30 days or in accordance with the policy of the cognizant regulatory body or applicable bylaws. All billings based on meter readings of less than 30 days shall be prorated accordingly.

(b) *Meter test.*

- (1) The City, at its expense, shall periodically inspect and test City-installed meters at intervals not exceeding two years. The Government has the right to have representation during the inspection and test.
- (2) At the written request of the Contracting Officer, the City shall make additional tests of any or all such meters in the presence of Government representatives. The cost of such additional tests shall be borne by the Government if the percentage of errors is found to be not more than three percent (3%) slow or fast.

- (3) No meter shall be placed in service or allowed to remain in service which as an error in registration in excess of three percent (3%) under normal operating conditions.
- (c) *Change in volume or character.* Reasonable notice shall be given by the Contracting Officer to the City regarding any material changes anticipated in the volume or characteristics of the utility service required at each location.
- (d) *Continuity of service and consumption.* The City shall use reasonable diligence to provide a regular and uninterrupted supply of service at each service location, but shall not be liable for damages, breach of Contract or otherwise, to the Government for failure, suspension, diminution, or other variations of service occasioned by or in consequence of any cause beyond the control of the City, including but not limited to acts of God or of the public enemy, fires, floods, earthquakes, or other catastrophe, strikes, or failure or breakdown of transmission or other facilities. If any such failure, suspension, diminution, or other variation of service shall aggregate more than 168 hour(s) during any billing period hereunder, an equitable adjustment shall be made in the monthly billing specified in this Contract (including the minimum monthly charge).

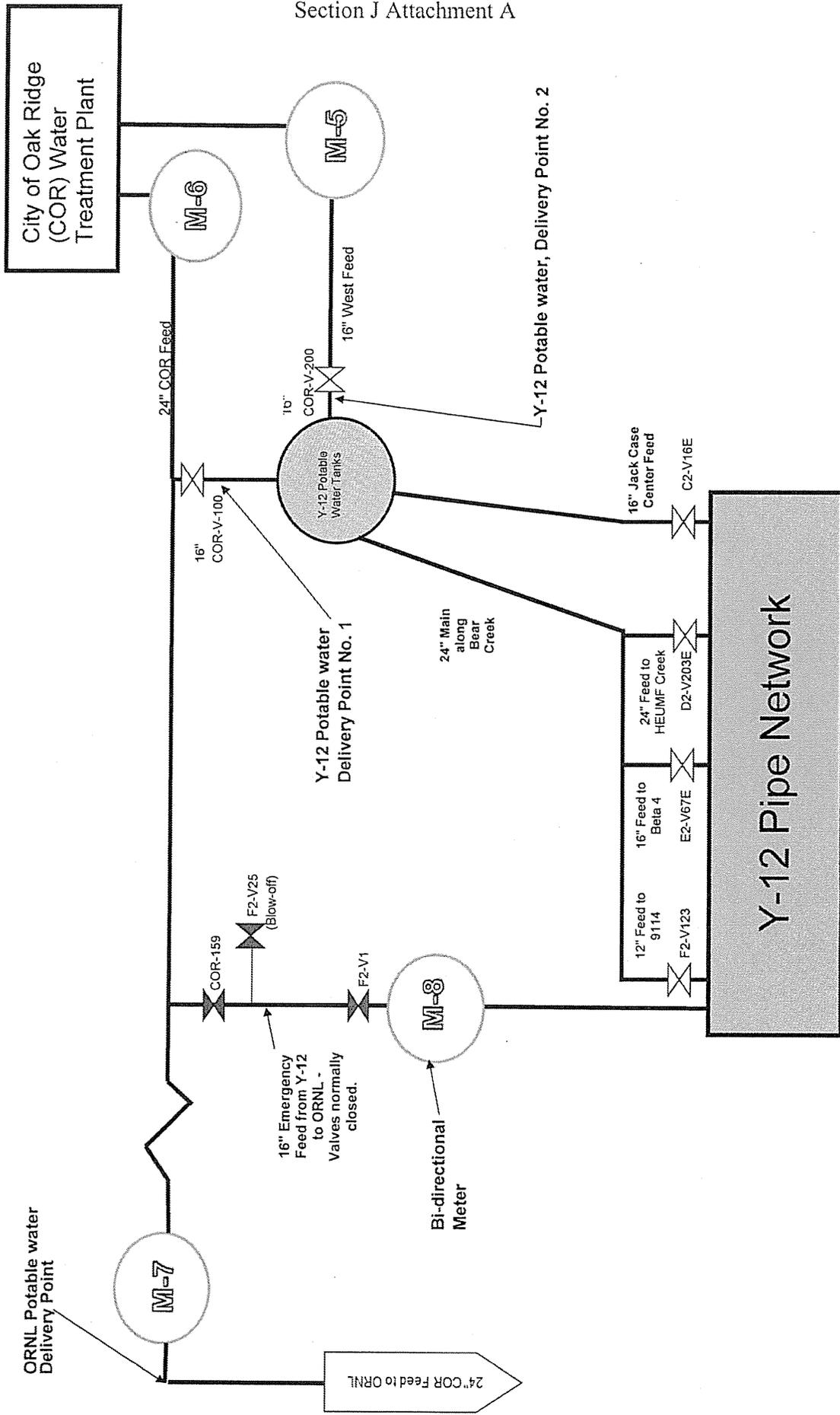
**52.241-8 -- Change in Rates or Terms and Conditions of Service for Unregulated Services (Feb 1995)**

- (a) This clause applies to the extent that services furnished hereunder are not subject to regulation by a regulatory body.
- (b) After the June 30, 2022 either party may request a change in rates or terms and conditions of service, unless otherwise provided in this contract. Both parties agree to enter in negotiations concerning such changes upon receipt of a written request detailing the proposed changes and specifying the reasons for the proposed changes.
- (c) The effective date of any change shall be as agreed to by the parties. The Contractor agrees that throughout the life of this contract the rates so negotiated will not be in excess of published and unpublished rates charged to any other customer of the same class under similar terms and conditions of use and service.
- (d) The failure of the parties to agree upon any change after a reasonable period of time shall be a dispute under the Disputes clause of this contract.
- (e) Any changes to rates, terms, or conditions as a result of such negotiations shall be made a part of this contract by the issuance of a contract modification.

**SECTION J  
LIST OF ATTACHMENTS**

Attachment A	Map Showing Points of Delivery
Attachment B	Chemicals Currently in Use at the Oak Ridge Water Plant
Attachment C	Statement of Cost
Attachment D	Water Rate Calculation Workbook
Attachment E	Reporting Requirements
Attachment F	Form of City Water Treatment Plant Audit

Section J Attachment A



## SECTION J

### Attachment B - Chemicals Currently in Use at the Oak Ridge Water Plant

50% hydrogen peroxide

Delta Floe 812 coagulation

Chlorine gas

Zinc phosphate

Hydrofluoric acid

**Section J**  
**Attachment C**

Each invoice submitted shall include the following Statement of Cost:

**STATEMENT OF COST**

Contractor \_\_\_\_\_ Contract No. \_\_\_\_\_  
Address \_\_\_\_\_ Invoice No. \_\_\_\_\_

CURRENT PERIOD		CUMULATIVE
<u>Cost Elements</u>	<u>Current Amount</u>	<u>Since Total Contract \$</u>
Y-12 Water Consumption		
Potable _____ gal	\$ _____	\$ _____
ORNL Water Consumption		
Potable _____ gal	\$ _____	\$ _____
Capital Improvements	\$ _____	\$ _____
Cumulative Billing Statement (if applicable)		
Cumulative	\$ _____	

## Water Rate Calculation

City of Oak Ridge Actual Expense Expense Category	Escalation			Escalation			Next FY/CY
	Prior FY (Note 1)	Rate (Note 2)	Cost	Current FY	Rate (Note 2)	Cost	
Salaries and benefits	\$ 905,773	2.39%	\$ 21,648	\$ 927,421	2.62%	\$ 24,298	\$ 951,719
Utilities	928,035	2.39%	22,180	950,215	2.62%	24,896	975,111
Depreciation	1,064,482		-	1,064,482		-	1,064,482
Chemicals / Supplies	308,539	2.39%	7,374	315,913	2.62%	8,277	324,190
Maintenance / Other	604,561	2.39%	14,449	619,010	2.62%	16,218	635,228
Insurance / Taxes	202,353	2.39%	4,836	207,189	2.62%	5,428	212,617
Subtotal	\$ 4,013,743		\$ 70,487	\$ 4,084,230		\$ 79,117	\$ 4,163,347
Capital Maintenance	-		-	250,000		-	250,000
Total Cost	\$ 4,013,743		\$ 70,487	\$ 4,334,230		\$ 79,117	\$ 4,413,347
City Water Delivery & Cost					50%	\$ 2,206,674	
DOE Water Delivery & Cost					50%	2,206,674	Note 4
Total Annual Cost						\$ 4,413,348	
City Water Delivery & Cost					50%	\$ 183,889	
DOE Water Delivery & Cost					50%	183,889	Note 4
Total Monthly Cost						\$ 367,778	

**NOTES:**

**In the Event of a conflict between the notes below and the Contract, the Contract shall prevail.**

1. Prior Fiscal Year (FY) Actual Water Plant Operational Expense information to be obtained from the Water Treatment Plant Audit provided to DOE by March 1 of the following year.
2. To arrive at the Projected Water Plant Operational Expenses for the next Contract Year (CY), escalation for the current and next FY will be obtained from United States, AHE, Trade Transportation and Utilities (CEU4000000008), as published in "IHS" or its successor publisher, dated March of each year ("Index Rate"). The Index Rate will be applied to all expense categories from the Water Treatment Plant Audit (Note 1), with the exception of Depreciation. Depreciation will remain at the prior FY amount.
3. The Capital Maintenance will be \$250,000 annually. No Index Rate will be applied to Capital Maintenance.
4. The Share will be 50% for the period of July 1, 2017-June 30, 2022, and the Share for the subsequent 5 years of the Contract will be re-evaluated on March 1, 2022, in accordance with Section B.4(b).

NOTE: Cost share of Capital Improvements outside of the Capital Maintenance included in the Actual Water Plant Operational Expense, will be agreed upon on a case by case basis.

**SECTION J**  
**Attachment E - Reporting Requirements**

	<b>Reporting Requirements</b>	<b>Frequency</b>	<b>Requirements Driver</b>	<b>Distribution (See Below)</b>
1.	Capital Improvement Report	When Applicable	B.3 Price	A, B
2.	Status Report	When Applicable	B.3 Price	A, B
3.	City's Water Treatment Plant Audit	Annually No later than (NLT) March 1	B.4 Economic Price Adjustment	A,B
4.	Tennessee Department of Environment and Conservation, Division of Water Supply, Comprehensive Monthly Operation Report	Monthly	C.1 Statement of Work / Local Requirement	A,B
5.	Annual Sanitary Survey from the State of Tennessee	Annually	Tenn. Comp. R. & Regs. R. 0400-45-01	A,B
6.	Vouchers/Invoices (SF1034)	Monthly	DOE-G-2005	Through VIPERS
7.	Employment Reports on Veterans	Annually NLT Sept. 30	52.222-37	C, Through DOL via <a href="http://www.dol.gov/vets/vets4212.htm">http://www.dol.gov/vets/vets4212.htm</a>
8.	Reporting Executive Compensation and First-Tier Subcontract Awards	NLT the month following the month of award of a first-tier subcontract	52.204-10	C, Through FSRS via <a href="http://www.fsrs.gov/">http://www.fsrs.gov/</a>

**Report Distribution List**

- A. C. McCracken, Contracting Officer  
U.S. Department of Energy  
P.O. Box 2001, PC-912  
Oak Ridge, TN 37831  
[Casey.McCracken@science.doe.gov](mailto:Casey.McCracken@science.doe.gov)
- C. U.S. Department of Energy  
Attn: Contractor Industrial Relations  
P.O. Box 2001, PC-914  
Oak Ridge, TN 37831  
[Lisa.Carter@science.doe.gov](mailto:Lisa.Carter@science.doe.gov)
- B. K. Bush, Contracting Officer's Representative  
U.S. Department of Energy  
P.O. Box 2001  
Oak Ridge, TN 37831  
[Kara.Bush@Science.doe.gov](mailto:Kara.Bush@Science.doe.gov)

## Report of Independent Auditors on Supplementary Information

Members of the City Council  
City of Oak Ridge, Tennessee

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund and the aggregate remaining fund information of the City of Oak Ridge, Tennessee (the City) as of and for the year ended June 30, 2016, and have issued our report thereon dated January 31, 2017, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements as a whole. The accompanying Schedule of Water Treatment Plant Operational Expenses and Capital Expenditures is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

*Coulter & Justus, P.C.*

Knoxville, Tennessee  
May 24, 2017

**CITY OF OAK RIDGE, TENNESSEE**  
**SCHEDULE OF WATER TREATMENT PLANT**  
**OPERATIONAL EXPENSES AND CAPITAL EXPENDITURES**  
**For the Year Ended June 30, 2016**

---

**Operational Expenses:**

Salaries and benefits	\$ 905,773
Utilities	928,035
Depreciation	1,064,482
Chemicals and supplies	308,539
Maintenance and other	604,561
Insurance and taxes	202,353
Total expenses	<u>\$ 4,013,743</u>

**Capital expenditures**

\$ 445,990

**RESOLUTION**

A RESOLUTION APPROVING A NEW WATER SERVICES CONTRACT BETWEEN THE CITY AND THE UNITED STATES DEPARTMENT OF ENERGY (DOE) THROUGH JUNE 30, 2027.

WHEREAS, by Resolution 4-47-98, City Council approved a Memorandum of Understanding between the City and the United States Department of Energy (DOE) to transfer the Y-12 Water Plant from DOE to the City, and the transfer documents included a water services contract whereby DOE purchases water from the City; and

WHEREAS, the original water services contract, as amended, expires on June 30, 2017;

WHEREAS, the City and DOE have complete negotiations regarding a new water services contract effective July 1, 2017 through June 30, 2027; and

WHEREAS, the City Manager recommends approval of the new water services contract.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is hereby approved and the City is authorized to enter into the attached water services contract between the City and the United States Department of Energy (DOE) effective July 1, 2017 through June 30, 2027.

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

**PUBLIC WORKS DEPARTMENT MEMORANDUM**  
**17-06**

**DATE:** May 17, 2017  
**TO:** Mark S. Watson, City Manager  
**FROM:** Shira A. McWaters, P.E., Public Works Director  
**SUBJECT: WATER STORAGE TANKS REHABILITATION AND MAINTENANCE - REQUEST FOR ENGINEERING SERVICES**

Introduction

An item for City Council consideration is the recommendation of a professional services agreement with CTI Engineers, Inc. (CTI), Knoxville, TN, for engineering services in connection with the rehabilitation, modifications, and repainting of three (3) water storage tanks; cleaning and spot repairs/painting of four (4) water storage tanks; and inspections of two (2) water storage reservoirs for a lump sum not to exceed the amount of \$312,800.

Funding

The services will span five (5) fiscal years; FY2018 through FY2022. Funding will be budgeted in the Waterworks Fund.

Background

The City owns and maintains eight (8) elevated water storage tanks and four (4) in-ground water storage reservoirs. Tennessee Department of Environment and Conservation (TDEC) Division of Water Supply regulations require all water storage facilities to be professionally inspected every five (5) years. The eight (8) elevated tanks and two (2) reservoirs were inspected and evaluated in October 2016. The recommendation was for three (3) of the tanks to be completely rehabilitated, modified to be OSHA compliant and painted. It has been nearly 20 years since these tanks were painted and are in need of repair. The other four (4) tanks only require cleaning, spot repairs made and painted. The eighth tank was completely rehabbed in 2015. The other two (2) reservoirs are due for their five (5) year inspection.

In July 2016, the Public Works Department, along with City Councilman Callison, reviewed submittals from 12 engineering firms; selecting a number of firms for future water and wastewater projects. During this process, the following firms were included in the selection:

- Trestles, LLC
- Jacobs
- HDR
- CDM
- CTI Engineers, Inc.

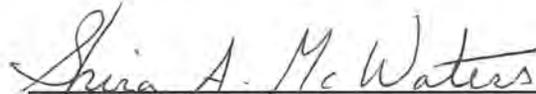
CTI Engineers, Inc. was chosen based on their prior experience with the City's water storage tanks and utility experience. The current estimate of probable construction costs for the upgrades to be let out for bid and brought back to council for approval is approximately \$1,701,000, which will be spread out over four (4) fiscal years as noted below:

<b>Project</b>	<b>Estimated Construction Cost</b>	<b>Fiscal Year</b>
Delaware Tank Rehabilitation	\$478,000	FY19
Louisiana Tank Rehabilitation	\$426,000	FY20
Wisconsin Tank Rehabilitation	\$541,000	FY21
Maintenance Contract (Misc. Sites)	\$256,000	FY22
<b>Total</b>	<b>\$1,701,000</b>	

The engineering contract for the design of the tank rehabilitation projects will span five (5) fiscal years from FY18 through FY22. The combined engineering fees and estimated construction costs is approximately \$2,013,800.

Recommendation

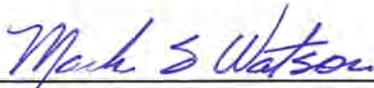
A written cost proposal for engineering services was received and reviewed on February 16, 2017 by Public Works staff. Based on the review of the scope of work and submitted cost proposals, staff recommends a professional services agreement with CTI Engineers, Inc. in the amount of \$312,800 for services in connection with the rehabilitation, modifications, and repainting of the water storage tanks and reservoir inspections. Adoption of the attached resolution is recommended as submitted.



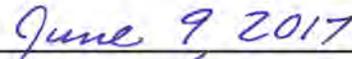
Shira A. McWaters, P.E.

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.



Mark S. Watson



Date

**RESOLUTION**

A RESOLUTION AUTHORIZING A FIVE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH CTI ENGINEERS, INC., KNOXVILLE, TENNESSEE, FOR ENGINEERING SERVICES IN CONNECTION WITH THE REHABILITATION AND MAINTENANCE OF THE CITY'S ELEVATED WATER STORAGE TANKS AND IN-GROUND WATER STORAGE RESERVOIRS IN AN AMOUNT NOT TO EXCEED \$312,800.00.

WHEREAS, the City is the owner and operator of eight (8) elevated water storage tanks and four (4) in-ground water storage reservoirs; and

WHEREAS, the Tennessee Department of Environment and Conservation (TDEC) Division of Water Supply regulations require all water storage facilities be inspected every five years; and

WHEREAS, as a result of the October 2016 inspection, it was determined that three (3) of the elevated tanks are in need of rehabilitation, modifications, and painting; four (4) of the elevated tanks are in need of cleaning, spot repairs, and painting; and two (2) of the in-ground reservoirs are in need of inspection; and

WHEREAS, in July 2016, the City evaluated twelve (12) proposals from engineering firms for future water and wastewater projects; and

WHEREAS, CTI Engineers, Inc., Knoxville, Tennessee, was selected as the most qualified firm for this project due to their prior experience with the City's water storage tanks and their utility experience; and

WHEREAS, the City Manager recommends approval of a five-year professional services agreement with CTI Engineers, Inc., for these services.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and a five-year Professional Services Agreement with CTI Engineers, Inc., Knoxville, Tennessee, is hereby approved beginning on July 1, 2017, for engineering services in connection with rehabilitation and maintenance of the City's elevated water storage tanks and in-ground water storage reservoirs in an amount not to exceed \$312,800.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

RECREATION & PARKS MEMORANDUM

17-05

**DATE:** June 2, 2017  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jonathan Hetrick, Recreation & Parks Director  
**SUBJECT:** AWARD OF A LITTER PICKUP CONTRACT FOR CITY PARKS WITH DIVERSIFIED LANDSCAPE SERVICES, INC.

Introduction

An item for City Council's consideration is a resolution approving an agreement with Diversified Landscape Services, Inc., of Oak Ridge, Tennessee, to provide litter pickup services for the Oak Ridge Recreation & Parks Department in the estimated amount of \$88,210.00 for an initial 18-month term.

Funding

The proposed award will allow the City to contract with Diversified Landscape Services, Inc. to provide litter pickup services for City properties under the management of the Recreation & Parks Department. Funding for this agreement is provided in the Recreation & Parks General Fund allocation.

Review

The current litter pickup contract for the Recreation & Parks Department expires at the end of FY2017. Sealed bids were opened on May 31, 2017. Department staff recommend award of the contract be made to Diversified Landscape Services, Inc., the only respondent to the bid request. The contract has an eighteen (18) month initial term through calendar year 2018. After the initial term the contract has provisions for four (4) annual renewals with contract adjustment based on the Consumer Price Index. The base price during the renewal terms is based upon \$59,650.00 which is the bid price for twelve (12) months.

Recommendation

Staff recommends approval of the accompanying Resolution as submitted.

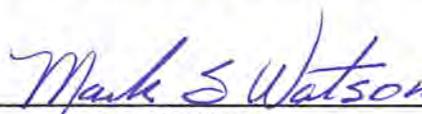
Attachment

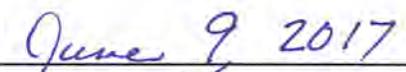
Resolution

  
Jonathan Hetrick

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
Mark S. Watson

  
Date

CITY OF OAK RIDGE, TENNESSEE

FY2018-005

OPENING DATE: May 31, 2017 2:00 P.M.

FOR --- Litter Pickup Services for Recreation & Parks Department			BIDDER: Diversified Landscape Services, Inc. 205 Midway Lane Oak Ridge, TN 37830		BIDDER:		BIDDER:		BIDDER:		
DESCRIPTION	ITEM		UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
FURNISH ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES REQUIRED FOR LITTER PICKUP SERVICES PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE RECREATION & PARKS DEPARTMENT	1			\$ 59,650.00							
TOTAL PRICE			\$ 59,650.00		\$ -		\$ -		\$ -		
TERMS			MONTHLY PAYMENTS								
DELIVERY			PER CONTRACT								
F.O.B.			JOB SITE								
VIA			CONTRACTOR								
OTHER BIDDERS CONTACTED: See Bid Process Form							BIDS OPENED AND RECORDED BY-- <i>Lyn Majeski</i> Lyn Majeski Accounting Division Manager				
REASON FOR AWARD			RECOMMEND AWARD BE MADE TO:				BIDS REVIEWED BY--				
ONLY BID RECEIVED <input checked="" type="checkbox"/> X LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED SERVICES <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input type="checkbox"/>			Diversified Landscape Services, Inc. 205 Midway Lane Oak Ridge, TN 37830				<i>Janice McGinnis</i> Janice McGinnis Finance Director				

# BID PROCESS FORM

**BID NAME** FY2018-005 **DESCRIPTION** Litter Pickup Services

**CITY COUNCIL MEETING** June 12, 2017

## BIDDERS CONTACTED ( CONTACT INFORMATION)

<u>Company</u>	<u>Name</u>	<u>Address</u>	<u>City, State ZIP</u>	<u>Phone</u>	<u>Email</u>	<u>Contacted Via</u>
Diversified Landscape Services, Inc.	Jerry Holbrook	205 Midway Lane	Oak Ridge, TN 37830	865-272-9669	jerryholbrook@divlandscape.com	[e-mail]
	Aaron Holbrook				aaronholbrook@divlandscape.com	[e-mail]
Diversified Service Associates, Inc.	Danny Palmer	P.O. Box 5263	Oak Ridge, TN 37831	865-898-6123	Antique435@aol.com	[e-mail]

## BIDDERS WHO CONTACTED THE CITY AFTER ADVERTISED ( CONTACT INFORMATION)

### BIDS RECEIVED FROM BIDDERS CONTACTED DIRECTLY BY THE CITY

Diversified Landscape Services, Inc.

### BIDS RECEIVED FROM BIDDERS NOT DIRECTLY CONTACTED BY THE CITY

(e.g., City's Website, Vendor Registry, Planrooms, Word of Mouth)

### ADVERTISEMENT

The City of Oak Ridge advertised this bid on the Finance Department's Departmental Webpage for a duration of 23 days.

**RESOLUTION**

A RESOLUTION AWARDING A CONTRACT (FY2018-005) TO DIVERSIFIED LANDSCAPE SERVICES, INC, OAK RIDGE, TENNESSEE, FOR LITTER PICK-UP SERVICES FOR THE RECREATION AND PARKS DEPARTMENT IN THE ESTIMATED AMOUNT OF \$88,210.00.

WHEREAS, the City issued an invitation to bid for the furnishing of all labor, tools, materials, equipment, and supplies necessary for litter pick-up for the Recreation and Parks Department; and

WHEREAS, the contract was bid for an initial eighteen (18) month term to place this contract on the calendar year, with four (4) calendar year renewal options built in and price adjusted based upon the Consumer Price Index upon renewal; and

WHEREAS, bids were received and publicly opened on May 31, 2017, with Diversified Landscape Services, Inc., Oak Ridge, Tennessee, submitting the sole bid, which bid the City Manager recommends be accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and award is hereby made to Diversified Landscape Services, Inc., 205 Midway Lane, Oak Ridge, Tennessee 37830, for the furnishing of all labor, tools, materials, equipment and supplies necessary for litter pick-up for the Recreation and Parks Department; said award in strict accordance with FY2018-005, the required specifications, and the bid as publicly opened on May 31, 2017, and in the estimated amount of \$88,210.00 for the initial eighteen (18) month term.

BE IT FURTHER RESOLVED that the City is hereby authorized to exercise the built-in renewal options (Calendar Years 2019, 2020, 2012, and 2022) under the contract provided the contractor is providing satisfactory services and sufficient funds are budgeted.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:



\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

CITY COUNCIL MEMORANDUM  
17-21

DATE: June 9, 2017  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: FINANCIAL SUPPORT TO CELEBRATE OAK RIDGE

Introduction:

An item for City Council's consideration is a resolution authorizing the City Manager's expenditure not to exceed \$75,000.00 to the Secret City Festival of Oak Ridge, Tennessee, d/b/a Celebrate Oak Ridge for expenses associated with the 2017 festival events, which expenditure was made under authority of City Code §5-404 to protect the public interests of the City.

Funding:

Funding is provided through the Secret City Festival concert and event fund balances in an amount of \$75,000

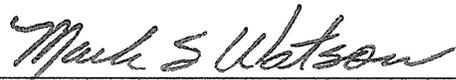
Background:

By Resolution 9-96-2015, City Council appointed the inaugural board of directors for a 501(c)(3) non-profit organization whose purpose is to assume the responsibility of implementing the Secret City Festival. The Celebrate Oak Ridge organization was formed to conduct the event through existing and new sponsorships. As a new organization, Celebrate Oak Ridge has faced unanticipated demands upon its finances.

The City of Oak Ridge has previously provided \$50,000 in start-up capital to the new organization for operational and management expenses. Additional sponsorships have been received and incorporated into the program. However, additional financial support is needed in this initial year. A request for the additional support was made to the City Manager in early June, when much of the advertising and contracts were already in place for the Secret City Festival. In the interest of the City, and in consultation with the City Council, the City Manager has provided additional funding and a cash advance to the organization to meet demands of the Festival.

Recommendation:

Approval of the attached resolution is recommended.



---

Mark S. Watson

Attachment

**RESOLUTION**

A RESOLUTION AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$75,000.00 TO THE SECRET CITY FESTIVAL OF OAK RIDGE, TENNESSEE, D/B/A CELEBRATE OAK RIDGE FOR EXPENSES ASSOCIATED WITH THE 2017 FESTIVAL EVENTS.

WHEREAS, by Resolution 9-96-2015, City Council appointed the inaugural board of directors for a 501(c)(3) non-profit organization whose purpose is to assume the responsibility of implementing the Secret City Festival; and

WHEREAS, said organization, the Secret City Festival of Oak Ridge Tennessee d/b/a Celebrate Oak Ridge, initially requested funding from the City Manager toward implementation of the 2017 festival; and

WHEREAS, by Resolution 12-94-2016, City Council authorized an initial expenditure of \$50,000.00 to Celebrate Oak Ridge for festival expenses, excluding management services, in its inaugural year; and

WHEREAS, on June 6, 2017, Celebrate Oak Ridge requested additional funding from the City Manager to timely meet contractual obligations associated with the festival including entertainment costs and other vendors fees as Celebrate Oak Ridge does not have sufficient capital reserves to meet their contractual obligations during the final week of the festival which would impact this and potentially future events; and

WHEREAS, the festival is an opportunity to showcase community pride and the diversity of Oak Ridge to current and prospective residential and business citizens; and

WHEREAS, past expenditures utilized for the festival by the Arts Council of Oak Ridge had been approved in an amount not to exceed \$150,000.00, which is three times the current allocation; and

WHEREAS, under authority of City Code §5-404, Emergency Purchases, while under time limitations imposed by the festival and with verbal support by a majority of Councilmembers upon reviewing how to proceed, the City Manager authorized an advanced expenditure of funds to meet the obligations of the festival and protect the public interests of the City.

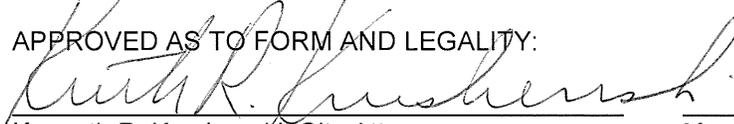
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That City Council hereby approves the City Manager's expenditure not to exceed \$75,000.00 to the Secret City Festival of Oak Ridge, Tennessee, d/b/a Celebrate Oak Ridge, a 501(c)(3) non-profit organization, for payment of expenses associated with the 2017 festival, which expenditure was made under authority of City Code §5-404 to protect the public interests of the City.

BE IT FURTHER RESOLVED that, by July 14, 2017, Celebrate Oak Ridge is required to submit a full accounting of all revenues and expenditures associated with festival events to the City and any balance of funds shall be repaid to the City.

This the 15th day of June 2017.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Mayor

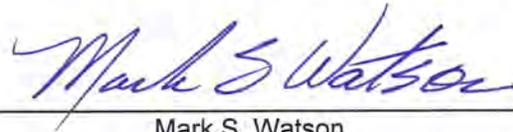
\_\_\_\_\_  
Mary Beth Hickman, City Clerk

**ELECTIONS  
AND  
APPOINTMENTS**

CITY COUNCIL MEMORANDUM  
17-20

DATE: June 2, 2017  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: CONFIRMATION OF NOMINATION BY ORUD  
BOARD OF COMMISSIONERS

The attached communication from the Oak Ridge Utility District (ORUD) Board of Commissioners nominates Nancy Stanley Riser to succeed herself as a Commissioner of the Utility District and petitions City Council to confirm her nomination. I met with the ORUD Board of Commissioners on May 24, 2017 and join with them in recommending the reappointment of Ms. Riser to fill the five-year term beginning July 1, 2017 and ending June 30, 2022.



Mark S. Watson

Attachment

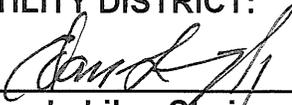
**TO THE HONORABLE MAYOR AND CITY COUNCIL  
OF OAK RIDGE, TENNESSEE**

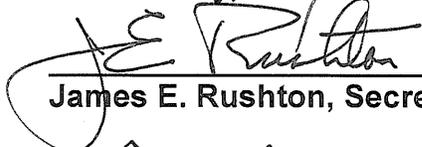
1. That, by Chapter 503 of the 1951 Private Acts of Tennessee, there was created a municipal corporation designated as "Oak Ridge Utility District,"
2. That, by Section 3 of said Chapter 503, as amended, and by petitions for appointments by the Board of Commissioners of Oak Ridge Utility District and the City Manager of the City of Oak Ridge, having been confirmed by the City Council of the City of Oak Ridge as follows:
  - a. On June 30, 2012, the term of Nancy S. Riser expired, and she was duly nominated and re-appointed to a five-year beginning July 1, 2012 and expiring June 30, 2017.
  - b. On June 30, 2013, the term of James W. Charles, III expired, and he was duly nominated and re-appointed to a five-year term beginning July 1, 2013 and expiring June 30, 2018.
  - c. On June 30, 2014, the term of Alan L. Liby expired, and he was duly nominated and re-appointed to a five-year term beginning July 1, 2014 and expiring June 30, 2019.
  - d. On June 30, 2015, the term of Dr. Thomas L. Clary, III expired, and he was duly nominated and re-appointed to a five-year term beginning July 1, 2015 and expiring on June 30, 2020.
  - e. On June 30, 2016, the term of James E. Rushton expired, and he was duly nominated and re-appointed to a five-year term beginning July 1, 2016 and expiring June 30, 2021.
3. That, on June 30, 2017, the term of Nancy Stanley Riser expires, thereby creating a vacancy in the membership of the Board of Commissioners of Oak Ridge Utility District.
4. That Section 3 of said Chapter 503, as amended, provides that whenever a vacancy occurs, a successor shall be nominated by a majority vote of the remaining members of the Board of Commissioners and the City Manager, then the name of the person so nominated shall be submitted to the City Council of Oak Ridge, Tennessee, for confirmation and within twenty days from the submission of such name to such City Council, the Council shall act upon the nomination and advise the District thereof.
5. That Nancy Stanley Riser of Oak Ridge, Tennessee, has been duly nominated to fill the vacancy created by the expiration of her current term, beginning July 1, 2017 and expiring on June 30, 2022, such nomination being made by a majority vote of the remaining members of the Board of Commissioners of Oak Ridge Utility District and the City Manager of Oak Ridge, Tennessee, as evidenced by the Resolution attached hereto.

Wherefore, the undersigned Petitioners pray that Oak Ridge City Council confirm the nomination of Nancy Stanley Riser as Commissioner of the Oak Ridge Utility District to serve a five-year term beginning July 1, 2017 and ending June 30, 2022, as authorized by Chapter 503 of the 1951 Private Acts of Tennessee, as amended.

RESPECTFULLY SUBMITTED THIS 24<sup>th</sup> DAY OF MAY, 2017,

BOARD OF COMMISSIONERS OF OAK RIDGE  
UTILITY DISTRICT:

  
\_\_\_\_\_  
Alan L. Liby, Chairman

  
\_\_\_\_\_  
James E. Rushton, Secretary

  
\_\_\_\_\_  
Dr. Thomas L. Clary, III, Member

  
\_\_\_\_\_  
James W. Charles, III, Member

CITY OF OAK RIDGE, TENNESSEE:

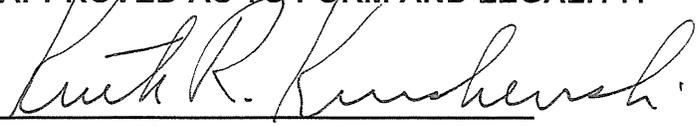
  
\_\_\_\_\_  
Mark Watson, City Manager

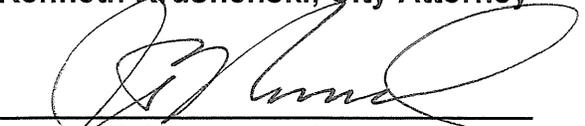
APPROVED BY OAK RIDGE CITY COUNCIL  
THE \_\_\_\_\_ DAY OF JUNE 2017

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kenneth Krushenski, City Attorney

  
\_\_\_\_\_  
James T. Normand, ORUD Attorney

## **RESOLUTION NOMINATING NANCY STANLEY RISER TO THE BOARD OF COMMISSIONERS OF OAK RIDGE UTILITY DISTRICT**

A **RESOLUTION** to nominate **Nancy Stanley Riser** to be re-appointed as a member of the Board of Commissioners of Oak Ridge Utility District, to fill the vacancy created by the expiration of her current term as a Commissioner of the Oak Ridge Utility District, and to petition the Mayor and City Council of Oak Ridge, Tennessee, to confirm said nomination.

**WHEREAS**, by Chapter 503 of the 1951 Private Acts of Tennessee, there was created a municipal corporation designated as "Oak Ridge Utility District," and

**WHEREAS**, Section 3 of Chapter 503, as amended, provides that whenever a vacancy occurs or thirty days prior to the expiration of the term of office of any commissioner, the Chief Executive Officer of the City (the City Manager) shall meet with the Board of Commissioners of the District, exclusive of the commissioner whose term of office is about to expire, and nominate a commissioner by a majority vote, and to submit the name of said nominee to the Oak Ridge City Council for confirmation, and within twenty days from the submission of such name to City Council, the Council shall act upon the nomination and advise the District thereof, and

**WHEREAS**, the current term of office of **Nancy Stanley Riser** expires on June 30, 2017, and

**WHEREAS**, the remaining members of the Board of Commissioners and the City Manager unanimously agree that Oak Ridge Utility District will greatly benefit by the continued service of **Nancy Stanley Riser** on the Board, and

**WHEREAS**, **Nancy Stanley Riser** is desirous and willing to serve another term on the Board of Commissioners;

**NOW THEREFORE**, be it resolved by the Board of Commissioners of the Oak Ridge Utility District of Oak Ridge, Tennessee, along with the City Manager of the City of Oak Ridge, Tennessee, that **Nancy Stanley Riser** of Oak Ridge, Tennessee, be and hereby is nominated to serve a five-year term on the Board of Commissioners of Oak Ridge Utility District beginning July 1, 2017 and ending June 30, 2022.

APPROVED THIS 24<sup>th</sup> DAY OF MAY, 2017,

BOARD OF COMMISSIONERS OF  
OAK RIDGE UTILITY DISTRICT:

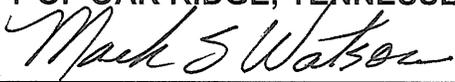
  
\_\_\_\_\_  
Alan L. Liby, Chairman

  
\_\_\_\_\_  
James E. Rushton, Secretary

  
\_\_\_\_\_  
Dr. Thomas L. Clary, III, Member

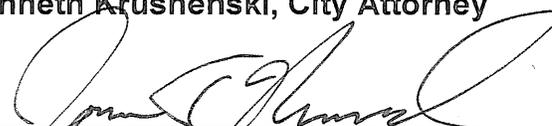
  
\_\_\_\_\_  
James W. Charles, III, Member

CITY OF OAK RIDGE, TENNESSEE:

  
\_\_\_\_\_  
Mark Watson, City Manager

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kenneth Krushenski, City Attorney

  
\_\_\_\_\_  
James T. Normand, ORUD Attorney