

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

July 8, 2019 - 7:00 p.m.

AGENDA

- I. INVOCATION  
Pastor Bobby McCoy, Oak Ridge Baptist Church
- II. PLEDGE OF ALLEGIANCE  
Derek Henley – Oak Ridge High School Sophomore
- III. ROLL CALL
- IV. PROCLAMATIONS AND PUBLIC RECOGNITIONS  
(NONE)
- V. SPECIAL REPORTS  
(NONE)
- VI. CONSENT AGENDA
  - a. Approval of June 3, 2019 City Council regular meeting minutes
  - b. Approval of June 10, 2019 City Council special meeting minutes
  - c. Confirmation of sixteen (16) members to the Youth Advisory Board, as selected by the YAB Screening Panel, for one-year terms of office commencing on August 1, 2019
  - d. A RESOLUTION AUTHORIZING THE CITY TO CONTINUE PARTICIPATION IN THE EAST TENNESSEE ECONOMIC DEVELOPMENT AGENCY, WITH ANNUAL MEMBERSHIP DUES IN THE AMOUNT OF \$26,116.00 FOR THE 2019 CALENDAR YEAR.
  - e. A RESOLUTION TO AMEND RESOLUTION 6-47-2018 PERTAINING TO HEAVY EQUIPMENT RENTAL FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2019 TO ADD ADDITIONAL FUNDS.
  - f. A RESOLUTION AUTHORIZING THE CITY MANAGER TO DEVELOP AND TRANSMIT TO THE U.S. DEPARTMENT OF ENERGY A PROPOSAL FOR THE NO-COST CONVEYANCE OF PORTIONS OF PARCELS K-731/K-732 FOR FUTURE ELECTRICAL NEEDS.
  - g. A RESOLUTION AWARDED BIDS IN AN AMOUNT NOT TO EXCEED \$1,622,430.00 FOR THE ANNUAL ORDER OF VARIOUS MATERIALS AS REQUIRED BY THE CITY DURING FISCAL YEAR 2020.

- h. A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO SOUTHERN SALES COMPANY, NASHVILLE, TENNESSEE, FOR FURNISHING ULTRAVIOLET DISINFECTION MAINTENANCE SUPPLIES FOR THE WASTEWATER TREATMENT PLANT FOR FISCAL YEAR 2020 IN AN AMOUNT NOT TO EXCEED \$50,000.00.
- i. A RESOLUTION APPROVING THE CITY'S PARTICIPATION IN FIRE RESCUE GPO, A PURCHASING COOPERATIVE, AND MAKING AN AWARD TO MUNICIPAL EMERGENCY SERVICES, INC., CHARLOTTE, NORTH CAROLINA, THROUGH THE PURCHASING COOPERATIVE FOR FURNISHING PERSONAL PROTECTIVE EQUIPMENT AND UNIFORMS FOR FIRE DEPARTMENT STATION-BASED EMPLOYEES IN AN AMOUNT NOT TO EXCEED \$90,000.00.
- j. A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY AND THE OAK RIDGE CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT ACTIVITIES IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR FY2020.
- k. A RESOLUTION AUTHORIZING MODIFICATION AND EXTENSION OF THE TENNESSEE OVERSIGHT INTERLOCAL AGREEMENT BETWEEN THE CITY OF OAK RIDGE AND THE FOLLOWING COUNTIES: ANDERSON, KNOX, MORGAN, AND ROANE, TO COOPERATE ON ISSUES RELATED TO THE U.S. DEPARTMENT OF ENERGY'S ENVIRONMENTAL MANAGEMENT PROGRAM AND EMERGENCY MANAGEMENT ACTIVITIES, AND TO BE RECOGNIZED AS THE OAK RIDGE RESERVATION COMMUNITIES ALLIANCE.
- l. A RESOLUTION WAIVING COMPETITIVE BIDS AND AUTHORIZING A THREE-YEAR AGREEMENT WITH GRANICUS, LLC, ST. PAUL, MINNESOTA, FOR SOFTWARE AND SERVICES IN AN AMOUNT NOT TO EXCEED \$68,284.54.
- m. A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH WINDROW PHILLIPS GROUP, NASHVILLE, TENNESSEE, FOR THE PROVISION OF CONSULTING SERVICES IN THE AREA OF RELATIONS WITH THE STATE LEGISLATORS, AGENCIES, AND OFFICIALS FOR AGREED UPON PRIORITIES FOR THE CITY IN THE AMOUNT OF \$36,000.00 WITH AN ALLOWANCE OF UP TO \$600.00 FOR EXPENSES RELATED TO REGISTRATION WITH THE TENNESSEE ETHICS COMMISSION.
- n. A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LDA ENGINEERING, ALCOA, TENNESSEE, TO COMPLETE THE FINAL PHASE (PHASE IV) OF THE CITY'S ADA COMPLIANCE AND TRANSITION PLAN, IN AN AMOUNT NOT TO EXCEED \$87,800.00.
- o. A RESOLUTION AUTHORIZING THE PURCHASE OF FOUR (4) REPLACEMENT VEHICLES FOR THE ELECTRIC DEPARTMENT IN THE TOTAL AMOUNT OF \$655,148.00.
- p. A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) REPLACEMENT VEHICLE FROM SECRET CITY CHRYSLER DODGE JEEP RAM, OAK RIDGE, TENNESSEE, IN THE AMOUNT OF \$37,936.00; AND AUTHORIZING THE TRANSFER OF A SURPLUS FORD EXPLORER (#101) TO THE TOWN OF OLIVER SPRINGS, TENNESSEE, AT NO COST.

VII. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading

- a. AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SECTION 15-301, TITLED "PROHIBITED USE OF HAND-HELD MOBILE TELEPHONE IN MARKED SCHOOL ZONE; PROHIBITED USE OF MOBILE TELEPHONE WITH HANDS-FREE DEVICE BY PERSON UNDER 18," WITHOUT REPLACEMENT, AND BY DELETING SECTION 15-349, TITLED "TEXTING WHILE DRIVING PROHIBITED," AND SUBSTITUTING THEREFOR A NEW SECTION 15-349, TITLED "USE OF WIRELESS COMMUNICATION DEVICE PROHIBITED WHILE DRIVING," TO COMPLY WITH PUBLIC CHAPTER 412, WHICH NEW LAW IS EFFECTIVE JULY 1, 2019.
- b. AN ORDINANCE TO AMEND TITLE 14, TITLED "ZONING AND LAND USE CONTROL," CHAPTER 5, TITLED "STORMWATER MANAGEMENT," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY AMENDING SECTION 14-509, TITLED "ENFORCEMENT," SUBSECTION (1)(C) TO ADD A CROSS-REFERENCE FOR CIVIL PENALTIES, AND BY AMENDING SECTION 14-510, TITLED "PENALTIES," TO RENUMBER SUBSECTIONS AND CREATE A NEW SUBSECTION ON CIVIL PENALTIES AND AN ENFORCEMENT RESPONSE PLAN, ALL FOR THE PURPOSE OF COMPLIANCE WITH THE CITY'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) DISCHARGES.
- c. AN ORDINANCE TO AMEND TITLE 1, TITLED "GENERAL ADMINISTRATION," CHAPTER 2, TITLED "MISCELLANEOUS," SECTION 1-203, TITLED "FEES FOR CITY DOCUMENTS, LABOR AND MATERIAL GENERALLY," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SUBSECTION (2) IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION (2) TO UPDATE THE METHOD OF NOTIFICATION TO THE PUBLIC.

VIII. FINAL ADOPTION OF ORDINANCES

(NONE)

IX. RESOLUTIONS

- a. A RESOLUTION APPROVING THE PY2019/FY2020 ANNUAL ACTION PLAN AND PROPOSED ALLOCATIONS OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT FUNDS FOR PY2019/FY2020 ESTIMATED AT \$239,094.00. **(Public Hearing required)**
- b. INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED FORTY-FIVE MILLION AND NO/100 DOLLARS (\$45,000,000) GENERAL OBLIGATION BONDS OF THE CITY OF OAK RIDGE, TENNESSEE.
- c. A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE NEXT STEP IN THE CITY'S APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY UNDER THE WIFIA PROGRAM FOR THE WATER TREATMENT PLANT CONSTRUCTION PROJECT.

- d. INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED FIVE MILLION AND NO/100 DOLLARS (\$5,000,000) GENERAL OBLIGATION BONDS OF THE CITY OF OAK RIDGE, TENNESSEE.
- e. A RESOLUTION AUTHORIZING MODIFICATIONS TO THE PROPERTY TRANSFER AGREEMENT BETWEEN THE CITY AND TN OAK RIDGE ILLINOIS, LLC, WHICH AGREEMENT WAS AUTHORIZED BY RESOLUTION 12-93-2016.
- f. A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH PATTERSON & DEWAR ENGINEERS, INC., NORCROSS, GEORGIA, FOR ENGINEERING CONSULTING SERVICES TO IMPLEMENT FY2020 PLANS UNDER THE TECHNOLOGY ROADMAP FOR THE ELECTRIC DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$191,000.00.
- g. A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LDA ENGINEERING, ALCOA, TENNESSEE, FOR THE COMPLETION OF SANITARY SEWER COLLECTION IMPROVEMENTS AND THE EVALUATION OF THE EMORY VALLEY SEWER PUMP STATION IN AN AMOUNT NOT TO EXCEED \$117,500.00.
- h. A RESOLUTION TO APPROVE AN AGREEMENT WITH KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION FOR COST REIMBURSEMENT GRANT FUNDS TO BE USED FOR DESIGN PLANNING ALONG WILSON STREET IN THE AMOUNT OF \$48,000.00, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH A CONSULTANT TO PROVIDE SAID DESIGN PLAN.
- i. A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY AND THE OAK RIDGE CONVENTION AND VISITORS BUREAU (CVB) FOR THE PROVISION OF SERVICES AND MATERIALS TO PROMOTE TOURISM IN OAK RIDGE FOR FISCAL YEAR 2020 IN AN AMOUNT NOT TO EXCEED \$380,000.00.

X. APPEARANCE OF CITIZENS

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

a. Elections/Appointments

- i. Elect one (1) high school representative to the Traffic Safety Advisory Board for a one-year term commencing at time of appointment
- ii. Confirmation of appointment of City Manager Evaluation Committee
- iii. Confirmation of appointment of City Attorney Evaluation Committee
- iv. Confirmation of appointment of Budget and Finance Committee

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

# CONSENT AGENDA

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

June 3, 2019

Minutes

The June 3, 2019 meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

**INVOCATION**

The invocation was given by Mayor Warren Gooch.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag of the United States of America was led by Councilmember Charles J. Hope, Jr.

**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 Derrick Hammond; Councilmember Charles J. Hope, Jr.; and Councilmember Ellen Smith.

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

**PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

AN ORDINANCE TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

Councilmember Dodson moved to open the public hearing on the ordinance, and Councilmember Callison seconded. The motion passed unanimously.

Seeing no citizen who wished to speak during the public hearing, Mayor Pro Tem Chinn moved to close the public hearing, and Councilmember Dodson seconded. The motion passed unanimously.

Councilmember Smith moved to approve the ordinance on first reading, and Councilmember Callison seconded. City Manager Mark Watson provided an overview of the ordinance, and Finance Director Janice McGinnis answered questions from Council.

Councilmember Callison, who also chairs the Budget and Finance Committee, praised city staff for a consistent budget year after year, and expressed his support for the decision to move the golf course under the Recreation and Parks Department and for money being expended on roadwork and paving.

Councilmember Smith inquired about stormwater funds that had been allocated but not spent and whether any energy savings had been factored into this budget.

Councilmember Hope asked questions regarding the solid waste fund and stressed the importance of funding street repair and paving.

Councilmember Dodson expressed support for the \$300,000 increase in capital improvement funds to the

schools, funding of the city pool, golf course, and the school resource officer program. He also stated that the tax increase is important for the Pre-K and Senior Center projects.

Councilmember Hammond stated that given all the projects that the city is funding, that a 2-cent property tax increase is a modest one under the circumstances. He also stated that he would like the city to look at its fee structure as additional ways of finding revenue.

Mayor Gooch expressed his support for the changes in employee compensation reflected in this budget.

Mayor Pro Tem Chinn commended the schools for not asking for more revenue, and praised city staff for their efforts. He said, however, that he believed that enough revenue could be cut from other funds in the budget to offset the two-cent increase.

Mayor Pro Tem Chinn moved that all departments on pages 20-65 of the budget document be cut by .75%, and Councilmember Hope seconded. After discussion, the amendment failed by board vote Mayor Pro Tem Chinn voting "Aye" and Councilmembers Callison, Dodson, Hammond, Hope, Smith and Mayor Gooch voting "No."

Mayor Pro Tem Chinn moved to amend the ordinance to decrease the amount in the fund balance by \$160,000, and Councilmember Hammond seconded. The amendment failed by board vote with Mayor Pro Tem Chinn and Councilmember Hope voting "Aye" and Councilmembers Callison, Dodson, Hammond, Smith and Mayor Gooch voting "No."

Mayor Pro Tem Chinn moved to amend the ordinance to remove funding for the municipal swimming pool from the 2020 budget, and Councilmember Hammond seconded. During discussion, Mayor Gooch requested that the Budget and Finance Committee look at alternative sources of revenue for the pool. The amendment failed by board vote with Mayor Pro Tem Chinn voting "Aye" and Councilmembers Callison, Dodson, Hammond, Hope, Smith and Mayor Gooch voting "No."

Mayor Pro Tem Chinn moved to cut funding from the golf course, municipal swimming pool and economic development, and Councilmember Hammond seconded. The amendment failed by board vote with Mayor Pro Tem Chinn voting "Aye" and Councilmembers Callison, Dodson, Hammond, Hope, Smith and Mayor Gooch voting "No."

The ordinance was approved by board vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith and Mayor Gooch voting "Aye," and Mayor Pro Tem Chinn voting "No."

**ADJOURNMENT:** 8:43 p.m.

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

June 10, 2019

Minutes

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on June 10, 2019 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

**INVOCATION**

The invocation was given by Pastor Mike Harbin, Royce Baptist Church

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Councilmember Charles J. Hope, Jr.

**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.

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

**PROCLAMATIONS AND PUBLIC RECOGNITIONS**

Public Recognitions

City Council recognized Katherine Shannon, an 8<sup>th</sup> grade student at Jefferson Middle School, for her design of the logo for the new senior transportation program.

Randy Brackins, Chairman of the Tennessee Professional Standards Committee for the Tennessee Association of Chiefs of Police (TACP), announced that the Oak Ridge Police Department has achieved its certification through TACP.

City Council recognized ORNL Federal Credit Union for that organization's contribution to the community through improvements to the Bissell Park pavilion and presented a proclamation to Colin Anderson, who was in attendance representing ORNL Federal Credit Union

Proclamations

*A proclamation designating June 15, 2019 as Elder Abuse Awareness Day*

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

**SPECIAL REPORTS**

(NONE)

**CONSENT AGENDA**

Councilmember Hope moved for approval of the Consent Agenda, and Councilmember Callison seconded.

The Consent Agenda was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

Approval of the May 13, 2019 City Council regular meeting minutes

Approval of the May 24, 2019 City Council special meeting minutes

Approval of the May 28, 2019 City Council special meeting minutes

Transmittal of Report on Debt Obligation – State Form CT-0253 on \$3,288,000 State Revolving Loan Fund

**Resolution No. 6-48-2019**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO WASTE MANAGEMENT FOR DISPOSAL OF BIOSOLIDS AT THE CHESTNUT RIDGE LANDFILL FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2020 IN AN AMOUNT NOT TO EXCEED \$140,000.00.

**Resolution No. 6-49-2019**

A RESOLUTION MAKING AWARDS TO ALTERNATE STAFFING, INC., AND OTHER QUALIFIED COMPANIES FOR FURNISHING AS NEEDED TEMPORARY EMPLOYMENT SERVICES FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2020 IN AN AMOUNT NOT TO EXCEED \$100,000.00.

**Resolution No. 6-50-2019**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO THE BEST PROVIDERS FOR FURNISHING CHEMICALS FOR THE WATER TREATMENT PLANT FOR FISCAL YEAR 2020 IN AN AMOUNT NOT TO EXCEED \$450,000.00.

**Resolution No. 6-51-2019**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO THE BEST PROVIDERS FOR EMERGENCY STREET RESURFACING FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2020 IN AN AMOUNT NOT TO EXCEED \$230,000.00.

**Resolution No. 6-52-2019**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MANSFIELD OIL COMPANY FOR FURNISHING UNLEADED AND DIESEL FUEL FOR FISCAL YEAR 2020 IN THE ESTIMATED AMOUNT OF \$421,000.00.

**Resolution No. 6-53-2019**

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 2020 IN THE AMOUNT OF \$29,188.68.

**Resolution No. 6-54-2019**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO STOWERS, BOBCAT, CONTRACTORS MACHINERY, UNITED RENTALS, NORTRAX, AND OTHER SUITABLE COMPANIES FOR AS NEEDED HEAVY EQUIPMENT RENTAL FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2020 IN AN AMOUNT NOT TO EXCEED \$95,000.00.

**Resolution No. 6-55-2019**

A RESOLUTION APPROVING THE CLASSIFICATION PLAN AND COMPENSATION PLAN UPDATES FOR FISCAL YEAR 2020, AS RECOMMENDED BY THE CITY MANAGER AND REVIEWED BY THE PERSONNEL ADVISORY BOARD.

**PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

(NONE)

**FINAL ADOPTION OF ORDINANCES**

Public Hearing and Final Adoption

AN ORDINANCE TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

Councilmember Smith moved to open the public hearing, and Councilmember Callison seconded. The motion was approved unanimously by voice vote.

Seeing no citizen who wished to speak, Councilmember Dodson moved to close the public hearing, and Councilmember Callison seconded. The motion was approved unanimously by voice vote.

Councilmember Smith moved for adoption of the ordinance, and Councilmember Hope seconded.

Councilmember Callison expressed his support for the budget as presented.

Councilmember Smith stated she has concerns about doing more with sidewalks, but she is pleased that some is being able to be done.

Councilmember Hope recognized the Budget and Finance Committee for its work on the proposed budget.

Mayor Gooch thanked members of the Budget and Finance Committee and city staff for their hard work and spirit on putting the budget together.

Councilmember Callison moved to increase taxes by 4 cents instead of the proposed 2 cents, and Councilmember Dodson seconded. After discussion among Councilmembers, Councilmember Callison withdrew the motion.

Mayor Gooch stated that the proposal is to raise taxes only where it is necessary in a year when it is needed to cover major projects.

The ordinance was adopted by board vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, and Mayor Gooch voting "Aye," and Mayor Pro Tem Chinn voting "No."

**RESOLUTIONS**

**Resolution No. 6-56-2019**

A RESOLUTION TO APPROVE MASTER AGREEMENTS WITH TWO PURCHASING COOPERATIVES TO ALLOW THE CITY TO BECOME A PARTICIPATING MEMBER OF BOTH COOPERATIVES, AND AUTHORIZING THE PURCHASE OF FURNITURE FROM THE PURCHASING COOPERATIVES FOR THE SENIOR CENTER IN AN AMOUNT NOT TO EXCEED \$100,000.00.

Councilmember Dodson moved for approval of the resolution, and Councilmember Callison 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, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

**Resolution No. 6-57-2019**

A RESOLUTION AUTHORIZING THE PURCHASE OF CHLORINE BRIQUETTES FOR THE OUTDOOR SWIMMING POOL FROM DUFFIELD AQUATICS, INC., ANDERSON, SOUTH CAROLINA, IN AN AMOUNT NOT TO EXCEED \$46,953.72.

Councilmember Hammond moved for approval of the resolution, and Councilmember Smith seconded. Recreation and Parks Director Jon Hetrick provided an overview of the resolution and answer questions from Council.

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

**Resolution No. 6-58-2019**

A RESOLUTION AWARDDING A CONTRACT (FY2019-130) TO GOLF NOW, LLC, ORLANDO, FLORIDA, FOR A POINT-OF-SALE SYSTEM FOR TENNESSEE CENTENNIAL GOLF COURSE.

Councilmember Smith moved for approval of the resolution, and Councilmember Hope seconded. Recreation and Parks Director Jon Hetrick provided an overview of the resolution and answered questions from Council.

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

On a motion by Mayor Pro Tem Chinn and seconded by Councilmember Hammond, the following two items were deferred until a later meeting:

A RESOLUTION AUTHORIZING THE PURCHASE OF ALUMINUM STOCK AND HARDWARE FROM FRAZIER WELDING & STEEL CO., INC., KNOXVILLE, TENNESSEE, AS THE MATERIALS FOR FABRICATION OF A FENCE AT BLANKENSHIP FIELD IN AN AMOUNT NOT TO EXCEED \$34,274.70, SUBJECT TO ACCEPTANCE OF THE SUPPLIER'S QUOTE FROM THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION.

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH DR. MATT JINKS, MARYVILLE, TENNESSEE, TO PROVIDE VETERINARY SERVICES AT THE OAK RIDGE ANIMAL SHELTER FOR FISCAL YEARS 2020 AND 2021 IN AN AMOUNT NOT TO EXCEED \$96,000.00 PER FISCAL YEAR.

The motion to defer was approved unanimously by voice vote.

**Resolution No. 6-59-2019**

A RESOLUTION TO ENCUMBER ALL REMAINING UNSPENT BUDGETED FUNDS AT THE END OF FISCAL YEAR 2019 IN THE FOLLOWING GENERAL FUND ACTIVITIES: 845 INFORMATION SERVICES, 862 FINANCE, AND 951 STORMWATER.

Councilmember Smith moved for approval of the resolution, and Councilmember Callison seconded. Finance Director Janice McGinnis answered questions from Council regarding the resolution.

The resolution was approved by board vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, and Mayor Gooch voting "Aye," and Mayor Pro Tem Chinn voting "No."

**Resolution NO. 6-60-2019**

A RESOLUTION TO APPROVE AN AGREEMENT WITH RAY EVANS FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2020 IN THE AMOUNT OF \$54,000.

Councilmember Dodson moved for approval of the resolution, and Councilmember Callison seconded.

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

**Resolution No. 6-61-2019**

A RESOLUTION TO APPROVE AN AGREEMENT WITH STEVE JONES FOR ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2020 IN THE AMOUNT OF \$54,000.

Councilmember Callison moved for approval of the resolution, and Councilmember Smith seconded.

Councilmember Hope stated he would like to see more recruitment of office and light manufacturing for the City. There was also a request by several Councilmembers to discuss economic development at an upcoming work session.

The resolution passed by board vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

**APPEARANCE OF CITIZENS**

Keith Lay, 109 Rock Bridge Greens Boulevard, Oak Ridge, addressed Council regarding the need for mowing the weeds at the marina.

**ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

**Elections/Appointments**

*Confirmation of nomination of Alan L. Liby to the Oak Ridge Utility District Board of Directors*

Mayor Gooch moved to confirm Mr. Liby's nomination, and Councilmember Hope seconded. The motion was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

**Announcements**

City Manager Mark Watson announced that the Budget and Finance Committee meeting that was originally scheduled for June 19<sup>th</sup> would be rescheduled to June 18<sup>th</sup> at 4:00 p.m. due to the absence of two committee members.

Councilmember Dodson recognized the volunteers who assisted with the Secret City Festival. Councilmember Hope echoed the recognition and also stated that due to the weather, it was a trying weekend for numerous city departments.

Mayor Pro Tem stated that he attended a meeting of the Anderson County Commission's Operations Committee regarding the proposed landfill at the Bull Run site. He said that several public hearings are planned, and he suggested that a future work session include discussion of the City's role in the process.

**Scheduling**

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

**SUMMARY OF CURRENT EVENTS**

**CITY MANAGER'S REPORT**

City Manager Mark Watson commented on the passing of former Personnel Director Penny Sissom, who served as a city employee in some capacity for 52 years.

**CITY ATTORNEY'S REPORT**

**ADJOURNMENT:** 8:27 p.m.



YOUTH ADVISORY BOARD MEMORANDUM

DATE: June 13, 2019  
TO: Beth Hickman, City Clerk  
FROM: Matt Reedy, Advisor to the YAB  
SUBJECT: Youth Advisory Board Screening Panel

The City Youth Advisory Board Screening Panel for the 2019-2020 term of office consisted of City Council member Jim Dodson, ORHS staff member Connie Wilson, and Recreation and Parks Department staff member Matt Reedy. The YAB Screening Panel has selected the following sixteen students to recommend to City Council for appointment to the 2019-2020 Youth Advisory Board. The applications are attached to be included in the agenda for the July 8, 2019 meeting of the Oak Ridge City Council.

The YAB Screening Panel recommends these students to serve a one-year term on the 2019-2020 City of Oak Ridge Youth Advisory Board:

Patricia Anguiano	Megan Henley	Kira Palau
Luke Colandro	Mark Humphries	Alexandra Shanafield
Susan Dale	Jina Jiang	Kaitlin Spurlock
Nick Dallas	Siena Jobkar	Caroline Webb
Jayden Ellis	Madelyn Kittrell	
Maggie Froning	Asa Lee	

If there are any questions about this statement from the Youth Advisory Board, contact City-Staff Liaison Matt Reedy at 425-3442.

Thank you,

Matt Reedy  
Recreation Manager of Centers, Camps, Programs, and YAB



## YAB Screening Panel

DATE: 6-13-19

- |                            |                                |
|----------------------------|--------------------------------|
| 1 <u>PATRICIA ANGIUANO</u> | 9 <u>SIENA JOBKAR</u>          |
| 2 <u>SUSAN DALE</u>        | 10 <u>MADELYN KITTRELL</u>     |
| 3 <u>MEGAN HENLEY</u>      | 11 <u>JINA JIANG</u>           |
| 4 <u>MARK HUMPHRIES</u>    | 12 <u>ASA LEE</u>              |
| 5 <u>CAROLINE WEBB</u>     | 13 <u>KIRA PALAU</u>           |
| 6 <u>NICK DALLAS</u>       | 14 <u>ALEXANDRA SHANAFIELD</u> |
| 7 <u>JAYDEN ELLIS</u>      | 15 <u>LUKE COLANDRO</u>        |
| 8 <u>MAGGIE FRONING</u>    | 16 <u>KAITLAN SPURLOCK</u>     |

We, the YAB Screening Panel, recommend the 16 students  
above to serve on the City Youth Advisory Board  
for the 2019-2020 term of office.

Councilman Jim Dodson

ORHS Staff Connie Rhinehart

City Staff Matt Reedy

## ELECTRIC DEPARTMENT MEMORANDUM

19-20

**DATE:** June 7, 2018  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** MEMBERSHIP AND DUES FOR ETEDA

### Introduction

An item for City Council's consideration is a resolution approving membership in the East Tennessee Economic Development Agency (ETEDA) and authorizing payment of membership dues in the amount of \$26,116.00.

### Funding

The City joined ETEDA through its functioning as a TVA Regional Industrial Development Agency (RIDA). Thus, the funding for the membership is through the Electric Fund and the Electric Director sits on the ETEDA Board. TVA encourages membership on the Board by reimbursing the City for approximately one half of the membership dues. Therefore, the actual cost of membership will be \$13,058.00.

### Review

ETEDA is a regional marketing and business recruitment organization that promotes our 16 county region through a variety of efforts and provides site location information and assistance to companies interested in locating here.

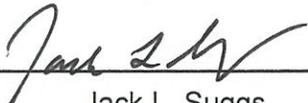
ETEDA is co-located with the Tennessee Valley Authority Economic Development Specialist for our area. This provides a nearly seamless experience for industrial prospects and is frequently sighted as a positive model of cooperation and efficiency.

The full range of services offered to industrial clients can be found on the ETEDA website, but these include providing information such as labor and training statistics, utility service availability and cost of transportation information. ETEDA also provides regional real estate location information, including a complex, well-maintained database of available properties and buildings.

Membership in the organization also provides that, as a member of the Board, the Electric Director can designate that the local match be used to support specific projects or initiatives by our development partners.

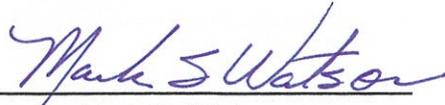
### Recommendation

It is the opinion of staff that ETEDA has been a real and valuable asset to the City and to our region as a whole. As such we recommend 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

7-3-19

Date

# INVOICE

January 11, 2019

Mr. Jack Suggs  
Director  
Oak Ridge Electric Department  
P.O. Box 1  
Oak Ridge, TN 37830

ETEDA 2019 dues

\$ 26,116

**Due on or before August 15, 2019**

CITY OF OAK RIDGE  
APPROVED FOR PAYMENT

REQ. #: \_\_\_\_\_ P.O. #: \_\_\_\_\_

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

OV #: \_\_\_\_\_ BY: \_\_\_\_\_

**RESOLUTION**

A RESOLUTION AUTHORIZING THE CITY TO CONTINUE PARTICIPATION IN THE EAST TENNESSEE ECONOMIC DEVELOPMENT AGENCY, WITH ANNUAL MEMBERSHIP DUES IN THE AMOUNT OF \$26,116.00 FOR THE 2019 CALENDAR YEAR.

WHEREAS, the City of Oak Ridge recognizes the value of the East Tennessee Economic Development Agency (ETEDA), a regional organization promoting and marketing the business location advantages of the region to national/international corporate decision-makers involved in relocation and expansion for over twenty years; and

WHEREAS, the City of Oak Ridge is a member of ETEDA and wishes to continue that membership in an effort to promote economic development in the region in general and Oak Ridge in particular; and

WHEREAS, the membership dues for ETEDA for calendar year 2019 are \$26,116.00; and

WHEREAS, \$13,058.00 of the membership dues will be reimbursed to the City by the Tennessee Valley Authority (TVA) under a separate contract termed the Industrial Development Contract (Contract 01BKY-268931), approved by City Council through Resolution 3-46-01; and

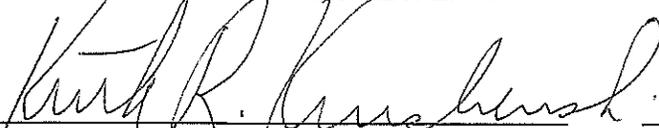
WHEREAS, the City Manager recommends the City's continued participation in ETEDA and payment of the above stated dues.

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 continue participation in the East Tennessee Economic Development Agency, with annual membership dues in the amount of \$26,116.00 for the 2019 calendar year.

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

**PUBLIC WORKS DEPARTMENT MEMORANDUM**  
**19-73**

**DATE:** June 24, 2019  
**TO:** Mark S. Watson, City Manager  
**FROM:** Shira A. McWaters, P.E., Public Works Director  
**SUBJECT: AMENDMENT TO FY19 ANNUAL ORDER – RENTAL OF HEAVY EQUIPMENT**

Introduction

An item for City Council's consideration is a Resolution authorizing an amendment to the Fiscal Year 2019 – Annual Order for the Rental of Heavy Equipment (Consent Agenda – Resolution No. 6-47-2018) for an additional amount of \$45,500, bringing the total estimated amount for FY19 to \$140,500. The purpose of the amendment is to capture the additional costs associated with heavy equipment rental to repair the landslide that occurred in February 2019.

Funding

Funding is available in the waterworks fund and the City is seeking reimbursement for a portion of the landslide costs from the Federal Emergency Management Agency and the Department of Energy.

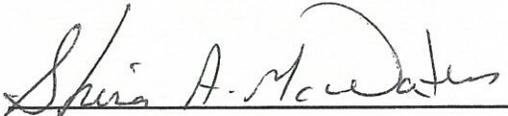
Background

On the night of February 23, 2019 a large landslide occurred adjacent to the access road to the City's water treatment plant. This road is critical in the continued operation of the WTP allowing operations and maintenance personnel access to the plant as well as for the delivery of materials, equipment and chemicals needed for the continued operations of the plant. In order to minimize the risk of further damage to the area and the potential to lose the only access road to the plant, immediate repairs were started on the landslide which required the rental of special equipment to access the landslide, remove the wet unstable soils, placement of new rock to stabilize this area. Work started in March 2019 and should be completed by the end of July 2019. Rental of the equipment needed for the repair of the landslide has resulted in the Public Works Department exceeded the approved amount of \$95,000. This amendment is for the approval of the additional costs exceeding \$95,000.

Recommendation

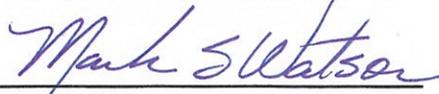
Public Works recommends the approval of this resolution to cover the excess equipment costs associated with the repair of the landslide.

Attachment(s)  
Consent Agenda – Resolution No. 6-47-2018  
Resolution

  
\_\_\_\_\_  
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

7-3-19  
\_\_\_\_\_  
Date

PUBLIC WORKS DEPARTMENT MEMORANDUM  
18-36

DATE: May 29, 2018  
TO: Mark S. Watson, City Manager  
FROM: Shira A. McWaters, P.E., Public Works Director  
SUBJECT: ANNUAL ORDER – RENTAL OF HEAVY EQUIPMENT

Introduction

An item for City Council consideration is a recommendation for the authority to expend funds for the rental of heavy equipment by the Public Works Department, during the period of July 1, 2018 through June 30, 2019, in the estimated amount of \$95,000.

Funding

Heavy equipment is rented for a variety of projects throughout the fiscal year on an as-needed basis. When equipment is rented, the appropriate fund will be charged with the expense, such as the waterworks, general maintenance or state street aid. The amount of funding is estimated. If work tasks do not require the rental of heavy equipment, funds are not expended.

Background

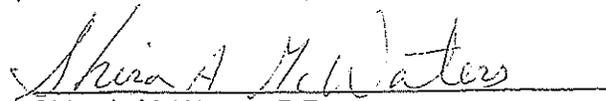
The City owns standard heavy equipment such as backhoes and front loaders. Some work tasks occasionally require different equipment such as a dozer, excavator, and emergency pumps. It is more cost effective to rent certain pieces of equipment rather than own since they are often times used infrequently.

When special heavy equipment is required for a work task, rental prices are negotiated with vendors such as Stowers, Bobcat, Contractors Machinery, United Rentals and Nortrax; all located in Knoxville. The rental period for this equipment can range from a few hours to a few weeks, depending on the project(s). The vendors offer hourly, daily, weekly, and monthly rental terms. The award of the rental agreement is based on the type of equipment required, price, and availability of equipment on a case-by-case basis. Below are the amounts paid for rental of heavy equipment from the previous three (3) fiscal years.

FY2016	FY2017	FY2018 (projected)
\$90,673	\$55,622	\$92,029

Recommendation

Staff recommends approval of the attached Resolution as submitted; as the recommendation is a waiver of soliciting sealed bids due to the unknown need for heavy equipment and duration required. Council is reminded that a unanimous vote is required for approval.

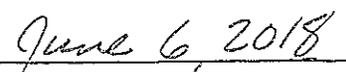
  
Shira A. McWaters, P.E.

Attachment:  
Resolution

**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 AWARDS TO STOWERS, BOBCAT, CONTRACTORS MACHINERY, UNITED RENTALS, NORTRAX, AND OTHER SUITABLE COMPANIES FOR AS NEEDED HEAVY EQUIPMENT RENTAL FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2019 IN AN AMOUNT NOT TO EXCEED \$95,000.00.

WHEREAS, the City of Oak Ridge has need for the rental of heavy equipment for various projects which sometimes requires a quick response that may not allow time for competitive bidding and could exceed the City's sealed bid limit over the fiscal year; and

WHEREAS, in the past, the City has utilized Stowers, Bobcat, Contractors Machinery, United Rentals, and Nortrax for as needed heavy equipment rentals; and

WHEREAS, the City Manager recommends that competitive bids be waived and awards be made to Stowers, Bobcat, Contractors Machinery, United Rentals, Nortrax, and other suitable companies for as needed heavy equipment rental for the Public Works Department.

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

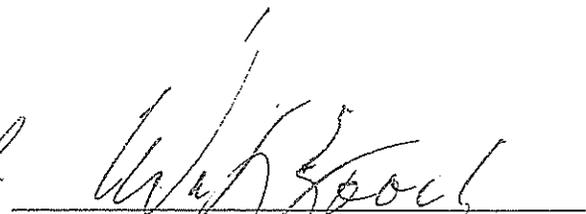
That the recommendation of the City Manager that competitive bids be waived is approved and awards are hereby made to Stowers, Bobcat, Contractors Machinery, United Rentals, Nortrax, and other suitable companies for as needed heavy equipment rental for the Public Works Department for FY2019 (July 1, 2018 through June 30, 2019), in an amount not to exceed \$95,000.00.

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

This the 11th day of June 2018.

APPROVED AS TO FORM AND LEGALITY:

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

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

  
\_\_\_\_\_  
Mary Beth Hiekman, City Clerk

**RESOLUTION**

A RESOLUTION TO AMEND RESOLUTION 6-47-2018 PERTAINING TO HEAVY EQUIPMENT RENTAL FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2019 TO ADD ADDITIONAL FUNDS.

WHEREAS, by Resolution 6-47-2018, City Council authorized the Public Works Department to spend an estimated amount of \$95,000.00 for as-needed rental of heavy equipment for various projects for Fiscal Year 2019; and

WHEREAS, due to repairs and work associated with the large landslide that occurred in February adjacent to the access road for the Water Treatment Plant, the Public Works Department has exceeded the amount allocated and is requesting an additional \$45,500.00; and

WHEREAS, the City Manager recommends approval of an amendment to Resolution 6-47-2018 to account for this unforeseen event and the emergency expenditure of additional funds.

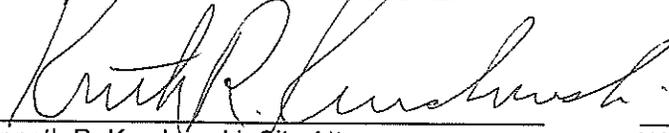
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and Resolution 6-47-2018 is hereby amended to add \$45,500.00 in additional funds as-needed heavy equipment rental for the Public Works Department for FY2019 (July 1, 2018 through June 30, 2019) bringing the total estimated amount to \$140,500.00.

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

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

**ELECTRIC DEPARTMENT MEMORANDUM  
19-25**

**DATE:** June 24, 2019  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** K-732 and K-731 ELECTRICAL SWITCHYARD

Introduction

An item for City Council's consideration is a resolution requesting the transfer of the K-732 and K-731 parcels at the Heritage Center from the Department of Energy to the City of Oak Ridge and authorizing the City Manager to execute documents relative to accomplishing that transfer.

Funding

No significant funding is associated with this item.

Review

Prior to 2011, the K-25 site, what is now the Heritage Center, was provided electric service directly from the Tennessee Valley Authority. Power was delivered to that site at 161 kV via redundant transmission lines.

When the City took responsibility for providing power to the Heritage Center and Horizon Center, the substation and switch house on the site were decommissioned and largely removed. Today all that remains are two functional, but disconnected, power transformers and a variety of concrete debris, mostly foundations, from equipment and structures that have been removed. That said, the nearby TVA transmission infrastructure was not removed and could easily be placed back in service if needed.

Staff is frequently approached by potential customers who wish to take large amounts of electric power in Heritage Center. Although we can supply significant power from our existing substation located on Blair Road (from which the site is currently served), there are real limits to the available power because of the distances involved.

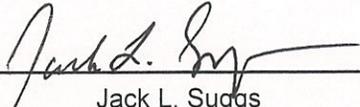
With the transformers on site and the TVA power lines still in service adjacent to the site, staff believes that this location could play a major role in economic development of Heritage Center by providing a very robust high load power source at a much lower cost than other locations in the City and probably in the entire region.

Note that we do not have concrete plans at this time nor do we have a customer needing the enormous power that could be potentially available at this location. We are requesting authority to obtain the site and use it for future projects that may occur.

Staff has held discussions with DOE regarding the site and the possibility of reusing it as a substation. DOE is agreeable at this point and has asked that we make a formal request for the transfer. The attached resolution allows staff to move forward in making this request and accepting the parcels.

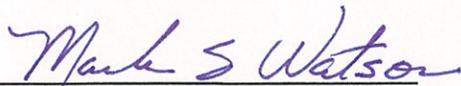
Recommendation

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

7-3-19  
\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO DEVELOP AND TRANSMIT TO THE U.S. DEPARTMENT OF ENERGY A PROPOSAL FOR THE NO-COST CONVEYANCE OF PORTIONS OF PARCELS K-731/K-732 FOR FUTURE ELECTRICAL NEEDS.

WHEREAS, the U.S. Department of Energy (DOE) is the owner of property known as Parcels K-731/K-732 located on South Perimeter Road (also known as Victorious Boulevard West) in Heritage Center (formerly K-25), which property formerly contained a substation and switch house that have been decommissioned and largely removed; and

WHEREAS, the property is available for transfer to the City upon request and approval of a proposal for use of the property pursuant to 10 CFR Part 770; and

WHEREAS, due to the location of the property, the existence of two transformers on the property, and the proximity of TVA power lines to the property, the property is an ideal location for a future substation to provide significant power to and play a major role in economic development of Heritage Center; and

WHEREAS, the City of Oak Ridge desires to request the no-cost conveyance of the property to facilitate and enhance future electrical power needs and other municipal uses; and

WHEREAS, the City Manager recommends the development and transmittal of a proposal for the conveyance of the property pursuant to 10 CFR Part 770 entitled *Transfer of Real Property at Defense Nuclear Facilities for Economic Development*.

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 Manager is hereby authorized to develop and transmit to the U.S. Department of Energy a proposal for the no-cost conveyance of portions of Parcels K-731/K-732 located on South Perimeter Road (also known as Victorious Boulevard West), pursuant to 10 CFR Part 770 entitled *Transfer of Real Property at Defense Nuclear Facilities for Economic Development*.

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

FINANCE DEPARTMENT MEMORANDUM  
19-09

DATE: June 19, 2019  
TO: Mark S. Watson, City Manager  
THROUGH: Janice E. McGinnis, Finance Director   
FROM: Lyn Majeski, Purchasing Manager  
SUBJECT: COMPETITIVELY BID COMMODITY REQUIREMENTS FOR  
FISCAL YEAR 2020

Introduction

An item for City Council's consideration is a resolution authorizing the approval of the City's routine commodity requirements in the not to exceed amount of **\$1,622,430**.

Funding

Funds are budgeted in Fiscal Year 2020.

Background/Analysis/Review/Consideration

The following three items are annual contract orders that effectively commit the City's full requirements for a specific commodity with the supplier for a specified period. The supplier agrees to meet the City's service requirements at the agreed upon price, generally fixed for the contract term. The supplier is ensured of a certain level of business activity at an estimated quantity and can adjust their inventory and service level accordingly. Delivery lead times are reduced and additional savings are achieved through paperwork and inventory reduction. The accompanying bid abstracts provide the bid quotation detail and explain the award recommendation.

WAREHOUSE STOCK STONE – REQUEST NUMBER 163063

The recommended supplier for base stone is Rogers Group, Inc. which provided the lowest bid. This product is delivered to the stockpile located at the Central Service Complex. The not to exceed amount for this product total **\$192,000**.

STONE PRODUCTS – REQUEST NUMBER 163064

The recommended supplier for these items is Rogers Group, Inc. which provided the lowest bid when pick up costs and/or delivery fees are included. The not to exceed amount for these products total **\$149,220**.

HOT MIX ASPHALT – REQUEST NUMBER 163065

The recommended supplier for this product is Rogers Group, Inc., which provided the lowest bid. When Rogers Group, Inc. cannot meet the City's requirement on any given day, staff will utilize secondary suppliers to fill those immediate needs. The not to exceed amount for these products total **\$321,210**.

The following six items are warehouse stock. These items will be competitively bid and purchased on an as needed basis during the fiscal year. The following information is provided to further explain the evaluation and recommendation process.

WATER METERS

Water meters are warehouse stock and are purchased for the Public Works Department on an as needed basis for the meter replacement program and for residential and commercial growth. City staff has standardized water meters throughout the city. Water meters will be procured through competitive bids from suppliers such as United Utilities, Southern Pipe & Supply Company, and HD Water Supply. The not to exceed amount is **\$75,000**.

POLES

Poles are warehouse stock and include all sizes of wood and metal poles for use by the Electric Department. This item varies by the size and quantity required for certain jobs. Staff will attempt to order by the full truckload so that freight charges will be less than with partial loads. The poles will be procured through competitive bids from companies such as Thomasson Company, Baldwin Pole Company, Cox Industries, Inc., Power Supply Company, Wesco, Anixter, Stuart C. Irby. The not to exceed amount is **\$200,000**.

CABLES

This item includes OH (overhead) and URD (underground) cables in warehouse stock for use by the Electric Department. The increasing cost of metals has directly influenced the price of these items. These items will be procured through competitive bids from suppliers such as Stuart C. Irby Company, Wesco Distribution, Inc. and Power Supply Company. The not to exceed amount is **\$250,000**.

LED LIGHTS

LED Lights are included in warehouse stock for the Electric Department. These items will be procured through competitive bids from suppliers such as Wesco Distribution, Inc., Stuart C. Irby Company, Power Supply Company and Anixter. The not to exceed amount is **\$300,000**.

SWITCH GEARS

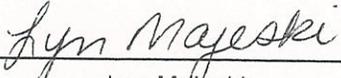
Switch gears are included in warehouse stock for use by the Electric Department. These items will be procured through competitive bids from suppliers such as Wesco Distribution, Inc., Graybar, Stokes Lighting Center, Customer Service Electric Supply and Kendall Electric, Inc. The not to exceed amount is **\$100,000**.

JUNCTIONS

Junctions are included in warehouse stock for use by the Electric Department. These items will be procured through competitive bids from suppliers such as Stuart C. Irby Company, Wesco Distribution, Inc. and Anixter. The not to exceed amount is **\$35,000**.

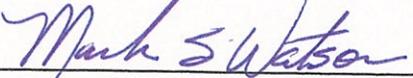
Recommendation

Staff recommends approval of the attached resolution as submitted.

  
Lyn Majeski

**City Manager's Comments:**

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

  
Mark S. Watson

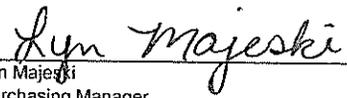
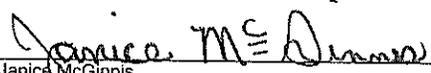
7-3-19  
Date

CITY OF OAK RIDGE, TENNESSEE

Abstract of Bids

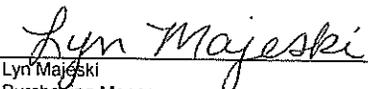
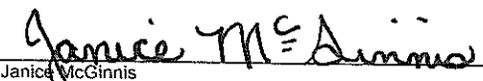
REQUEST NUMBER: 163063

OPENING DATE: JUNE 13, 2019 2:00 P.M.

FOR ---			BIDDER:		BIDDER:		BIDDER:		BIDDER:		
WAREHOUSE STOCK STONE			Rogers Group, Inc. 250 Union Valley Rd. Oak Ridge, TN 37830		Claiborne Hauling Contractors, LLC 6210 Rutledge Pike Knoxville, TN 37924		Blue Water Industries P.O. 15005 Knoxville, TN 37901				
DESCRIPTION	ITEM	UNIT	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
ANNUAL CONTRACT ORDER FOR THE PERIOD JULY 1, 2019 THROUGH JUNE 30, 2020 FOR WAREHOUSE STOCK STONE FOR USE BY VARIOUS CITY OF OAK RIDGE DEPARTMENTS	1	12,000 TONS	\$ 16.00	\$ 192,000.00	\$ 16.85	\$ 202,200.00	\$ 23.75	\$ 285,000.00			
TOTAL PRICE			\$ 192,000.00		\$ 202,200.00		\$ 285,000.00				
TERMS			NET 30 DAYS		NET 30 DAYS		25th DAY OF THE FOLLOWING MONTH				
DELIVERY			UPON REQUEST		AS NEEDED 24 HR NOTICE		AS SCHEDULED				
F.O.B.			OAK RIDGE QUARRY		CLAIBORNE		CITY OF OAK RIDGE				
VIA			TRUCK		CLAIBORNE HAULING TRUCK		TANDEM TRUCK - 20 TON MIN.				
OTHER BIDDERS CONTACTED: See Bid Process Form							BIDS OPENED AND RECORDED BY---				
							 Lyn Majeski Purchasing Manager				
REASON FOR AWARD: ONLY AVAILABLE SOURCE <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>							RECOMMEND AWARD BE MADE TO:  Rogers Group, Inc. 250 Union Valley Rd. Oak Ridge, TN 37830				
							BIDS REVIEWED BY---   Janice McGinnis Finance Director				

**CITY OF OAK RIDGE, TENNESSEE**  
**Abstract of Bids**

REQUEST NUMBER: 163064  
 OPENING DATE: JUNE 13, 2019 2:10 P.M.

FOR ---			BIDDER:		BIDDER:		BIDDER:		BIDDER:		
STONE PRODUCTS			Rogers Group, Inc. 250 Union Valley Rd. Oak Ridge, TN 37830		Claiborne Hauling Contractors, LLC 6210 Rutledge Pike Knoxville, TN 37924		Blue Water Industries PO Box 15005 Knoxville, TN 37921				
DESCRIPTION	ITEM	TONS	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
ANNUAL CONTRACT ORDER FOR THE PERIOD JULY 1, 2019 THROUGH JUNE 30, 2020 FOR CRUSHED AND GRADED STONE FOR THE CITY OF OAK RIDGE.											
BASE STONE - REQUIRED TO MEET TDOT BASE STONE REQUIREMENTS	1	7,000	\$ 12.90	\$ 90,300.00	\$ 12.00	\$ 84,000.00	\$ 18.75	\$ 131,250.00		\$ -	
#4 STONE - REQUIRED TO MEET TDOT FOR #2 GRADATION	2	300	\$ 14.80	\$ 4,440.00	\$ 15.00	\$ 4,500.00	\$ 21.25	\$ 6,375.00		\$ -	
#57 OR 1" STONE REQUIRED TO MEET TDOT #57 GRADATION	3	3,000	\$ 14.80	\$ 44,400.00	\$ 15.00	\$ 45,000.00	\$ 21.25	\$ 63,750.00		\$ -	
GRADED RIP RAP	4	400	\$ 17.00	\$ 6,800.00	\$ 19.00	\$ 7,600.00	\$ 22.25	\$ 8,900.00		\$ -	
SURGE RIP RAP	5	200	\$ 16.40	\$ 3,280.00	\$ 19.00	\$ 3,800.00	\$ 19.25	\$ 3,850.00		\$ -	
DELIVERY CHARGE PER TON OF ITEMS 1,2,3 & 4			\$ 3.10		\$ 4.85		\$ 6.25				
DELIVERY CHARGE PER TON OF ITEM 5			\$ 5.10		\$ 4.85		\$ 8.25				
<b>TOTAL PRICE</b>			\$ 149,220.00		\$ 144,900.00		\$ 214,125.00		\$ -		
<b>TERMS</b>			NET 30 DAYS		NET 30 DAYS		25th DAY OF THE FOLLOWING MONTH				
<b>DELIVERY</b>			UPON REQUEST		AS NEEDED - 24 HOUR NOTICE		AS SCHEDULED				
<b>F.O.B.</b>			OAK RIDGE QUARRY		CLAIBORNE		CITY OF OAK RIDGE				
<b>VIA</b>			TRUCK		CLAIBORNE HAULING TRUCK		TANDEM TRUCK - 20 TON MIN.				
OTHER BIDDERS CONTACTED: See Bid Process Form							BIDS OPENED AND RECORDED BY---				
							 Lyn Majeski Purchasing Manager				
<b>REASON FOR AWARD:</b>			<b>RECOMMEND AWARD BE MADE TO:</b>				BIDS REVIEWED BY---				
ONLY AVAILABLE SOURCE <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>			Rogers Group, Inc. 250 Union Valley Rd. Oak Ridge, TN 37830				 Janice McGinnis Finance Director				

CITY OF OAK RIDGE, TENNESSEE

Abstract of Bids

REQUEST NUMBER: 163065

OPENING DATE: JUNE 13, 2019 2:20 P.M.

FOR ---			BIDDER:		BIDDER:		BIDDER:		BIDDER:	
HOT MIX ASPHALT			Rogers Group, Inc 250 Union Valley Road Oak Ridge, TN 37830		Duracap Asphalt Paving Co., Inc. P.O. Box 53426 Knoxville, TN 37950-3426					
DESCRIPTION	ITEM	TONS		TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
ANNUAL CONTRACT ORDER FOR THE PERIOD JULY 1, 2019 THROUGH JUNE 30, 2020 FOR HOT MIX ASPHALT FOR THE CITY OF OAK RIDGE										
GRADE E, HOT MIX ASPHALTIC CONCRETE TDOT SECTION 411, PICKED UP BY CITY TRUCKS	1	2,200	\$ 82.65	\$ 181,830.00	\$ 83.00	\$ 182,600.00				
GRADE B, HOT MIX BITUMINOUS CONCRETE BASE MATERIAL TDOT SECTION 307, PICKED UP BY CITY TRUCKS	2	1,200	\$ 72.65	\$ 87,180.00	\$ 73.00	\$ 87,600.00				
GRADE C HOT MIX, TDOT SECTION 411 AND 307, PICKED UP BY CITY TRUCKS	3	300	\$ 80.15	\$ 24,045.00	\$ 78.00	\$ 23,400.00				
GRADE D HOT MIX, TDOT SECTION 411 AND 307, PICKED UP BY CITY TRUCKS	4	300	\$ 93.85	\$ 28,155.00	\$ 96.00	\$ 28,800.00				
DELIVERY CHARGE PER TON OF ITEM 1, 2, AND 3. MINIMUM 22 TON LOAD NOTE: ALL QUANTITIES ARE ESTIMATED	5		NO BID		N/A					
TOTAL PRICE				\$ 321,210.00	Note: Prices above based on June 2019 TDOT Asphalt Index of \$547.92 per Liquid Ton and is subject to increase or decrease at the time of pick-up.					
TERMS				NET 30 DAYS		\$ 322,400.00				
DELIVERY				AS REQUESTED						
F.O.B.				ASPHALT PLANT						
VIA				COR TRUCK		9509 DIGGS GAP ROAD HEISKELL, TN				

OTHER BIDDERS CONTACTED:  
See Bid Process Form

BIDS OPENED AND RECORDED BY---

*Lyn Majeski*  
Lyn Majeski  
Purchasing Manager

BIDS REVIEWED BY---

*Janice McGinnis*  
Janice McGinnis  
Finance Director

REASON FOR AWARD:

- ONLY BID RECEIVED
- LOW PRICE
- BETTER OR REQUIRED DESIGN
- EARLY DELIVERY
- LOWEST TOTAL COST

RECOMMEND AWARD BE MADE TO:

Rogers Group, Inc.  
250 Union Valley Road  
Oak Ridge, TN 37830

# BID PROCESS FORM

**BID NAME** RFQ's 163063, 163064 and 163065

**DESCRIPTION** Stone Products and Hot Mix Asphalt

**CITY COUNCIL MEETING** July 8, 2019

## 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>
Rogers Group, Inc.	Gary Seepe	250 Union Valley Road	Oak Ridge, TN 37830	865-483-6306	bill.chesney@rogersgroupinc.com	[e-mail]
	Bill Chesney				gary.seepe@rogersgroupinc.com	[e-mail]
Blue Water Industries	Gordon Cox	PO Box 15005	Knoxville, TN 37901	865-573-7625	gcox@bluewaterindustries.com	[e-mail]
Vulcan Materials Company	Jordan King	P.O. Box 7	Knoxville, TN 37901	865-693-7075	kingjor@vmcmail.com	[e-mail]
Duracap Asphalt Paving Co., Inc.	Brian Smith	2535 Asbury Road	Knoxville, TN 37914	865-524-3365	briansmith@duracapasphalt.com	[e-mail]
Claiborne Hauling Contractors, LLC	Anthony Hensley	6210 Rutledge Pike	Knoxville, TN 37924	865-540-4409	anthony@claibornehauling.com	[e-mail]

## BIDDERS WHO CONTACTED THE CITY AFTER ADVERTISED ( CONTACT INFORMATION)

Green Dream International	Mark Alexander	2331 Mill Road, Suite 100	Alexandria, VA 22314	202-455-8918	m.alexander@greendreamgr.com	[e-mail]
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## BIDS RECEIVED FROM BIDDERS CONTACTED DIRECTLY BY THE CITY

Rogers Group, Inc., Claiborne Hauling Contractors, LLC, Blue Water Industries

## ADVERTISEMENT

The City of Oak Ridge advertised this bid on the Finance Department's Departmental Webpage for a duration of 22 days.

**RESOLUTION**

A RESOLUTION AWARDING BIDS IN AN AMOUNT NOT TO EXCEED \$1,622,430.00 FOR THE ANNUAL ORDER OF VARIOUS MATERIALS AS REQUIRED BY THE CITY DURING FISCAL YEAR 2020.

WHEREAS, the City of Oak Ridge has issued invitations to bid for the furnishing of various materials as required during Fiscal Year 2020 (July 1, 2019 through June 30, 2020) and has received competitive bids which were publicly opened; and

WHEREAS, other required materials, with an aggregate cost exceeding \$25,000.00 during Fiscal Year 2020, will be competitively bid during the year on an as-needed basis; and

WHEREAS, the City Manager recommends that awards be made based upon the competitive bids that have or will be received with the respective suppliers of materials hereinafter set forth.

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 awards are hereby made as follows:

To Rogers Group, Inc., 250 Union Valley Road, Oak Ridge, Tennessee 37830, as the lowest bidder for the furnishing of warehouse stock stone, in accordance with its bid as submitted and publicly opened on June 13, 2019, as shown on Request No. 163063, in an amount not to exceed \$192,000.00.

To Rogers Group, Inc., 250 Union Valley Road, Oak Ridge, Tennessee 37830, as the lowest bidder for the furnishing of stone products when factoring in cost of pickup/delivery, in accordance with its bid as submitted and publicly opened on June 13, 2019, as shown on Request No. 163064, in an amount not to exceed \$149,220.00.

To Rogers Group, Inc., 250 Union Valley Road, Oak Ridge, Tennessee 37830, as the lowest bidder for the furnishing of hot mix asphalt, in accordance with its bid as submitted and publicly opened on June 13, 2019, as shown on Request No. 163065, in an amount not to exceed \$321,210.00.

To United Utilities, Southern Pipe & Supply Company, HD Water Supply, and other suitable companies after utilization of the City's competitive bid process as the suppliers of required warehouse stock water meters, in an amount not to exceed \$75,000.00.

To Thomasson Company, Baldwin Pole Company, Cox Industries Inc., Power Supply Company, Wesco, Anixter, Stuart C. Irby, and other suitable companies after utilization of the City's competitive bid process for the furnishing of warehouse stock wooden and metal poles, in an amount not to exceed \$200,000.00.

To Stuart C. Irby Company, Wesco Distribution Inc., Power Supply Company, and other suitable companies after utilization of the City's competitive bid process for the furnishing of warehouse stock overhead and underground cables for the Electric Department, in an amount not to exceed \$250,000.00.

To Wesco Distribution Inc., Stuart C. Irby Company, Power Supply Company, Anixter, and other suitable companies after utilization of the City's competitive bid process for the furnishing of

warehouse stock LED lights for the Electric Department, in an amount not to exceed \$300,000.00.

To Wesco Distribution Inc., Graybar, Stokes Lighting Center, Customer Service Electric Supply, Kendall Electric Inc., and other suitable companies after utilization of the City's competitive bid process for the furnishing of switchgears for the Electric Department, in an amount not to exceed \$100,000.00.

To Stuart C. Irby Company, Wesco Distribution Inc., Anixter, and other suitable companies after utilization of the City's competitive bid process for the furnishing of junctions for the Electric Department, in an amount not to exceed \$35,000.00.

Said awards in the grand total amount not to exceed \$1,622,430.00.

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 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**PUBLIC WORKS DEPARTMENT MEMORANDUM**  
**19-61**

**DATE:** June 25, 2019  
**TO:** Mark S. Watson, City Manager  
**THROUGH:** Shira A. McWaters, P.E., Public Works Director *SAM*  
**FROM:** Patrick S. Berge, P.E., Utility Manager  
**SUBJECT:** **ANNUAL ORDER – WASTEWATER TREATMENT PLANT UV DISINFECTION MAINTENANCE SUPPLIES**

Introduction

An item for City Council consideration is a recommendation for the authority to expend funds for the provision of ultraviolet disinfection maintenance supplies to be utilized at the Turtle Park Wastewater Treatment Plant during the period of July 1, 2019 through June 30, 2020, in the not to exceed amount of \$50,000.

Funding

Funding is available in the FY2020 Water Works budget.

Background

These supplies are specific to the Trojan ultraviolet disinfection system currently utilized by the Turtle Park Wastewater Treatment Plant. This includes lamps, ballasts and various replacement parts used to maintain the system. The supplier for these is Southern Sales Company, Nashville, TN.

The continued maintenance of the UV disinfection system is critical for maintaining compliance with the plant's NPDES permit requirements for *E. coli*. This system is approaching twenty years of service and maintenance costs have increased substantially over the last two years. A replacement system is in the procurement process, but will not be completed prior to this year.

The recommended purchase amount is only an estimate; any unspent funds will remain in the Water Works fund.

Recommendation

Staff recommends approval of the attached resolution as submitted. As the recommendation is a waiver of soliciting sealed bids due to the supplies being system specific, Council is reminded that a unanimous vote is required for approval.

Attachment:  
Resolution



Patrick S. Berge, P.E.

**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

*7-3-19*  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO SOUTHERN SALES COMPANY, NASHVILLE, TENNESSEE, FOR FURNISHING ULTRAVIOLET DISINFECTION MAINTENANCE SUPPLIES FOR THE WASTEWATER TREATMENT PLANT FOR FISCAL YEAR 2020 IN AN AMOUNT NOT TO EXCEED \$50,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2020 (July 1, 2019 through June 30, 2020) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, the City is in need of maintenance supplies for the existing Trojan UV disinfection system at the Wastewater Treatment Plant, which supplies are only available through Southern Sales Company in Nashville, Tennessee, as the sole source in this area; and

WHEREAS, maintenance of the existing UV disinfection system is critical for maintaining compliance with the plant's NPDES permit requirements; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to Southern Sales Company, Nashville, Tennessee.

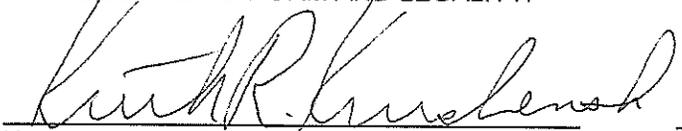
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Southern Sales Company, Nashville, Tennessee, for the furnishing of maintenance supplies for the UV disinfection system at the Wastewater Treatment Plant for FY2020 (July 1, 2019 through June 30, 2020), in an amount not to exceed \$50,000.00.

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

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

FIRE DEPARTMENT MEMORANDUM

HQ-19-09

**DATE:** June 4, 2019  
**TO:** Mark S. Watson, City Manager  
**FROM:** Darryl Kerley, Fire Chief  
**SUBJECT:** Annual Order for Personal Protective Equipment

Introduction

An item for City Council's consideration is an accompanying resolution authorizing the Fire Department to purchase personal protective equipment (Fire Bunker Gear) and uniforms for the 70 station based employees, and miscellaneous fire equipment from Municipal Emergency Services, Inc., located in Charlotte, North Carolina. The total estimated cost will not to exceed \$ 90,000.00.

Funding

The funds required to accomplish the equipment purchases are currently available is the FY20 Fire Department budget.

Background

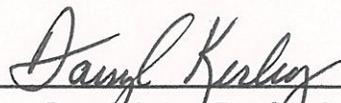
The Fire Department provides personal protective equipment (PPE), which includes all of the firefighting protective equipment and station uniforms for daily operations in accordance with the recommendation of the National Fire Protection Association (NFPA) and the Occupational Safety and Health Administration (OSHA). In order to meet the standards, the department must purchase 12 to 14 sets of PPE (bunker pants, coats, hoods, gloves, and boots) each year. In addition to the PPE, the city also furnishes approved station wear (cotton uniforms) to be worn during daily work activities.

The PPE and uniforms are placed out for bid every 5 years to meet the changes in equipment standards and to keep the equipment standardized within the department. The Protective equipment (Bunker Gear) is purchased from a qualified Government Purchasing Organization (GPO) bid package in accordance with state and local purchasing requirements.

Recommendation

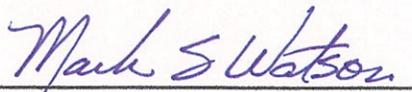
Staff recommends approval of the attached resolution.

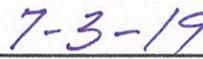
Attachment:  
Resolution

  
Darryl Kerley, Fire Chief

**City Manager's Comments:**

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

  
Mark S. Watson

  
Date

**RESOLUTION**

A RESOLUTION APPROVING THE CITY'S PARTICIPATION FIRE RESCUE GPO, A PURCHASING COOPERATIVE, AND MAKING AN AWARD TO MUNICIPAL EMERGENCY SERVICES, INC., CHARLOTTE, NORTH CAROLINA, THROUGH THE PURCHASING COOPERATIVE FOR FURNISHING PERSONAL PROTECTIVE EQUIPMENT AND UNIFORMS FOR FIRE DEPARTMENT STATION-BASED EMPLOYEES IN AN AMOUNT NOT TO EXCEED \$90,000.00.

WHEREAS, Tennessee Code Annotated §12-3-1205(b) provides that local governments may participate in cooperative purchasing agreements by adopting a resolution accepting the terms of the master agreement; and

WHEREAS, the City desires to become a participating member in Fire Rescue GPO, which is a program of NPPGov providing fire departments with access to publicly solicited contracts; and

WHEREAS, the City desires to utilize Fire Rescue GPO to purchase personal protective equipment (fire bunker gear) and uniforms for Fire Department station-based employees for Fiscal Year 2020; and

WHEREAS, for compliance with National Fire Protection Association (NFPA) and Occupational Safety and Health Administration (OSHA) recommendations, the Fire Department will need to purchase twelve (12) to fourteen (14) sets of personal protective equipment and uniforms for Fire Department station-based employees in Fiscal Year 2020; and

WHEREAS, the City Manager recommends award be made to Municipal Emergency Services, Inc., Charlotte, North Carolina, through Fire Rescue GPO, for personal protective equipment and uniforms for Fire Department station-based employees for Fiscal Year 2020.

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

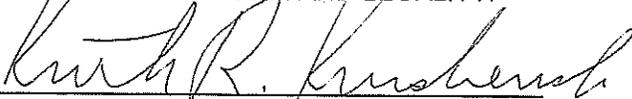
That the recommendation of the City Manager is approved and the City is hereby authorized to enter into the necessary membership agreement with Fire Rescue GPO, a program of NPPGov, thereby allowing the City to become a participating member with contract purchasing benefits in accordance with the terms and conditions of the applicable contract.

BE IT FURTHER RESOLVED that the City is hereby authorized to purchase personal protective equipment and uniforms for Fire Department station-based employees for Fiscal Year 2020 (July 1, 2019 through June 30, 2020) from Municipal Emergency Services, Inc., Charlotte, North Carolina, through Fire Rescue GPO, in an amount not to exceed \$90,000.00.

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

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:

  
Kenneth R. Krushenski, City Attorney

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

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

CITY COUNCIL MEMORANDUM  
19-15

DATE: June 27, 2019  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: CONTRACT WITH OAK RIDGE CHAMBER OF COMMERCE

Introduction

An item for City Council's consideration is a resolution approving a contract between the City of Oak Ridge and the Oak Ridge Chamber of Commerce for economic development activities beginning July 1, 2019 and ending June 30, 2020 in an amount not to exceed \$175,000 for FY 2020.

Funding

The City Council has authorized \$175,000 in the FY 2020 budget for economic development services. These funds would be used for specific economic development activities, including small business development center services, consultant assistance, promotions, professional administrative support to economic projects, and job retention efforts. Funds would be focused toward direct costs associated with supporting travel, marketing, studies, data collection, printing, prospect services and fees.

Background

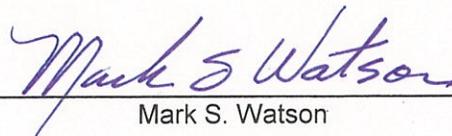
The City Council has budgeted City funds for tangible, identifiable activities associated with economic development. The Council has approved the allocation of \$175,000 for FY 2020.

The City Manager has met with the Chamber of Commerce President to discuss implementation through use of a "Diamond Team" concept. With the use of two part-time consultants for Oak Ridge (Ray Evans and Steve Jones), the City and the Chamber are coordinating responses to significant increases in industrial proposals/inquiries in lessee inquiries and retention in Oak Ridge.

The proposed contract will provide for the City to transfer funding to the Oak Ridge Economic Development Partnership initiative, a 501C3 entity governed by a four-member steering committee. The committee is comprised of the City Manager; the Chamber President; the Chairman of the Chamber Board, or his designee; and the Mayor, or his designee. These individuals will oversee the use of funding for economic development in accordance with the needs of this initiative. Funding will be allocated on a quarterly basis, not to exceed the authorized \$175,000. Unused funds during the fiscal year will be encumbered for future years and future economic development needs. Due to the volume of recruitment activity and interest in Oak Ridge, funds are needed to defray these expenses and ensure that Oak Ridge sites are ready and competitive for development. In return, the Chamber of Commerce is providing corporate assistance in servicing economic development prospects, with a focus on retail sectors and industrial retention/expansion and development of space inventory.

Recommendation

Approval of the attached resolution is recommended.

  
Mark S. Watson

Attachment

CONTRACT

This Contract entered into this the \_\_\_\_ day of \_\_\_\_\_, 2019, by and between the City of Oak Ridge, Tennessee, hereinafter referred to as the "City," and the Oak Ridge Chamber of Commerce, hereinafter referred to as the "Chamber."

WITNESSETH:

WHEREAS, the City and the Chamber have had a longstanding relationship in matters associated with economic development; and

WHEREAS, the parties desire to enter into a one-year contract to continue this relationship to build upon past successes, reduce costs, and jointly determine priorities, strategies, tactics, and actions.

NOW, THEREFORE, in consideration of the mutual covenants and conditions hereinafter contained, the City and the Chamber hereby agree as follows:

1. Term

This Contract shall be for a term of one (1) year commencing July 1, 2019 through June 30, 2020, subject to the provisions of Section XII, Termination.

2. Oak Ridge Economic Development Initiative

The parties hereby agree to continue the Oak Ridge Economic Development Initiative, hereinafter referred to as the Initiative, as a joint economic development program subject to annual appropriation. The priorities of the Initiative are to attract new capital investment, new jobs, building the City's tax base, generate retail sales, and grow the City and its economy.

3. Initiative's Steering Committee

The Initiative will be governed by a four (4) member Steering Committee comprised of the following members: the City Manager, the President/CEO of the Chamber, the Chairman of the Chamber Board or the Chairman's designee, and the Mayor or the Mayor's designee. The chairperson of the Steering Committee will rotate annually between the Chairman of the Chamber Board (or the Chairman's designee) and the Mayor (or the Mayor's designee), starting with the Chairman of the Chamber Board (or the Chairman's designee). The Steering Committee will determine appropriate and reasonable economic development priorities, strategies, tactics, actions and budgets. The Steering Committee will appropriately communicate matters with the Initiative to City Council, the Chamber Board, and other agreed upon stakeholders when necessary. The Steering Committee will provide general guidance in the management of economic development prospects, projects, and associated expenditures when necessary.

4. Chamber Responsibilities

The Chamber will allocate resources in staff time and other personnel costs, indirect costs including but not limited to telephone, computer services, internet access, office supplies, utilities, etc. toward the following:

- A. Marketing Oak Ridge as a location for new and expanding business using Steering Committee approved methods, messages, and financial resources, particularly retail;

- B. Identifying prospective new and expanding business prospects from Steering Committee approved sectors, clusters, and/or target markets;
- C. Providing customer services for call-in or walk-in business or expansion inquiries appropriate for referral, will assist the City with Requests for Proposals/Information/Qualifications brought to its attention, coordinating the responsible response to such opportunities with appropriate key City staff and consultants made available by the City Manager or the City Manager's designee; and
- D. Paying indirect costs associated with the Oak Ridge office of the Tennessee Small Business Development Center.

The Chamber shall determine the fair market value of its services for the purposes of this Contract, and confirm annually with the City Manager.

5. City Responsibilities

The City will annually provide an allocation of funding under this Contract in the amount of \$175,000.00.

6. Funding

Funds provided under this Contract will be transferred to the Oak Ridge Economic Partnership (or its successor in interest), which is a 501(c)(3) organization, for use by the Initiative. The Chamber will make reasonable amendments to the charter and/or bylaws of the Oak Ridge Economic Partnership (or its successor in interest) to meet the needs of the Initiative. Funds will be used for Initiative marketing hard costs to include, but not be limited to, the following Steering Committee approved:

- A. Prospect servicing, retail recruitment, and retention assistance;
- B. Website presences, and distribution of economic development materials;
- C. Collection and dissemination of market data with focus on vacant "for sale" properties and properties for lease;
- D. Conduct of feasibility study or other projects requiring the use of third-party experts, consultants, etc.;
- E. Appropriate travel and actual lodging, dining, conference and convention fees and/or per diem allowances, as determined and approved by the Steering Committee;
- F. \$6,000.00 toward funding operations of the Oak Ridge office of the Tennessee Small Business Development Center, and its goal to provide consultation, education, referral and support services to small business and which shall make special efforts to reach minority members of socially and economically disadvantaged groups, veterans, women and the disabled; and
- G. Funds may be used to acquire administrative and support services for economic development as approved by annual EDI budget.

7. Economic Development Contacts

The President/CEO of the Chamber and the City Manager (or designees) will jointly function as

economic development contacts for regional and state economic allies including but not limited to the Tennessee Valley Authority, Tennessee Department of Economic and Community Development, East Tennessee Economic Development Agency, Innovation Valley, Roane Alliance, and Anderson County Economic Development Association.

8. City Representatives Membership on Chamber Board

During the term of this Contract, the Mayor or the Mayor's designee serving on the Steering Committee will be designated a voting ex-officio member of the Chamber's Board of Directors. The City Manager will also be designated as a voting ex-officio member of the Chamber's Board of Directors.

9. Amendments

The parties may submit any proposed amendments to the other party for review. The other party will consider such proposal(s) in good faith and respond within sixty (60) days. This Contract may be amended by mutual agreement at any time in writing signed by the duly authorized representatives of each party. The approval of City Council and the Chamber Board is required for any amendments to this Contract.

10. Anti-Discrimination

In the performance of this Contract, the parties shall not discriminate against any person because of race, creed, color, national origin, age, sex, sexual orientation, disability, religion or other legally protected status.

11. Indemnification

- A. *Generally.* To the extent allowable by Tennessee law, the parties hereby agree to protect, indemnify and hold harmless the other party from and against any and all loss, expense, damage, charges and costs (including court costs and counsel fees) for injury to or death of persons and injury to or destruction of property suffered or alleged to have been suffered as a result of any negligent or willful act or omission or violations of law on the part of the indemnifying party in the course of the performance of the services provided for in this Contract.
- B. *City Limitation.* The City is governed by the provisions of the Tennessee Governmental Tort Liability Act for causes of action sounding in tort. Further, no contract provision requiring the City to indemnify or hold harmless any other entity beyond the liability imposed by law is enforceable because it appropriates public money and nullifies governmental immunity without the authorization of the General Assembly.

12. Termination

- A. *For Cause.* If either party shall fail to fulfill in a timely and proper manner its obligations under this Contract, or shall violate any of the covenants, agreements or stipulations of this Contract, and not cure said breach within thirty (30) days, after written notice from the other party specifying the obligations or violations which said party has failed to perform, the other party shall thereupon have the right to terminate this Contract by giving sixty (60) days written notice to the offending party of such termination. Provided however, that if the nature of the obligation is such that more than thirty (30) days are required for its performance and cure, then said party shall not be deemed to be in default if it shall commence such performance to cure within such thirty (30) day period and thereafter diligently prosecute the same to completion, subject to force majeure in

either case. References to "force majeure" hereinabove shall refer to delays due to strikes, riots, acts of God, governmental intervention or any other causes beyond the control of the Parties. Delays directly caused by the foregoing shall be excluded from the computations of deadlines in this Contract.

B. *Without Cause.* The parties may mutually agree to terminate this Contract by written agreement signed by the duly authorized representatives of each party after approval of City Council and the Chamber Board.

13. Independent Contractors

The parties acknowledge that the relationship created under this Contract is that of independent contracting parties and this Contract does not create a general agency, joint venture, partnership, employment relationship, or franchise between the parties.

The parties will publically acknowledge each other as a collaborative participant in economic development matters.

14. Entire Agreement

This Contract constitutes the entire agreement of the parties and may not be amended or modified orally, but only by written instrument executed by both parties after approval pursuant to Section IX, Amendments.

15. Governing Law

This Contract shall be construed under the laws of the State of Tennessee and shall be binding upon and inure to the benefit of the parties thereto, their respective successors, and to the extent permitted herein, assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Contract as of the day and year first above written.

APPROVED AS TO FORM AND LEGALITY

CITY OF OAK RIDGE, TENNESSEE

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

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

OAK RIDGE CHAMBER OF COMMERCE

\_\_\_\_\_  
Parker Hardy, President/CEO

Attachments: None  
Approved by Resolution \_\_\_\_\_

**RESOLUTION**

A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY AND THE OAK RIDGE CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT ACTIVITIES IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR FY2020.

WHEREAS, by Resolution 8-55-2016, City Council approved a three-year contract with the Oak Ridge Chamber of Commerce (Chamber) for economic development activities in an amount not to exceed \$175,000.00 per fiscal year with each fiscal year term subject to available funding, which contract expired on June 30, 2019; and

WHEREAS, the City has appropriated funds for Fiscal Year 2020 (July 1, 2019 through June 30, 2020) in the amount of \$175,000.00 for a contract with the Chamber to continue economic development services to market industrial, office, research and development, commercial, retail, and residential development in order to expand and enhance the economy and to maintain and expand the City's current economic base; and

WHEREAS, the City and the Chamber desire to enter into a contract for economic development activities in an amount not to exceed \$175,000.00 for FY2020.

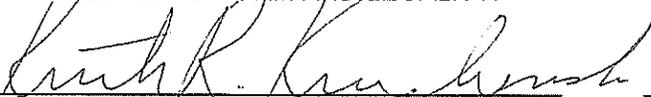
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into a contract (FY2020-012) with the Oak Ridge Chamber of Commerce for economic development activities in Oak Ridge for Fiscal Year 2020 (July 1, 2019 through June 30, 2020); said contract in an amount not to exceed \$175,000.00.

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

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

## INFORMATION SERVICES MEMORANDUM

19-06

TO: Mark S. Watson  
City Manager

FROM: Amy Fitzgerald, Ph.D.  
Governmental Affairs & Information Services Director

DATE: June 28, 2019

SUBJECT: A RESOLUTION AUTHORIZING MODIFICATION AND EXTENSION OF THE TENNESSEE OVERSIGHT INTERLOCAL AGREEMENT BETWEEN THE CITY OF OAK RIDGE AND THE FOLLOWING COUNTIES: ANDERSON, KNOX, MORGAN, AND ROANE, TO COOPERATE ON ISSUES RELATED TO THE U.S. DEPARTMENT OF ENERGY'S ENVIRONMENTAL MANAGEMENT PROGRAM AND EMERGENCY MANAGEMENT ACTIVITIES, AND TO BE RECOGNIZED AS THE OAK RIDGE RESERVATION COMMUNITIES ALLIANCE

### Introduction

An item for the July 8th City Council meeting is the adoption of the attached resolution supporting modification of the Tennessee Oversight Interlocal Agreement (TOIA) between the City of Oak Ridge and Anderson, Knox, Morgan, and Roane Counties. The resolution also extends the term of the TOIA to June 30, 2023. The modifications are due to the replacement of the Tennessee Oversight Agreement between the State of Tennessee and the U.S. Department of Energy, with a new agreement between the parties entitled the Oak Ridge Reservation Environmental Surveillance Oversight Agreement (ESO Agreement). A related Memorandum of Agreement (MOA) between the parties covers reimbursement of expenses by the State for work performed related to the CERCLA (Superfund) program on the Oak Ridge Reservation.

### Funding

No funding is associated with this item.

### Background

The Tennessee Oversight Agreement (TOA) was established between the State of Tennessee (State) and the U.S. Department of Energy (DOE) in May 1991 to assure the citizens of Tennessee that their health, safety, and environment are being protected by DOE. The TOA includes a provision to provide a better understanding by the local governments and the public of the past and present operations at the DOE's Oak Ridge Reservation and impacts on human health and/or the environment by the Oak Ridge Reservation.

By Resolution 11-101-11, City Council adopted the Tennessee Oversight Interlocal Agreement (TOIA) for the purpose of implementing the local government provisions of the TOA. The elected officials who represent the parties that have signed the TOIA meet on a regular basis to communicate about environmental issues, emergency response activities, and public concerns related to the Oak Ridge Reservation. The elected officials have chosen the name Oak Ridge Reservation Communities Alliance (ORRCA) to illustrate the cooperation among the affected local governments. ORRCA, currently chaired by Roane County Executive Ron Woody, meets at least once per quarter at the TDEC office on Emory Valley Road. Notices of the meetings are provided to citizens and the local media, and the meetings are open to the public. Oak Ridge citizens routinely attend these meetings. In April 2016 City Council adopted Resolution 4-23-2016, authorizing an extension of the TOIA through June 20, 2021.

A new agreement between the State and DOE, including the National Nuclear Security Administration (NNSA), entitled the Oak Ridge Reservation Environmental Surveillance Oversight Agreement (ESO Agreement), was signed in November 2018 for a term to expire on June 30, 2023. The ESO Agreement

replaces the Tennessee Oversight Agreement and states that the DOE and the State commit to maintaining a direct and open relationship with local governments, such as engagement with the Oak Ridge Reservation Communities Alliance (ORRCA).

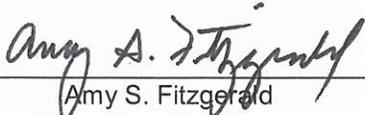
Also, in December 2017, the DOE Oak Ridge Office of Environmental Management (OREM) and the Tennessee Department of Environment and Conservation (TDEC) executed a Memorandum of Agreement (MOA) regarding the recovery of expenses as described in the Federal Facilities Agreement (FFA) Section XXXV. The MOA specifies stakeholder and public information liaison with "the Oak Ridge Reservation Communities Alliance, hosting public information sessions, and responding to the local governments' and community's concerns, specific to FFA and Environmental Management activities."

The State is requesting a modification to the TOIA to incorporate the new ESO Agreement. ORRCA members met on June 24, 2019 and adopted the modified TOIA, including a new expiration date of June 30, 2023 to align with the term of the ESO Agreement.

Recommendation

Staff recommends continuation of the Tennessee Oversight Interlocal Agreement. The agreement has proven to be an effective mechanism for government-to-government cooperation in achieving a better understanding of issues related to the DOE environmental management program.

Staff recommends adoption of the attached resolution.

  
\_\_\_\_\_  
Amy S. Fitzgerald

Attachments

**City Manager's Comments:**

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

 7-3-19  
\_\_\_\_\_  
Mark S. Watson                      Date

## TENNESSEE OVERSIGHT INTERLOCAL AGREEMENT (TOIA)

**Between the Counties of Anderson, Knox, Morgan, Roane along with the City of Oak Ridge to Cooperate on Issues Related to the U.S. Department of Energy's Environmental Management Program and Emergency Management Activities**

**WHEREAS**, the Tennessee Oversight Agreement (TOA) was established between the State of Tennessee (State) and the U.S. Department of Energy (DOE) in May 1991 to assure the citizens of Tennessee that their health, safety and environment are being protected by DOE; and

**WHEREAS**, the Tennessee Oversight Agreement has been renewed for the period July 1, 2016 through June 30, 2021; and

**WHEREAS**, the TOA states that the DOE and the State commit to maintaining a direct and open relationship with local governments, and that affected local governments will have direct access to Tennessee and DOE officials on a regular basis; and

**WHEREAS**, the affected local governments for the purpose of TOA implementation are the counties of Anderson, Knox, Morgan, Roane, and the City of Oak Ridge; and

**WHEREAS**, although each jurisdiction fully reserves the right to pursue its own interests, through communication, cooperation, and joint utilization of resources, the Mayors and County Executives of the affected local governments desire to meet on a regular basis regarding DOE or State activities requiring local government action or participation pursuant to the TOA.

### **I. PURPOSE**

This **Interlocal Agreement** is established among the affected local government jurisdictions for the purpose of implementing the Tennessee Oversight Agreement. The objective of the Interlocal Agreement is to provide:

- A. A mechanism for ongoing review and study of DOE's current and planned environmental program at the Oak Ridge Reservation (ORR);
- B. A forum for local governments and citizens to communicate about environmental issues and public concerns related to the ORR;
- C. A forum to enhance emergency management planning and training related to the ORR;
- D. Position statements, as needed, pertaining to policies, projects, issues and studies related to the ORR.

II. **PARTIES TO THE AGREEMENT**

The Parties to the Agreement shall be the local governments most directly affected by the implementation of the Tennessee Oversight Agreement. These are: (1) Anderson County; (2) Knox County; (3) Morgan County; (4) Roane County; and (5) the City of Oak Ridge.

III. **ORGANIZATION**

A. **Board of Mayors/Executives**

Upon the execution of this agreement, a Board of Mayors/Executives is herein created (Board). This Board consist of the Mayors of each affected local governments and the Roane County Executive and the Morgan County Executive.

B. **Officers**

There shall be a Chairperson and Vice-Chairperson elected from among the Board to serve one-year terms effective January 1 of each year.

IV. **OPERATION**

- A. The Board shall meet annually to approve a budget and work program for the coming year, and at least once per quarter thereafter, and at other times as needed. Meetings shall be open to the public.
- B. The Board shall take recommendations and establish agenda items from their respective local government jurisdictions, including Environmental Review Boards and the public.
- C. Work with the Tennessee Department of Environment and Conservation (TDEC) the Tennessee Emergency Management Agency (TEMA), DOE, and other agencies and local government jurisdictions on matters related to health, safety, the environment, and emergency management preparedness.
- D. The Board may establish subcommittees from time to time to study and report on issues.
- E. Each Board Member has an equal vote on all issues. Each Board Member shall be entitled to appoint a proxy as needed in the event of his/her absence at a meeting.

V. **ADMINISTRATION**

The Board shall appoint a Fiscal Agent (FA), which shall be a governmental entity. The FA shall:

- A. Receive a fee for management of the grant(s) related to implementation of the TOIA, as approved by the Board;

- B. Receive, distribute, and report financial activities related to the grant(s) to the Board, State, and public;
- C. Disburse funds under the direction of an annual budget and/or approval of the expenditures by the Board;
- D. Assist in the preparation and maintenance of all minutes and records of the Board;
- E. Assist with meeting logistics and distribution of materials.

VI. **DURATION OF THE AGREEMENT**

This agreement shall be effective when signed by the participating jurisdictions and shall continue through June 30, 2021. The term of this agreement may be extended thereafter with the written approval of the participating jurisdictions.

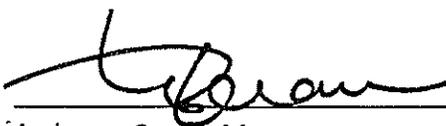
VII. **AMENDMENT**

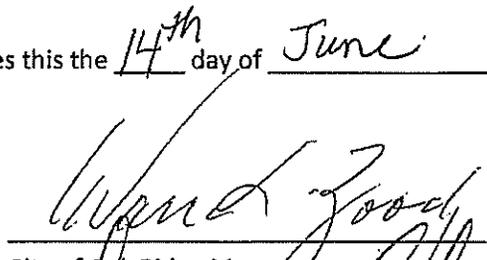
This Agreement may be amended by a majority vote of the Board.

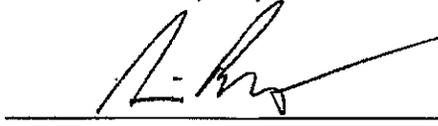
VIII. **WITHDRAWAL**

At any time a local government jurisdiction may withdraw from this agreement by providing written notification to the Board.

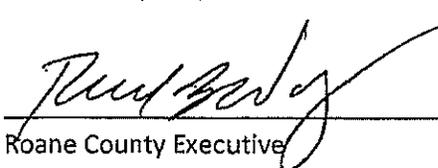
This Interlocal Agreement is signed by the Agreed Parties this the 14<sup>th</sup> day of June 2016.

  
 \_\_\_\_\_  
 Anderson County Mayor

  
 \_\_\_\_\_  
 City of Oak Ridge Mayor

  
 \_\_\_\_\_  
 Knox County Mayor

  
 \_\_\_\_\_  
 Morgan County Executive

  
 \_\_\_\_\_  
 Roane County Executive

**FOR THE OAK RIDGE RESERVATION COMMUNITIES ALLIANCE**

**A RESOLUTION ADOPTING THE TENNESSEE OVERSIGHT INTERLOCAL AGREEMENT (TOIA) AMONG THE COUNTIES OF ANDERSON, KNOX, MORGAN, ROANE, ALONG WITH THE CITY OF OAK RIDGE, TO COOPERATE ON ISSUES RELATED TO THE U.S. DEPARTMENT OF ENERGY'S ENVIRONMENTAL MANAGEMENT PROGRAM AND EMERGENCY MANAGEMENT ACTIVITIES, AND TO BE RECOGNIZED AS THE OAK RIDGE RESERVATION COMMUNITIES ALLIANCE.**

**WHEREAS**, the Oak Ridge Reservation Community Alliance (ORRCA) was formed in February of 2012; and

**WHEREAS**, ORRCA was formed to have an active role in the Department of Energy's Oak Ridge Reservation, relating to environmental management of both the current and legacy clean-up operations, and emergency management activities; and

**WHEREAS**, the Tennessee Oversight Interlocal Agreement (TOIA) was signed by ORRCA members on June 14, 2016 for a term through June 30, 2021; and

**WHEREAS**, a new agreement between the State and DOE, including the National Nuclear Security Administration (NNSA), entitled the Oak Ridge Reservation Environmental Surveillance Oversight Agreement (ESO Agreement), was signed in November 2018 for a term to expire on June 30, 2023. The ESO Agreement states that the DOE and the State commit to maintaining a direct and open relationship with local governments, such as engagement with the Oak Ridge Reservation Communities Alliance (ORRCA); and

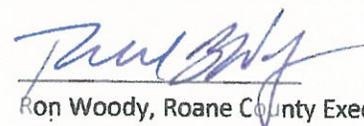
**WHEREAS**, in December 2017, the DOE Oak Ridge Office of Environmental Management (OREM) and the Tennessee Department of Environment and Conservation (TDEC) executed a Memorandum of Agreement (MOA) regarding the recovery of expenses as described in the Federal Facilities Agreement (FFA) Section XXXV. The MOA addresses recovery of expenses by TDEC for costs specifically related to the implementation of the FFA. The MOA specifies stakeholder and public information liaison with "the Oak Ridge Reservation Communities Alliance, hosting public information sessions, and responding to the local governments' and community's concerns, specific to FFA and Environmental Management activities"; and

**WHEREAS**, as stated in the above referenced agreements, for the purposes of this work plan, the term DOE shall include the National Nuclear Security Administration (NNSA); and

**WHEREAS**, the affected local governments which comprise ORRCA for the purpose of ESO Agreement and related MOA are the counties of Anderson, Knox, Morgan, Roane, and the City of Oak Ridge; and

**WHEREAS**, the ORRCA members desire to adopt the attached TOIA is to reflect the new ESO Agreement and MOA as described above.

**NOW THEREFORE BE IT RESOLVED** that the Oak Ridge Reservation Community Alliance approves the attached Tennessee Oversight Interlocal Agreement (TOIA).



Ron Woody, Roane County Executive  
ORRCA Chairman

6/27/19  
Date Approved:  
June 24, 2019

## TENNESSEE OVERSIGHT INTERLOCAL AGREEMENT (TOIA)

**Among the Counties of Anderson, Knox, Morgan, Roane, along with the City of Oak Ridge, to Cooperate on Issues Related to the U.S. Department of Energy's Environmental Management Program and Emergency Management Activities, and to be recognized as the Oak Ridge Reservation Communities Alliance**

**WHEREAS**, the Tennessee Oversight Agreement (TOA) was established between the State of Tennessee (State) and the U.S. Department of Energy (DOE) in May 1991 to assure the citizens of Tennessee that their health, safety and environment are being protected by DOE; and

**WHEREAS**, the Tennessee Oversight Agreement expired on November 30, 2017; and

**WHEREAS**, a new agreement between the State and DOE, including the National Nuclear Security Administration (NNSA), entitled the Oak Ridge Reservation Environmental Surveillance Oversight Agreement (ESO Agreement) was signed in November 2018 for a term to expire on June 30, 2023. The ESO Agreement states that the DOE and the State commit to maintaining a direct and open relationship with local governments, such as engagement with the Oak Ridge Reservation Communities Alliance (ORRCA); and

**WHEREAS**, the affected local governments which comprise ORRCA for the purpose of ESO Agreement implementation are the counties of Anderson, Knox, Morgan, Roane, and the City of Oak Ridge; and

**WHEREAS**, although each jurisdiction fully reserves the right to pursue its own interests, through communication, cooperation, and joint utilization of resources, the Mayors and County Executives of the affected local governments comprising ORRCA desire to meet on a regular basis regarding DOE or State activities requiring local government action or participation pursuant to the ESO Agreement and related environmental management and emergency management activities.

### **I. PURPOSE**

This **Tennessee Oversight Interlocal Agreement (TOIA)** is established among the affected local government jurisdictions for the purpose of implementing the ESO Agreement and related environmental management and emergency management activities. The affected local governments constitute the Oak Ridge Reservation Communities Alliance (ORRCA). The objective of the Tennessee Oversight Interlocal Agreement is to provide:

- A. A mechanism for ongoing review and study of DOE's current and planned environmental programs at the Oak Ridge Reservation (ORR);
- B. A forum for local governments and citizens to communicate about environmental issues and public concerns related to the ORR;
- C. A forum to enhance emergency management planning and training related to the ORR;
- D. Position statements, as needed, pertaining to policies, projects, issues and studies related to the ORR.

II. **PARTIES TO THE AGREEMENT**

The Parties to the Agreement shall be the local governments most directly affected by the implementation of the ESO Agreement and related environmental management and emergency management activities. These are: (1) Anderson County; (2) Knox County; (3) Morgan County; (4) Roane County; and (5) the City of Oak Ridge. Collectively, these local governments shall constitute the Oak Ridge Reservation Communities Alliance (ORRCA).

III. **ORGANIZATION**

**A. Board of Mayors/Executives**

Upon the execution of this agreement, a Board of Mayors/Executives is herein created (Board). This Board consist of the Mayors of each affected local government and the Roane County Executive and the Morgan County Executive.

**B. Officers**

There shall be a Chairperson and Vice-Chairperson elected from among the Board to serve one-year terms effective January 1 of each year.

IV. **OPERATION**

- A. The Board shall meet annually to approve a budget and work program for the coming year, and at least once per quarter thereafter, and at other times as needed. Meetings shall be open to the public.
- B. The Board shall take recommendations and establish agenda items from their respective local government jurisdictions, including Environmental Review Boards and the public.
- C. The Board shall work with the Tennessee Department of Environment and Conservation (TDEC) the Tennessee Emergency Management Agency (TEMA), DOE, member governments, and other agencies and local government jurisdictions on matters related to health, safety, the environment, and emergency management preparedness.
- D. The Board may establish subcommittees from time to time to study and report on issues.
- E. Each Board Member has an equal vote on all issues. Each Board Member shall be entitled to appoint a proxy as needed in the event of his/her absence at a meeting. Should a Board Member or proxy be unable to attend a meeting in person, an electronic vote, or other written or voice communication from the Board Member or proxy may be accepted as a valid vote of the Board Member.

V. **ADMINISTRATION**

The Board shall appoint a Fiscal Agent (FA), which shall be a governmental entity. The FA shall:

- A. Receive a fee for management of the grant(s) related to implementation of the TOIA, as approved by the Board;
- B. Receive, distribute, and report financial activities related to the grant(s) to the Board, State, and public;
- C. Disburse funds under the direction of an annual budget and/or approval of the expenditures by the Board;
- D. Assist in the preparation and maintenance of all minutes and records of the Board;
- E. Assist with meeting logistics and distribution of materials.

VI. **DURATION OF THE AGREEMENT**

This agreement shall be effective when signed by the participating jurisdictions and shall continue through June 30, 2023. The term of this agreement may be extended thereafter with the written approval of the participating jurisdictions.

VII. **AMENDMENT**

This Agreement may be amended by a majority vote of the Board.

VIII. **WITHDRAWAL**

At any time a local government jurisdiction may withdraw from this agreement by providing written notification to the Board.

This Interlocal Agreement is signed by the Agreed Parties this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Anderson County Mayor

\_\_\_\_\_  
City of Oak Ridge Mayor

\_\_\_\_\_  
Knox County Mayor

\_\_\_\_\_  
Morgan County Executive

\_\_\_\_\_  
Roane County Executive

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION AUTHORIZING MODIFICATION AND EXTENSION OF THE TENNESSEE OVERSIGHT INTERLOCAL AGREEMENT BETWEEN THE CITY OF OAK RIDGE AND THE FOLLOWING COUNTIES: ANDERSON, KNOX, MORGAN, AND ROANE, TO COOPERATE ON ISSUES RELATED TO THE U.S. DEPARTMENT OF ENERGY'S ENVIRONMENTAL MANAGEMENT PROGRAM AND EMERGENCY MANAGEMENT ACTIVITIES, AND TO BE RECOGNIZED AS THE OAK RIDGE RESERVATION COMMUNITIES ALLIANCE

WHEREAS, the Tennessee Oversight Agreement was established between the State of Tennessee (State) and the U.S. Department of Energy (DOE) in May 1991 to assure the citizens of Tennessee that their health, safety, and environment are being protected by DOE; and

WHEREAS, the Tennessee Oversight Agreement includes a provision to provide a better understanding by the local governments and the public of the past and present operations at the DOE's Oak Ridge Reservation and impacts on human health and/or the environment by the Oak Ridge Reservation; and

WHEREAS, by Resolution 11-101-11, City Council adopted the Tennessee Oversight Interlocal Agreement (TOIA) for the purpose of implementing the local government provisions of the Tennessee Oversight Agreement; and

WHEREAS, the local governments participating in the TOIA are collectively recognized by DOE and the State as the Oak Ridge Reservation Communities Alliance (ORRCA); and

WHEREAS, by Resolution 4-23-2016, City Council authorized an extension of the TOIA through June 20, 2021; and

WHEREAS, a new agreement between the State and DOE, including the National Nuclear Security Administration (NNSA), entitled the Oak Ridge Reservation Environmental Surveillance Oversight Agreement (ESO Agreement), was signed in November 2018 for a term to expire on June 30, 2023. The ESO Agreement replaces the Tennessee Oversight Agreement and states that the DOE and the State commit to maintaining a direct and open relationship with local governments, such as engagement with the Oak Ridge Reservation Communities Alliance (ORRCA); and

WHEREAS, in December 2017, the DOE Oak Ridge Office of Environmental Management (OREM) and the Tennessee Department of Environment and Conservation (TDEC) executed a Memorandum of Agreement (MOA) regarding the recovery of expenses as described in the Federal Facilities Agreement (FFA) Section XXXV. The MOA specifies stakeholder and public information liaison with "the Oak Ridge Reservation Communities Alliance, hosting public information sessions, and responding to the local governments' and community's concerns, specific to FFA and Environmental Management activities"; and

WHEREAS, the State is requesting a modification to the TOIA to incorporate the new ESO Agreement; and

WHEREAS, the ORRCA members unanimously adopted modifications to the TOIA on June 24, 2019 and extended the term through June 30, 2023 to align with the ESO Agreement; and

WHEREAS, the City Manager recommends that the City support the modifications to the TOIA, including an extended term through June 30, 2023.

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 modified Tennessee Oversight Interlocal Agreement between the City of Oak Ridge and the Counties of Anderson, Knox, Morgan and Roane is approved.

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

This the 8<sup>th</sup> day of July 2019.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

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Warren L. Gooch, Mayor

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Mary Beth Hickman, City Clerk

**CITY CLERK MEMORANDUM  
19-12**

DATE: June 26, 2019  
TO: Mark S. Watson, City Manager  
FROM: Mary Beth Hickman, City Clerk  
SUBJECT: APPROVAL OF A SOFTWARE AGREEMENT WITH GRANICUS

Introduction

An item for City Council's consideration is a resolution authorizing a three-year agreement with Granicus for the purchase of software to upgrade the video streaming of City Council meetings and to streamline the preparation of City Council meeting agendas and Board and Commission elections in an amount not to exceed \$68,284.54 for the three-year period.

Funding

Funding is available in the general fund budgets of the City Council and the City Clerk's office.

Background

In order to address issues with the audio and video quality of City Council meetings, the City Clerk's office was tasked with researching various software packages that would meet the City's needs in the area of video streaming and that would also streamline the process of agenda preparation and Board and Commission elections. Of the software packages that were examined, staff determined that Granicus best meets the needs of the City with respect to video streaming and agenda management. Also, Granicus software is utilized by twenty-six other cities in Tennessee, and the Tennessee General Assembly uses Granicus for video-streaming of legislative meetings. On June 18, 2019, Byron Gillin with Granicus made a presentation to City Council regarding the functionality of the software and answered questions from City Council.

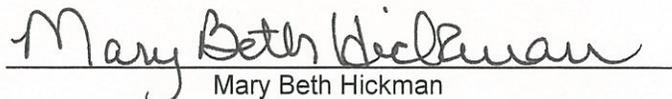
Obsolete equipment has led to numerous transmittal and broadcasting issues with City Council meetings. The video streaming software produced by Granicus would replace the City's current U-stream broadcast and would provide streaming opportunities to supplement the current broadcasting media of Comcast and AT&T. Currently, preparation of the agenda and election packets generate a number of costs to the City, including labor hours and reproduction costs. There is also a greater risk of human error with the potential for materials to be left out of the hard-copy packets or issues with reproduction.

The resolution also authorizes the City Manager to expend up to an additional \$6,000 over the three-year period for unforeseen onsite training needs and troubleshooting that may occur beyond initial implementation.

Recommendation

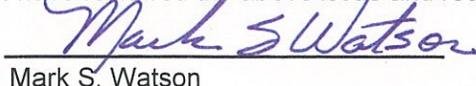
Approval of the attached resolution is recommended. As a reminder, waiver of competitive bids requires a unanimous vote of City Council.

Attachment:  
Resolution

  
Mary Beth Hickman

**City Manager's Comments:**

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

  
Mark S. Watson

7-3-19  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND AUTHORIZING A THREE-YEAR AGREEMENT WITH GRANICUS, LLC, ST. PAUL, MINNESOTA, FOR SOFTWARE AND SERVICES IN AN AMOUNT NOT TO EXCEED \$68,284.54.

WHEREAS, City Staff researched and evaluated available software options to upgrade video streaming of City Council meetings and to streamline the preparation of City Council meeting agendas and Board and Commission elections; and

WHEREAS, City Staff determined the best available option meeting the City's needs is Granicus, LLC, St. Paul, Minnesota; and

WHEREAS, Granicus software is utilized by twenty-six (26) other Tennessee cities as well as the Tennessee General Assembly; and

WHEREAS, the video streaming software will replace the City's current U-stream broadcast and will supplement the current broadcast media of Comcast and AT&T; and

WHEREAS, Granicus has submitted a quote for a three-year term, inclusive of software and services, in the total amount of \$68,284.54 (Year 1: \$24,857.00; Year 2: \$20,979.49; and Year 3: \$22,488.05); and

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

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 the City is hereby authorized to enter into a three-year agreement with Granicus, LLC, 408 St. Peter St, Suite 600, St. Paul, Minnesota 55102, for software and services in an amount not to exceed \$68,284.54 over the three-year term.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to expend up to an additional \$6,000.00 under this agreement for unforeseen training needs and troubleshooting that may occur in the future beyond initial implementation.

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

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

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

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

**CITY COUNCIL MEMORANDUM**  
**19-22**

DATE: July 2, 2019, 2019  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: PROFESSIONAL SERVICES AGREEMENT – WINDROW PHILLIPS GROUP

Introduction

An item for City Council's consideration is a resolution approving a professional services agreement with Windrow Phillips Group, Nashville, Tennessee, for the provision of consulting services in the area of relations with the state legislators, agencies, and officials for agreed upon priorities for the City in the amount of \$36,000.00 with an allowance of up to \$600.00 for expenses related to registration with the Tennessee Ethics Commission.

Funding

The FY 2020 budget includes a total allocation of \$45,000.00 for lobbying services.

Review

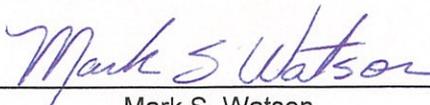
In January 2017, the City of Oak Ridge entered into an agreement with Windrow Phillips Group of Nashville to represent us on matters involving state legislation and consultations with state agencies. For the City, it ensured that legislative issues affecting Oak Ridge could be addressed and we could be quickly informed. The Windrow Group coordinates in matters of testimony and provides support for various agencies; such as, the Tennessee Municipal League. Windrow also has assisted with contacts in the Tennessee Department of Environment and Conservation (TDEC) and the Tennessee Department of Transportation (TDOT). Last year, several specialty legislation and budgetary items were supported by the firm in "walking" matters through various agencies. The Windrow Group was helpful to other Oak Ridge groups and on federal agency matters in Nashville. Additionally, Windrow Phillips has assisted with regulatory clarification and legislative amendment to our Legislative delegation representing Oak Ridge.

The City Manager and the Windrow Phillips Group wish to continue this working relationship. The current agreement is written based on a calendar year versus a fiscal year in an amount not to exceed \$30,000.00 with a \$600.00 allowance related to registration with the Tennessee Ethics Commission. Windrow Phillips costs have increased by \$500.00 per month for the coming year.

A visible presence in Nashville during the legislative session as well as throughout the year has proved invaluable; therefore, it is recommended that the agreement be modified to a fiscal year timetable and the compensation be confirmed at \$36,000.00 plus a \$600.00 allowance for additional registration expenses.

Recommendation

Approval of the attached resolution is recommended.

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

Attachment

**RESOLUTION**

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH WINDROW PHILLIPS GROUP, NASHVILLE, TENNESSEE, FOR THE PROVISION OF CONSULTING SERVICES IN THE AREA OF RELATIONS WITH THE STATE LEGISLATORS, AGENCIES, AND OFFICIALS FOR AGREED UPON PRIORITIES FOR THE CITY IN THE AMOUNT OF \$36,000.00 WITH AN ALLOWANCE OF UP TO \$600.00 FOR EXPENSES RELATED TO REGISTRATION WITH THE TENNESSEE ETHICS COMMISSION.

WHEREAS, by Resolution 12-15-2017, City Council approved a Professional Services Agreement (FY2018-095-R) with Windrow Phillips Group, Nashville, Tennessee, for consulting services in the area of relations with State legislators, agencies, and officials for agreed upon priorities for Calendar Year 2018 in the amount of \$30,000.00 with an allowance of up to \$600.00 in expenses related to registration with the Tennessee Ethics Commission; and

WHEREAS, the resolution authorized renewals of the agreement upon the mutual consent of both parties for up to five (5) additional calendar years provided budgeted funds were available; and

WHEREAS, this agreement was renewed for Calendar Year 2019, which is set to expire on December 31, 2019 if no further renewal options are exercised; and

WHEREAS, the City is pleased with the services provided by Windrow Phillips Group and both parties desire to continue their existing working relationship; however, the City desires to place this agreement on the fiscal year rather than the calendar year for ease of accounting; and

WHEREAS, Windrow Phillips Group has requested a \$6,000.00 increase in yearly compensation, which request the City Manager finds reasonable based upon the workload and said request is within the budgeted allowance for this service; and

WHEREAS, a change in term length and an increase in compensation is most easily accomplished through termination of the current agreement and approval of a new agreement, which action is recommended by the City Manager.

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 Professional Services Agreement (FY2020-020) with Windrow Phillips Group, 511 Union Street, Suite 1820, Nashville, Tennessee 37219, for the provision of consulting services in the area of relations with State legislators, agencies, and officials for agreed upon priorities for the City for Fiscal Year 2020 in the amount of \$36,000.00 with an allowance of up to \$600.00 for expenses related to registration with the Tennessee Ethics Commission.

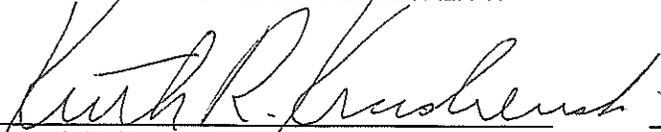
BE IT FURTHER RESOLVED that said agreement contains up to five (5) fiscal year renewal options upon the mutual consent of both parties, with the City Manager having authority to execute the renewal options if available funds are authorized in the budget.

BE IT FURTHER RESOLVED that the existing agreement between the parties (FY2018-095-R) is terminated effective June 30, 2019.

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 8th of July 2019.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

**PUBLIC WORKS DEPARTMENT MEMORANDUM  
19-70**

**DATE:** June 25, 2019  
**TO:** Mark S. Watson, City Manager  
**FROM:** Shira A. McWaters, P.E., Public Works Director  
**SUBJECT: PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES – ADA COMPLIANCE AND TRANSITION PLAN – PHASE IV**

Introduction

An item for City Council consideration is a resolution authorizing a Professional Engineering Services Agreement with LDA Engineering, Alcoa TN, for the completion of the final phase (Phase IV) of an ADA Compliance and Transition Plan in accordance with the U.S. Department of Justice guidelines, in the not to exceed amount of \$87,800. The work shall be completed in Fiscal Year 2020.

Funding

Funding is available in the Capital Project Fund.

Background

In 1990, the Americans with Disabilities Act was signed into law. This act was designed to provide access and equal opportunity for individuals with disabilities. The ADA Act requires all municipal programs and facilities be accessible for individuals' with disabilities. The U.S. Department of Justice has compliance responsibility, and all federal agencies including the Tennessee Department of Transportation (TDOT) are committed to enforcement of the ADA.

The following key dates were established to meet compliance with this plan along with status.

<b>Task</b>	<b>Status</b>
December 2016 – ADA Coordinator Named & Grievance Procedures Created	Done
December 2017 – Correspondence Outlining Process to Develop Plan	Done
September 2018 – Self Certification Form to TDOT (Status Update)	On-going
December 2019 – Submittal of Plan	Pending

The professional service proposal provided by LDA, dated April 17, 2018, to complete the plan involves significant field surveys which will be completed in three (3) phases over the course of FY2019, as noted herein.

Phase I includes the evaluation of approximately 145 miles of sidewalks, 11 miles of greenways, and approximately 400 intersections with curb ramps. Phase I has been completed.

Phase II includes facility evaluations for approximately 16 city buildings and parking lots, 19 parks/recreation facilities, Douglas Chapel Cemetery, the Kentucky Avenue tennis courts, and the outdoor pool, as noted in the attached proposal. Phase II has been completed.

Phase III includes public outreach to citizens and local advocacy groups, and group meetings, in accordance with the ADA Plan guidelines. Phase III is on-going.

Phase IV is the completion and submittal of the finalized transition plan to the state, as noted in the attached proposal provided by LDA, dated June 3, 2019. Phase IV will be completed by December 31, 2019.

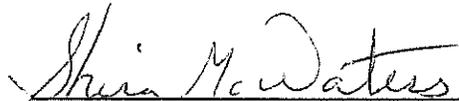
Additionally, with the City taking over the Centennial Golf Course, an amendment is included for the assessment of this facility for compliance with the ADA plan requirements.

Resolution No. 5-37-2018 approved the completion of Phases I through III. Phase IV and the amendment requires approval by City Council.

Recommendation

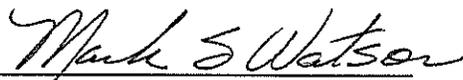
A written cost proposal for engineering services was received and reviewed on June 3, 2019. Based on the review of the scope of work and submitted cost proposal, Staff recommends a Professional Engineering Service Agreement with LDA Engineering for the final phase (Phase IV) in the not to exceed amount of \$87,800. Approval of the attached resolution is recommended as submitted.

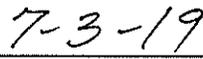
Attachment(s)  
Resolution NO. 5-37-2018  
LDA Proposal dated 6/3/19  
Resolution

  
\_\_\_\_\_  
Shira A. McWaters, P.E.

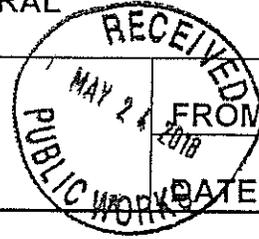
**City Manager's Comments:**

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

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

  
\_\_\_\_\_  
Date

ADMINISTRATIVE ACTION REFERRAL  
City of Oak Ridge, Tennessee



TO: Public Works Director\*  
City Attorney\*  
Finance Director\*\*

Accounting Division Manager\*\*

FROM: City Manager

DATE: May 15, 2018

DESCRIPTION OF SUBJECT: RESOLUTION NO. 5-37-2018

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LDA ENGINEERING, ALCOA, TENNESSEE, TO COMPLETE DATA-GATHERING PHASES OF AN ADA COMPLIANCE AND TRANSITION PLAN, IN AN AMOUNT NOT TO EXCEED \$165,200.00.

TYPE OF MEETING:  
CITY COUNCIL MEETING

DATE OF MEETING:  
May 14, 2018

ACTION TAKEN:

Approved

ADMINISTRATIVE ACTION REQUESTED:

- \* To Comply
- To investigate; report recommendations to this office
- \*\* No report necessary; information only
- Coordinate with
- See remarks

ATTACHMENTS

Resolution No. 5-37-2018

*City Manager's Office*

RESOLUTION

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LDA ENGINEERING, ALCOA, TENNESSEE, TO COMPLETE DATA-GATHERING PHASES OF AN ADA COMPLIANCE AND TRANSITION PLAN, IN AN AMOUNT NOT TO EXCEED \$165,200.00.

WHEREAS, federal law and regulations require the City to conduct a self-evaluation of its services, programs, policies, and practices and identify barriers that may limit accessibility for people with disabilities, and to develop transition plans describing how it will address identified barriers; and

WHEREAS, by Resolution 8-81-2017, City Council approved the transmittal of a letter to the Tennessee Department of Transportation to provide an update on the City's efforts toward outlining the development of an ADA Transition Plan; and

WHEREAS, in accordance with said letter, the City is ready to move forward with the data-gathering steps needed to complete the plan; and

WHEREAS, LDA Engineering, Alcoa, Tennessee, has submitted a proposal to conduct an evaluation of sidewalks, greenways, and intersections (Phase I); to conduct facility evaluations for city buildings, parking lots, and recreational areas (Phase II); and public outreach and working group meetings (Phase III); and

WHEREAS, the City Manager recommends approval of a professional services agreement with LDA Engineering to provide said services.

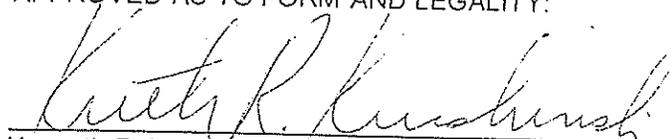
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into a Professional Services Agreement with LDA Engineering, 110 Tyson Boulevard, Suite 200, Alcoa, Tennessee 37701, to conduct data-gathering phases of the City's ADA Compliance and Transition Plan, in an amount not to exceed \$165,200.00, contingent upon sufficient funds being appropriated and approved in the FY2019 budget.

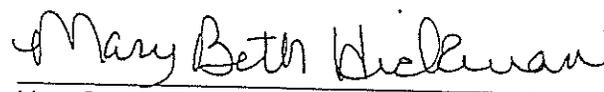
BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 14th day of May 2018.

APPROVED AS TO FORM AND LEGALITY:

  
Kenneth R. Krushenski, City Attorney

  
Warren L. Gooch, Mayor

  
Mary Beth Hickman, City Clerk

**PUBLIC WORKS DEPARTMENT MEMORANDUM**  
18-28

**DATE:** April 27, 2018  
**TO:** Mark S. Watson, City Manager  
**FROM:** Shira A. McWaters, P.E., Public Works Director  
**SUBJECT:** PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES – ADA COMPLIANCE AND TRANSITION PLAN

Introduction

An item for City Council consideration is the recommendation of a Professional Engineering Services Agreement with LDA Engineering, Alcoa, TN, for the completion of Phases I-III of an ADA Compliance and Transition Plan in accordance with the U.S. Department of Justice guidelines, in the not to exceed amount of \$165,200. The work shall be completed in Fiscal Year 2019 and is contingent on the passing of the FY2019 budget.

Funding

Funding is available in the Capital Project Fund.

Background/Analysis

In 1990, the Americans with Disabilities Act was signed into law. This act was designed to provide access and equal opportunity for individuals with disabilities. The ADA Act requires that all municipal programs and facilities be accessible for individuals with disabilities. The U.S. Department of Justice has compliance responsibility, and all federal agencies including the Tennessee Department of Transportation (TDOT) are committed to enforcement of the ADA.

The following key dates were established to meet compliance with this plan along with the City's current completion status.

Task	Status
December 2016 – ADA Coordinator Named & Grievance Procedures Created	Done
December 2017 – Correspondence Outlining Process to Develop Plan	Done
September 2018 – Self Certification Form to TDOT (Status Update)	Pending
December 2019 – Submittal of Plan	Pending

The majority of the City's parks, sidewalks and buildings pre-date the passage of the Americans with Disabilities Act (ADA), and the corresponding Americans with Disabilities Act Accessibility Guidelines (ADAAGs). These national guidelines were updated with the 2010 ADA Standards for Accessible Design that became effective March 15, 2012.

The professional service proposal to complete the plan involves significant field surveys which will be completed in three (3) phases over the course of FY2019, as noted herein.

Phase I includes the evaluation of approximately 145 miles of sidewalks, 11 miles of greenways, and approximately 400 intersections with curb ramps.

Phase II includes facility evaluations for approximately 16 city buildings and parking lots, 19 parks/recreation facilities, Douglas Chapel Cemetery, the Kentucky Avenue tennis courts, and the outdoor pool, as noted in the attached proposal.

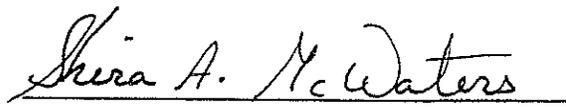
Phase III includes public outreach to citizens and local advocacy groups, and group meetings, in accordance with the ADA Plan guidelines.

Phases I-III represent the data gathering steps needed to complete the plan. Phase IV is preparing the final plan for submission to the State. It will include detailed documentation of the deficiencies, recommendations, an engineer's estimate of probable construction costs associated with the recommended improvements, and proposed schedule to complete the recommended upgrades. The plan is currently proposed to be completed in the first half of FY2020. The final document will become a planning tool the City can use for budgeting and completing projects.

Recommendation

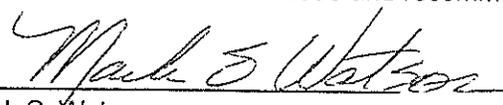
A written cost proposal for engineering services was received and reviewed on April 17, 2018. Based on the review of the scope of work and submitted cost proposal, Staff recommends a Professional Engineering Service Agreement with LDA Engineering. Adoption of the attached Resolution is recommended as submitted.

Attachment(s)  
Submitted Proposal  
Supporting Material  
Resolution

  
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



WATER  
WASTEWATER  
STORMWATER  
PUBLIC WORKS

April 17, 2018

Ms. Shira McWaters, P.E.  
Public Works Director  
City of Oak Ridge, Tennessee  
100 Woodbury Lane  
Oak Ridge, TN 37830

Reference: City of Oak Ridge Public Works Department  
Proposal for Engineering Services  
ADA Compliance and Transition Plan

Dear Ms. McWaters:

Access to civic life by people with disabilities is a fundamental goal of the Americans with Disabilities Act (ADA). To ensure that this goal is met, Title II of the ADA requires State and local governments to make their programs and services accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, programs, and events -- but also to policy changes that governmental entities must make to ensure that all people with disabilities can take part in, and benefit from, the programs and services of State and local governments. In addition, governmental entities must ensure effective communication -- including the provision of necessary auxiliary aids and services -- so that individuals with disabilities can participate in civic life.

One important way to ensure that Title II's requirements are being met in the City of Oak Ridge is through self-evaluation, which is required by the ADA regulations. Self-evaluation will enable the City of Oak Ridge to pinpoint the facilities, programs and services that must be modified or relocated to ensure the City is complying with the ADA regulations.

#### PROJECT UNDERSTANDING

Provide professional engineering services to the City of Oak Ridge to assist with completing an Americans with Disabilities Act review of their facilities for compliance with Title II of the ADA. This includes the work required to complete a Self-Evaluation and Transition Plan (SETP) for Client-owned and leased facilities, parks, and pedestrian right-of-way (ROW) facilities.

#### Services to be Provided by ENGINEER:

Our team will provide the services of qualified professionals to complete the Basic Scope of Services outlined herein. Items that are the responsibility of the City are noted within the following sequence:

Ms. Shira McWaters, P.E.  
Public Works Director  
Proposal for Engineering Services - ADA Compliance and Transition Plan  
April 17, 2018  
Page 2

1. Right-of-Way (ROW) Evaluation (PHASE I):
  - a. Our team will utilize data collection tools and GeoJot software to collect field data on sidewalks and curb ramps within the public ROW and provide the City with electronic output data obtained. We will also prepare an opinion of probable construction costs for public ROW facility improvements required to meet Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way PROWAGd, dated July 26, 2011) for the SETP.
  - b. The amount of public ROW to be evaluated is approximately 145 miles of sidewalk, 11 miles of greenways, and approximately 400 intersections with curb ramps. Our team will collect data for the above quantity of ROW facilities, as well as pedestrian signals in the City. ROW facilities that have data provided by the City, will be converted to the same format as those facilities to be collected. Any supplemental investigation of the provided data, if necessary, is included. In the event that the quantity of ROW facilities exceeds the above estimated quantities, it may be cause for modification to this scope and fee proposal following written approval from the City.
  - c. The City appears to have 10 blocks of marked on-street parking. Review will be done for areas where parking is allowed but not marked or metered, consistent with PROWAG.
2. Non-ROW Facility Evaluation (PHASE II):
  - a. Perform an investigation of compliance with the ADA Standards for Accessible Design (ADASAD) for the City facilities listed below. The investigation shall include site and architectural barriers consistent with the requirements of the ADASAD (September 2010) in only public areas of each facility and areas deemed to be common use by employees. Private offices or other work areas are specifically excluded from evaluation but can be reviewed if requested by the City following modification to the contract. The LDA Team will take appropriate measurements at all locations and counts in parking areas outside of the public right-of-way, along the accessible route from parking to the building entrance(s), and all publicly accessible areas within each facility. In all cases, the City shall provide us with direction regarding areas of these facilities that are open to the public.
  - b. Prepare an Access Assessment Report for each facility that will be included as an appendix in the transition plan. Each report will include the name and location of the facility, aerial map showing the location and limits of each facility, marked up floor plans (if provided by Client) of areas included in the self-evaluation, list of items that deviate from ADASAD with required and measured parameter, action needed and/or options for compliance, ADASAD reference(s), estimated cost of corrective action (where possible), and priority for corrective action. We will include photo documentation of each facility at the time of the self-

- evaluation and include photo examples of the various non-compliant features for each facility.
- c. In some instances, our team may instead note procedural changes or recommend relocating a service to an accessible location within the same or another facility to provide equal access to programs, services, and activities of the City instead of renovations that would be significant in cost and/or impact to the facility.
  - d. The LDA Team will provide the City with a draft of each facility assessment report as they are completed for review and comment. We anticipate discussing reports at meetings with the Project Working Group to obtain resolution on addressing comments on the draft reports.
  - e. The following buildings/facilities and park facilities will be investigated:

Table 1 – Facility Summary		
Item No.	Facility Description	Address
<b>General Facilities</b>		
1	Fire Station #1	652 Enrichment
2	Fire Station #2	2097 Oak Ridge Turnpike
3	Fire Station #3	333 Tuskegee Drive
4	Fire Station #4	609 Oak Ridge Turnpike
5	Animal Shelter	395 Belgrade Road
6	Municipal Building	200 S. Tulane
7	Police Station	200 S. Tulane
8	Central Services	100 Woodbury Lane
9	Public Library	1401 Oak Ridge Turnpike
10	Douglas Chapel Cemetery	Robertsville Road
11	Badger Building	205 Badger Avenue
12	Incubator Building	1010 Commerce Park Drive
13	Administrative Hearings	1143 Oak Ridge Turnpike, Suite 107
14	WWTP	100 Monterey Road
15	Water Treatment Plant	755 Bear Creek Road
<b>Parks</b>		
1	Haw Ridge Park	Bethel Valley Road
2	Soloway Park	Bethel Valley Road
3	Melton Lake Park	Melton Lake Drive
4	Elza Gate Park	Oak Ridge Turnpike
5	Milt Dickens Park	Oak Ridge Turnpike
6	Elm Grove Park	751 E. Tennessee Avenue

7	Cedar Hill Park	Michigan Avenue
8	Tennis Courts	35 Kentucky Avenue
9	Pinewood	Bus Terminal Road
10	Pool	172 Providence Road
11	LaSalle Park	LaSalle Road
13	Big Turtle Park	Oak Ridge Turnpike
14	A.K. Bissell Park	200 S. Tulane (Civic Center)
15	Scarboro Park	Carver Avenue
16	Scarboro Community Center	Carver Avenue
17	Groves Park at South Hills	Tuskegee Drive
18	Briarcliff Park	Briarcliff Road and Deerfield Road
19	Recreation Building/Civic Center	1403 Oak Ridge Turnpike
20	Katie Hunter Soccer	Oak Ridge Turnpike
21	Baseball Complex	Wilberforce Ave.
22	Carl Yearwood Park	Bus Terminal Road
23	Highland View Park	Highland View and W. Outer Drive

3. Public Outreach and Project Working Group Meetings (PHASE III):
  - a. Our team will work with the Project Working Group to develop language and issue a notice for public input during the self-evaluation phase, along with letters to local advocacy groups for the disabled to solicit input and comment on barriers perceived to exist by persons with disabilities. The City will provide us with copies of the proof of publication and comments received. We will work with the Project Working Group to develop a list of questions for an online survey of local residents and business owners. This online survey will focus on eliciting input from the public, especially those with disabilities or their caregivers, about barriers to access to Client's programs that exist or are perceived to exist.
  - b. Our team will coordinate with the City, who will issue and post a public notice about the project consistent with policy. We will again send letters to local advocacy groups for the disabled to solicit input and comment on the draft SETP. Both the letter and public notice will follow publication of the SETP document and its placement at locations within the City for review.
  - c. The City is responsible for aiding us in notifying the public about the project and availability of the SETP for public review.

- d. The City is responsible for scheduling of all meeting facilities for public meetings. We anticipate only one public meeting/hearing to be held for the project to hear comments from the public after draft has been made available. All Project Working Group meetings are considered to be public meetings.
  - e. If public comments are significant in number or requests for additional meetings are made, the City will determine whether additional meetings are to be held and a scope and fee modification provided by our team based on the scope and number of additional meetings.
  - f. Our team will respond to comments received by the City within the final SETP document.
  - g. We anticipates up to six (6) meetings with the Project Working Group, including a project kick-off meeting to discuss the scope of services and limitations and provide an opportunity for members to provide us with their project goals and information that would be useful to our team during the project. Other meetings will focus on discussions about the facility evaluations, facility reports, and transition plan. Additional coordination will be provided to the City's Project Manager for distribution, including monthly progress reports and regular contact via e-mail. We will prepare an agenda and summary for all meetings.
4. Self-Evaluation and Transition Plan (SETP) Document (PHASE IV):
- a. Our team will provide the City with a questionnaire that must be completed by all departments and provided to us. The questionnaire includes information requested to better allow us to understand the various programs, policies, and procedures in the different departments. This questionnaire will be provided early in the project and we request completed questionnaires be provided for all departments within 6 weeks from NTP. If necessary, Our team will make requests for clarification or additional information through the City's Project Manager regarding the responses to the questionnaire.
  - b. Upon completion of all facility assessments, we will proceed with preparation of the SETP. Our team will compile the results of the field evaluations into a barrier summary for all facilities and ROW within the Basic Scope of Services. Provide an opinion of probable construction costs for facilities and ROW modifications.
  - c. Conduct policies and procedures analysis of all of the City's programs, and assist Client in development of formal grievance procedure, non-discrimination policy, requests for auxiliary aids, etc. Incorporate these items into the SETP for the City's review and comment.
  - d. To fully comply with ADA requirements, the SETP shall outline a policy for accessibility of the City's facilities for disabled employees and reasonable accommodation (Title I).

Ms. Shira McWaters, P.E.  
Public Works Director  
Proposal for Engineering Services - ADA Compliance and Transition Plan  
April 17, 2018  
Page 6

- e. The SETP shall identify the ADA Coordinator named by the City. Once the draft SETP is approved, the City will have copies of the draft SETP placed at various locations throughout Oak Ridge and on their web site for review and comment by the public.

#### Client's Responsibilities

The City will provide the following items to assist us during the course of the project. This is in addition to those items identified in Section B. 'Basic Scope of Services' as responsibilities of the City.

- a. Appoint a single point of contact that will provide information requested by our team in a timely manner and assist us in gathering necessary information to complete the scope of work.
- b. Identify and inform our team regarding the name and contact information for the City's ADA Coordinator.
- c. Provide responses to the Services and Activities Questionnaire, within six (6) weeks of the date we provided it to the City. The questionnaire is to be provided to the identified point-of-contact who will be responsible for distribution to each of the City's departments and compiling responses for delivery to us.
- d. Provide our team with the actual location of their ROW facilities and provide other GIS information that is readily available.
- e. Review, approve, and post/distribute all public notices in local newspapers and other means, for Public Outreach.
- f. Mail public meeting notices to any known disability advocates or individuals outside of those identified by our team as potentially interested parties.
- g. Assist with development of the public on-line survey.
- h. Collect public comments regarding this project and forward to us on a timely basis.
- i. Identify all areas of Client facilities with public access or employee common-use areas. Provide access to all areas of Client facilities required to be reviewed.
- j. Provide architectural floor plans (that are readily available) for each facility to be utilized by our team for the sole purpose of doing this ADA compliance investigation.
- k. Furnish all legal, insurance, and accounting services including auditing services that may be reasonably necessary at any time for the project to meet the City's needs and interests.
- l. Provide prompt written notice to our team if the City becomes aware of any fault or defect in the Project, including errors, omissions, or inconsistencies in our work or scope of basic services.

Scope of Services Limitations

- a. The Basic Scope of Services described above addresses full compliance with Title II of the ADA. However, since the ADA is a civil rights law it is subject to rulings and related interpretations by the justice system. Consequently, our team is not liable for interpretations or rulings made by the justice system that are contrary to, or alter, our interpretations of the ADA. Furthermore, our team will, to the best of their ability, interpret the ADA for the purpose of this compliance investigation and make no expressed or implied warranty regarding accuracy, completeness or legality of the information documented.
- b. The SETP is dependent on accurate information being provided by the City. In addition, it is important that accurate information be provided to our team related to areas of each facility accessible to the public or common use employee areas. Facilities specifically excluded from self-evaluation for ADA compliance due to not having public or common use areas or which are not the City's facilities are listed in Item 4 below.
- c. The City is advised and acknowledges that it must seek legal advice from its own legal advisors as to specific ADA requirements, and waives any claims against us based on alleged errors or omissions in the content of any information presented or provided.
- d. Facilities/entities not considered the City's or requested by Client for exclusion are any unpaved greenway trails as itemized below:

Table 3 - Excluded Facility Summary		
Greenway	Trail Surface	Miles
North Ridge Trail Greenway	Natural wooded path	7.5
Pine Grove Greenway	Natural wooded path	1.3
Big Turtle Park Greenway	Natural wooded path	0.8
Worthington Greenway	Gravel, Natural Path	0.8
North Boundary Greenway	Gravel, Dirt Road	14
Wildflower Greenway	Natural wooded path	0.8
Haw Ridge Trails	Natural wooded path	28+
Black Oak Ridge	Gravel, Dirt Road	11.7

Other facilities not specifically included above in B. Basic Scope of Services

- e. This investigation of ADA compliance does not include a review of the current IBC code or any other governing codes or zoning requirements as

Ms. Shira McWaters, P.E.  
Public Works Director  
Proposal for Engineering Services - ADA Compliance and Transition Plan  
April 17, 2018  
Page 8

- they apply to the facilities included as part of this ADA compliance investigation.
- f. This investigation of ADA compliance does not include development of documents, details, specifications, or any other similar work that could be used to obtain bids or proposals to do non-compliance corrective work items identified by the SETP.

Deliverables, Schedule and Fee/Expenses.

Deliverables: Hard copies and one (1) electronic copy of reports at each of the following milestones: Owner Review of Draft Facility Assessment Reports, Owner Review of Draft SETP, Draft SETP for Public Review, and Final SETP for adoption.

Based on our understanding of the proposed scope and available information, we propose to provide services for a not-to-exceed budget as follows:

Description	Budget Amount	Proposed Schedule
Phase 1 (Assessment ROW for Sidewalks, Greenways), Phase 2 (Facilities), and Phase 3 (Public Outreach and Meetings)	\$165,200	July 2018-June 2019
Phase 4 - Transition Plan	\$84,800	July 2019-December 2019
Total	\$250,000	

Sincerely,



Greg Jones, P.E.  
Vice President

## Agency Requirements

Under Title II, the City of Oak Ridge must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities (28 C.F.R. Sec. 35.150).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability (28 C.F.R. Sec. 35.130 (a)).
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result (28 C.F.R. Sec. 35.130(b) (7)).
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective (28 C.F.R. Sec. 35.130(b)(iv) & (d)).
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others (29 C.F.R. Sec. 35.160(a)).
- Must designate at least one responsible employee to coordinate ADA compliance [28 CFR Sec. 35.107(a)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [28 CFR Sec. 35.107(a)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [28 CFR Sec. 35.106]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [28 CFR Sec. 104.8(a)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [28 CFR Sec. 35.107(b)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

## Steps to Compliance

- Step 1 Designating an ADA Coordinator
- Step 2 Providing Public Notice about ADA Requirements & Establish a Grievance Procedure
- Step 3 Gather where you are!
- Step 4 Developing internal design standards, specifications, & details
- Step 5 Developing Self Evaluation and Transition Plan
- Step 6 Approving a schedule and budget to implement the Transition Plan
- Step 7 Monitoring progress on implementation of the Transition Plan

## ADA Transition Plan

### Milestones

December 2016 – ADA Coordinator Named & Grievance Procedures Created  
December 2017 – Office Letter to TDEC Outlining Process (COR Memo 17-33)  
September 2018 – Submit Self-Certification Form to TDOT (Update on Status)  
December 2019 – Submittal of completed Plan to TDOT

### What's in Plan?

1. Evaluation of all City Buildings
2. Evaluation of Municipal Parking Lots
3. Evaluation of Parks, Golf Course
4. Evaluation of Sidewalks
5. Final Plan that Identifies ADA Deficiencies for Future Planning

### What's at Stake?

- Future TDOT Funding
- \$800,000 Side Walk Improvements along ORTP
- \$433,000 Intersection Improvements Tulane/ORTP, Division/ORTP
- \$800,000 Roundabout (Tulane/Penn/Providence/Pasadena)
- \$1.2 Rails to Trails Project
- General Maintenance Funds from TDOT
- Future Sidewalk/Street Grant Funding

### Timeframe for Completion

Description	Fiscal Year	Budget Amount
Phase I – Assessment of ROW for Sidewalks, Greenways, etc.	2019	\$165,200
Phase II – Facilities		
Phase III - Public Outreach		
Phase IV – Transition Plan	2020	\$84,800

ADMINISTRATIVE ACTION REFERRAL  
City of Oak Ridge, Tennessee

TO: City Clerk\*  
ADA Coordinator\*  
Community Development Director\*\*

Public Works Director\*\* ✓

FROM: City Manager

DATE: August 15, 2017

**DESCRIPTION OF SUBJECT: CONSENT AGENDA – RESOLUTION NO. 8-81-2017**

A RESOLUTION TO APPROVE AND TRANSMIT A LETTER TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO PROVIDE AN UPDATE ON THE CITY'S EFFORTS TOWARD OUTLINING THE DEVELOPMENT OF AN ADA TRANSITION PLAN.

TYPE OF MEETING:  
CITY COUNCIL MEETING

DATE OF MEETING:  
August 14, 21017

ACTION TAKEN:

Approved

**ADMINISTRATIVE ACTION REQUESTED:**

- \* To Comply
- To investigate; report recommendations to this office
- \*\* No report necessary; information only
- Coordinate with
- See remarks

**ATTACHMENTS**

Resolution No. 8-81-2017

*City Manager's Office*

RESOLUTION

A RESOLUTION TO APPROVE AND TRANSMIT A LETTER TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO PROVIDE AN UPDATE ON THE CITY'S EFFORTS TOWARD OUTLINING THE DEVELOPMENT OF AN ADA TRANSITION PLAN.

WHEREAS, the Federal Highway Administration Tennessee Division requires the State of Tennessee Department of Transportation (TDOT) to ensure every city and county with fifty (50) or more employees has an ADA Transition Plan and Self-Evaluation in order to receive transportation funding; and

WHEREAS, TDOT has provided the City with the deadlines for submission of compliance documentation; and

WHEREAS, the City has complied with the first deadline (December 2016) regarding naming a qualified ADA Coordinator, providing TDOT with the coordinator's contact information, and publishing an ADA grievance procedure; and

WHEREAS, the second deadline (December 2017) is approaching which requires a written letter from the Mayor outlining the City's development of an ADA Transition Plan, which letter must be approved by City Council; and

WHEREAS, the attached letter provides the City's 2017 update toward outlining the development of an ADA Transition Plan.

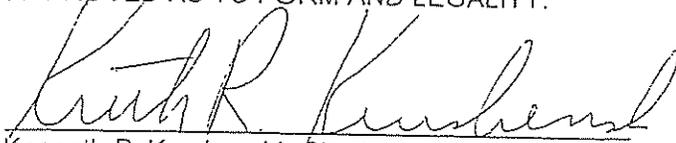
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

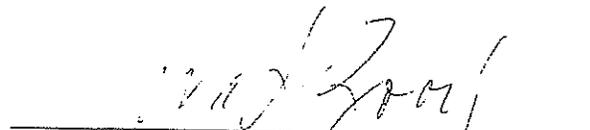
That the attached letter to the Tennessee Department of Transportation Bureau of Engineering regarding the City's 2017 update toward outlining the development of an ADA Transition Plan is hereby approved.

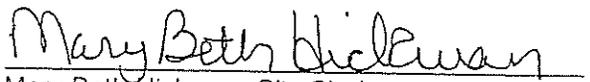
BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 14th day of August 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  
17-33

DATE: July 19, 2017  
TO: Mark S. Watson, City Manager  
FROM: Pat Fallon, Division Manager/ADA Coordinator  
SUBJECT: ADA COMPLIANCE AND TRANSITION PLAN

Introduction

An item for City Council consideration is a recommendation for the Mayor to submit the 2017 update outlining the development of an ADA Transition Plan. The purpose of this plan is to provide a framework for achieving equal access to the City of Oak Ridge programs, services and activities, within a reasonable timeframe. The Transition Plan is required to be completed before December 31, 2019.

Funding

No funding is required for this update.

Background

Mayor Gooch received a letter dated November 14, 2016 stating that the Federal Highway Administration required TDOT to ensure that every city and county with fifty (50) or more employees must have an ADA Transition Plan and Self-Evaluation in order to receive Transportation Funds. The requirements for 2016 were completed in December 2016. The timetable for achieving all the requirements is four (4) years; this letter completes the second year requirements for calendar year 2017, which outlines the timetable for completion of the Transition Plan.

Recommendation

Adoption of the attached resolution is recommended.

Attachment(s)

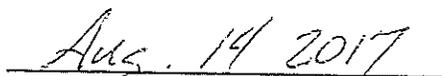
Letter from TDOT dated November 14, 2016  
Letter from Mayor Gooch to TDOT Commissioner Schroer



Pat Fallon

City Manager's Comments:

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

  
Mark S. Watson  
Date



STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

BUREAU OF ENGINEERING  
SUITE 700, JAMES K. POLK BUILDING  
505 DEADERICK STREET  
NASHVILLE, TENNESSEE 37243-1402  
(615) 741-0791

JOHN C. SCHROER  
COMMISSIONER

BILL HASLAM  
GOVERNOR

November 14, 2016

Mayor Warren L. Gooch  
P. O. Box 1, 200 So. Tulane Ave. (37830)  
Oak Ridge, TN 37831-0001

RE: Americans with Disabilities Act (ADA) Compliance and Self-Certification

Mayor Warren L. Gooch:

Attached you will find a letter from the Federal Highway Administration Tennessee Division, in which the Tennessee Department of Transportation (TDOT) has been informed we must ensure every city and county with fifty (50) employees or more must have an ADA Transition Plan and Self-Evaluation in order to receive Transportation Funds.

This letter also serves as notice of the deadline for submission of compliance documentation. The deadlines for submission are as follows:

**December 2016**

- Communities with 50 employees or more in their jurisdiction must provide TDOT with documentation stating they have named a qualified person as their ADA Coordinator
- Communities must provide TDOT the Coordinator's contact information
- Communities must develop and publish an ADA grievance procedure

**December 2017**

- Communities must provide a written letter from the Mayor outlining the development of their Transition Plan
- Letter from the Mayor must be adopted by the City Council or County Commissioners using the city's or county's own procedures

September 2018

- Communities must provide documentation showing they have completed or are making significant progress towards completing an ADA Transition Plan and Self Evaluation
- All self-certification forms are expected to be returned to TDOT.

Note: Projects may not be advanced within the city or county without this self-certification form

December 2019

- FHWA will require all Transition Plans be completed prior to communities resigning TIP certification

Submission of these deliverables will place TDOT and your community in compliance with the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, Section 504. Following submission, the ADA Transition Plan Form will be received by Deborah Fleming, TDOT's Senior Regional Planner and Margaret Mahler, TDOT's ADA Coordinator. Copies of this form must accompany all applications for funding.

For additional information concerning ADA requirements, please contact Ms. Margaret Zeman Mahler, ADA Coordinator for TDOT, at [Margaret.Z.Mahler@tn.gov](mailto:Margaret.Z.Mahler@tn.gov).

Sincerely,



Paul D. Degges, P.E.

Deputy Commissioner/Chief Engineer

# CITY OF OAK RIDGE



POST OFFICE BOX 1 • OAK RIDGE TENNESSEE 37831 0001

August 15, 2017

Commissioner John C. Schroer  
Tennessee Department of Transportation  
Bureau of Engineering  
Suite 700, James K. Polk Building  
505 Deaderick Street  
Nashville, TN 37243-1402

RE: Americans with Disabilities Act (ADA) Compliance and Transition Plan

Dear Commissioner Schroer:

The City of Oak Ridge is pleased to provide the 2017 update outlining the development of a Transition Plan and the implementation of this plan. The City currently assures that any renovations to public buildings or street projects include updating all accessibility issues to the most current standard.

The purpose of the Transition Plan is to provide the framework for achieving equal access to the City of Oak Ridge programs, services and activities within a reasonable timeframe. The City's elected officials and staff believe accommodating disabled persons is essential to good customer service, to the quality of life Oak Ridge residents seek to enjoy and to provide effective governance. The City of Oak Ridge shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the City can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. The City of Oak Ridge will not place surcharges on individuals with disabilities to cover the cost involved in making programs accessible.

During the next year a consultant will be selected to provide a comprehensive study to provide a careful study of all of the City's programs, services and activities. An infrastructure evaluation process will take place using field crews equipped with Global Position System (GPS) devices and data collection forms. These evaluations will identify any physical barriers in City facilities based on the 2010 ADA Standards and Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG). Detailed measurements of the existing conditions, and planning-level recommendations for removing the physical barriers, will be included in the facility reports. Field crews will note if the specific facility is in close proximity to a significant pedestrian attractor (e.g., government office, medical facility, school, etc.). This information will be used by the Consultant and City staff in prioritizing barriers for removal. All data collected will be compatible with the City's existing Geographic Information Systems (GIS) database. The following facilities will be evaluated: Buildings, Parks, Signalized Intersections; and Sidewalk Corridors.

Thank you for the opportunity to provide this update of the progress Oak Ridge is making to complete the Transition Plan within the timetable required to continue to receive Transportation Funds.

Sincerely,

Warren L. Gooch  
Mayor

cc: Mark S. Watson, City Manager  
Oak Ridge City Council  
Margaret Z. Mahler, TDOT ADA Coordinator  
Public Works Department  
Pat Fallon, ADA Coordinator



LDA ENGINEERING

June 24, 2019

Ms. Shira McWaters, P.E.  
Public Works Director  
City of Oak Ridge, Tennessee  
100 Woodbury Lane  
Oak Ridge, TN 37830

Reference: City of Oak Ridge Public Works Department  
Proposal for Engineering Services  
ADA Compliance and Transition Plan  
Amendment 1

Dear Ms. McWaters:

Access to civic life by people with disabilities is a fundamental goal of the Americans with Disabilities Act (ADA). To ensure that this goal is met, Title II of the ADA requires State and local governments to make their programs and services accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, programs, and events -- but also to policy changes that governmental entities must make to ensure that all people with disabilities can take part in, and benefit from, the programs and services of State and local governments. In addition, governmental entities must ensure effective communication -- including the provision of necessary auxiliary aids and services -- so that individuals with disabilities can participate in civic life.

One important way to ensure that Title II's requirements are being met in the City of Oak Ridge is through self-evaluation, which is required by the ADA regulations. Self-evaluation will enable the City of Oak Ridge to pinpoint the facilities, programs and services that must be modified or relocated to ensure the City is complying with the ADA regulations.

### **PROJECT UNDERSTANDING**

Provide professional engineering services to the City of Oak Ridge to assist with completing an Americans with Disabilities Act review of their facilities for compliance with Title II of the ADA. This updated proposal includes the work required to complete a Self-Evaluation and Transition Plan (SETP) for the Client-Owned Centennial Golf Course.

### **Services to be Provided by ENGINEER:**

Self-Evaluation and Transition Plan (SETP) Document:

- a. Our team will provide the City with a questionnaire that must be completed by all departments and provided to us. The questionnaire includes information requested to better allow us to understand the various programs, policies, and procedures in the different departments. This questionnaire will be provided early in the project and we request completed questionnaires be provided for all departments within 6

110 Tyson Boulevard, Suite 200, Alcoa, TN 37701 ■ Phone: (865) 573-7672 ■ [LDAEngineering.com](http://LDAEngineering.com)

Ms. Shira McWaters, P.E.  
Public Works Director  
City of Oak Ridge, Tennessee  
ADA Compliance and Transition Plan  
Amendment 1  
June 24, 2019  
Page 2

weeks from NTP. If necessary, Our team will make requests for clarification or additional information through the City's Project Manager regarding the responses to the questionnaire.

- b. Upon completion of all facility assessments, we will proceed with preparation of the SETP. Our team will compile the results of the field evaluations into a barrier summary for all facilities and ROW within the Basic Scope of Services. Provide an opinion of probable construction costs for facilities and ROW modifications.
- c. Conduct policies and procedures analysis of all of the City's programs, and assist Client in development of formal grievance procedure, non-discrimination policy, requests for auxiliary aids, etc. Incorporate these items into the SETP for the City's review and comment.
- d. To fully comply with ADA requirements, the SETP shall outline a policy for accessibility of the City's facilities for disabled employees and reasonable accommodation (Title I).
- e. The SETP shall identify the ADA Coordinator named by the City. Once the draft SETP is approved, the City will have copies of the draft SETP placed at various locations throughout Oak Ridge and on their web site for review and comment by the public.

### Client's Responsibilities

The City will provide the following items to assist us during the course of the project. This is in addition to those items identified in Section B. 'Basic Scope of Services' as responsibilities of the City.

- a. Appoint a single point-of-contact that will provide information requested by our team in a timely manner and assist us in gathering necessary information to complete the scope of work.
- b. Identify and inform our team regarding the name and contact information for the City's ADA Coordinator.
- c. Provide responses to the Services and Activities Questionnaire, within six (6) weeks of the date we provided it to the City. The questionnaire is to be provided to the identified point-of-contact who will be responsible for distribution to each of the City's departments and compiling responses for delivery to us.
- d. Provide our team with the actual location of their ROW facilities and provide other GIS information that is readily available.
- e. Review, approve, and post/distribute all public notices in local newspapers and other means, for Public Outreach.
- f. Mail public meeting notices to any known disability advocates or individuals outside of those identified by our team as potentially interested parties.
- g. Assist with development of the public on-line survey.

Ms. Shira McWaters, P.E.  
 Public Works Director  
 City of Oak Ridge, Tennessee  
 ADA Compliance and Transition Plan  
 Amendment 1  
 June 24, 2019  
 Page 3

- h. Collect public comments regarding this project and forward to us on a timely basis.
- i. Identify all areas of Client facilities with public access or employee common-use areas. Provide access to all areas of Client facilities required to be reviewed.
- j. Provide architectural floor plans (that are readily available) for each facility to be utilized by our team for the sole purpose of doing this ADA compliance investigation.
- k. Furnish all legal, insurance, and accounting services including auditing services that may be reasonably necessary at any time for the project to meet the City's needs and interests.
- l. Provide prompt written notice to our team if the City becomes aware of any fault or defect in the Project, including errors, omissions, or inconsistencies in our work or scope of basic services.

**Deliverables, Schedule and Fee/Expenses:**

Deliverables: Hard copies and one (1) electronic copy of reports at each of the following milestones: Owner Review of Draft Facility Assessment Reports, Owner Review of Draft SETP, Draft SETP for Public Review, and Final SETP for adoption. Based on our understanding of the proposed scope and available information, we propose to provide services for a not-to-exceed budget as follows:

Description	Budget Amount	Proposed Schedule
Assessment Municipal Owned Centennial Golf Course	\$3,000	July 2018-June 2019
Self-Evaluation and Transition Plan (SETP)	\$84,800	July 2019-December 2019
Total	\$87,800	

We are prepared to begin work as soon as proposal has been authorized. If you should have questions or comments, please do not hesitate to contact us.

Sincerely,



Greg Jones, PE  
 Vice President

Proposal Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

**RESOLUTION**

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LDA ENGINEERING, ALCOA, TENNESSEE, TO COMPLETE THE FINAL PHASE (PHASE IV) OF THE CITY'S ADA COMPLIANCE AND TRANSITION PLAN, IN AN AMOUNT NOT TO EXCEED \$87,800.00.

WHEREAS, federal law and regulations require the City to conduct a self-evaluation of its services, programs, policies, and practices and identify barriers that may limit accessibility for people with disabilities, and to develop transition plans describing how it will address identified barriers; and

WHEREAS, by Resolution 5-37-2018, City Council authorized a professional services agreement with LDA Engineering, Alcoa, Tennessee, to conduct data-gathering phases (Phases I, II, and III) of the City's ADA Compliance and Transition Plan; and

WHEREAS, the City is now ready to move forward with the final phase (Phase IV); and

WHEREAS, LDA Engineering, Alcoa, Tennessee, has submitted a proposal to complete Phase IV of the City's ADA Compliance and Transition Plan, which includes completion and submittal of the finalized Transition Plan to the State of Tennessee, as well as inclusion of an assessment of Tennessee Centennial Golf Course; and

WHEREAS, the City Manager recommends approval of a professional services agreement with LDA Engineering to provide said services.

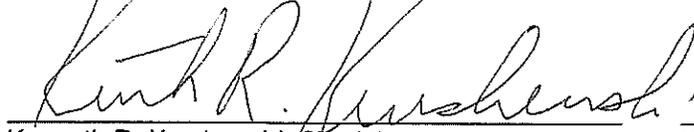
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into a Professional Services Agreement with LDA Engineering, 110 Tyson Boulevard, Suite 200, Alcoa, Tennessee 37701, to conduct Phase IV of the City's ADA Compliance and Transition Plan and to conduct an assessment of Tennessee Centennial Golf Course, in an amount not to exceed \$87,800.00.

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

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**ELECTRIC DEPARTMENT MEMORANDUM  
19-24**

**DATE:** June 24, 2019  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** PURCHASE OF VEHICLES FOR ELECTRIC DEPARTMENT

Introduction

An item for City Council's consideration is a resolution approving the purchase of four vehicles for the Electric Department. Two of the vehicles are awarded to a vendor under the State of Tennessee Contract in the amount of \$107,078.00. The other two vehicles are being awarded through the Sourcewell contract in the amount of \$548,070.00, for a total amount of \$655,148.00.

Funding

Funding is through the Electric Fund.

Review

The Electric Department uses a variety of vehicles in order to carry out its tasks. We have obtained excellent pricing in the past by using bids made by the State of Tennessee or purchasing cooperatives of which we are a member. Sourcewell (formerly National Joint Power Alliance) is a government organization under Minnesota law that operates a cooperative purchasing program with 50,000 members and 300 vendors under contract. The City joined this cooperative on December 31, 2016.

By using state contracts and purchasing cooperatives, the City has access to equipment that were bid at a larger scale than we would be able to do independently and, thus, save our citizens resources both in the bidding process and the purchase price.

All equipment to be purchased in this resolution will be direct replacement for equipment which is operated by the Electric Department. Each piece has been evaluated by the City's Equipment Shop and a memorandum stating their findings is attached. All equipment was included in the budget document.

Following is a discussion of each piece of equipment to be replaced along with the recommendation for replacement units.

**Vehicle 342**

A 2006 Ford F-450 with a tool body and mounted equipment for handling large wire reels. It is operated by an overhead Crew Chief in conjunction with that crew. The truck has only 73,550 miles, but has had significant and ongoing mechanical issues with the engine, requiring the cab to be removed multiple times. The Equipment Shop has evaluated this truck and has recommended replacement.

**Vehicle 355**

A 2004 Ford F-450 equipped with a tool body and mounted equipment. It is used by the second overhead crew as the materials and equipment vehicle. This vehicle has 92,352 miles and has had significant mechanical issues. It is currently sidelined requiring approximately \$6,000 worth of work in order to be returned to service (not recommended).

Due to the poor service record and ongoing repairs, staff recommends replacing these units with new units from the state contract. The new units are Ford F-350 trucks. The downsizing reflects removal of the wire handling capability which will be accomplished with trailers. The trailers have a lower cost and more

versatility than upsizing these trucks. The cost of the new trucks is \$53,539.00 each. The state contract was won by Ford of Murfreesboro.

Vehicles 342 and 355 will both be removed from service and sold.

**Vehicle 338**

A 2002 Ford F-750 with mounted bucket with roughly 140,000 miles. As with all such equipment, mileage is not sole measure of the unit's service as the engine drives the mounted equipment and is operated while the truck is in use, especially when parked. Both the mounted unit and chassis have seen heavy use and are developing mechanical issues as they approach the end of their life. This vehicle will be replaced with a 55' Terex Bucket Truck on a Freightliner frame. The new vehicles will be similarly equipped with a boom mounted material handling winch and other equipment. The new truck is being purchased through Sourcewell for a cost of \$263,389.00.

Vehicle 338 will be removed from service and sold.

**Vehicle 346**

A 1998 Digger Derrick (aka "line truck") mounted on a Freightliner FL80 chassis. The mounted unit is a three stage 60 foot boom with pole claws. The truck only has 17,363 miles. It is equipped with an hour meter which indicates approximately 38,000 hours. The truck is in reasonable mechanical condition, although its age presents problems with some replacement parts.

When this truck was purchased in 1998, the Department was in the process of installing a number of exceptionally tall metal poles. These were used for lighting along Illinois Avenue and Oak Ridge Turnpike and for electric distribution along Oak Ridge Turnpike and in a few other areas. The line trucks owned by the City were not capable of replacing or servicing of these poles because they lacked the "reach" to stabilize the poles.

When an older line truck needed to be replaced, this much larger unit was purchased with the intent to be able to use in house equipment to service and replace those larger poles and, indeed, is capable of its intended function. Unfortunately, the operating unit required that it be mounted on a very large tandem axel truck (the FL80). This heavy duty truck is extremely difficult, and in some cases impossible, to use in many of our residential areas because of its long chassis and large turning radius. When the truck is used, set up and positioning is very difficult and the entire street is blocked for the duration of the work.

The Department owns a total of three line trucks. In addition to 346, we own unit 360, a 2003 MTI Digger Derrick unit mounted on an International Chassis, and 369, a 1991 TECO Digger Derrick unit mounted on a F800 which is occasionally pressed into service as a spare. While 338 has been used when there is room for it to be deployed, the majority of the line work performed by the Department for the last several years has been performed with one of the other units or with contracted equipment. This has put undue strain on the second line truck and mandated we retain a truck which has long outlived its useful life.

The Department made inquiries and determined it was impractical to convert the 346 to other uses. The Electric Director believes that the truck needs to be sold and replaced with a line truck that will meet our day to day needs. This will allow us to dispose of our oldest line truck. We will rely on either rented units or contractors in those cases where we need the larger truck.

The recommended replacement truck is a Terex C5045 Digger Derrick mounted on a Freightliner chassis. The cost through Sourcewell is \$284,681.00. This truck will be similar to the other units in use and be able to navigate our residential streets.

Vehicles 346 and 369 will be taken out of service and sold when the new truck is delivered.

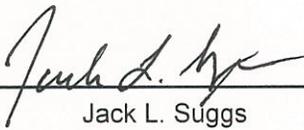
In summary, the attached resolution authorizes the purchase of the following vehicles:

- (1) Freightliner mounted Terex 55' Bucket Truck in the amount of \$263,389.00 through the Sourcewell contract
- (2) F-350 with tool body in the amount of \$53,539.00 each (total \$107,078.00) from Ford of Murfreesboro through the state contract
- (1) Terex C5045 Digger Derrick on a Freightliner chassis in the amount of \$284,681.00 through the Sourcewell contract

The total amount of all awards will be \$655,148.00.

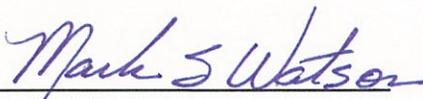
Recommendation

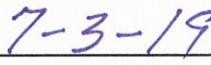
Staff recommends approval of the attached resolution.

  
\_\_\_\_\_  
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

**PUBLIC WORKS DEPARTMENT  
INTRAOFFICE MEMORANDUM  
19-80**

**DATE:** June 25, 2019,  
**TO:** Shira A. McWaters, Public Works Director  
Jack Suggs, Electric Department Director  
**FROM:**  Mike Miller, Streets and Fleet Manager  
**SUBJECT: EVALUATION OF VEHICLE 346**

- 1998 Freightliner (21 years old)
- Assigned to the Electric Department (Digger Derrick Truck)
- In service since 1998
- Over 17,000 miles at last service in 2019
- Overall condition – Good
- Last five (5) years maintenance costs in parts and labor total \$48,199.87
- Average yearly maintenance cost- \$9639.97
- It is the opinion of the Fleet Maintenance Division that this vehicle has served its useful life with the City and it is no longer cost effective because of the size and low usage of this truck to continue investing money in maintenance and repair. At this age more expensive repairs would be expected. The Electric Department would be better served to purchase a smaller truck that would be more versatile and meet the department needs.
- Recommend replacement.
- Approximate replacement cost – \$285,000.

cc: Michael Smith, Operations and Division Manager

**PUBLIC WORKS DEPARTMENT  
INTRAOFFICE MEMORANDUM  
19-79**

**DATE:** June 25, 2019,

**TO:** Shira A. McWaters, Public Works Director  
Jack Suggs, Electric Department Director

**FROM:**  Mike Miller, Streets and Fleet Manager

**SUBJECT: EVALUATION OF VEHICLE 342**

- 2006 Ford (13 years old)
- Assigned to the Electric Department (Foreman Truck)
- In service since November 2006
- Over 73,000 miles at last service in 2019
- Overall condition – Fair
- Last five (5) years maintenance costs in parts and labor total \$24,518.83
- Average yearly maintenance cost- \$4903.77
- It is the opinion of the Fleet Maintenance Division that this vehicle has served its useful life with the City and it is no longer cost effective because of the age and condition of this truck to continue investing money in maintenance and repair. This truck has the Ford diesel that has been prone to fuel system and engine problems. At this age more expensive repairs would be expected.
- Recommend replacement.
- Approximate replacement cost – \$54,000.

cc: Michael Smith, Operations and Division Manager

**PUBLIC WORKS DEPARTMENT  
INTRAOFFICE MEMORANDUM  
19-78**

**DATE:** June 25, 2019

**TO:** Shira A. McWaters, Public Works Director  
Jack Suggs, Electric Department Director

**FROM:**  Mike Miller, Streets and Fleet Manager

**SUBJECT: EVALUATION OF VEHICLE 338**

- 2002 Ford F-750 Bucket Truck (17 years old)
- Assigned to the Electric Department
- In service since February 2002
- Over 139,000 miles at last service in June 2019
- Overall condition – Fair
- Last five (5) years maintenance costs in parts and labor total \$27,345.61
- Yearly maintenance average cost – \$5469.12
- It is the opinion of the Fleet Maintenance Division that this vehicle has served its useful life with the City and it is no longer cost effective because of age and mileage to continue investing money in maintenance and repair. At this age and mileage more expensive repairs would be expected.
- Recommend replacement.
- Approximate replacement cost – \$264,000.

cc: Michael Smith, Operations and Division Manager

**PUBLIC WORKS DEPARTMENT  
INTRAOFFICE MEMORANDUM  
19-77**

**DATE:** June 25, 2019,  
**TO:** Shira A. McWaters, Public Works Director  
Jack Suggs, Electric Department Director  
**FROM:** *MM* Mike Miller, Streets and Fleet Manager  
**SUBJECT: EVALUATION OF VEHICLE 355**

- 2004 Ford F-450 (15 years old)
- Assigned to the Electric Department (Foreman Truck)
- In service since June 2004
- Over 92,000 miles at last service in 2019
- Overall condition – Bad
- Last five (5) years maintenance costs in parts and labor total \$25,140.40
- Average yearly maintenance cost- \$5028.08
- This vehicle is currently out of service with major engine problems with an approximate repair cost of over \$6000.00
- It is the opinion of the Fleet Maintenance Division that this vehicle has served its useful life with the City and it is no longer cost effective because of the needed repairs, age and overall condition to continue investing money in maintenance and repair. At this age more expensive repairs would be expected.
- Recommend replacement.
- Approximate replacement cost – \$54,000.

cc: Michael Smith, Operations and Division Manager

**RESOLUTION**

A RESOLUTION AUTHORIZING THE PURCHASE OF FOUR (4) REPLACEMENT VEHICLES FOR THE ELECTRIC DEPARTMENT IN THE TOTAL AMOUNT OF \$655,148.00.

WHEREAS, the City's Electric Department has five (5) vehicles which are recommended for replacement by the Public Works Equipment Shop due to condition and maintenance requirements; and

WHEREAS, the City is authorized by Tennessee Code Annotated §12-3-1205(b) to participate in purchasing cooperatives and benefit from their competitive bidding processes; and

WHEREAS, by Resolution 3-21-2018, the City became a participating member of the National Joint Power Alliance, now known as Sourcewell; and

WHEREAS, by Tennessee Code Annotated §12-3-1201, local governments are authorized to purchase under state contract pricing; and

WHEREAS, two (2) replacement vehicles are available through Sourcewell and two (2) replacement vehicles are available through state contract pricing, both of which the City Manager recommends be accepted.

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

That the recommendations of the City Manager are approved and awards are hereby made as follows:

To the Sourcewell vendor for the furnishing of one (1) Freightliner mounted Terex 55' Bucket Truck for use by the Electric Department in the amount of \$263,389.00.

To the Sourcewell vendor for the furnishing of one (1) Terex C5045 Digger Derrick on a Freightliner chassis for use by the Electric Department in the amount of \$284,681.00.

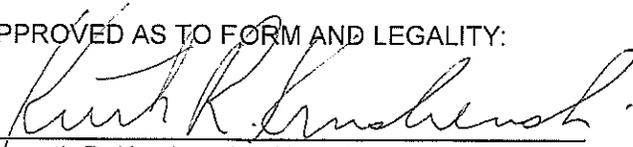
To the state contract vendor for the furnishing of two (2) F-350 Ford trucks with tool body for use by the Electric Department in the amount of \$107,078.00 (\$53,539.00 per vehicle).

Said bids in the grand total amount of \$655,148.00.

BE IT FURTHER RESOLVED that the following Electric Department vehicles are surplus to the City's needs and will be taken out of service and sold: Vehicle #342, 2006 Ford F-450; Vehicle #355, 2004 Ford F-450; Vehicle #338, 2002 Ford F-750; Vehicle #346, 1998 Digger Derrick (aka "line truck"); and Vehicle #369, 1991 TECO Digger Derrick unit mounted on a F800.

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

**CITY COUNCIL MEMORANDUM**  
**19-20**

DATE: July 1, 2019

TO: Honorable Mayor and Members of City Council

FROM: Mark S. Watson, City Manager

SUBJECT: PURCHASE OF A VEHICLE FOR CITY MANAGER'S OFFICE AND TRANSFER OF A VEHICLE TO TOWN OF OLIVER SPRINGS

Introduction

An item for the agenda is a resolution authorizing the purchase of one (1) replacement vehicle from Secret City Chrysler Dodge Jeep Ram, Oak Ridge, Tennessee, in the amount of \$37,936.00; and the transfer of a surplus 2004 Ford Explorer (#101) to the Town of Oliver Springs, Tennessee, at no cost.

Funding

The total cost for the selected replacement vehicle is \$37,936.00. The vehicle is funded through the Equipment Replacement Fund and is a 2019 Jeep Grand Cherokee demo vehicle from Secret City Chrysler Dodge Jeep Ram, Oak Ridge.

Background

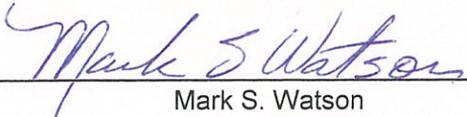
A recent review of the Municipal Building car pool by the Public Works Department has identified two (2) vehicles that are recommended for replacement due to condition and maintenance requirements. One of the vehicles, a 2000 Malibu (#135), will be sold, and the other, a 2004 Ford Explorer (#101), has been requested by the Town of Oliver Springs for their use at no cost, which is authorized under Tennessee Code Annotated § 12-3-1005 and recommended by the City Manager.

The removal of the two listed vehicles from the municipal car pool will leave a gap in employee needs requiring the addition of a single replacement vehicle for the two vehicles recommended for removal. The City Manager will add his current vehicle, a 2017 Chevrolet Traverse (#224), to the Municipal Building car pool and a replacement vehicle will be purchased for his use. The Municipal Building car pool has seen significant use of a Chevrolet Equinox (#154). A second vehicle is needed for general use and is capable for out-of-town travel.

City staff have reviewed inventory for mid-sized sport utility vehicles in Oak Ridge, Anderson County, and Roane County. After review of the local inventory, submitted specification sheets, and local prices, the purchase of the 2019 Jeep Grand Cherokee from Secret City Chrysler Dodge Ram will best meet the City's needs.

Recommendation

Approval of the attached resolution waiving competitive bid for the purchase of a 2019 Jeep Grand Cherokee in the amount of \$37,936.00 from Secret City Chrysler Dodge Ram and approving the transfer of a surplus 2004 Ford Explorer (#101) to the Town of Oliver Springs is recommended.

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

Attachment

Omer Cox / Mayor  
Joseph Van Hook  
City Recorder / Judge  
Thomas McCormick /  
City Manager  
Ramona Walker  
Court Clerk / Finance Officer

## Town of Oliver Springs

717 Main Street - P.O. Box 303  
Oliver Springs, TN 37840

Ph (865) 435-7722 Fax (865) 435-4881

Aldermen  
Robert Miller  
Jeff Bass  
Kenneth Brown  
Rusty Phillips  
Terry Holland  
Don Shillings

Mark S. Watson/ City Manager  
City of Oak Ridge  
200 South Tulane Avenue,  
Oak Ridge, TN 37830

June 10, 2019

Dear Mr. Watson,

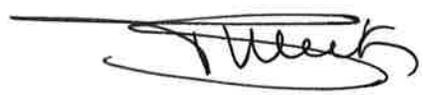
I am writing to you on behalf of the Town of Oliver Springs. We are a local government much like yours, except on a much smaller scale. We share a lot of things in common including the goal of providing outstanding customer service and regulatory compliance to all of our citizens. As a result, the need for equipment and vehicles has prompted me to reach out and ask for your help. I am requesting that you please consider donating your surplus vehicles and equipment to the Town of Oliver Springs.

The Town of Oliver Springs is a small community with many wonderful citizens. However, we are at a great disadvantage when it comes to purchasing new equipment and vehicles such as trucks, dump-trucks, bucket-tucks, backhoes and mowers. New equipment and vehicles as a percentage of the municipality's budget, are almost unobtainable due to the economy of scale that we face. Not to mention, the ever decreasing of revenues and rising costs.

In conclusion, please consider asking your Fleet Manager to contact me after it has been decided to surplus City owned vehicles and equipment, so that the Town of Oliver Springs may have an opportunity to obtain these needed resources to better serve the community.

Please feel free to contact me anytime. My cell number is 615-351-7845

Best Regards,



Thomas McCormick/ City Manager  
Town of Oliver Springs  
717 Main St.  
Oliver Springs, TN. 37840  
oscitymanager@comcast.net

**RESOLUTION**

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) REPLACEMENT VEHICLE FROM SECRET CITY CHRYSLER DODGE JEEP CHEROKEE, OAK RIDGE, TENNESSEE, IN THE AMOUNT OF \$37,349.00; AND AUTHORIZING THE TRANSFER OF A SURPLUS FORD EXPLORER (#101) TO THE TOWN OF OLIVER SPRINGS, TENNESSEE, AT NO COST.

WHEREAS, the Municipal Building car pool has two (2) vehicles recommended for replacement by the Public Works Equipment Shop due to condition and maintenance requirements; and

WHEREAS, one vehicle will be sold and the other vehicle has been requested by the Town of Oliver Springs for their use at no cost which is authorized under Tennessee Code Annotated §12-3-1005 and recommended by the City Manager; and

WHEREAS, the removal of two (2) vehicles from the Municipal Building car pool will leave a gap which will be filled by the placement of the City Manager's Chevy Traverse into the Municipal Building car pool upon replacement of his vehicle; and

WHEREAS, after contacting local dealerships to check inventory on a mid-sized sport utility vehicle, the City Manager located a Jeep Grand Cherokee from Secret City Chrysler Dodge Jeep Ram, Oak Ridge, Tennessee, for \$37,349.00, which vehicle best meets his needs from the available local inventory; and

WHEREAS, the City Manager recommends the competitive bidding process be waived and award made to Secret City Chrysler Dodge Jeep Ram.

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 bid is approved and award is hereby made to Secret City Chrysler Dodge Jeep Ram, 1005 Oak Ridge Turnpike, Oak Ridge, Tennessee 37830, for the furnishing of one (1) 2019 Jeep Grand Cherokee for the City Manager's use in the amount of \$37,349.00.

BE IT FURTHER RESOLVED that the recommendation of the City Manager is approved and the donation of a surplus Ford Explorer (#101) to the Town of Oliver Springs, Tennessee, as authorized by Tennessee Code Annotated §12-3-1005 is hereby approved.

BE IT FURTHER RESOLVED that Vehicle #135, 2000 Chevy Malibu, is surplus to the City's needs and will be taken out of service and sold; and Vehicle #224, 2017 Chevy Traverse, will be placed in the Municipal Building car pool.

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

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

PUBLIC HEARINGS  
AND  
FIRST READING OF  
ORDINANCES

**LEGAL DEPARTMENT MEMORANDUM  
19-17**

DATE: July 1, 2019

TO: Honorable Mayor and Members of City Council

FROM: Tammy M. Dunn, Senior Staff Attorney  
Kenneth R. Krushenski, City Attorney

SUBJECT: CITY CODE AMENDMENT – DELETION OF CITY CODE §15-301 AND REVISION OF CITY CODE §15-349 – COMPLIANCE WITH PUBLIC CHAPTER 412 ON THE USE OF HAND-HELD DEVICES BY DRIVERS

Introduction

An item for the agenda is an ordinance to delete City Code §15-301 and amend City Code §15-349 for compliance with the new state statute regarding the use of hand-held devices by drivers (Public Chapter 412).

Background

City Code §15-301 was adopted in early 2018 to mirror a new state law that went into effect on January 1, 2018 (Tennessee Code Annotated §55-8-207). This law established school zones as a "hands-free" area for all drivers. Under this law, it was an offense for a driver to talk on a hand-held mobile telephone while operating a vehicle in a marked school zone when warning flashers were in operation. It was also an offense for a minor (a person under the age of eighteen) driver to talk on a mobile telephone equipped with a hands-free device while a motor vehicle is in motion on any road or highway.

City Code §15-349 was adopted in 2015 and updated in 2018 to mirror the state law prohibiting texting while driving (Tennessee Code Annotated §55-8-199). This law was generally known to prohibit a driver from texting while the motor vehicle was in motion, but it was broader in scope and applied to transmitting or reading any written message on a mobile telephone or personal digital assistant.

Analysis

Through the adoption of Public Chapter 412, Tennessee law changed regarding the use of hand-held devices by drivers. Effective July 1, 2019, a driver is prohibited from holding a wireless telecommunications device (cellphone, personal digital assistant, stand-alone computer, etc.) while operating a motor vehicle. This public chapter completely replaces the prior language in Tennessee Code Annotated §55-8-199, which necessitates a change to City Code §15-349 to remain in compliance with state law. Additionally, this public chapter deletes Tennessee Code Annotated §55-8-207, which necessitates a deletion of City Code §15-301 to remain in compliance with state law.

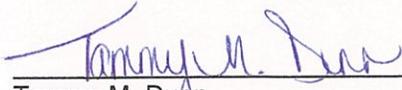
The proposed ordinance is attached, which mirrors the new statute. Most first and second offenses can be brought into City Court for the violation. Third and higher offenses, as well as offenses occurring in a marked school zones with flashers in operation or construction zones, or offenses resulting in a traffic accident, must be brought on the state charge as the statutory fine is higher than that permitted to be imposed in a municipal court.

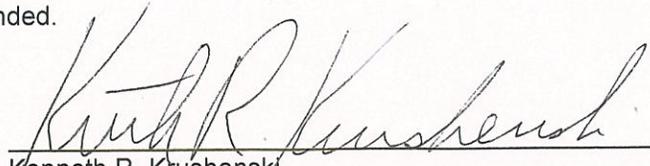
As before, there are a list of exceptions to this prohibition on use of a telecommunications device by a driver. Certain workers are allowed to continue to use their devices in the discharge of their actual duties (ex. police and fire) and all drivers are allowed to use their devices in a bona fide emergency.

The Police Department will be present at the meeting to address any questions concerning this new law.

Recommendation

Approval of the attached ordinance is recommended.

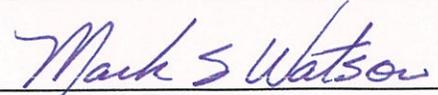
  
\_\_\_\_\_  
Tammy M. Dunn

  
\_\_\_\_\_  
Kenneth R. Krushenski

Attachment: Proposed Ordinance

**City Manager's Comments:**

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

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

7-3-19  
Date

TITLE

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SECTION 15-301, TITLED "PROHIBITED USE OF HAND-HELD MOBILE TELEPHONE IN MARKED SCHOOL ZONE; PROHIBITED USE OF MOBILE TELEPHONE WITH HANDS-FREE DEVICE BY PERSON UNDER 18," WITHOUT REPLACEMENT, AND BY DELETING SECTION 15-349, TITLED "TEXTING WHILE DRIVING PROHIBITED," AND SUBSTITUTING THEREFOR A NEW SECTION 15-349, TITLED "USE OF WIRELESS COMMUNICATION DEVICE PROHIBITED WHILE DRIVING," TO COMPLY WITH PUBLIC CHAPTER 412, WHICH NEW LAW IS EFFECTIVE JULY 1, 2019.

WHEREAS, Tennessee Code Annotated §16-18-302 gives the City the authority to enforce in City Court any ordinance that mirrors, substantially duplicates, or cross-references the language of a state criminal statute if the state offense is a Class C misdemeanor and the civil fine for the ordinance violation is not in excess of \$50.00; and

WHEREAS, under this authority, City Code §15-301 mirrors Tennessee Code Annotated §55-8-207 to prohibit the use of hand-held mobile telephones in marked school zones and the use of hands-free devices by minors; and

WHEREAS, under this authority, City Code §15-349 mirrors Tennessee Code Annotated §55-8-199 to prohibit the use of hand-held mobile telephones and personal digital assistant devices to transmit or read a written message while driving; and

WHEREAS, effective July 1, 2019 by adoption of Public Chapter 412, Tennessee Code Annotated §55-8-207 will be deleted from state law and Tennessee Code Annotated §55-8-199 will be revised to prohibit the use of hand-held wireless telecommunications devices (ex. cellphones) by any driver with limited exceptions; and

WHEREAS, this change in the statute results in two needed modifications to the City Code for state law compliance: (1) deletion of City Code §15-301 and (2) a complete revision of City Code §15-349.

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

Section 1. Title 15, titled "Motor Vehicles, Traffic and Parking," Chapter 3, titled "Operation of Vehicles Generally," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby deleting Section 15-301, titled "Prohibited use of hand-held mobile telephone in marked school zone; Prohibited use of mobile telephone with hands-free device by person under 18," in its entirety without replacement.

Section 2. Title 15, titled "Motor Vehicles, Traffic and Parking," Chapter 3, titled "Operation of Vehicles Generally," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Section 15-349, titled "Texting while driving prohibited," in its entirety and substituting therefor a new Section 15-349, titled "Use of Wireless Communication Device Prohibited While Driving," which new section shall read as follows:

Section 15-349. Use of Wireless Communication Device Prohibited While Driving.

- (1) For the purposes of this section, unless the context requires otherwise, the following definitions apply:
  - A. "Stand-alone electronic device" means a portable device other than a wireless telecommunications device that stores audio or video data files to be retrieved on demand by a user;

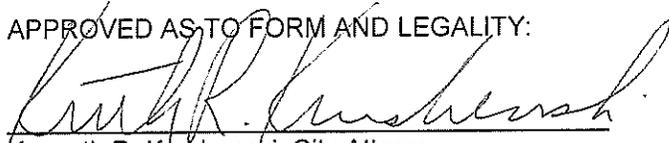
- B. "Utility services" means electric, natural gas, water, wastewater, cable, telephone, or telecommunications services or the repair, location, relocation, improvement, or maintenance of utility poles, transmission structures, pipes, wires, fibers, cables, easements, rights-of-way, or associated infrastructure;
  - C. "Wireless telecommunications device" means a cellular telephone, a portable telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, a global positions system receiver, or substantially similar portable wireless device that is used to initiate or receive communication, information, or data. "Wireless telecommunications device" does not include a radio, citizens band radio, citizens band radio hybrid, commercial two-way radio communication device or its functional equivalent, subscription-based emergency communication device, prescribed medical device, amateur or ham radio device, or in-vehicle security, navigation, autonomous technology, or remote diagnostics system.
- (2) (A) A person, while operating a motor vehicle on any road or highway in this state, shall not:
- (1) Physically hold or support, with any part of the person's body, a:
    - (a) Wireless telecommunications device. This subsection (2)(A)(1)(a) does not prohibit a person eighteen (18) years of age or older from:
      - (i) Using an earpiece, headphone device, or device worn on a wrist to conduct a voice-based communication; or
      - (ii) Using only one (1) button on a wireless telecommunications device to initiate or terminate a voice communication; or
      - (iii) Stand-alone electronic device;
  - (2) Write, send, or read any text-based communication, including, but not limited to, a text message, instant message, email, or internet data on a wireless telecommunications device or stand-alone electronic device. This subsection (2)(A)(2) does not apply to any person eighteen (18) years of age or older who uses such devices:
    - (a) To automatically convert a voice-based communication to be sent as a message in a written form; or
    - (b) For navigation of the motor vehicle through use of a device's global positioning system;
  - (3) Reach for a wireless telecommunications device or stand-alone electronic device in a manner that requires the driver to no longer be:
    - (a) In a seated driving position; or
    - (b) Properly restrained by a safety belt;
  - (4) Watch a video or movie on a wireless telecommunications device or stand-alone electronic device other than viewing data related to the navigation of the motor vehicle; or

- (5) Record or broadcast video on a wireless telecommunications device or stand-alone electronic device. This subsection (2)(A)(5) does not apply to electronic devices used for the sole purpose of continuously recording or broadcasting video within or outside of the motor vehicle.
- (B) Notwithstanding subsections (2)(A)(1) and (2)(A)(2), and in addition to the exceptions described in those subsections, a function or feature of a wireless telecommunications device or stand-alone electronic device may be activated or deactivated in a manner requiring the physical use of the driver's hand while the driver is operating a motor vehicle if:
  - (1) The wireless telecommunications device or stand-alone electronic device is mounted on the vehicle's windshield, dashboard, or center console in a manner that does not hinder the driver's view of the road; and
  - (2) The driver's hand is used to activate or deactivate a feature or function of the wireless telecommunications device or stand-alone electronic device with the motion of one (1) swipe or tap of the driver's finger, and does not activate camera, video, or gaming features or functions for viewing, recording, amusement, or other non-navigational functions, other than features or functions related to the transportation of persons or property for compensation or payment of any fee.
- (3) (A) A violation of this section is a Class C misdemeanor, subject only to imposition of a fine not to exceed fifty dollars (\$50.00) for a person's first or second offense. A person violating this section is subject to the imposition of court costs not to exceed ten dollars (\$10.00), including, but not limited to any statutory fees of officers. State and local litigation taxes are not applicable to a case prosecuted under this section.
  - (B) If the violation is the person's third or subsequent offense, or the violation results in an accident, or the violation occurs in a work zone when employees of the Department of Transportation or construction workers are present, or if the violation occurs in a marked school zone when a warner flasher or flashers are in operation, the fine is established by state law at an amount higher than fifty dollars (\$50.00) and, therefore, the violation must be charged on the state offense and not a city ordinance violation.
  - (C) In lieu of any fine imposed under subsection (3)(A), a person who violates this section as a first offense may attend and complete a driver education course pursuant to Tennessee Code Annotated §55-10-301.
  - (D) Each violation constitutes a separate offense.
  - (E) A traffic citation that is based solely upon a violation of this section is considered a moving traffic violation.
- (4) This section does not apply to the following persons:
  - (A) Officers of this state or of any county, city, or town charged with the enforcement of the laws of this state, or federal law enforcement officers when in the actual discharge of their official duties;
  - (B) Campus police officers and public safety officers, as defined by Tennessee Code Annotated §49-7-118, when in the actual discharge of their official duties;

- (C) Emergency medical technicians, emergency medical technician-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties;
- (D) Emergency management agency officers of this state or of any county, city, or town, when in the actual discharge of their official duties;
- (E) Persons using a wireless telecommunications device to communicate with law enforcement service agencies, medical providers, fire departments, or other emergency service agencies while driving a motor vehicle, if the use is necessitated by a bona fide emergency, including a natural or human occurrence that threatens human health, life, or property;
- (F) Employees or contractors of utility service providers acting within the scope of their employment; and
- (G) Persons who are lawfully stopped or parked in their motor vehicles or who lawfully leave standing their motor vehicles.

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

**PUBLIC WORKS DEPARTMENT MEMORANDUM  
19-72**

DATE: June 21, 2019  
TO: Mark S. Watson, City Manager  
THROUGH: Shira A. McWaters, Public Works Director  
FROM: Amy Snyder, Stormwater Program Coordinator  
SUBJECT: CITY CODE AMENDMENT – MODIFICATION TO CITY CODE §14-509 AND §14-510  
TO ADD REFERENCE TO CIVIL PENALTIES AND THE ENFORCEMENT RESPONSE  
PLAN

Introduction

An item for City Council's consideration is an ordinance to amend the City Code's Stormwater Management Chapter to add reference to civil penalties and the Stormwater Enforcement Response Plan as required by Section 4 of the City of Oak Ridge's National Pollutant Discharge Elimination System (NPDES) general permit for Municipal Separate Storm Sewer System (MS4) discharges, Permit No. TNS000000.

Funding

No funding is associated with this item.

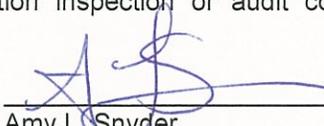
Background

Amy Snyder, Stormwater Program Coordinator, and John Chlarson, Public Works Consultant from the Municipal Technical Advisory Service, reviewed the City Code's Stormwater Management Chapter (Title 14, Chapter 5) for compliance. Upon review, John Chlarson recommended that the City amend the current Stormwater Management Ordinance to include a reference to the Enforcement Response Plan (ERP) to satisfy the definition of the ERP (page 37) according to the City's NPDES Permit No. TNS000000, which states that the ERP "...must be referenced by or included in the permittee's statutes, codes or other control mechanisms."

The ERP is a companion item to be presented to Council for approval by a resolution with the second reading of the ordinance.

Recommendation

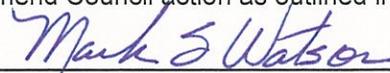
Approval of the attached ordinance is recommended. Failure to approve could result in a significant non-compliance item during a compliance evaluation inspection or audit conducted by the Tennessee Department of Environment and Conservation.

  
\_\_\_\_\_  
Amy L. Snyder

Attachments: **Bold-Strikethrough of Proposed Stormwater Management Ordinance Changes**

**City Manager's Comments:**

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

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

7-3-19  
Date

TITLE

AN ORDINANCE TO AMEND TITLE 14, TITLED "ZONING AND LAND USE CONTROL," CHAPTER 5, TITLED "STORMWATER MANAGEMENT," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY AMENDING SECTION 14-509, TITLED "ENFORCEMENT," SUBSECTION (1)(C) TO ADD A CROSS-REFERENCE FOR CIVIL PENALTIES, AND BY AMENDING SECTION 14-510, TITLED "PENALTIES," TO RENUMBER SUBSECTIONS AND CREATE A NEW SUBSECTION ON CIVIL PENALTIES AND AN ENFORCEMENT RESPONSE PLAN, ALL FOR THE PURPOSE OF COMPLIANCE WITH THE CITY'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) DISCHARGES.

WHEREAS, the City's existing stormwater management provisions (City Code Title 14, Chapter 5) were recently reviewed for compliance with the City's National Pollutant Discharge Elimination System (NPDES) general permit for Municipal Separate Storm Sewer System (MS4); and

WHEREAS, this review yielded two modifications to the existing provisions: (1) the addition of a cross-reference in City Code §14-509(1)(c) for civil penalties, and (2) to add a new subsection to City Code §14-510 on civil penalties and the Enforcement Response Plan.

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

Section 1. Title 14, titled "Zoning and Land Use Control," Chapter 5, titled "Stormwater Management," Section 14-509, titled "Enforcement," Subsection 1, titled "Enforcement Authority," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended to add a notational reference to City Code §14-510(4) in subsection (c) as follows:

Section 14-509. Enforcement.

- (1) Enforcement Authority. The City shall have the authority to issue notices of violation and citations, and to impose the civil penalties provided in this section. Measures authorized include:
  - (c) Citations with Administrative Penalties – The City Manager or the City Manager's designee has the authority to assess monetary penalties, which may include civil and administrative penalties. (See City Code §14-510(4))

Section 2. Title 14, titled "Zoning and Land Use Control," Chapter 5, titled "Stormwater Management," Section 14-510, titled "Penalties," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by renumbering subsections (4), (5), (6), and (7) as subsections (5), (6), (7), and (8) respectively, to make room for a new subsection (4).

Section 3. Title 14, titled "Zoning and Land Use Control," Chapter 5, titled "Stormwater Management," Section 14-510, titled "Penalties," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by creating a new subsection (4), titled "Schedule of Civil Penalties and Enforcement Response Plan," which new subsection shall read as follows:

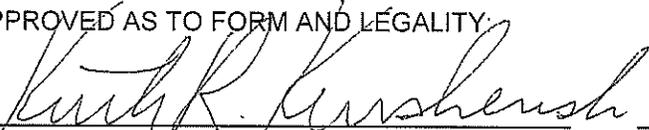
Section 14-510. Penalties.

- (4) Schedule of Civil Penalties and Enforcement Response Plan. The City has established by resolution an Enforcement Response Plan (ERP) for fair and just enforcement to all parties involved and to provide adequate guidance to stormwater field personnel. The ERP authorizes the City Manager to develop a schedule of civil penalties which can be

assessed for certain specific violations or categories of violations in accordance with statutory requirements.

Section 4. 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: \_\_\_\_\_

**PERSONNEL DEPARTMENT MEMORANDUM**  
**19-092**

**DATE:** June 27, 2019

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

**FROM:** Bruce M. Applegate, Director of Administrative Services

**SUBJECT:** AN ORDINANCE TO AMEND TITLE 1, TITLED "GENERAL ADMINISTRATION," CHAPTER 2 TITLED "MISCELLANEOUS," SECTION 1-203, TITLED "FEES FOR CITY DOCUMENTS, LABOR AND MATERIAL GENERALLY," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SUBSECTION (2) IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION (2) TO UPDATE THE METHOD OF NOTIFICATION OF THE PUBLIC.

Introduction

An item for City Council's consideration is an ordinance to amend the provisions of the City Code §1-203 which gives the authority for the establishment of fees for copies of documents and labor and materials, and City Code §1-203(2) which provides a method of notification of the public for said fees.

Funding

No funding is necessary for this item.

Background

Staff undertook review of City Code §1-203, titled "Fees for City Documents, Labor, and Material Generally" in advance of a proposed update to Administrative Policy D-200 "Fees for Municipal Services and Supplies". City Code §1-203(2) provides stipulations for the advertisement of proposed fee changes to the public for the limited time frame of five (5) days prior in a local newspaper. Initial review suggested areas for improvement that would ensure increased public notice, availability of information on future proposed fee changes, and a reduction in City publication costs.

Analysis

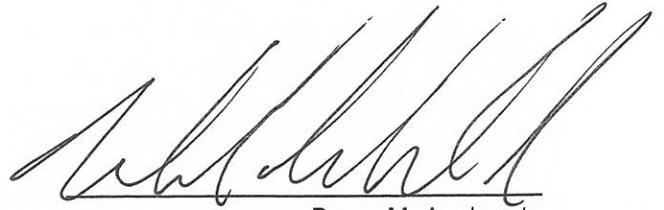
Staff review of City Code subsection 1-203(2) indicated two areas for improvement. The current posting requirement stipulates public notification of City fee changes to be provided for five (5) days in advance of fee implementation. Adjusting this window of time to fifteen (15) days will increase the window of time for citizens to familiarize themselves with pending changes, and prepare for the future adjustments. A hardcopy will continue to be provided to the City Clerk's office for interested citizens to walk-in, and review.

Staff also recommend changing the language requiring publication in a local newspaper, to publication on the City's website. The proposed change is intended to reach a wider audience, and be more in line with current methods of notification to the public. The recommended change will also reduce expenditures for publication of materials.

Recommendation

Approval of the proposed ordinance is recommended.

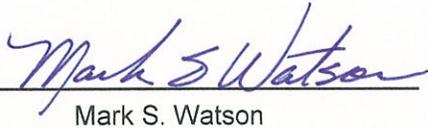
Attachments: Ordinance as Currently Written  
Proposed Ordinance



Bruce M. Applegate  
Director of Administrative Services

**City Manager's Comments:**

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

  
Mark S. Watson

7-3-19  
Date

**1-203. Fees for city documents, labor and material generally.**

(1) The city may furnish copies of documents and labor and materials at actual cost, which shall be determined by the city manager, for the following items:

- (a) Building, gas, electrical, and plumbing codes.
- (b) Maps and plats.
- (c) Code of ordinances and reprints, plus any supplements or additions.
- (d) Fines for overdue library books, lost materials, special charges for other library services.
- (e) Data processing, machine usage, labor, and supplies.
- (f) Copies of public records and documents.
- (g) Reproduction of accident reports.
- (h) Special police duty.
- (i) Any other service or material the city may perform or supply that will not interfere or hamper regular municipal functions, as determined by the city manager.

(2) Fees authorized in the preceding subsection shall be filed with the city clerk and made available for public inspection at reasonable hours. Before any predetermined fee may be levied or amended, it must be published in a local newspaper of general circulation at least five (5) days before it shall become effective.

(3) Fees authorized by this section shall be in addition to any and all other fees levied by any other section of this code, and shall not be limited to those services and materials as set forth in this section.

(4) Nothing in this code or the ordinance adopting this code shall be deemed to affect the validity of any fee established in accord with this section, and all such fees are hereby recognized as continuing in full force and effect. (1969 Code, § 2-6)

TITLE

AN ORDINANCE TO AMEND TITLE 1, TITLED "GENERAL ADMINISTRATION," CHAPTER 2, TITLED "MISCELLANEOUS," SECTION 1-203, TITLED "FEES FOR CITY DOCUMENTS, LABOR AND MATERIAL GENERALLY," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SUBSECTION (2) IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION (2) TO UPDATE THE METHOD OF NOTIFICATION TO THE PUBLIC.

WHEREAS, City Code §1-203 gives the authority for the establishment of fees for copies of documents and labor and materials, and City Code §1-203(2) provides a method for notification to the public of said fees; and

WHEREAS, the City desires to update City Code §1-203(2) to provide for notification of a fee change to be on the City's website with a fifteen (15) day advanced notice provision rather than the current method of advertisement in the newspaper with a five (5) day advanced notice provision; and

WHEREAS, the proposed amendment is intended to reach a wider audience and be more in line with current methods of notification to the public, as well as reduce expenditures.

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

Section 1. Title 1, titled "General Administration," Chapter 2, titled "Miscellaneous," Section 1-203, titled "Fees for City Documents, Labor and Material Generally," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Subsection (2) and substituting therefor a new Subsection (2), which new subsection shall read as follows:

Section 1-203. Fees for City Documents, Labor, and Material Generally.

- (2) Fees authorized in the preceding subsection shall be filed with the City Clerk and made available for public inspection at reasonable hours. Before any predetermined fee may be levied or amended, it must be published on the City's website at least fifteen (15) days before it shall become effective.

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: \_\_\_\_\_

# RESOLUTIONS

COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

19-36

DATE: June 19, 2019  
TO: Mark S. Watson, City Manager  
FROM: Matt Widner, Community Development Specialist *MW*  
THROUGH: Wayne Blasius, Community Development Director *WB*  
SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN PY19/FY20

Introduction

An item for City Council's consideration is a resolution authorizing the approval of the CDBG Annual Action Plan (AAP) for PY2019/FY2020 which is the third year of the three year Consolidated Plan 2017-2020.

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 AAP FY19/PY20 budget proposes \$239,094.00 to be utilized for activities approved in the current Consolidated Plan. Any available prior year's funding carryover amount will be added to this annual action allocation.

Background/Analysis/Review/Consideration

The draft Annual Action Plan for PY2019/FY2020 is attached. The full document is available for review in the City Council mailroom. Copies have also been available on the City of Oak Ridge Community Development webpage, in the City Clerk's Office, the Oak Ridge Public Library and the Scarboro Center.

The City held four public hearings to receive input from citizens and nonprofit agencies on the proposed Annual Action Plan PY19/FY20. The first two hearings were held on February 1, 2019 and the second two were held on February 4, 2019 both of which were prior to the 30-day comment period which began on May 8, 2019 which ended on June 7, 2019. The final public hearing for the AAP will be held on July 8, 2019 prior to Council adoption of the FY2019/PY2020 Annual Action Plan.

The Annual Action Plan is the document that implements policies established in the three-year Consolidated Plan 2017-2020. Any significant changes to the current Consolidated Plan will require a formal amendment and approval by H.U.D.

The following City of Oak Ridge projects are recommended for funding during the AAP PY19/FY20:

Acquisition/Removal of Blighted Housing	\$ 10,000
Neighborhood Improvement Projects	\$165,000
Rehabilitation of MDO Homes	\$ 60,000
Grant Administration	\$ 4,094
Total:	\$239,094.00

Community Development Memorandum 19-36  
June 19, 2019

Recommendation

Staff recommends approval of the PY2019/FY2020 Annual Action Plan and submission to the U.S. Department of Housing and Urban Development for the Community Development Block Grant funding.

Attachment(s)

Draft Annual Action Plan PY19/FY20



Matt Widner  
Community Development 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  
Draft ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN  
for  
THE PERIOD OF  
July 1, 2019 – June 30, 2020**



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

*Mark S. Watson, City Manager*

*CDBG Committee. Staff*  
Matt Widner, Community Development  
Valarie Emery, Administrative Specialist  
Ken Krushenski, Legal  
Wayne Blasius, Community Development

[www.oakridgetn.gov](http://www.oakridgetn.gov)



# Table of Contents

## Annual Action Plan PY19 / FY20

### Set Up

AD-26 Administration of the Annual Action Plan.....	1
AD-50 Verify Grantee/PJ Information in IDIS.....	2
AD-55 Verify Grantee/PJ Program Contacts.....	2

### Process

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b).....	3
PR-05 Lead & Responsible Agencies - 91.200(b).....	6
AP-10 Consultation - 91.100, 91.200(b), 91.215(l).....	7
AP-12 Participation - 91.105, 91.200(c).....	10

### Annual Action Plan

AP-15 Expected Resources - 91.220(c)(1,2).....	12
AP-20 Annual Goals and Objectives - 91.220(c)(3)&(e).....	14
AP-35 Projects - 91.220(d).....	14
AP-50 Geographic Distribution - 91.220(f).....	16
AP-55 Affordable Housing - 91.220(g).....	17
AP-60 Public Housing - 91.220(h).....	18
AP-65 Homeless and Other Special Needs Activities - 91.220(i).....	19
AP-75 Action Plan Barriers to Affordable Housing - 91.220(j).....	21
AP-85 Other Actions - 91.220(k).....	22
AP-90 Program Specific Requirements - 91.220(l)(1,2,4).....	24

### Appendix

- A. SF 424 & Certifications
- B. Public Notices
- C. Fair Housing
- D. 711 for Telecommunications Relay Service

**Set Up**

**Annual Action Plans**

AD-26 Administration of the Annual Action Plan

AAP Program Year:\* 2019

AAP Title:\* AAP PY19 / FY20

AAP Plan Version:\* 1.0

If Amendment: N/A

Programs included:\*  
✓ CDBG  
HOME  
ESG  
HOPWA

Housing Trust Fund Subgrantee: No

Is this Annual Action Plan associated with a Consolidated Plan?\* Yes

Consolidated Plan Title: City of Oak Ridge, TN CDBG Consolidated Plan 2017-2020

Consolidated Plan 2017  
Beginning Year:

Consolidated Plan 2020  
Ending Year:

Consolidated Plan 1  
Version:

## Grantee/PJ

### AD-50 Verify Grantee/PJ Information in IDIS

#### Grantee Information

Lead Agency: OAK RIDGE

Please review all information below and submit updates to the HUD FO Acceptor

Year: 1

1994

Start Date:

07/01/1994

End Date:

06/30/1995

\*Address: 1

City of Oak Ridge  
Community Development Department  
200 S Tulane Ave. PO Box 1

\*City:

Oak Ridge

\*State/Territory:

TN

\*Zip Code:

37831 - 0001

### AD-55 Verify Grantee/PJ Program Contacts

#### Edit Grantee/PJ Program Contacts

##### Chief Elected Official (Primary Contact) 1

Prefix: The Honorable  
First Name: Warren  
Middle Initial:  
Last Name: Gooch  
Suffix:  
Title: Mayor  
Email: wgooch@oakridgetn.gov  
Address 1: 200 S. Tulane Ave  
Address 2:  
City: Oak Ridge  
State: TN  
Zip Code: 37830  
Telephone: [865-425-3432](tel:865-425-3432)  
[Update](#) | [New](#) | [Change to Another](#)

##### CDBG Contacts

###### First contact

Prefix: Mr  
First Name: Matthew  
Middle Initial: W  
Last Name: Widner  
Suffix:  
Title: Housing Specialist  
Email: mwidner@oakridgetn.gov  
Address 1: 200 S Tulane Ave  
Address 2: P.O. Box 1  
City: Oak Ridge  
State: TN  
Zip Code: 37831  
Telephone: [865-425-3584](tel:865-425-3584)  
[Update](#) | [New](#) | [Change to Another](#)

###### Second contact

Prefix: Mr  
First Name: Wayne  
Middle Initial:  
Last Name: Blasius  
Suffix:  
Title: Com Dev Director  
Email: wblasius@oakridgetn.gov  
Address 1: PO Box 1  
Address 2:  
City: Oak Ridge  
State: TN  
Zip Code: 37831  
Telephone: [865-425-3531](tel:865-425-3531)  
[Update](#) | [New](#) | [Change to Another](#) | [Clear](#)

## Process

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

#### 1. 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:

- Rehabilitation of MDO Housing
- Neighborhood Improvement in target areas
- Infrastructure Development & Upgrades in target areas
- Acquisition and/or Removal of Dilapidated Housing in MDO

#### 2. Summarize the objectives and outcomes identified in the Plan

*This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.*

This year's Annual Action Plan (AAP FY19/PY20) has evolved from prior years to reflect changed priorities as identified by the public participation process and increased market demand in CDBG target areas. This Program Year will focus on two (2) major and one (1) minor objectives to include minimal funding for grant administration. The objectives for this year are as follows:

1. Rehabilitation of Manhattan District Overlay (MDO) Housing (major) – Includes a number smaller projects that will supplement the City's HOME Program by Tennessee Housing Development Agency (THDA) as well as other specific projects designed to repair essential service features to eligible households.
2. Neighborhood Improvement, Infrastructure, Public Spaces (major) – Includes further development of the Woodland Pocket Park as well as public space enhancements in the Scarboro Neighborhood. Also planned, are infrastructure expansion projects to support new affordable housing units in the Highland View Neighborhood.
3. Removal of vacant blighted housing (minor) – Will continue but to a lesser degree due to the changing market.
4. Grant Administration (minor) - For continued cost of administering the CDBG grant.
5. Expenditure of 2014 and 2015 remaining funds (\$64,436.68) in support of items 1 – 3 of this section.

#### 3. Evaluation of past performance

*This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.*

Certain challenges have slowed the City of Oak Ridge in achieving all of its objectives in the past program year. This is largely due to the recent designation of the City becoming part of the Manhattan Project National Park and rising market demand for housing stock. While both of these developments are actually a good thing, the challenges they present mean fewer eligible and available properties for acquisition or removal of vacant blighted properties. It can be argued that this shortfall in spending is, in part, a result of the City's success in using local and CDBG funding to remove blight.

There is still a considerable amount of work to do in the community with regard to preventing blight and revitalizing neighborhoods. The City has worked steadily for the past seven years to eliminate blight throughout the Manhattan District Overlay (MDO) neighborhoods using various approaches such as: acquisition and demolition of structures found to be dangerous or dilapidated; providing code enforcement services to address property maintenance issues; supporting local land bank initiatives; helping homeless persons and persons at risk of becoming homeless; and assisting in the provision of various housing renovations for low to moderate income families, persons with special needs and the elderly.

The City has continued to transfer parcels of cleared land, to the Oak Ridge Land Bank Corporation (ORLB) 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 plan, "Land Bank" means real property, however obtained or acquired and held by the Oak Ridge Land Bank Corporation. The intent is to acquire and hold real property until such time as the corporation is able to find a willing and able buyer to acquire the real property for renovation or redevelopment of high quality affordable housing. This past year, the Oak Ridge Land Bank has donated five (5) properties to the non-profit organizations. The newly created Oak Ridge Housing Authority Development Corporation (ORHADC) is approved to receive four parcels while Habitat for Humanity of Anderson County (Habitat) received one. ORLB, also agreed to transfer two (2) parcels far below market rate to Aid to Distressed Families of Appalachian Counties (ADFAC). All seven transfers are for the benefit of L/M income households further increasing the city's owner occupancy rate. Additionally the Land Bank has sold five (5) properties at fair market value that supported moderate income owner occupied housing. Nearly half of the 31 current ORLB properties were acquired with CDBG funds.

#### **4. Summary of Citizen Participation Process and consultation process**

*Summary from citizen participation section of plan.*

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 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 in 2017 to receive comments and recommendations from citizens, non-profit agencies, faith-based organizations and city staff as follows: 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 third of three Annual Action Plans (AAP) during the Consolidated Plan period of 2017-2020. Each of the AAP's 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 2019 as follows: Oak Ridge Municipal Building on Friday, February 1<sup>st</sup> from noon till 1:30 p.m. and then again from 4:00 p.m. till 5:30 p.m.

The second set of public meetings were held at: City of Oak Ridge Public Library on Monday, February 4<sup>th</sup> from noon till 1:30 p.m. and then again at the Scarboro Community Center Lobby Area from 4:00 p.m. till 5:30 p.m. There were sixteen (16) total citizens from all four public meetings that signed in and provided input on this year's annual action plan draft.

The 30-day comment period for the City of Oak Ridge CDBG Annual Action Plan (PY19/FY20) began on Wednesday, May 8<sup>th</sup>, 2019 ending on Friday, June 7<sup>th</sup>, 2019. A public hearing will held on Monday July 8, 2019 at 7:00 p.m. during the City of Oak Ridge Council meeting at the Oak Ridge Municipal Building. Copies of this DRAFT City of Oak Ridge CDBG Annual Action Plan will be made available on May 8, 2019 online at: <http://www.oakridgetn.gov/department/CommDev/Planning-Division/CDBG-Program> CDBG, and were provided for physical review at the following locations: (1) City of Oak Ridge, Community Development Department, 200 S. Tulane Avenue; (2) City of Oak Ridge, City Clerk's Office, 200 S. Tulane Avenue; (3) Oak Ridge Public Library, 1400 Oak Ridge Turnpike; City of Oak Ridge Scarboro Center, 148 Carver Ave.

The use of 711 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities was advertised for the 30 day public comment period and public hearing.

The CDBG Online Survey for the PY19/FY20 Annual Action Plan can be found online at:

<https://www.surveymonkey.com/r/YSKN3B5> or you can click the hotlink "Take the 2019 CDBG Survey" on the sidebar section of the Community Development Homepage here: <http://www.oakridgetn.gov/department/CommDev/Home>

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 attempts to stay informed about programs funded through other sources, and makes every effort to inform community organizations of this information.

## 5. Summary of public comments

*This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan*

While there were not any general citizens present at any of the advertised Consolidated Plan 2017-2020 public meetings, citizen did provide feedback via 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 current Consolidated Plan. In summary, citizens rated abandoned, blighted and foreclosed residential/commercial properties being a problem as "very high." Survey results revealed all respondents were residents of Oak Ridge who reported 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 females reporting they owned their primary residence and who have not looked for housing in the past five years. 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 properties. Comments received during the 30 Day Public Comment Period and City Council Public Hearing were generally factual corrections pertaining to TORCH and other non-substantive edits.

In preparing for the FY19/PY20 Annual Action Plan, there were sixteen (16) total citizens from all four public meetings that signed in and provided input on this year's annual plan draft. Public input from these meetings came primarily from the Scarboro neighborhood meeting. Nearly all comments received focused on improved property maintenance service for elderly and low income. One letter was also received indicating a need for tree removal for elderly households. The online survey located at: <https://www.surveymonkey.com/r/YSKN3B5> received 4 responses from Oak Ridge resident senior males (2 white & 2 black). (As of June 19<sup>th</sup>, 2019, there were four actual online completed surveys received). Comments received however, have indicated a continued desire to improve livability of target neighborhoods along with "highest need" more code enforcement activity to maintain current properties and expanded youth services. Other suggestions were to bring back rehabilitation of MDO homes programs, improve parks and recreation facilities and increase outreach efforts to inform citizens of city services.

## 6. Summary of comments or views not accepted and the reasons for not accepting them.

Comments and requests that were not generally accepted were for similar Neighborhood Improvement Projects outside of the MDO and not within CDBG target areas.

## 7. Summary

In an effort to encourage more citizen participation in consultation process, the City produced public meeting notices in both Spanish and English. Used social media to notify citizens of scheduled events and sent notices to political candidates during this election year. The Community Development Department distributed notices to city employees and non-profit partners to include community organizations.

## PR-05 Lead & Responsible Agencies - 91.200(b)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

Agency Role	Name	Department/Agency
Lead Agency	OAK RIDGE, TN	
CDBG Administrator	OAK RIDGE, TN <input type="button" value="Change"/> <input type="button" value="Remove"/>	Community Development

IDIS Table 1

### Narrative (optional):

The City of Oak Ridge is the lead agency and local jurisdiction responsible for overseeing the development of the Consolidated Plan 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.

### Consolidated Plan Public Contact Information:

The City of Oak Ridge Consolidated Plan 2017-2020 and all three PY2017/FY2018; PY2018/FY2019; PY19/FY20 Annual Action Plans are available for review in the City Clerk's office and in the Community Development Department along with in the Oak Ridge Public Library. All plans are located on line at:

<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 if you have any questions or comments.



City Of Oak Ridge, Tennessee

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## **AP-10 Consultation - 91.100, 91.200(b), 91.215(l)**

### **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 attempt to meet quarterly to discuss CDBG program initiatives. On occasion, the committee meets with external stakeholders to discuss partnership opportunities that are mutually beneficial.

The City of Oak Ridge values its partnerships with area nonprofit organizations, the Oak Ridge Public Housing Authority (ORPHA), 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 the community's ability to provide a plethora of much needed services.

### **Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).**

The City of Oak Ridge has ongoing relationships with many housing providers working on housing development activities the city also works with the ORHA to utilize Section 8 vouchers from the federal government to address the housing needs of the city's lowest income households. Through the Continuum of Care (CoC) processes, the City of Oak Ridge maintains relationships with mental health providers, homeless shelter and services providers, and other state/local government agencies with specific responsibilities for homeless individuals and families. The city also participates in a variety of other groups that seek to address other issues that relate to housing and service needs. The Oak Ridge Land Bank (ORLB) is also the first of its kind in Tennessee. Together, the City and ORLB is working to enhance and modify state laws to further support the elimination of blight and reduce rate of deterioration facing our WWII era housing stock.

### **Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

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.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS.**

The City of Oak Ridge no longer receives Emergency Solution Grant (ESG) funds from the State of Tennessee's Tennessee Housing Development Agency (THDA). Oak Ridge is currently benefitting from TORCH using its direct awarded ESG funds for rapid rehousing activities within the Oak Ridge city limits and Anderson County as a whole. Rapid rehousing involves activities that place clients who are experiencing homelessness in housing. Examples of assistance provided by the ESG program are payments for 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 upon request.

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. The City works with TVCoC and its members each year to discuss the success of their program and determine a mutual path forward.

**2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities**

Sort*	Agency/Group/Organization*	Agency/Group/Organization Type*	What section of the Plan was addressed by Consultation?*
1	<input type="text" value="City of Oak Ridge"/>	<input checked="" type="checkbox"/> Housing <input checked="" type="checkbox"/> PHA <input checked="" type="checkbox"/> Services - Housing <input type="checkbox"/> Services-Children <input type="checkbox"/> Services-Elderly Persons <input type="checkbox"/> Services-Persons with Disabilities <input type="checkbox"/> Services-Persons with HIV/AIDS <input type="checkbox"/> Services-Victims of Domestic Violence <input checked="" type="checkbox"/> Services-homeless <input type="checkbox"/> Services-Health <input type="checkbox"/> Services-Education <input type="checkbox"/> Services-Employment <input checked="" type="checkbox"/> Service-Fair Housing <input type="checkbox"/> Services - Victims <input type="checkbox"/> Health Agency <input type="checkbox"/> Child Welfare Agency <input type="checkbox"/> Publicly Funded Institution/System of Care <input checked="" type="checkbox"/> Other government - Federal <input type="checkbox"/> Other government - State <input type="checkbox"/> Other government - County <input checked="" type="checkbox"/> Other government - Local <input checked="" type="checkbox"/> Regional organization <input checked="" type="checkbox"/> Planning organization <input type="checkbox"/> Business Leaders <input type="checkbox"/> Civic Leaders <input type="checkbox"/> Business and Civic Leaders <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Housing Need Assessment <input checked="" type="checkbox"/> Public Housing Needs <input type="checkbox"/> Homeless Needs - Chronically homeless <input type="checkbox"/> Homeless Needs - Families with children <input checked="" type="checkbox"/> Homelessness Needs - Veterans <input type="checkbox"/> Homelessness Needs - Unaccompanied youth <input checked="" type="checkbox"/> Homelessness Strategy <input checked="" type="checkbox"/> Non-Homeless Special Needs <input type="checkbox"/> HOPWA Strategy <input checked="" type="checkbox"/> Market Analysis <input checked="" type="checkbox"/> Economic Development <input type="checkbox"/> Lead-based Paint Strategy <input type="checkbox"/> Anti-poverty Strategy <input checked="" type="checkbox"/> Other <input type="text" value="Acquistion, Remove dilapidation"/>

IDIS Table – 2

**Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?**

In preparing the Consolidated Plan, Annual Action Plans and CAPER, the City of Oak Ridge values the input 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 can 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/departments/CityClerk/City-Council/Meet-City-Council>

In addition to holding 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

The City has also consulted with the State of Tennessee Historic Commission and the East Tennessee Development District to manage the SHPO 106 mitigation process which has become one of the major barriers to Oak Ridge’s effort to acquire and remove blighted structures using CDBG funds.

**Identify any Agency Types not consulted and provide rationale for not consulting:**

The City advertised all four public meetings for input and one public hearing during City Council meeting after the required 30 day public comment period in the local newspapers and on the City’s website to include social media outlets and physical posting throughout the City in public and community businesses. The City also notified the Continuum of Care (CoC) about the planning phase of this Annual Action Plan. All agencies were invited to consult with the City of Oak Ridge. Not all agencies chose to participate by their own accord. This plan was created in an open and transparent manner.

**Describe other local/regional/state/federal planning efforts considered when preparing the Plan.**

Describe other local/regional/state/federal planning efforts considered when preparing the Plan.

Sort*	Name of Plan*	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?	Action
1	Continuum of Care	TVCEH	ded care and create systemic change within our region. identify gaps in the services, unmet needs, and what future services might be required.	
Add Plan Effort (Optional)				

IDIS Table – 3

*“The TVCOC serves a dual purpose in the arena of homeless service delivery. This dual approach is through a regional planning body that addresses the service delivery system. Our CoC plans, develops and implements collaborative services designed to provide needed care and create systemic change within our region. Members of the Tennessee Valley CoC*

*work together to address the larger picture and identify gaps in the services, unmet needs, and what future services might be required.”*

**Narrative (optional):**

The City of Oak Ridge values its partnerships with area nonprofit organizations, the Oak Ridge Public Housing Authority (ORPHA), 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 the community’s ability to provide a variety of much needed services.

**AP-12 Participation - 91.105, 91.200(c)**

*1. Summary of citizen participation process/Efforts made to broaden citizen participation*

**Summarize citizen participation process and how it impacted goal-setting.**

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 Outreach**

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.

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.

Sort	Mode Of Outreach:	Target Of Outreach:
	<input type="checkbox"/> Public Meeting <input type="checkbox"/> Public Hearing <input type="checkbox"/> Newspaper Ad <input type="checkbox"/> Internet Outreach <input type="checkbox"/> Other <input type="checkbox"/> All the above	<input type="checkbox"/> Minorities <input type="checkbox"/> Non-English Speaking - Specify other language: <u>Spanish</u> <input type="checkbox"/> Persons with disabilities <input type="checkbox"/> Non-targeted/broad community <input type="checkbox"/> Residents of Public and Assisted Housing <input type="checkbox"/> Other <u>housing community leaders</u>
Summary of response/attendance		
Summary of Comments Received		
Summary of comments not accepted and reasons		
URL if applicable:		

*IDIS Table 4*

**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.

## Annual Action Plan

### AP-15 Expected Resources - 91.220(c)(1,2)

#### Introduction:

This section provides an overview of the potential resources available for programs that benefit Oak Ridge residents. This section does not include the CDBG Entitlement funds. The City of Oak Ridge and community non-profits consistently search for funding sources through grant opportunities, community organizations and other philanthropic groups.

Currently there are areas within the city limits of Oak Ridge that qualify for low-income tax credits which are being utilized by private developers. The City of Oak Ridge does not have an activity utilizing low-income tax credits at this time.

#### State of Tennessee Programs

The City of Oak Ridge began contracting the operation of a demand response van transit system during February 1993. The City's current contractor for operating the transit system is East Tennessee Human Resources Agency (ETHRA). The City of Oak Ridge appropriated \$213,125 for this program in addition to a Taxi Cap Coupon program in the amount of \$55,000 in the FY2020 budget. The primary source of revenue for this program is a special one-cent-per-gallon inspection fee levied on all petroleum products bought, sold or stored in the state, and an operating assistance grant from the State of Tennessee, Department of Transportation (TDOT).

City General Fund Resources

#### Housing Initiatives – COR General Fund

Oak Ridge City Council approved the FY2020 budget authorizing that \$132,500 be allocated to the Housing Initiatives Budget. Housing Initiative became the primary funding source for Code Enforcement Actions to include acquisition of properties not otherwise eligible for CDGB funding.

#### Social Services Program

The City of Oak Ridge budgeted \$162,895 (ADFAC) during FY2020 for the Social Services. The program was developed to assist City residents with short-term housing and prescription drug needs. Assistance guidelines were adopted by the Oak Ridge City Council in the Social Services Policy and include payments for rent, utilities for eligible Oak Ridge residents.

#### Healthy Start Program

The City of Oak Ridge FY2020 budget contains an appropriation for \$26,850 as a grant for the Healthy Start Program. This program assists first time mothers who are assessed as "at risk" of not being an effective parent due to family history and the mother's current status. The program provides assistance using Family Support Workers who visit participating families in their homes at least weekly for three to five years, or until the child starts school.

#### Capital Improvement Programs (CIP)

Every year, city of Oak Ridge staff prepares a Capital Improvements Program (CIP) that provides detailed information on capital projects for the upcoming six-year period (FY2016-FY2021). The capital projects are to maintain and enhance city facilities, parks, utility infrastructure and streets. The amount included in the CIP for FY2020 for these programs totals \$38,781,966. Funding for all capital projects is provided by several agencies within the federal and state governments and funding resources by the City of Oak Ridge.

#### Affordable Housing Fee Adjustments

In order to facilitate the provision of affordable housing in the City of Oak Ridge, zoning and permit fees are adjusted for residential construction (including renovation) projects.

## Priority Table

### Priority Table

Source of Funds	Source	Uses of Funds	Expected Amount Available		Expected Amount Available Remainder of Con Plan	Narrative Description
COEG	public - federal	Acquisition	Annual Allocation: \$	239994.00	\$ 76079.05	2014-2017 funds remaining
		Admin and Planning	Program Income: \$	0		
		Economic Development	Prior Year Resources: \$	229438.64		
		Housing	Total: \$	469432.64		
		Public Improvements				
Other Housing Initiatives	public - local	Acquisition	\$	100000	\$	Local funds for acquisition, demolition and rehab
		Housing				
		Public Improvements				

### IDIS Table - 5

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied:**

No Federal funds will be leveraged.

**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan:**

As of February, 2019 - 31 properties are held by the City of Oak Ridge and the Oak Ridge Land Bank, Inc. City Council has established goals and objectives to prioritize the disposition of properties currently held that support the needs identified in this plan as follows:

- Develop programs and partnerships that promote owner occupied housing, new home ownership, and encourage private investment;
- Return property acquisitions to viable tax producing status as soon as practical;
- Acquire residential and commercial property through foreclosures, donations, and negotiations in strategic locations that create a stabilizing impact on adjacent property and residential neighborhoods;
- Establish a streamlined procedure that provides tax benefits and incentives for residents and absentee owners to consider dedicating property to the Oak Ridge Land Bank;
- Determine highest and best use of acquired property, which when privatized, will maximize return on investment, and consideration may also be given for properties to be used for municipal purposes;
- Through acquisitions, property management, investments, and property sales, develop a business model that is financially sustainable and encourages environmental stewardship;
- Partner with the City of Oak Ridge, Anderson County, the Oak Ridge Housing Authority, and non-profit organizations to ensure actions do not duplicate existing efforts or create deterrents to home ownership or environmental code compliance

**Discussion:** No Further Discussion

## AP-20 Annual Goals and Objectives - 91.220(c)(3)&(e)

List of goals on page 15

### Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b)

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 are stated in AP-75:

- 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 or other programs available through the City's Non-Profit housing partners.

It is estimated that 6 new affordable housing units will be constructed between the Oak Ridge Land Bank and Non-Profit partners along with 10 renovations by the City of Oak Ridge - THDA HOME Program.

## AP-35 Projects - 91.220(d)

### \*Introduction:

The Manhattan District Overlay (MDO) is a historic district built by the Federal Government to house employees and their families during the Manhattan Project. 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, many of these structures are still occupied and have had few improvements. The MDO area includes the following neighborhoods: Highland View, Scarboro, East Village and Woodland.

### Projects

Sort*	Project Title	Action
1	Acquisition / Removal of vacant blighted housing	View   Edit   Remove
2	Neighborhood Improvement Projects	View   Edit   Remove
3	Rehabilitation of MDO Housing	View   Edit   Remove
4	Grant Administration	View   Edit   Remove

IDIS Table - 6

Below is a table that provides a summary of the City's PY19/FY20 Project/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 2019	June 2020	Acquisition and demolition -- community development	Within the Manhattan District Overlay (MDO)	Prevent Eliminate Slum/Blight	Allocation \$10,000	Improvement, stabilization, and revitalization of neighborhoods in the MDO district
2	Neighborhood Improvement Projects	July 2019	June 2020	Non-housing	Within the Manhattan District Overlay (MDO)	Activities Benefitting L/M Area	\$165,000	Provide/Upgrade neighborhood public spaces, sidewalks, Public Parks & Transportation access and infrastructure
3	Rehabilitation of MDO Homes	July 2019	June 2020	Housing community development, non-homeless community development	Within the Manhattan District Overlay (MDO)	Activities Benefitting L/M Area	\$60,000	Provide supporting funds to City THDA Home Program and other essential service repairs for elderly and LM Households
4	Grant Administration	July 2019	June 2020	Non-housing community development	200 S. Tulane Ave		\$4,094	Provide funding and training for CDBG admin to ensure compliance with program-related HUD regulations

PY19/FY20 Allocation TOTAL: \$239,094

- Funds from 2014 – 2015 = \$64,436.68 will be allocated as needed to supplement the above listed projects

**Describe the reasons for allocation priorities and any obstacles to addressing underserved needs:**

Due to Oak Ridge's WWII era housing and the legacy neighborhoods design, core housing stock and infrastructure have been deteriorating at the same rate. A significant number of these residential and commercial structures have become blighted and/or vacant which leads to their eventual dilapidation due to neglect. The remaining occupied dwellings have increasingly become rentals and public assistance housing. The effort to acquire and remove dilapidated housing is vital to neighborhood stabilization that is not otherwise occurring in the open market. Because MDO properties are part of the historic Manhattan Project, mitigating the adverse effect identified by the SHPO 106 process have become very time consuming and cumbersome thus causing excessive delays in the removal of dilapidated housing.

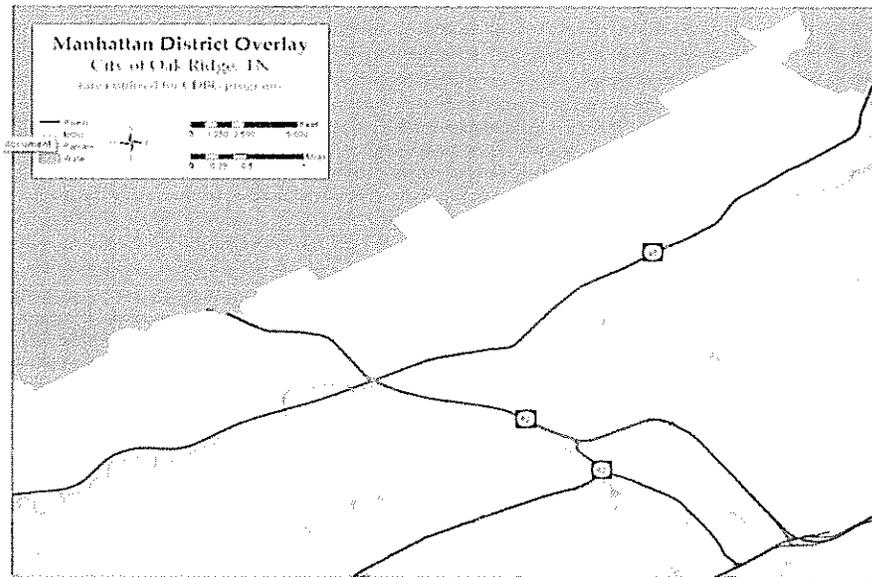
## AP-50 Geographic Distribution - 91.220(f)

### Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

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 structures 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 a black community.

### Geographic Distribution



### Rationale for the priorities for allocating investments geographically

Graph: "Specific Areas Low Income and Minority Populations" The areas shaded above indicate the Census Block Groups within the City of Oak Ridge in which the median household income is below \$30,000 per year. Block Group 020500-2 is roughly bound by West Outer Drive, Highland Avenue, Robertsville Road, and North Illinois Avenue. Block Group 020100-2 is roughly bound by the Oak Ridge Turnpike, Vanderbilt Drive, South Illinois Avenue, Tuskegee Drive, D O E North Patrol Road, and the Anderson/Roane County line. Census Block Group 020400-2 (shaded in red) is roughly bound by West Outer Drive, New York Avenue, Pennsylvania Avenue, Hillside Drive and Highland Avenue. Census Block Group 020100-1 (shaded in yellow) is an irregularly-shaped area. Its north portion is roughly bound by the Oak Ridge Turnpike, Lafayette Drive, North Purdue Avenue, South Illinois Avenue, and East Vanderbilt Drive. Its south portion is roughly bounded by Tuskegee Drive, South Illinois Avenue, and the D O E North Patrol Road.

**Discussion**

100% of all CDBG funds are invested into the defined MDO neighborhoods/target areas with exception of minimal associated Grant Administration costs.

**AP-55 Affordable Housing - 91.220(g)**

**Introduction:**

There will always be a difference in the City of Oak Ridge's goals and actual numbers with regards to the number of homeless who were provided affordable housing units due to the current non-profit agencies that directly assist the City in providing services to the homeless. The City of Oak Ridge's primary mechanism to assist homeless individuals and families is Trinity Out-Reach Center for Hope (TORCH). TORCH primarily uses Emergency Solutions Grant (ESG) funding from Tennessee Housing Development Agency (THDA). ADFAC and Habitat for Humanity of Anderson County produces affordable housing units on properties purchased by City CDBG funds. After the City transfers properties to the Oak Ridge Land Bank (ORLB), they are often donated or sold at very low rates to assist non-profit housing partners to provide affordable housing units. ORLB also works with contractors to provide new affordable owner occupied housing units.

**One Year Goals for the Number of Households to be Supported:**

Homeless:	<input type="text" value="25"/>
Non-Homeless:	<input type="text" value="50"/>
Special-Needs:	<input type="text" value="15"/>
Total:	90

**One Year Goals for the Number of Households Supported Through:**

Rental Assistance:	<input type="text" value="15"/>
The Production of New Units:	<input type="text" value="3"/>
Rehab of Existing Units:	<input type="text" value="3"/>
Acquisition of Existing Units:	<input type="text" value="8"/>
Total:	29

*IDIS Table - 8*

**Discussion:**

The City of Oak Ridge recognizes the need for affordable housing and wants to either facilitate or directly assist everyone who is in need, particularly the homeless and those with special needs. It is also recognized that there are partners that specialize in this effort who really need the City's support instead of the City competing within the same neighborhoods. There have been planning meetings between non-profits and the City to identify and reduce the number of duplicated services. Future annual action plans will continue to reduce blight and provide safe, livable neighborhoods while supporting our housing partners to assist the homeless and create new affordable housing.

## **AP-60 Public Housing - 91.220(h)**

### **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. ORHA has several Capital Fund Projects currently in the works or planned for the coming year. These projects include new roofs for two sites, solar for the ORHA administrative building, replacement of meter bases, and replacement of toilets with low-flow models. ORHA also plans to begin affordable housing projects within the City to address the need for affordable housing.

### **Actions planned during the next year to address the needs to public housing:**

The Oak Ridge Housing Authority (ORHA) is again currently looking for a new Executive Director. The City of Oak Ridge and the Oak Ridge Land Bank have formed a new partnership to create the development arm of ORHA known as Oak Ridge Housing Authority Development Corporation (ORHADC). It is the goal of all partners to create a mix of public housing, affordable housing and market housing in the Highland View neighborhood. An effort to revitalize the Highland View redevelopment initiative is beginning to take shape. ORHADC plans to construct three (3) new owner occupied homes on Waddell Place that was donated by the Land Bank. ORHA has a healthy public housing inventory to which the City of Oak Ridge regularly refers potential residents for their public housing program. Actions taken to address the needs of public housing in the City include providing admission based on eligibility and providing preferences to the follow groups of people:

- Working families and those unable to work because of age or disability
- Individuals and families displaced by government action
- Individuals and families displaced by HCV holders due to lack of funding
- Veterans, disabled persons
- Individuals who lost employment due to downsizing as a prevention to homelessness

ORHA's new Development arm will present residents with more homeownership options. ORHA also plans to have its FSS coordinator receive training in homeownership counseling, and provide this service to its residents seeking homeownership. ORHA continues to engage residents in work with the housing authority, currently ORHA employs 3 residents.

### **Actions to encourage public housing residents to become more involved in management and participate in homeownership:**

The Oak Ridge Housing Authority provides self-sufficiency through their Family Self-Sufficiency Program (FSS). Through this program, ORHA has disbursed over \$30,000.00 in Escrow to 16 families in five years who are no longer reliant on public housing because they have gone through several trainings to provide them with skills to save and secure their own financial security. ORHA's new Development arm will present residents with more homeownership options. ORHA also plans to have its FSS coordinator receive training in homeownership counseling, and provide this service to its residents seeking homeownership. ORHA continues to engage residents in work with the housing authority, currently ORHA employs 3 residents.

### **If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance:**

The Oak Ridge Housing Authority is not designated as "troubled".

### **Discussion:**

There have been no formal actions taken to assist the ORHA based on repairing troubled PHA's. The City and its housing partners however are very involved in the creation of ORHA's first development corporation. This is a ground-breaking effort for Oak Ridge and the Housing Authority. Everyone is working in good faith to make this redevelopment effort successful.

## **AP-65 Homeless and Other Special Needs Activities - 91.220(i)**

### **Introduction:**

In the 2018-2019 fiscal year approximately 212 adults to include 81 children were identified in Anderson County as literally homeless, meaning that they were staying outside, on the streets, in a car, or were being sheltered. Approximately 80% of these were in Oak Ridge.

The homelessness population in Oak Ridge is a heterogeneous group, which includes single individuals, families with children, and unaccompanied runaway and homeless youth. It is recognized that solving the problem of homelessness requires a combination of homeless prevention, homeless outreach, housing services, affordable housing and wrap around support services to insure once someone obtains housing they retain housing.

The city does not provide any direct funding to assist with homeless projects, but did provide funding to ADFAC for rent assistance.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:**

#### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs:**

The City of Oak Ridge will continue to provide technical assistance and support to the Trinity Out-Reach Center of Hope (referred to as TORCH). TORCH provides street outreach to those who are homeless. Using their ESG funded Street Outreach program, they seek to locate and provide services to those living in their cars, on the street or in shelter. Those who are homeless may also meet with a case manager at their Outreach Office without an appointment. Street Outreach services are provided by one part time case manager and 3 volunteers. During FY19/FY20, 140 individuals are expected to be assisted with face to face outreach services. Another 500 individuals who may be homeless or are precariously housed will be assisted by telephone. TORCH has applied for \$11,000 for 2019 to be used to fund Homeless Outreach programs.

The city recognizes and supports other agencies who come in contact with or serve the homeless as well such as Agape House, Ridgeview, Helen Ross McNabb Center, Aid For Distresses Families, the Oak Ridge School System, local churches, and others routinely communicate and exchange referrals.

The city will support the efforts of the COC-Tennessee Valley Coalition for the Homeless and TORCH as they implement the coordinated assessment system in Oak Ridge, a system which was developed to reduce the amount of time a person identified as homeless receives services.

#### **Addressing the emergency shelter and transitional housing needs of homeless persons.**

Oak Ridge does not currently have a homeless shelter. The city lends its support and technical assistance to the efforts of TORCH who provide emergency hotel vouchers for families who are staying outside with a child, or those suffering from a severe disability. Approximately \$15,000 is allocated for this program per year, however in 2018 this program exceeded this budget by almost \$20,000 for a total of approximately \$35,000. There are no grants that pay for these vouchers. TORCH funds these vouchers 100% with donations collected throughout the year. The city also recognizes the contributions of other local resources such as the Agape House, which provides temporary transitional housing for up to 2 families at a time. Apart from these services, transitional housing is available through Ridgeview for up to 8 individuals who suffer from a mental illness. Lastly, local YWCA uses scattered site transitional housing vouchers to house those who are homeless due to domestic violence. In 2018, approximately 27 families were recipients of these vouchers.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again:**

In 2018 the city assisted in the creation of a system whereby clients who are homeless are given a preference when applying for income based housing at the Oak Ridge Housing Authority. This is expected to shorten the time a homeless individual is on a wait list for public housing. The city will continue to monitor the success of this initiative over the coming year.

The City of Oak Ridge also lends support and technical assistance to TORCH, who utilizes ESG funding to operate their Rapid Rehousing program. This program is currently staffed by 2 full time employees (Director) and several volunteers. Families with children and the disabled are given preference for these services, but individuals are frequently enrolled as well. FOR 2019 TORCH has applied for \$70,000 to operate this program. Approximately 45 households received transitioned from homelessness into permanent housing with ESG Rapid Rehousing assistance. It is expected that 55 households will receive housing utilizing rapid rehousing funds in 2018. (These numbers have decreased from last year due to the fact that TORCH was previously only providing move in assistance for only one month. To decrease recidivism TORCH now provides longer term rental assistance, but number of total families assisted decreased as a result.) TORCH also receives funding through a partnership with the United Way that provides additional case management and financial support once a household has obtained housing to insure that the household does not become homeless again.

The city recognizes that in Oak Ridge veterans may apply for HUD-Vash Vouchers directly from the Veteran's Administration in Knoxville, which issues vouchers for our area. Victims of Domestic Violence are served by the YWCA in Knoxville, which provides outreach workers to service our area. TORCH can provide linkage to these agencies through their Outreach services.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.**

Aid For Distressed Families Social Services program provides assistance emphasis on the prevention of homelessness and the development of self-sufficiency. They are the primary provider of assistance those seeking help with past due utility bills, and rent/mortgage assistance to prevent an eviction that might lead to homelessness. ADFAC also provides short term counseling to help those who might need help understanding budgeting and finance.

**Discussion:** No further discussion

## **AP-75 Action Plan Barriers to Affordable Housing - 91.220(j)**

### **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.

### **Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment:**

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 2018 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.
- Increasing 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.
- Property Maintenance – The City of Oak Ridge continues to enforce the 2012 International Property Maintenance code. This is a minimal property standard that does not often change which reduces confusion as to what rules apply when maintaining both residential and commercial properties.

### **Discussion:**

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 - 91.220(k)**

### **Introduction:**

Planning has been central to the development of the City of Oak Ridge from the very beginning. Early in its history as the centerpiece of the Manhattan Project in World War II, a plan for the development of the city was prepared by Skidmore, Owings and Merrill. A planning commission was established and staff employed when the city was transferred to civilian control and became a public entity after the war. Since then a variety of long range plans and policy documents have been developed. The adoption of a zoning ordinance and subdivision regulations were important milestones along the way. Public guidance of land development activities has become a routine part of local government activity in Oak Ridge.

The completed City Blue Print process is all about resident empowerment, neighborhood stabilization and revitalization, pedestrian mobility and public safety. Resident empowerment strategies will focus on employment and life skills training, increasing educational attainment, youth programming to reduce gang and criminal activity. The neighborhood stabilization strategy will focus on reducing the number of deteriorated and vacant/abandoned properties, encouraging resident involvement in neighborhoods, increasing owner-occupied units, and decreasing highly concentrated areas of rentals. Pedestrian mobility and public safety strategies will include improved sidewalks, access to public transportation, community policing, improving crime analysis, and increasing resident engagement.

### **Actions planned to address obstacles to meeting underserved needs:**

One of the key obstacles to meeting the underserved needs in the City of Oak Ridge is lack of adequate funding or other non-financial resources to adequately address a particular problem. Insufficient funding precludes the City from appropriately addressing every worthy project and often includes allocating funding at less than an optimal amount.

The City does not fund programs which duplicate the work of other programs.

Non-financial resource limitations include insufficient numbers of trained volunteers or staff to provide expertise and support for programs and language barriers. The City will also partner with the non-profits and others to consolidate resources. The City is part of the TVCOC which works to consolidate resources, financial and non-financial, to meet the needs of all East Tennessee.

### **Actions planned to foster and maintain affordable housing:**

The City of Oak Ridge will continue to regulate residential rental property using the Rental Registration Program in the MDO target area which has the highest concentration of rental property. Property Maintenance and other environmental code enforcement actions to improve the quality of life in all city neighborhoods are one of the highest priorities to maintain desirable and affordable housing. The Community Development Department and Non-Profit partners will continue to seek new funding opportunities along with existing sources to assist in rehabilitation of homes and encourage construction of new affordable houses in older neighborhoods. The Oak Ridge Land Bank and Oak Ridge Housing Authority have also agreed to partner in development opportunities that will create new affordable housing units in underdeveloped areas.

### **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.

The Knoxville HUD Community Planning and Development (CPD) office provides advice and assistance with statutory and regulatory requirements and technical assistance for the CDBG entitlement program. The Knoxville HUD CPD office also helps with marketing and outreach efforts to promote community development and affordable housing in the East Tennessee region. The Tennessee Housing Development Agency (THDA) provides advice and assistance with statutory and regulatory requirements for the Emergency Solutions Grant (ESG) program. The City of Oak Ridge is also a member of the applicable HUD Continuum of Care (COC) for our region: TN-512, Morristown/Blount, Sevier, Campbell, Cocke, Roane and Anderson Counties. The Tennessee Valley Coalition for the Homeless, a regional non-profit, leads our CoC and provides training, outreach and access to other services and data. One example of a benefit from partnering with the CoC is access to regional data in the Homeless Management Information System (HMIS). This information helps the City understand the extent and type of resident need in the community.

**Actions planned to enhance coordination between public and private housing and social service agencies:**

The City of Oak Ridge Community Development Specialist or a backup staff person attend monthly TVCOC meetings and coordinates between various public and private agencies that are in attendance as well as other local agencies to better understand the state of our housing situation from an individual family level to an overarching community wide level. In addition to the TVCOC coordination, there are newly formed relationships between the Oak Ridge Housing Authority (ORHA), Oak Ridge Land Bank (ORLB), the Oak Ridge Chamber of Commerce and the City of Oak Ridge who all believe that housing is one of the most critical issues that face the city today. Public meetings regularly reveal that citizens all feel they are concerned about their neighborhoods and attribute the declining housing stock as a major factor in their safety concerns.

The City of Oak Ridge uses CDBG entitlement 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.

**Discussion:**

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 generally reviews all CDBG program activities and makes recommendations to the City Manager for his evaluation and prioritization to City Council.

This Annual Action Plan 2019 – 2020 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.

**AP-90 Program Specific Requirements - 91.220(I)(1,2,4)**

**Introduction:**

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

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	0
5. The amount of income from float-funded activities	0
<b>Total Program Income:</b>	<b>0</b>
 Other CDBG Requirements	
1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income	0 (**,##)
<small>Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.</small>	

*IDIS Table - 9*

**Discussion:** No further discussion

## APPENDIX

- A. SF 424 & Certifications (to be include at time of submission)
- B. Public Notices
- C. Fair Housing, Community Development
- D. 711 for Telecommunications Relay Service

# Certifications

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# FIEDS

# 10A

Thursday, January 24, 2019

[www.oakridger.com](http://www.oakridger.com)

advertisements in the classifieds

865-482-1021



having claims, mature (2) or unmatured against Twelve (12) months the Estate are required to file the same date of death, in triplicate with the Clerk and Master of the above named Court on or before the earlier of the dates prescribed in (1) or (2) All persons indebted to the above Estate must come forward and make proper settlement with the un-

**Towers**

*1 Bedroom Apartments for the Elderly, Handicapped & Disabled persons*

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115 Fairbanks Road • Oak Ridge, TN 37830



**CITY OF OAK RIDGE, TENNESSEE  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
NOTICE OF PUBLIC PARTICIPATION HEARINGS**

**for the  
PROPOSED CDBG PROGRAM (Annual Action Plan) FOR PY19/FY20  
July 1, 2019 through June 30, 2020**

The City of Oak Ridge will hold a public hearing to gain citizen input on the proposed program model for the CDBG Entitlement Program for the period of July 1, 2019 through June 30, 2020 (PY19/FY20) which is the third year of the City of Oak Ridge CDBG Consolidated Plan 2017-2020. Suggestions for potential use of CDBG Entitlement funds will be solicited, both verbally and in writing, from all interested parties. CDBG Entitlement funds appropriated for PY19/FY20 are estimated to be \$230,000.00. These funds must meet a HUD National Objective and benefit low/moderate income (LMI) individuals and/or areas.

Citizens are encouraged to attend the public hearings to provide suggestions to the City staff for uses of the CDBG Entitlement funds. If unable to attend the hearing, please submit written comments or provide survey submission online, no later than FEB 15, 2019.

The first set of public participation hearings will be held from noon to 1:30 p.m. and then again from 4:00 to 5:30 p.m. on Friday, February 1, 2019 and will be held at:

City of Oak Ridge Municipal Building Community Development Conference Room  
200 S. Tulane Ave Oak Ridge, TN 37830

The second set of public participation hearings will be held on Monday, February 4, 2019 at:

Noon to 1:30 p.m. in the: City of Oak Ridge Public Library  
1401 Oak Ridge Turnpike Oak Ridge, TN 37830 and again from

4:00 to 5:30 p.m. in the: City of Oak Ridge Scarboro Center lobby area  
148 Carver Ave. Oak Ridge, TN 37830

The CDBG Online Survey for the PY19/FY20 Annual Action Plan can be found online at:  
<https://www.surveymonkey.com/r/YSKN3B5> or you can click the hotlink "Take the 2019 CDBG Survey" on the sidebar section of the Community Development Homepage here:  
<http://www.oakridgetn.gov/department/CommDev/Home>

Written comments or questions should be directed to:

Matt Widner - City of Oak Ridge  
Community Development Department  
PO Box 1  
Oak Ridge, TN 37831-0001  
865-425-3584



Take the Survey

711 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities.

Supplemental  
Advertise  
Public  
Hearing  
AAP 19-20

LOCAL HEARINGS

# Comment on how to use grants for low income

BY BEN POUNDS  
[bpounds@oakridger.com](mailto:bpounds@oakridger.com)

A recent notice stated the city of Oak Ridge will be holding a hearing for the Community Development Block Grants entitlement program funds Friday and Monday, Feb. 1 and Feb. 4.

These funds, estimated at \$230,000 must be spent on what the notice calls "low to moderate income ... individuals and/or areas."

They must also meet a Housing and Urban Development objective.

The city will have two hearings in which citizens can comment on how they would like these funds to be spent. The hearings are set for noon to 1:30 p.m. and 4 to 5:30 p.m. on Friday, Feb. 1 at the Municipal Building Community Development Conference Room and from noon to 1:30 p.m. Monday, Feb. 4, at the Oak Ridge Public Library and from 4 until 5:30 p.m. Monday at the Scarborough Community Center lobby.

The city can also receive comments through a survey at

BY BEN  
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AAP PY19/FY20 1<sup>st</sup> Advertisement  
 30 Day Public Comment

# EDS

# 10A

Tuesday, May 7, 2019

[www.oakridger.com](http://www.oakridger.com)



U.S. Department of Housing and Urban Development (HUD)  
 Community Development Block Grant (CDBG) Entitlement Program for the City of Oak Ridge, Tennessee

**NOTICE OF 30-DAY PUBLIC COMMENT PERIOD**  
 for the City of Oak Ridge

**CDBG Annual Action Plan - CDBG Program Year (PY) 2019 / City of Oak Ridge Fiscal Year (FY) 2020**

The Consolidated Plan for Housing and Community Development is a requirement of the 1990 National Affordable Housing Act and the Community Development Plan, for the U.S. Department of Housing and Urban Development (HUD). Such a plan is required of entitlement communities, which receive Community Development Block Grant (CDBG) funds under HUD's housing and service programs related to the needs of low and moderate-income persons. The development of the seventh City of Oak Ridge proposed Consolidated Plan took place during the six-month period of November 2016 through May 2017 and is being utilized for the three-year period of July 1, 2017 through June 30, 2020 (CDBG Program Years 2017, 2018 and 2019).

The third Annual Action Plan PY2019 / FY2020 of the current Consolidated Plan will be submitted to HUD at least forty-five days prior to August 16, 2019.

The Citizen Participation Plan included in the CDBG Consolidated Plan requires that interested parties have a 30-day period in which to review and comment upon the Proposed Annual Action Plan PY19/FY20 and any Substantial Amendments as well as at least one public hearing to be held. Any information received during the public comment period or at the public hearing will be attached to the submitted Annual Action Plan.

The 30-day comment period for the City of Oak Ridge CDBG Annual Action Plan (PY19/FY20) will begin on Wednesday, May 8, 2019 and end on Friday, June 7, 2019. A public hearing is to be held on Monday June 10, 2019 at 7:00 p.m. during the City of Oak Ridge Council meeting at the Oak Ridge Municipal Building. Copies of the proposed City of Oak Ridge CDBG Annual Action Plan will be available by May 8, 2019 online at: <http://www.oakridgetn.gov/departments/CommDev/Planning-Division/CDBG-Program-CDBG>, and by contacting Matt Widner, 865-425-3584, [mwidner@oakridgetn.gov](mailto:mwidner@oakridgetn.gov) for physical review at the following locations:

- City of Oak Ridge, Community Development Department, 200 S. Tulane Avenue
- City of Oak Ridge, City Clerk's Office, 200 S. Tulane Avenue
- Oak Ridge Public Library, 1400 Oak Ridge Turnpike
- City of Oak Ridge Scarboro Center, 148 Carver Ave

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**PROPOSED CDBG ENTITLEMENT GRANT FUNDING ALLOCATION FOR PY2019/FY2020**

**City of Oak Ridge Programs:**

Acquisition/Removal of Vacant Blighted Housing	\$ 10,000
Neighborhood Improvement Projects	\$ 165,000
Rehabilitation of MDO Homes	\$ 60,000
Grant Administration	\$ 4,094
<b>Total</b>	<b>\$ 239,094.00</b>

AAF FY19/FY20 2nd Advertisement  
30 Day Public Comment

THURSDAY, JUNE 6, 2019

**CLASSIFIEDS**

up news to "mean news critical of Trump," rather

While the government has pressured Facebook, Google

and has a margin of sampling error of plus or minus 1.6 percentage points.



U.S. Department of Housing and Urban Development (HUD)  
Community Development Block Grant (CDBG) Entitlement Program for the City of Oak Ridge, Tennessee

**NOTICE OF 30-DAY PUBLIC COMMENT PERIOD**  
for the City of Oak Ridge

**CDBG Annual Action Plan - CDBG Program Year (PY) 2019 / City of Oak Ridge Fiscal Year (FY) 2020**

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The 30-day comment period for the City of Oak Ridge CDBG Annual Action Plan (PY19/FY20) will begin on Wednesday, May 8, 2019 and end on Friday, June 7, 2019. The rescheduled public hearing is to be held on Monday, July 8, 2019 at 7:00 p.m. during the City of Oak Ridge Council meeting at the Oak Ridge Municipal Building. Copies of the proposed City of Oak Ridge CDBG Annual Action Plan will be available by May 8, 2019 online at: <http://www.oakridgetn.gov/department/CommDev/Planning-Division/CDBG-Program-CDBG>, and by contacting Matt Widner, 865-425-3584, [mwidner@oakridgetn.gov](mailto:mwidner@oakridgetn.gov) for physical review at the following locations:

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**PROPOSED CDBG ENTITLEMENT GRANT FUNDING ALLOCATION FOR PY2019/FY2020**

<b>City of Oak Ridge Programs:</b>	
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Neighborhood Improvement Projects	\$ 165,000
Rehabilitation of MDO Homes	\$ 60,000
Grant Administration	\$ 4,094
<b>Total</b>	<b>\$ 239,094.00</b>

## Fair Housing Activities (attachment)

### Identified Impediments to Fair Housing with corresponding activities to address AI findings:

1. **Lack of awareness and education about Fair Housing laws and the process for discrimination complaints**
  - a. The City permanently displays current HUD Fair Housing posters in both English and Spanish throughout the Municipal Building and other facilities that are frequently occupied by the public.
  - b. The City Mayor publically announced and signed an annual FAIR HOUSING PROCLAMATION on 8 April 2019 at the City Council regular meeting.
  - c. The Utility Business Office (UBO) displays scrolling digital media at the customer counter for the entire month of April to support awareness and City point of contact information.
  - d. Throughout the month of April each year, the City prints Fair Housing information on the utility statement cards that is sent to all utility customers
  - e. Every April, Oak Ridge City Schools promote and educate students on the meaning of Fair Housing and equal opportunity law.
  - f. Public Notices for CDBG and other housing related programs are advertised in the local newspaper, social media and the City's official web page affirming non-discrimination against anyone based on race, color, sex, gender, religion, national origin, age, familial status, related medical condition or disability.
  - g. Public comment and public meeting events are scheduled at variance times throughout the day to accommodate work/school schedules in both the municipal building and community centers located in minority populated neighborhoods. AAP PY19/FY20 – Public input meetings were held on Friday, February 1, 2019 from noon-1:30 pm and again from 4:00pm-5:30pm and then on Monday February 4, 2019 from noon-1:30pm at the O.R. Public Library and again from 4:00-5:30pm at the Scarboro Center. The 30-day comment period for the City of Oak Ridge CDBG Annual Action Plan (PY19/FY20) began on Weds, May 8, 2019 and ended on Monday, June 7, 2019. A public hearing was held on Monday July 8, 2019 at 7:00 p.m. during the City of Oak Ridge Council meeting at the Oak Ridge Municipal Building. The City has bi-lingual staff members that assists as required to translate documents and interpersonal contact with non-English speaking persons.
  - h. The City's Board of Building and Housing Code Appeals (BBHCA) has been appointed to review Fair Housing complaints and work with the Oak Ridge Housing Authority along with other non-profit housing partners to ensure everyone is able to recognize and refer Fair Housing issues to the appropriate agency.
  - i. City Community Development staff have engaged civic and neighborhood watch groups during FY19 to educate and receive feedback on numerous housing issues to include Fair Housing concerns.
  - j. City Community Development staff participated in the first annual landlord summit hosted by Tennessee Valley Continuum of Care on Friday, May 19, 2017 at the Scarboro Community Center which discussed Fair Housing laws among other topics related to the rental property business.
2. **Accessibility Issues for people with physical disabilities**
  - a. The City works with ADFAC to provide quality control inspections on Emergency Repair Program accessibility projects as well as the Oak Ridge Housing Authority renovations.
  - b. Accessibility improvements were included in the new Main Street Mall mixed use residential/commercial development through plan review, permitting and inspection activities.
3. **No transitional housing is available for individuals and families who are in emergency or crisis situations**
  - a. There is no shelter in Oak Ridge or Anderson County, but the City has partnered with Trinity Out-Reach Center of Hope (TORCH) to provide emergency solutions for transitional housing challenges.
4. **No fixed public transportation options for citizens to access resources**
  - a. The City of Oak Ridge does not have a public transportation system but does contract with East Tennessee Human Resources Agency (ETHRA) Transportation Services to provide public transportation on a one time or scheduled reoccurring basis to anyone needing this service at a discounted rate. The City funds a taxi cab fare coupon for reduced cost of private transportation to eligible citizens.

# PROCLAMATION

**WHEREAS**, each year since the enactment of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, the Federal Government designates April, the anniversary month of said law, as "Fair Housing Month", and

**WHEREAS**, because fair housing is consistent with the principle of equality and justice for all – a principle upon which our nation was founded – all of us should share in the fight to ensure that fair housing is a reality for all Americans; and

**WHEREAS**, fair housing is the policy of the City of Oak Ridge. On April 21, 1969, the Oak Ridge City Council adopted a Fair Housing Ordinance, which was one of the first of its kind in the State of Tennessee; and

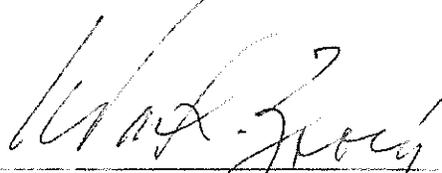
**WHEREAS**, implementation of that policy requires the continuing positive commitment, involvement, and support of each one of our citizens

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE**, that the month of April, 2019 be proclaimed

## FAIR HOUSING MONTH

in the City of Oak Ridge, Tennessee, and that all Oak Ridgers be urged to join in reaffirming the obligation and commitment to fair housing opportunities for all.

**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 8<sup>th</sup> day of April in the year 2019.



WARREN L. GOOCH  
MAYOR

# PROCLAMATION

**WHEREAS**, National Community Development Week was created in 1986 to bring national attention to the Community Development Block Grant (CDBG) Program and later expanded to include the HOME Investment Partnerships (HOME) Program; and

**WHEREAS**, National Community Development Week provides the opportunity for communities to promote, educate and advocate on behalf of both programs; and

**WHEREAS**, since 1975, the CDBG Program has provided annual funding and flexibility to local communities to provide affordable housing, a suitable living environment and economic opportunities; and

**WHEREAS**, since 1992, the HOME Program has created and preserved affordable housing for countless low-income families; and

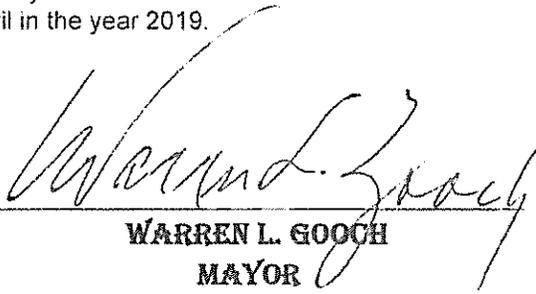
**WHEREAS**, National Community Development Week is designed to focus local as well as national attention on these vital programs and provides a united voice of support and education on the successes of the programs and their value to local communities.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE**, that April 22-26, 2019 be proclaimed

## COMMUNITY DEVELOPMENT WEEK

in the City of Oak Ridge, Tennessee, and that all citizens be encouraged to support these valuable programs that have made tremendous contributions to the viability of the housing stock, infrastructure, public services and the economic vitality of our community.

**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 8<sup>th</sup> day of April in the year 2019.

  
WARREN L. GOOCH  
MAYOR



## 711 for Telecommunications Relay Service

The Federal Communications Commission adopted use of the 711 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities. For more information about the various types of TRS, see the FCC's consumer guide at [www.fcc.gov/guides/telecommunications-relay-service-trs](http://www.fcc.gov/guides/telecommunications-relay-service-trs), or visit the website of our Disability Rights Office (DRO) at [www.fcc.gov/disability](http://www.fcc.gov/disability).

### Making TRS Calls

If you want to call someone using TRS, use your TTY or dial 711 on your telephone, and you will automatically be connected to a TRS operator. If you're a TRS user traveling out of state and want to make a call, there is no longer a need to learn the state's TRS provider's telephone number. Just dial 711. It's fast, functional and free.

The 711 code is not just for use by persons with disabilities. Both voice and TRS users can initiate a call from any telephone, anywhere in the United States, without having to remember and dial a seven or ten-digit access number. For persons who have been using TRS for years, the convenience of dialing three digits is obvious.

711 dialing access does not work for Video Relay Service (VRS), Internet Protocol (IP) relay or IPCTS Relay calls, because such calls are initiated through the Internet. Hearing persons initiating a VRS or IP Relay call may do so by calling a provider's 800 number. IPCTS users just call their party directly, and a Communications Assistant (CA) is automatically connected to the call.

### Dialing 711 from a Private Branch Exchange

FCC rules require all telephone companies (including wireline, wireless and payphone providers) that operate private branch exchanges (PBXs) to implement three-digit 711 dialing for access to TRS. A PBX is a private telephone system within an organization that switches calls between internal users and allows users to share a certain number of external phone lines. PBX operators are required to modify their equipment to enable 711 dialing to ensure that everyone benefits from abbreviated dialing and consumers have easy access to TRS.

Callers from locations served by PBXs may be required to dial 9 or another prefix before entering the 711 code or placing an outside call. The FCC encourages PBX operators to work with telephone companies and TRS providers to facilitate 711 dialing for users.

The FCC determined that providers of interconnected Voice over Internet Protocol (VoIP) service also must offer 711 abbreviated dialing.



## 911 and 711

Dialing 911 is the most familiar and effective way Americans have to find help in an emergency. The Americans with Disabilities Act (ADA) requires all Public Safety Answering Points (PSAPs) to provide direct, equal access to their emergency response services for people with disabilities who use TTYs or other devices. Therefore, in the event of an emergency, TTY users should call 911 directly and not make a TRS call via 711.

If you are unable to reach a TRS operator by dialing 711, you can file a complaint with the FCC. There is no charge for filing a complaint.

### Filing a complaint

You have multiple options for filing a complaint with the FCC:

- File a complaint online at <https://consumercomplaints.fcc.gov>
- By phone: 1-888-CALL-FCC (1-888-225-5322); TTY: 1-888-TELL-FCC (1-888-835-5322); ASL: 1-844-432-2275
- By mail (please include your name, address, contact information and as much detail about your complaint as possible):

Federal Communications Commission  
Consumer and Governmental Affairs Bureau  
Consumer Inquiries and Complaints Division  
445 12th Street, S.W.  
Washington, DC 20554

### Accessible formats

To request this article in an accessible format - braille, large print, Word or text document or audio - write or call us at the address or phone number at the bottom of the page, or send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov).

Last Reviewed 11/7/15

**RESOLUTION**

A RESOLUTION APPROVING THE PY2019/FY2020 ANNUAL ACTION PLAN AND PROPOSED ALLOCATIONS OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT FUNDS FOR PY2019/FY2020 ESTIMATED AT \$239,094.00.

WHEREAS, PY2019/FY2020 will be the 36<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, by Resolution 6-53-2017, City Council approved the City's CDBG Consolidated Plan 2017-2020 document; and

WHEREAS, the amount of funds available for distribution under the FY2019/FY2020 CDBG Entitlement Program is estimated at \$239,094.00; and

WHEREAS, HUD requires that a description of the City's proposed allocations of CDBG Entitlement funds be included in the PY2019/FY2020 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 PY2019/FY2020 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 FY2020 Annual Action Plan and the following proposed allocations of Community Development Block Grant Entitlement funds estimated to be available for FY2020 totaling \$239,094.00 are hereby approved:

- Acquisition/Removal of Blighted Housing \$ 10,000.00
- Neighborhood Improvement Projects \$ 165,000.00
- Rehabilitation of MDO Homes \$ 60,000.00
- Grant Administration \$ 4,094.00

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.

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

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:

  
Kenneth R. Krushenski, City Attorney

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

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

**CITY COUNCIL MEMORANDUM**  
**19-23**

**DATE:** July 2, 2019  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Mark S. Watson, City Manager  
**SUBJECT:** INITIAL DEBT RESOLUTION AND WIFIA NEXT STEPS

Introduction

Attached are two resolutions regarding the continuation of the process to finalize the City's requested Water Infrastructure Finance and Innovation Act (WIFIA) loan through the U.S. Environmental Protection Agency (EPA). The first item for City Council's consideration is a resolution authorizing the City Manager to proceed with the next steps of the WIFIA loan process including executing the loan term sheet, obtain required debt ratings and payment of costs related to obtainment of the WIFIA loan, which includes attorney and financial advisor fees along with other fees/costs as required by EPA.

The second resolution is the adoption of an initial debt resolution for the issuance of not to exceed \$45,000,000 in General Obligation Bonds for the construction of a new water treatment plant and related infrastructure. The publication of the adopted initial resolution in the newspaper will start the 20-day period in which at least 10% of the registered voters in Oak Ridge may petition for a referendum on the issuance of this debt.

Background

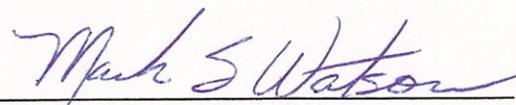
In April 2017, the City submitted a letter of interest for a WIFIA loan to finance a portion of the costs for the construction a new water treatment plant and related infrastructure. In July 2017, the City received an invitation to submit an application for credit assistance from the WIFIA program. In August of 2018, the City submitted an application for credit assistance to EPA with an estimated WIFIA portion of \$21.3 Million.

The City is now in the process of completing the credit assistance review process with EPA. The adoption of the two attached resolution allows the City to move forward with that process with completion planned for August 2019. Under Tennessee state law the WIFIA loan is required to be in the form of a bond. The bond resolution amount includes sufficient authorization for the completion of the water plant project. This amount provides a total project cost prospective and allows for inflation and other market factors that may impact costs when the actual construction projects are bid in approximately fourteen months.

The City has been approved for a \$3,288,000 design and engineering loan and has applied for an \$18,414,703 construction loan through the Tennessee State Revolving Fund (SRF). The initial bond resolution amount allows for the issuance of bonds to complete the water plant project if SRF construction funding is not obtained. The difference between loan amounts and bond amounts includes a not to exceed cost for required bond ratings, legal fees and bond advisory fees.

Recommendation

Staff recommends adoption of attached Resolutions related to the finalization of the WIFIA loan. A special called meeting of City Council will be held after the initial resolution has completed its 20-day notification period. After the 20-day notification period has ended, the Bond Resolution and the Loan Agreement will be brought forward for City Council approval.

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

Attachment(s):

WIFIA Next Steps Resolution  
Initial Bond Issuance Resolution

RESOLUTION

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED FORTY-FIVE MILLION AND NO/100 DOLLARS (\$45,000,000) GENERAL OBLIGATION BONDS OF THE CITY OF OAK RIDGE, TENNESSEE

BE IT RESOLVED by the City of Oak Ridge, Tennessee (the "Municipality") that for the purpose of financing, in whole or in part, the (i) improvement and expansion of the waterworks system of the Municipality (the "System"), which includes the water and wastewater systems of the Municipality; (ii) purchase of equipment for the System; (iii) payment of architectural, engineering, legal, fiscal and administrative costs incident to the foregoing; (iv) reimbursement to the Municipality for funds previously expended for any of the foregoing; and (v) payment of the costs related to the issuance and sale of the bonds referenced therein, there shall be issued bonds, in one or more emissions of the Municipality, in the aggregate principal amount of not to exceed \$45,000,000, which bonds shall bear interest at a rate or rates not to exceed the maximum rate permitted by law. The bonds shall be payable from ad valorem taxes to be levied on all taxable property within the corporate limits of the Municipality. The bonds shall be additionally payable from and secured by a pledge of the revenues to be derived from the operation of the System, subject only to the payment of the reasonable and necessary costs of operating, maintaining, repairing and insuring the System and to any pledges of such revenues in favor of prior lien obligations payable from the revenues of the System.

BE IT FURTHER RESOLVED that the City Clerk be, and is, hereby directed and instructed to cause the foregoing initial resolution relative to the issuance of not to exceed \$45,000,000 general obligation bonds to be published in full in a newspaper having a general circulation in the Municipality, for one issue of said paper followed by the statutory notice:

NOTICE

The foregoing resolution has been adopted. Unless within twenty (20) days from the date of publication hereof a petition signed by at least ten percent (10%) of the registered voters of the Municipality shall have been filed with the City Clerk of the Municipality protesting the issuance of the bonds, such bonds will be issued as proposed.

Beth Hickman, City Clerk

Adopted and approved this 8<sup>th</sup> day of July, 2019.

APPROVED AS TO FORM  
AND LEGALITY:

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

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

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

STATE OF TENNESSEE        )

COUNTY OF ANDERSON        )

I, Beth Hickman, hereby certify that I am the duly qualified and acting City Clerk of the City of Oak Ridge, Tennessee, and as such official I further certify that attached hereto is a copy of excerpts from the minutes of a regular meeting of the Governing Body of that municipality held on July 8, 2019; that these minutes were promptly and fully recorded and are open to public inspection; that I have compared said copy with the original minute record of said meeting in my official custody; and that said copy is a true, correct and complete transcript from said original minute record insofar as said original record relates to an initial resolution authorizing the issuance of not to exceed \$45,000,000 of general obligation bonds of the City.

WITNESS my official signature and the seal of the City, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_

City Clerk

(SEAL)

**RESOLUTION**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE NEXT STEP IN THE CITY'S APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY UNDER THE WIFIA PROGRAM FOR THE WATER TREATMENT PLANT CONSTRUCTION PROJECT.

WHEREAS, by Resolution 3-23-2017, City Council authorized the submittal of an application to the U.S. Environmental Protection Agency (EPA) under the Water Infrastructure Finance and Innovation Act of 2014 (WIFIA) Program for the Water Treatment Plant construction project; and

WHEREAS, the WIFIA program is a federal credit program administered by the EPA for eligible water and wastewater infrastructure projects providing long-term, low-cost supplemental loans for regionally and nationally significant projects; and

WHEREAS, the City has completed the first steps in the WIFIA program through submittal of a letter of interest outlining the project's eligibility, financial creditworthiness, engineering feasibility, and alignment with EPA's policy priorities, as well as submittal of the application and required application fee; and

WHEREAS, the City Manager requests City Council approval to move forward with the next step in the WIFIA program's creditworthiness assessment which requires the City to obtain two (2) debt ratings from nationally recognized rating agencies and payment of associated costs including but not limited to attorney and financial advisor fees; and

WHEREAS, this next step also includes negotiation and execution of a mutually agreeable term sheet, which is prior to execution of the actual credit agreement for WIFIA funding.

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 Manager is hereby authorized to take the next step in the U.S. Environmental Protection Agency's (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) program's process to establish the City's creditworthiness.

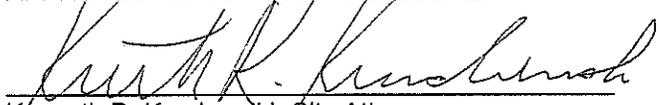
BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the appropriate legal instruments to accomplish the same including payment for two (2) debt ratings from nationally recognized rating agencies and payment of associated costs including but not limited to attorney and financial advisor fees.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the required term sheet after such document has been negotiated between the City's bond counsel and EPA.

BE IT FURTHER RESOLVED that the final step in the process is the credit agreement to receive WIFIA funding, which agreement will be brought to City Council for approval.

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:

  
Kenneth R. Krushenski, City Attorney

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

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

**FINANCE DEPARTMENT MEMORANDUM**  
**19-10**

**DATE:** July 2, 2019  
**TO:** Mark S. Watson, City Manager  
**FROM:** Janice E. McGinnis, Finance Director  
**SUBJECT: \$5,000,000 INITIAL DEBT RESOLUTION**

Introduction

The City is reviewing refunding opportunities for the Series 2009 and 2009 B Bonds. Since refunding debt is not considered new debt by the City, but rather as a refunding of existing debt, the amount of debt is not included in the proposed resolution, but only new debt. New debt for City Council's consideration is the adoption of an initial debt resolution for the issuance of not to exceed \$5,000,000 in General Obligation Bonds to fund roof replacements for schools and public buildings. The \$5,000,000 in new debt proceeds would be included in the refunding debt issuance. The publication of the adopted initial resolution in the newspaper will start the 20-day period in which at least 10% of the registered voters in Oak Ridge may petition for a referendum on the issuance of this debt.

Background

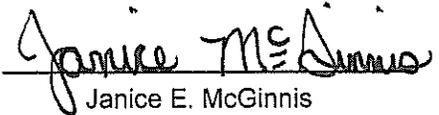
In December 2017, RoofConnect issued an evaluation report on the status of City and School roofs. The report identified \$4,889,757 in roofs with a 0–2 year life and \$4,389,500 with 2-4 year life. The Robertsville Middle School roof is currently under contract. Other large critically identified roofs in the study that cannot be accomplished with existing City resources include Jefferson Middle School, Linden Elementary, Woodland Elementary, ORHS section 1 and the Central Service Center. The debt proceeds would fund the estimated cost of these roofs that were included in the RoofConnect study.

The City is reviewing a refunding opportunity for \$25,840,000 in bonded debt comprised of \$6,540,000 in Series 2009 bonds and \$19,300,000 in Series 2009 B bonds. The outstanding 2009 bonds have a final maturity in 2022 and the outstanding 2009 B Bonds have a final maturity in 2041.

The outstanding 2009 bonds are all general debt. The outstanding 2009 B bonds are taxable issued Build America Bonds (BABs) with the outstanding amounts comprised of \$9,300,000 in general debt, which includes \$6,479,994 in ORHS debt, \$5,000,000 in Waterworks Fund debt and \$5,000,000 in Electric Fund Debt. BABs were part of the American Recovery and Reinvestment Act (ARRA) incentives to create jobs and stimulate the economy. The bonds were issued at a taxable interest rate with the Federal government to pay the City a 35% subsidy each year to apply against interest expense. In 2013, the Federal government began reducing the annual subsidy amount with a 6.2% subsidy reduction in effect for fiscal 2019.

Recommendation

Staff recommends adoption of the attached Initial Bond Issuance Resolution. Estimated debt amortization projections will be provided at the July 17<sup>th</sup> Budget and Finance Committee meeting. To reduce some debt issuance costs, the City hopes to have simultaneous rating agency reviews for this debt at the same time as the WIFIA loan rating reviews.

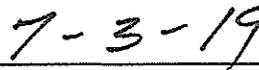
  
Janice E. McGinnis

Attachment:  
Initial Bond Issuance Resolution

**City Manager's Comments:**

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

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

  
\_\_\_\_\_  
Date

**RESOLUTION**

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED FIVE MILLION AND NO/100 DOLLARS (\$5,000,000) GENERAL OBLIGATION BONDS OF THE CITY OF OAK RIDGE, TENNESSEE

BE IT RESOLVED by the City of Oak Ridge, Tennessee (the "Municipality") that for the purpose of financing, in whole or in part, equipping, improving and renovating certain school facilities and public buildings, including roof replacements, and including legal, fiscal, administrative, architectural and engineering costs incident thereto, and the reimbursement of any expenses incurred therefor, there shall be issued bonds, in one or more emissions of the Municipality, in the aggregate principal amount of not to exceed \$5,000,000, which bonds shall bear interest at a rate or rates not to exceed six percent (6.00%) per annum. The bonds shall be payable from ad valorem taxes to be levied on all taxable property within the corporate limits of the Municipality.

BE IT FURTHER RESOLVED that the City Clerk be, and is, hereby directed and instructed to cause the foregoing initial resolution relative to the issuance of not to exceed \$5,000,000 general obligation bonds to be published in full in a newspaper having a general circulation in the Municipality, for one issue of said paper followed by the statutory notice:

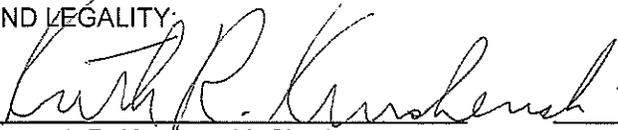
**NOTICE**

The foregoing resolution has been adopted. Unless within twenty (20) days from the date of publication hereof a petition signed by at least ten percent (10%) of the registered voters of the Municipality shall have been filed with the City Clerk of the Municipality protesting the issuance of the bonds, such bonds will be issued as proposed.

Beth Hickman, City Clerk

Adopted and approved this 8th day of July, 2019.

APPROVED AS TO FORM  
AND LEGALITY:



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

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

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

STATE OF TENNESSEE        )

COUNTY OF ANDERSON        )

I, Beth Hickman, hereby certify that I am the duly qualified and acting City Clerk of the City of Oak Ridge, Tennessee, and as such official I further certify that attached hereto is a copy of excerpts from the minutes of a regular meeting of the Governing Body of that municipality held on July 8, 2019; that these minutes were promptly and fully recorded and are open to public inspection; that I have compared said copy with the original minute record of said meeting in my official custody; and that said copy is a true, correct and complete transcript from said original minute record insofar as said original record relates to a resolution authorizing the issuance of not to exceed \$5,000,000 general obligation bonds of the City.

WITNESS my official signature and the seal of the City, this \_\_\_\_\_ day of July, 2019.

\_\_\_\_\_  
City Clerk

(SEAL)  
26732152.1

**CITY COUNCIL MEMORANDUM**  
**19-24**

DATE: July 3, 2019

TO: Honorable Mayor and Members of City Council

FROM: Mark S. Watson, City Manager

SUBJECT: FORMER AMSE SITE – PROPERTY TRANSFER

Introduction

An item for City Council's consideration is a resolution authorizing modifications to the property transfer agreement between the City and TN Oak Ridge Illinois, LLC, which agreement was authorized by Resolution 12-93-2016.

Funding

City Council has previously approved a PILOT/abatement through the Oak Ridge Industrial Development Board on the property. No funding by the City is required with this action.

Background

In early 2019, the Oak Ridge City Council approved an agreement for the development of a 217-unit apartment complex on the former American Museum of Science and Energy (AMSE) site. The project is associated with the transfer of 18 acres of property formerly owned by the Department of Energy and exchanged for the provision of a new facility and location for AMSE. The apartments are targeted for November 2019 construction.

The City of Oak Ridge has previously transferred a portion of land, formerly the American Museum of Science and Energy (AMSE) site to TN Oak Ridge Illinois, LLC, as Phase I. This transfer has allowed interest for the potential development of a 217-unit apartment complex adjacent and south of the Municipal Building, or the Phase II portion, which has not been transferred to TN Oak Ridge Illinois, LLC. The apartment complex will be purchased by developer, Main Street Capital Partners, from TN Oak Ridge Illinois, LLC. However, restrictions on the transfer of property, restrictions on the property tax amounts from the properties, and required identification of community oriented amenities are to be addressed before transfer.

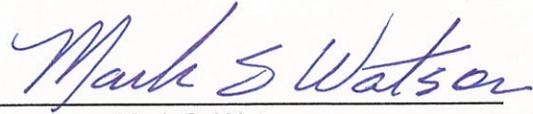
The City of Oak Ridge must amend its current agreement with TN Oak Ridge Illinois, LLC, for a larger sale of property than the current property transfer agreement. Also, with agreement by the Oak Ridge Industrial Development Board for property taxes at \$100,000 on the apartment project, the agreement for property tax amounts with TN Oak Ridge Illinois, LLC, is larger than the IDB approved agreement. Modification for the apartment acreage or Phase II is to be amended to reflect the agreed upon amount.

Finally, the developer and TN Oak Ridge Illinois LLC are both obligated for \$187,000 in combined public amenities for the full 18-acre site. The division of the site is now projected at approximately 11 acres for Main Street Capital Partners and seven (7) for TN Oak Ridge Illinois, LLC (includes Discount Tires). Written confirmation of this developer-to-developer agreement should be obtained regarding the amenities.

The City Council should consider passage of the resolution allowing the transfer of property with the highlighted conditions. Additional amendments may be required in later weeks, but this action will allow the forward movement of the apartment project to meet benchmarks with the HUD loan validation and closure processes. It also assures Main Street Capital Partners, LLC, that City actions are complete for the project, although further actions with TN Oak Ridge Illinois, LLC, will be required between the developers.

Recommendation

Approval of the attached resolution is recommended.



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Mark S. Watson

Attachments

## AGREEMENT FOR TRANSFER OF REAL PROPERTY

This Agreement for Transfer of Real Property (this "Agreement") dated for reference purposes only as of December 29, 2010, is by and between the City of Oak Ridge, Tennessee (the "City"), a municipal corporation in the State of Tennessee, and TN Oak Ridge Illinois, LLC ("TN Oak Ridge Illinois"), a South Carolina limited liability company, with respect to certain real property located in the northwest quadrant of and near the intersection of South Illinois Avenue (SR62) and South Tulane Avenue more specifically described herein.

### WITNESSETH:

WHEREAS, the City is anticipated to become the owner of certain real property located in the northwest quadrant of and near the intersection of South Illinois Avenue (SR62) and South Tulane Avenue, as more specifically described herein, to be conveyed to the City from the U.S. Department of Energy as a public benefit conveyance; and

WHEREAS, the City and TN Oak Ridge Illinois have entered into negotiations whereby the City, once the City is the owner of the above-described property, will transfer certain real property to TN Oak Ridge Illinois in exchange for certain non-cash considerations more particularly described herein.

NOW, THEREFORE, the City and TN Oak Ridge Illinois do hereby agree as follows:

1. Real Property to be Transferred

The U.S. Department of Energy is the owner of certain real property located in the northwest quadrant of and near the intersection of South Illinois Avenue (SR62) and South Tulane Avenue commonly known as Anderson County Control Map 099N Group B Parcel 002.00 consisting of approximately 15.48 acres and currently housing the American Museum of Science and Energy (AMSE) and the Visitor Center for the Manhattan Project National Historical Park, and Anderson County Control Map 099N Group B Parcel 003.00 consisting of approximately 1.99 acres. The City is the owner of certain real property located between the AMSE property and the Oak Ridge Municipal Building, which property is triangular in shape and is a portion of Anderson County Control Map 099N Group B Parcel 001.00 consisting of approximately 0.43 acres. Additionally, the City is the owner of certain real property which is right-of-way for Badger Avenue and located adjacent to the above-described real properties consisting of approximately 0.89 acres. And, finally, the City is the owner of certain real property which is a roadway known as Tulane Place consisting of approximately 0.55 acres which divides the above-described Anderson County Control Map 099N Group B Parcels 002.00 and 003.00.

All of the above-described property consisting of approximately 19.34 acres (the "Property") is part of this Agreement for transfer from the City to TN Oak Ridge Illinois in two phases and upon the conditions as set forth in this Agreement.

2. Transfer of the Property

Subject to the terms, covenants, and conditions set forth in this Agreement, the City agrees to convey to TN Oak Ridge Illinois, and TN Oak Ridge Illinois agrees to accept from the City, the City's interest in the Property, subject to rights of reversion, recorded easements, recorded restrictions, zoning ordinances, covenants, and rights-of-way of record, in two phases as set forth below. Upon transfer of the Property, the City shall have no further ongoing liability related to the Property as of the date of conveyance

- A. Phase I. An approximate 7.98 acre portion of the Property, as shown generally on the attached map marked as **Exhibit A** labeled as "Phase I," will be transferred by the City to TN Oak Ridge Illinois via quit claim deed (the "Phase 1 Deed") as soon as practical after

execution of this Agreement. Construction of Phase I must commence within twenty-four (24) months of the date of the recording of the Phase 1 Deed. For the purposes of this Agreement, "Construction" is defined as the commencement of site work (clearing and grading) as well as submittal and approval (not to be unreasonably withheld by the City) of a specific site development plan on the Property that is conveyed. In the event Construction does not commence within twenty-four (24) months of the date of the recording of the Phase 1 Deed, the City, as its sole remedy, shall be entitled to exercise the Re-Purchase Option set forth in Section 19. Notwithstanding anything to the contrary in this Agreement, the Phase 1 Deed will be delivered and recorded not later than March 31, 2017 (the "Phase 1 Deadline"). In the event the Phase 1 Deadline is not met, TN Oak Ridge Illinois, at TN Oak Ridge Illinois' option, may terminate this Agreement. In the event the Phase 1 Deadline is not met and TN Oak Ridge Illinois elects not to terminate this Agreement, TN Oak Ridge Illinois agrees to accept the Phase 1 Deed and proceed with Construction as set forth herein.

- B. Phase II. An approximate 11.36 acre portion of the Property, as shown generally on the attached map marked as **Exhibit A** labeled as "Phase II," will be transferred by the City to TN Oak Ridge Illinois via quit claim deed (the "Phase II Deed") as soon as practical (but no later than thirty (30) days after any required additional City Council action) after the subtenant begins its occupancy of the Premises more specifically described in Section 4 below. Construction of Phase II property must commence within twenty-four (24) months of the date of the recording of the quit claim deed. In the event Construction does not commence within twenty-four (24) months of the date of the recording of the Phase 2 Deed, the City, as its sole remedy, shall be entitled to exercise the Re-Purchase Option set forth in Section 19.

3. No Cash Consideration

There shall be no cash consideration paid by TN Oak Ridge Illinois to the City for the Property. TN Oak Ridge Illinois' covenant and agreement to provide the City with space at Main Street Oak Ridge Shopping Center (see Section 4 below), TN Oak Ridge Illinois' covenant and agreement to use the Property for development (see Section 5 below), and TN Oak Ridge Illinois' covenant and agreement to provide community oriented amenities (see Section 6 below), shall be sufficient, valid, and binding consideration for the City's conveyance of the Property. The City finds and agrees that the City will receive significant value from the development of the Property, including but not limited to, many public and community benefits, the creation of new jobs, and increased sales and property taxes. Notwithstanding anything to the contrary contained in this Agreement, once the Sublease (defined herein) has been fully executed and the Property has been transferred to TN Oak Ridge Illinois, the Sublease and the Property shall have no relationship with one another and all remedies associated with (i) a breach of the terms of this Agreement shall be confined to the terms of this Agreement, and (ii) a breach of the terms of the Sublease shall be confined to the terms of the Sublease.

4. Leased Space (Premises)

As partial consideration for the transfer of the Property, TN Oak Ridge Illinois has entered or will enter into an agreement with the City to sublease (the "Sublease") a certain premises situated in the Main Street Oak Ridge Shopping Center leased by TN Oak Ridge Illinois and containing approximately eighteen thousand (18,000) square feet of leasable floor area (the "Premises"), which Sublease is attached as **Exhibit B**.

5. Development

As partial consideration for the transfer of the Property, TN Oak Ridge Illinois covenants and agrees to use the Property for retail, office, and/or residential development that is complementary to Main Street Oak Ridge and adjacent properties and that the Property will be developed in such a manner

as to generate (i) at least \$140,000.00 per year in new property taxes by Tax Year 2021 (the "First Tax Revenue Condition"), and (ii) at least an additional \$150,000.00 per year in new property taxes by Tax Year 2024 (collectively, the "Tax Revenue Conditions"). Failure to meet the Tax Revenue Conditions will result in TN Oak Ridge Illinois paying the City the difference between the projected tax amount above and the actual generated property tax amount for each year the minimum projected amount is not met (the "Penalty"). Once the Tax Revenue Conditions are met, however, the Penalty shall be forever waived by the City, and shall not be subject to reapplication in the event property tax revenues drop below the amounts set forth above. The City acknowledges that TN Oak Ridge Illinois intends to subdivide the Property into multiple parcels (the "Subdivided Parcels") in conjunction with the development of same. The City hereby acknowledges that TN Oak Ridge Illinois, in the event a subdivision takes place, may assign the Penalty obligations under this Section 5 to one of the Subdivided Parcels (the "Parent Parcel"), thus completely unburdening one or more of the Subdivided Parcels (hereinafter, the "Outparcels") from said Penalty obligations [provided; however, that the tax revenue from the Parent Parcel and the Outparcel(s) will collectively be used to calculate whether or not the Tax Revenue Conditions have been met]. The City hereby agrees that up to thirty-three percent (33%) of the Property may be subdivided off as one or more Outparcels. Upon subdivision, TN Oak Ridge Illinois shall notify the City as to the identity of the Parent Parcel, which will be responsible for the Penalty (if any is assessed) under this Section 5. The City hereby acknowledges that the Penalty obligations will run with the title to the Parent Parcel. Title to the Parent Parcel may not be transferred by TN Oak Ridge Illinois to an unaffiliated third party purchaser until the First Tax Revenue Condition has been met. The Outparcel(s) shall not be subject to any transfer restrictions. The provisions of this Section 5 shall survive Closing.

6. Community Oriented Amenities

As partial consideration for the transfer of the Property, TN Oak Ridge Illinois covenants and agrees to include approximately two (2) acres of community oriented amenities such as bicycle/pedestrian ways and enhanced landscaping. Existing trees on the Property shall be incorporated into the proposed development to the extent possible. The City will not require TN Oak Ridge Illinois' expenses regarding said amenities to exceed \$187,000.00 per acre.

7. Title to the Property

A. Conditions of Title. At the closing, the City shall convey all of its right, title, and interest in and to the Property to TN Oak Ridge Illinois by quit claim deed (the "Deed"). The City agrees that it will not take any action from and after the date of this Agreement to transfer all or any part of the Property to any person or entity, or take any action to create any title encumbrance (including but not limited to utility easements), without the prior written consent of TN Oak Ridge Illinois.

B. Title Insurance. TN Oak Ridge Illinois understands and agrees that its right, title, and interest in the Property shall not exceed that vested in the City, and neither party is under any obligation to furnish any policy of title insurance or survey in connection with this transfer of Property. TN Oak Ridge Illinois shall be responsible for creating any maps, surveys, or legal descriptions that may be required to obtain title insurance should TN Oak Ridge Illinois desire such insurance.

8. As-Is Transfer; Release

A. Independent Investigation. TN Oak Ridge Illinois shall perform any due diligence on the Property that TN Oak Ridge Illinois determines is necessary or appropriate, and the City agrees to give TN Oak Ridge Illinois access to perform any such due diligence, subject to the rights of any third parties including the U.S. Department of Energy.

B. Entry and Indemnity. All entries by TN Oak Ridge Illinois onto the Property to perform any testing or other investigations which could affect the physical condition of the

Property or the uses thereof will be made only pursuant to the terms and conditions of a permit to enter substantially on the City's form and with such insurance and indemnity provisions as are satisfactory to the City. TN Oak Ridge Illinois Shall maintain, and shall requires that its agents maintain, public liability and property damage insurance in amounts and in form and substance adequate to insure against all liability of TN Oak Ridge Illinois and its agents, arising out of any entry or inspection of the Property in connection with the transaction contemplated hereby, and TN Oak Ridge Illinois shall provide the City will evidence of such insurance coverage.

- C. As-Is Conveyance. TN Oak Ridge Illinois specially acknowledges and agrees that the City is conveying and TN Oak Ridge Illinois is accepting the Property on an "as-is" basis subject to all applicable laws, rules, and ordinances, including without limitation, any zoning ordinances, or other regulations governing the use, occupancy, or possession of this Property. TN Oak Ridge Illinois represents and warrants that TN Oak Ridge Illinois is relying solely on its independent investigation and not on any representations or warranties of any kind whatsoever, express or implied, from the City or its agents as to any matters concerning the Property.
- D. Release of City. As part of its agreement to accept the Property in its "as-is" condition, TN Oak Ridge Illinois, on behalf of itself and its successors and assigns, waives any right to recover from, and forever releases and discharges, the City, its officers, employees, agents, contractors, and representatives, and their respective heirs, successors, legal representatives, and assigns, from any and all demands, claims, legal or administrative proceedings, losses, liabilities, damages, penalties, fines, liens, judgments, costs, or expenses whatsoever (including without limitation attorneys' fees and costs), whether direct or indirect, known or unknown, foreseen or unforeseen, that may arise on account of or in any way connected with (i) the physical, geological, or environmental condition of the Property, including without limitation any hazardous material in, on, under, above, or about the Property, and (ii) any federal, state, local, or administrative law, rules, regulation, order, or requirement applicable thereto, including without limitation the Comprehensive Environmental Response Compensation and Liability Act of 1980 as amended.

9. City's Conditions Precedent

The following are conditions precedent to the City's obligation to convey the Property to TN Oak Ridge Illinois:

- A. Adoption by the Oak Ridge City Council of a resolution approving this Agreement and authorizing the transactions contemplated by this Agreement, and the continued effectiveness of all authorizations and approvals relating to this Agreement;
- B. The City's ownership of certain real property located in the northwest quadrant of and near the intersection of South Illinois Avenue (SR62) and South Tulane Avenue commonly known as Anderson County Control Map 099N Group B Parcel 002.00 consisting of approximately 15.48 acres and currently housing AMSE and the Visitor Center for the Manhattan Project National Historical Park, and Anderson County Control Map 099N Group B Parcel 003.00 consisting of approximately 1.99 acres; and
- C. For the transfer of Phase II only, the occupancy of the Premises (see Section 4 and **Exhibit B**).

Each of the City's conditions precedent is intended solely for the benefit of the City. If any of the City's conditions precedent are not satisfied as provided above by the closing date, the City may, at its option, extend the closing date or terminate this Agreement. Upon any such termination,

neither party shall have any further rights nor obligations hereunder except as expressly provided herein.

10. Utilities

TN Oak Ridge Illinois understands and acknowledges that there are various utilities on the Property, including without limitation water, sewer, electric, and gas, that will require relocation prior to development of the Property. It is TN Oak Ridge Illinois' sole responsibility to relocate the utilities in accordance with applicable City rules, regulations, policies, procedures, and ordinances at its sole cost and expense and in a manner acceptable to the City. Upon relocation of said utilities, TN Oak Ridge Illinois agrees to grant new easements in favor of the City for the newly relocated utilities (which easements shall conform to then-current City requirements for the applicable utility) and the City simultaneously agrees to abandon (and release of record) the prior easements and utility lines that have now been replaced.

11. Demolition of Structure

TN Oak Ridge Illinois understands and acknowledges that the transfer of the portion of the Property under Phase II will contain a structure commonly referred to as the American Museum of Science and Energy. It is the responsibility of TN Oak Ridge Illinois to demolish the structure in accordance with all applicable federal, state, and local rules, regulations, laws, statutes, and ordinances at its sole cost and expense. Any personal property still contained within the structure at the time of conveyance will become the property of TN Oak Ridge Illinois.

12. Real Property Taxes

The Property is tax exempt while owned by the City and remains tax exempt until transferred to TN Oak Ridge Illinois. Upon conveyance of the Property, TN Oak Ridge Illinois shall be responsible for payment of all applicable real property taxes. For the year of the property transfer, any prorated real property taxes due shall be prorated as of 12:01 a.m. on the date of the quit claim deeds are recorded, on the basis of a 365-day year, and TN Oak Ridge Illinois shall pay said taxes to the City upon receipt of an invoice.

13. Expenses

- A. Expenses. TN Oak Ridge Illinois shall pay any fees, all title insurance premiums, recording charges, and any other costs and charges for the transfer of the Property. The City shall pay for a boundary survey of the Property and shall require the surveyor to certify the survey to TN Oak Ridge Illinois and to TN Oak Ridge Illinois' title company. TN Oak Ridge Illinois acknowledges that the survey to be provided by the City is not a topographical survey.
- B. No Brokers or Finders. The parties represent and warrant to each other that no broker or finder was instrumental in arranging or bringing about this transaction and that there are no claims or rights for brokerage commissions or finders' fees in connection with the transactions contemplated by this Agreement. If any person brings any a claim for a commission or finders' fee based on any contract, dealings, or communication with the City or TN Oak Ridge Illinois, then the party through whom such person makes a claim shall defend the other party from such claim, and shall indemnify such other party from, and hold it harmless from and against, any and all costs, damages, claims, liabilities, or expenses, including without limitation reasonable attorneys' fees and disbursements, that the indemnified party incurs in defending against the claim. The provisions of this Section shall survive the closing, or, if the conveyance is not consummated for any reason, termination of this Agreement.

14. Default

In the event that either party fails to perform such party's obligations hereunder (except as excused by the other party's default), the party claiming default will make written demand for performance. If either party fails to comply with such written demand within ten (10) calendar days after receipt thereof, the party claiming default will have the option to waive such default, to seek specific performance, or to terminate this Agreement. Notwithstanding the foregoing, in lieu of the other remedies set forth herein, in the event the subtenant takes possession and occupies the Premises, but the City then fails to deliver the Phase II Deed pursuant to Section 2(B) hereof, TN Oak Ridge Illinois has the right to require the City to pay TN Oak Ridge Illinois the sum of \$200,000.00 per each acre comprising Phase II in exchange for not transferring the Phase II property.

On any termination provided for in this Section, the parties will be discharged from any further obligations and liabilities under this Agreement, except as otherwise expressly provided in this Agreement.

15. Notices

Any notices required or permitted to be given under this Agreement shall be in writing and shall be delivered either (i) in person, (ii) by certified mail with postage prepaid and return receipt requested, or (iii) by express mail or commercial overnight courier that guarantees next day delivery and provides a receipt, and such notices shall be addressed as follows:

To the City:

City of Oak Ridge  
200 S. Tulane Avenue  
Oak Ridge, TN 37830  
Attn: Legal Department  
(865) 425-3530

To TN Oak Ridge Illinois:

TN Oak Ridge Illinois LLC  
550 South Main Street, Suite 300  
Greenville, SC 29601  
Attn: Legal Department  
(864) 242-4008

16. Successors and Assigns

This Agreement shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, assigns, heirs, legal representatives, and administrators. No party shall assign any rights or obligations under this Agreement without the prior written consent of the other party.

17. Amendments

This Agreement may be amended or modified only by a written instrument signed by both parties.

18. Time of Essence

Time is of the essence with respect to the performance of this parties' respective obligations contained herein.

19. Remedy for Failure to Commence Construction

TN Oak Ridge Illinois agrees to commence Construction (as defined in Section 2.A) on each phase of the Property that will achieve the property tax milestones set forth in Section 5 above within twenty-four (24) months of the transfer of each phase of the Property. In the event Construction is not timely commenced, the City shall have the right but not the obligation to purchase the applicable phase or phases of the Property at a price of \$200,000.00 per acre.

20. Anti-Discrimination

TN Oak Ridge Illinois shall not discriminate against any person because of race, color, creed, national origin, age, sex, sexual orientation, disability, religion or other legally protected status with respect to development of the Property.

21. Independent Contractors

The parties acknowledge that the relationship created under this Agreement is that of independent contracting parties and this Agreement does not create a general agency, joint venture, partnership, employment relationship or franchise between the parties. Neither party shall represent itself to be an agent of the other, nor shall it execute any documents or make any commitments to any contractual or other obligations with third parties.

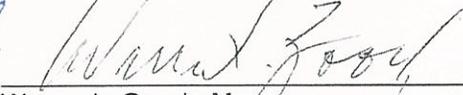
22. Governing Law

This Agreement is governed by the laws of the State of Tennessee.

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE

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

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

TN OAK RIDGE ILLINOIS, LLC

  
\_\_\_\_\_  
Philip J. Wilson, Manager

Attachments: Exhibit A – Map of the Property  
Exhibit B – Sublease for Premises

**RESOLUTION**

A RESOLUTION AUTHORIZING MODIFICATIONS TO THE PROPERTY TRANSFER AGREEMENT BETWEEN THE CITY AND TN OAK RIDGE ILLINOIS, LLC, WHICH AGREEMENT WAS AUTHORIZED BY RESOLUTION 12-93-2016.

WHEREAS, by Resolution 12-93-2016, City Council authorized an Agreement for the Transfer of Real Property (the "Agreement") between the City and TN Oak Ridge Illinois LLC setting forth the understandings between the parties for the transfer of land previously known as Parcels 482 and 483 and now known as Parcels 002.00 and 003.00, Anderson County Control Map 099N, Group B, (the "Property"), upon which the former American Museum of Science and Energy was located; and

WHEREAS, TN Oak Ridge Illinois LLC has received the Phase I portion of the Property by quit claim deed and the remainder (the Phase II portion of the Property) is ready to be transferred under the terms of the Agreement; and

WHEREAS, the Agreement sets forth restrictions which hinder TN Oak Ridge Illinois LLC's intended development of the Phase II portion of the Property; and

WHEREAS, the City is aware of the intended development of the Phase II portion of the Property through the submittal of a Planned Unit Development (PUD) Preliminary Master Plan by Mainstreet Capital Partners, LLC, which PUD was approved by Ordinance No. 4-2019 and sets forth a plan for an apartment complex; and

WHEREAS, the City Manager and TN Oak Ridge Illinois LLC have negotiated modifications to the Agreement to allow the intended development to move forward, which modifications the City Manager recommend 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 City Council hereby agrees to the following modifications to the Agreement for the Transfer of Real Property (the "Agreement") as originally authorized by Resolution 12-93-2016:

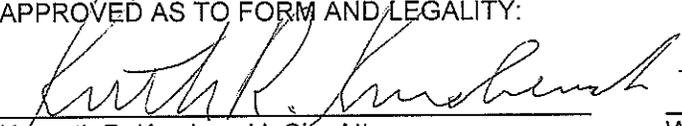
- Amend the Agreement to allow TN Oak Ridge Illinois LLC to sell the entire Phase II portion of the Property (plus or minus an additional acre) (the "Apartment Parcel") to Mainstreet Capital Partners, LLC, for the purpose of developing an apartment complex in accordance with the Planned Unit Development (PUD) Preliminary Master Plan as approved by Ordinance No. 4-2019. [Note – Language in the Agreement currently prohibits TN Oak Ridge Illinois LLC from selling more than thirty-three percent (33%) of the Property to another entity.]
- Amend the Agreement to reduce the Second Tax Revenue Condition by \$50,000.00, thereby requiring generation of at least an additional \$100,000.00 in new property taxes by Tax Year 2024 and allowing the assignment of this obligation to the Apartment Parcel provided the developer of the apartment complex agrees to this obligation in writing. [Note – Language in the Agreement currently requires generation of at least an additional \$150,000.00 in new property taxes by Tax Year 2024 for the Property.]
- Amend the Agreement to allocate the required 2.0 acres of community oriented amenities between the Apartment Parcel (1.68 acres) and the Grocery Parcel (0.32 acres), provided the apartment developer agrees to this allocation and obligation in writing. [Notes – (1) The Grocery Parcel is the Phase I portion of the Property that is still owned

by TN Oak Ridge Illinois LLC. (2) The Agreement designates the minimum expenditure for the community oriented amenities to be \$187,000.00.]

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 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

**ELECTRIC DEPARTMENT MEMORANDUM  
19-22**

**DATE:** June 18, 2019  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** PROFESSIONAL SERVICES AGREEMENT FOR IMPLEMENTATION OF FY2020  
TECHNOLOGY ROADMAP PROJECT

Introduction

An item for City Council's consideration is a resolution approving an agreement with Patterson and Dewar Engineers, Inc., Gallatin, TN for services related to the implementation of the FY-2020 portion of the Electric Department's Technology Roadmap, as described below, in the not to exceed amount of \$191,000.

Funding

Funding is through the Electric Fund.

Review

The City engaged Patterson & Dewar Engineers to develop a technology roadmap to help guide the Department over the coming years in the deployment of specific technologies needed to better operate the Electric System and prepare it for the future. This roadmap was presented to the City Council and funding for its implementation has been included in the Capital Improvements Program and Budget Document.

The Department has started implementing the plan with the design and beginning installation of SCADA equipment at two substations. For the coming year, the plan calls for the following steps:

- 1) Selection of an AMI vendor through a thorough process. The selected vendor will need to have demonstrated ability to work with the Cayenta system, including some modules of that system which may need to be procured.
- 2) Selection of a SCADA vendor through a thorough process which ensures best fit with the needs and technological aspects of the Electric System.
- 3) Design of SCADA implementation at two distribution substations.

Along with these specific deliverables, the engineer will continue to offer general engineering assistance with the implementation of the roadmap. This includes review of equipment specifications, assistance with the technical aspects of equipment installation, problem solving and other services which are currently being supplied through another agreement.

Patterson & Dewar Engineers, Inc. is a leader in this field. The City has utilized the company's expertise over the last two years with outstanding results and excellent technical support. Engineering evaluations and designs have been excellent and the support for project implementation has been outstanding.

Approval of the attached agreement represents a continuation of that highly successful relationship.

Recommendation

Staff recommends approval of the attached resolution.

Jack Suggs by MDH  
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  
Mark S. Watson

7-3-19  
Date

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# City of Oak Ridge (TN) Electric Department

## Technology Roadmap

Final Revision – November 29, 2018

Presented to:

**Jack Suggs**  
Electric Department Director

City of Oak Ridge  
100 Woodbury Lane  
Oak Ridge, TN 37831

Prepared by:

**Michael Thesing, P.E.**  
Manager, Smart Grid Engineering

**Jack Wallace, P.E.**  
Substation Design Engineer

**Anthony Hanson, P.E.**  
Manager, Substation Engineering



850 Center Way  
Norcross, GA 30071

(770) 453-1410  
[pdengineers.com](http://pdengineers.com)

## Executive Summary

This report endeavors to answer the question for the City of Oak Ridge Electric Department (CORED): Where should we go from here? More specifically, where should we spend our money to get the highest return on investment in terms of our overall mission to deliver reliable, cost effective power.

In addition to primary infrastructure items such as poles, wire, and transformers, technology systems composed of computer software, communications, and microprocessor-based controllers play a vital role in today's electric distribution operations. Customers, being increasingly dependent on 365/24/7 power and Internet access, expect their service provider to restore power after an outage in minutes and hours rather than days and to keep them informed throughout the process. CORED has been deploying various technology systems for years and recognizes the need to continue on this path. In order to make the journey as cost effective and manageable as possible, a team was assembled to identify the current state as well as articulate primary goals and objectives for a technology plan and roadmap for the future.

The highest technology priorities identified in this report for the given timeframe are:

- Operational and Network Reliability;
- Staking and Mapping;
- SCADA;
- Substation Automation;
- Peak Demand Reduction;
- AMI;
- Outage Management; and
- Transmission Automation

For each of these, the report lays out in detail the current challenges, a brief description of the project, benefits realizable at CORED, and an estimated cost and timeframe. Special attention was paid to peak demand reduction and transmission automation (see appendices B & C). The former has the potential for direct cost savings given that demand charges make up from 25-27% of the total TVA invoice. The latter can have a substantial impact on reliability and several methods need to be considered, each with pros and cons.

The full 8-year (2018 – 2026) technology plan resides in the attached timeline and in a cost breakdown table listing project budgetary allocations per year. Following is the digest of that information.

Year	Major Projects	Budgetary Cost (\$K)
2018	Substations 900 & 400; data room upgrades	354
2019	Substations 900, 400, & 100; network upgrades; staking and SCADA; AMI prep	760
2020	Substations 200 & 300; initial peak demand reduction; AMI pilot	1,195
2021	Substation 700; upgrade field computers; finish AMI pilot	412
2022	Substation 500; AMI full deployment	3,165
2023	Substation 600; Interactive voice response; transmission automation	668
2024	Substation 800; transmission automation; update OT servers and field computers	620
2025	Asset management; Outage management system; distribution automation	328
2026	Distribution automation	90

**STATEMENT OF WORK TO THE MASTER SERVICES AGREEMENT  
BETWEEN CITY OF OAK RIDGE ELECTRIC DEPARTMENT  
AND PATTERSON & DEWAR ENGINEERS, INC.  
PROFESSIONAL ENGINEERING SERVICES FOR FY2020**

The City of Oak Ridge Electric Department (“Client” or “CORED”) and Patterson & Dewar Engineers, Inc. (“Consultant” or “P&D”), collectively referred to as “Parties”, enter into this Statement of Work (“SOW”) on May 24, 2019. This SOW shall be governed by the Master Services Agreement dated December 12, 2016 (“Agreement”) between Client and Consultant. Unless otherwise defined in this SOW, terms which are set forth in initial uppercase letters have the meaning established for such terms as set forth in the Agreement. Consultant agrees to complete the following project in accordance with the Agreement and in accordance with the following terms:

**I. Project Understanding**

CORED has requested P&D perform professional engineering services during FY2020 for the following four projects (Task Orders):

- Task 1 – AMI RFP and Evaluation
- Task 2 – SCADA RFP and Deployment Engineering
- Task 3 – General Technology Roadmap Assistance
- Task 4 – Substations 100 & 200 SCADA System Upgrade

Detailed scopes of services for these projects are outlined below.

**II. Task Order 1 – AMI RFP and Evaluation**

P&D understands that Client would like to solicit bids, evaluate, and select an advanced metering infrastructure (AMI) vendor that will best meet the unique requirements of CORED’s service territory. The system will include new meters, communications, head-end software (hosted at vendor’s data center), pre-payment software, a meter data management (MDM) system, and integration with the Cayenta billing and customer information system. The primary benefits of such as system include:

- Accurate, timely meter data acquisition and billing support for all CORED programs including residential, commercial, and industrial accounts
- Support for time of use, DER (most common is rooftop solar), electric vehicle charging, and other advanced rate structures
- Support for prepayment programs – requires residential remote disconnect meters
- Significant reduction in visits to the customer – meters are read, service is verified and changed remotely and safely
- The meters send notifications for outages, tampering, voltage out-of-range, temperature alarms, and power restoration
- Efficiency improvements in distribution system upgrades and outage management due to comprehensive, accurate, and timely data
- Utilities report substantial increases in customer satisfaction
- Potential for cost sharing between water and gas systems

**A. SCOPE OF SERVICES**

The following consulting engineering tasks will be provided to accomplish this goal:

- Meet with city water department and gas provider (Oak Ridge Utility District) to explore increased value and shared funding
- Produce AMI RFP with a functional specification incorporating CORED preferences, communication capabilities, and customer information system



- Produce Pre-Payment software RFP with a functional specification incorporating CORED preferences and required interfaces
- Send to selected vendors with the capabilities and industry experience necessary to meet the requirements
- Review RFP responses and produce an “apples-to-apples” comparison; review with CORED management/staff
- Written recommendation of finalists; arrange and attend presentations to CORED
- Facilitate final vendor selection
- Assist with final contract negotiations, best and final offer, language, and requirements

**B. KEY DELIVERABLES**

- AMI Request for Proposal
- Pre-Payment software RFP
- Vendor proposal comparison and recommendation
- Contract suggestions/modifications

**C. ON-SITE MEETINGS**

- Initial project kickoff
- RFP response/recommendations
- Final vendor presentations
- Meetings with gas and water organizations
- Purchase decision

**D. PROJECT TEAM/COORDINATION**

The work will be led by Michael Thesing, P.E. with contributions from other P&D staff members on an as-needed basis and in full collaboration with CORED staff. Work will be coordinated through Chris Harris.

**E. SCHEDULE**

This work will run from July 1, 2019 through June 30, 2020. Key milestones of the project with approximate dates (subject to modification by CORED):

- |  |                 |
|--|-----------------|
| ▪ Project kickoff meeting                    | Dec 2019        |
| ▪ RFP to vendors                             | Jan 2020        |
| ▪ Vendor eval/presentations                  | Feb - Apr 2020  |
| ▪ Final Selection/budget for pilot in FY2021 | May - June 2020 |

**III. Task Order 2 – SCADA RFP and Deployment Engineering**

P&D understands that Client would like to solicit bids, purchase, and deploy a supervisory control and data acquisition (SCADA) master station at its Central Services Complex to work with existing communications and substation/downline controllers. The primary benefits of such a system include:

- Engineering and operations will have substantially improved situational awareness of events as well as incipient issues
- Remote, secure switching operations facilitate faster restoration or even avoidance of outages
- Data relevant to engineering planning and equipment maintenance is storage historically for reference
- Operations and on-call engineering staff have view-only remote access and can direct actions without having to be present at every site
- Provides an automation platform for peak demand reduction in the future



**A. SCOPE OF SERVICES**

The following consulting engineering tasks will be provided to accomplish this goal:

**Phase 1 – Request for Proposal (RFP), Evaluation, and Purchase Assistance**

- Produce RFP with a functional specification incorporating CORED preferences, communication system, and substation/distribution subsystems
- Send to selected vendors with the capabilities and industry experience necessary to meet the requirements
- Review RFP responses and produce an “apples-to-apples” comparison; review with CORED management/staff
- Written recommendation of 2 finalists; arrange and attend presentations to CORED
- Facilitate final vendor selection
- Assist with final contract negotiations, best and final offer, language, and requirements

**Phase 2 – Deployment Assistance**

- Ensure vendor provides all deliverables and adheres to the contract
- Assist CORED and vendor project manager in maintaining the project schedule
- Assist CORED in establishing a standard communication, IT, and SCADA standard that can be applied throughout the system; provide a system drawing to capture this standard
- Assist CORED with point list, display, geographical, and database (real-time and historical) specifications for the vendor
- Assist CORED with downline controller automation and communication engineering
- Participate and advise CORED during vendor meetings starting with kickoff through system acceptance and signoff
- Review vendor documentation and provide recommendations
- Review site acceptance test (SAT) procedures proposed by vendor and provide comments/additional tests so that the entire system is properly commissioned
- Participate in SAT, advise CORED during the process, and oversee follow up action items

**B. KEY DELIVERABLES**

**Phase 1**

- SCADA Request for Proposal
- Vendor proposal comparison and recommendation
- Contract suggestions/modifications

**Phase 2**

- System diagram and updates
- SAT comments/additional tests
- Point list template (if needed)

**C. ON-SITE MEETINGS**

**Phase 1**

- Initial project kickoff
- RFP response/recommendations
- Final vendor presentations and purchase decision

**Phase 2**

- SCADA vendor kickoff
- Site acceptance testing

**D. PROJECT TEAM/COORDINATION**

The work will be led by Michael Thesing, P.E. with contributions from other P&D staff members on an as-needed basis and in full collaboration with CORED staff. Work will be coordinated through Chris Harris.



## E. SCHEDULE

This work will run from July 1, 2019 through June 30, 2020. Key milestones of the project with approximate dates (subject to modification by CORE D):

- Project kickoff meeting Aug 2019
- RFP to vendors Sept 2019
- Vendor eval/presentations Oct/Nov 2019
- Contract negotiation/award Dec 2019/Jan 2020
- Deployment/vendor kickoff meeting Jan 2020
- SAT (subs. 400, 900, 100) June 2020

## IV. Task Order 3 – General Technology Roadmap Assistance

### A. SCOPE OF SERVICES

P&D understands that Client would like engineering assistance and assessment of work based on industry best practices for implementing their technology roadmap. Typical tasks may include, but are not limited to:

- Explore options and provide an assessment of individual vendor technologies and products
- Provide communication, network architecture, and security recommendations
- Provide equipment test and commissioning assistance
- Assist CORE D personnel with new utility technologies and provide basic training and guidance
- Conduct regular monthly conference calls and/or face-to-face visits (or whenever requested by CORE D) to review progress and get agreement on next steps

### B. PROJECT TEAM/COORDINATION

The work will be led by Michael Thesing, P.E. with contributions from other P&D staff members on an as-needed basis and in full collaboration with CORE D staff. Work will be coordinated through Chris Harris.

### C. SCHEDULE

A current agreement is presently in place for similar work through July 31, 2019.

This work will run from August 1, 2019 through June 30, 2020. The Parties shall agree on a regular conference and meeting schedule however Consultant will be available as needed by Client outside of the regular meeting schedule.

## V. Task Order 4 – Substations 100 and 200 Modifications

CORE D is currently continuing the make ready of its substations for SCADA. Substations 900 and 400 are nearing completion. Based on the Technology Roadmap, Substation 100 and 200 are the next for SCADA make ready upgrade in the fiscal year 2019/20. This proposal provides the engineering and commissioning assistance for these substations. A separate task order will be submitted for the master station assistance.

### A. SCOPE OF SERVICES

The following consulting engineering tasks will be provided to accomplish this goal:

- Kickoff meeting – Facilitate a kickoff meeting to discuss details of the project, as well as lessons learned from the Substation 400 project
- Develop a detailed task matrix of all construction, engineering, programming and commissioning items and assign responsibility
- Prepare communication diagrams
- Prepare points lists for Substations 100 and 200
- Modify the existing one-line diagrams based on the recommended and accepted changes
- Modify the relay panel front views

- Modify the DC control schematics to reflect the proposed changes
- Modify the AC three-line diagrams to reflect the proposed changes
- Modify the detailed wiring diagrams to reflect the proposed changes
- Modify circuit lists
- Modify conduit plans
- Modify control building layout to reflect the additions
- Prepare bill of material for additional equipment to be purchased as well as solicitation packages for groups of material
- Prepare RTU layout and detailed specification
- Solicit bids for RTU, evaluate proposals received, and make award recommendations
- Review RTU submittals
- Prepare interconnection diagrams for the SCADA equipment
- Provide one-week site visit (for each substation) to assist in commissioning RTU and communications to the field devices

**B. KEY DELIVERABLES**

- Construction prints for wiring modifications
- Bill of Material for the miscellaneous equipment, such as meters, fiber, and GPS clocks
- RTU Drawings and specifications
- Settings modifications for SCADA installation
- At the conclusion of the project, Consultant will provide CORED with a complete set of conformed-to-construction drawings that incorporate design changes made during the substation construction process. A complete 11"x17" drawing book, as well as one CD-ROM with AutoCAD drawing files, will be included for each substation.

**C. ON-SITE MEETINGS**

- Initial project kickoff
- Commissioning assistance

**D. PROJECT TEAM/COORDINATION**

The work will be led by Jack Wallace P.E. with contributions from other P&D staff members on an as-needed basis and in full collaboration with CORED staff. Work will be coordinated through Margaret Elgin.

**E. SCHEDULE**

This work will run from July 1, 2019 through June 30, 2020. Key milestones of the project with approximate dates (subject to modification by CORED):

- |  |                 |
|--|-----------------|
| ▪ Project kickoff meeting                        | July 2019       |
| ▪ Preliminary design                             | July - Aug 2019 |
| ▪ Material procurement                           | Aug - Sept 2019 |
| ▪ Substation 100 installations and commissioning | Oct - Feb 2020  |
| ▪ Substation 200 installations and commissioning | Feb – May 2020  |

**VI. Payment Terms**

Consultant shall submit monthly invoices to Client. Payment terms are specified in the Agreement. Expenses will be billed in accordance with the payment terms of the Agreement.



**VII. Basis of Fee Development**

The following are assumptions made by Consultant in developing the fee and scope of services for this project:

- Client will:
  - Provide all drawings for Substations 100 and 200 in electronic format (ACAD)
- Others will:
  - Program Master Station

**VIII. Total Fees**

Services under this SOW will be provided on a time and material basis not to exceed the fees outlined below, based on the scopes of services outlined in this task order and the anticipated level of effort, without obtaining the prior written authorization of Client.

Task	Fee
Task Order 1 - AMI RFP and Evaluation	\$40,000
Task Order 2 - SCADA RFP and Deployment Engineering	\$30,000
Task Order 3 - General Technology Roadmap Assistance	\$25,000
Task Order 4A - Substations 100 SCADA System Upgrade	\$48,000
Task Order 4B - Substations 200 SCADA System Upgrade	\$48,000
Total	\$191,000

Notwithstanding anything to the contrary herein, the Consultant will not be required to furnish services or incur expenses for work not included in this task order without written authorization (including email) from the Client committing to additional funding.

This SOW may be executed in counterparts or duplicate originals and facsimile, electronic and digital copies, including properly executed PDF versions and all shall be regarded as an original instrument by the Parties.

IN WITNESS WHEREOF, the Parties have executed this SOW on the date specified above.

**CITY OF OAK RIDGE ELECTRIC DEPARTMENT**

**PATTERSON & DEWAR ENGINEERS, INC.**

By \_\_\_\_\_

By Myrick C Cannon

Name \_\_\_\_\_

Name Myrick C. Cannon

Title \_\_\_\_\_

Title Vice President

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
City Attorney



**RESOLUTION**

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH PATTERSON & DEWAR ENGINEERS, INC., NORCROSS, GEORGIA, FOR ENGINEERING CONSULTING SERVICES TO IMPLEMENT THE FY2020 PLANS UNDER THE TECHNOLOGY ROADMAP FOR THE ELECTRIC DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$191,000.00.

WHEREAS, by Resolution 5-28-2018, City Council authorized a professional services agreement with Patterson & Dewar Engineers, Inc., for engineering consulting services related to the development of a technology roadway to help guide the Electric Department over the coming years in the deployment of specific technologies needed to better operate the Electric System and prepare it for the future; and

WHEREAS, the Electric Department has started implementation of the technology roadmap plan with the design and beginning installation of SCADA equipment at two substations; and

WHEREAS, the City desires to continue the contractual relationship with Patterson & Dewar Engineers, Inc., for implementation of the technology roadmap's plans for FY2020 as the engineering firm has provided outstanding results and excellent technical support for the last two years; and

WHEREAS, the City Manager recommends entering into a professional services agreement with Patterson & Dewar Engineers, Inc., for this project.

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 professional services agreement with Patterson & Dewar Engineers, Inc., for engineering consulting services related to the implementation of the FY2020 plans under the Technology Roadmap in an amount not to exceed \$191,000.00.

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 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

**PUBLIC WORKS DEPARTMENT MEMORANDUM**  
**19-74**

**DATE:** June 20, 2019  
**TO:** Mark S. Watson, City Manager  
**FROM:** Shira A. McWaters, P.E., Public Works Director  
**SUBJECT: PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES – EMORY VALLEY PUMP STATION EVALUATION AND SANITARY SEWER REHABILITATION PROJECT**

Introduction

An item for City Council consideration is a resolution authorizing a Professional Engineering Services Agreement with LDA Engineering, Alcoa TN, for the completion of sanitary sewer collection improvements, and the evaluation of the Emory Valley Sewer Pump Station to improve the station's operations and help mitigate sanitary sewer overflows in the Emory Valley sewer shed area. The design of the new sanitary sewer rehab project will focus on sewer manholes and collection mains in the Emory Valley, East Plant and Gum Hollow sewer shed areas that are still experiencing I/I and sanitary sewer overflow issues, the completion of the appropriate loan application for CWSRF funding of the sewer rehab project and bidding services. The evaluation and design shall be completed for a not to exceed fee of \$117,500.

Funding

Funding is available in the Waterworks Fund.

Background

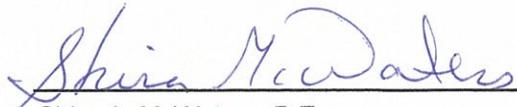
Although there has been significant sanitary sewer rehabilitation work that has been completed since the 1990's additional work is still needed to repair older sewer lines, leaking manholes and lateral connections that convey additional flow into the sanitary sewer system during rain events. The increase flow during significant rain events can result in sanitary sewer overflows in the system which is in violation of our NPDES permit, over tax pump stations, and increase treatment and pumping costs. Over the past several months, the Engineering Department has worked closely with the sewer crews to identify areas using personal field knowledge and work orders to develop a list of mains, lateral connections and manholes that require repair. LDA will assist the City in obtaining CWSRF funding for the construction phase of the project.

In addition, an evaluation will be completed on the Emory Valley Sewer Pump Station to determine if improvements are needed to increase operational efficiency and to help mitigate sanitary sewer flows in this area of the system. The Emory Valley Sewer Pump Station is a critical asset that receives sanitary sewer from the Melton Lake, River's Run, Emory Valley and Briarcliff areas.

Recommendation

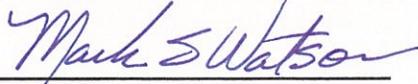
A written cost proposal for engineering services was received and reviewed on June 20, 2019. Based on the review of the scope of work and submitted cost proposal, approval of the attached resolution is recommended.

Attachment(s)  
LDA Proposal dated 6/24/19  
Resolution

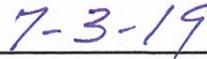
  
\_\_\_\_\_  
Shira A. McWaters, P.E.

**City Manager's Comments:**

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



Mark S. Watson



Date



LDA ENGINEERING

June 24, 2019

Ms. Shira McWaters, P.E.  
Public Works Director  
City of Oak Ridge  
200 South Tulane Avenue  
Oak Ridge, TN 37830

Reference: City of Oak Ridge Public Works Department  
Emory Valley Pump Station Evaluation  
Maintenance Work Orders  
Sanitary Sewer Rehabilitation Project

Ms. McWaters:

We appreciate the opportunity to provide you with a proposal for the Emory Valley Pump Station Evaluation, Tennessee Department of Environment and Conservation State Revolving Fund (TDEC-SRF) coordination/requirements, Design, Bidding Services, Services during Construction (SDC), Resident Project Representative (RPR) and Post-Construction Record Drawings for the referenced sanitary rehabilitation project in anticipation of State Revolving Fund Loan (SRF).

The following tasks will be provided relative to the Emory Valley pump station evaluation:

1. Utilizing the previous evaluation performed as a part of the CAP-ER as a basis:
  - A. Meet with COR personnel to review the present condition of the station mechanical and electrical equipment and instrumentation.
  - B. Operate the pumps individually and in tandem to determine the pump flow and head conditions.
2. Develop system head curves (pumping to downstream gravity discharge, with and without the East Plant pump station pumping to the common force main, and to the Emory Valley EQ Basin) and compare them to field data and operational curves for the pumps. Data previously obtained relative to the East Plant pumping station will also be utilized to develop the system head curves.
3. COR provide pump station information that contribute additional sewer flows to Emory Valley Pump Station to LDA Engineering.
4. Evaluate the need for and potential equipment costs for a screening or grinding facility upstream of the wet well.

Ms. Shira McWaters, P.E.  
Public Works Director  
City of Oak Ridge  
City of Oak Ridge Public Works Department  
Maintenance Work Orders  
Sanitary Sewer Rehabilitation Project  
May 1, 2019  
Page 2

5. Utilizing gravity sewer flow data collected/provided by COR personnel, evaluate the wet well storage and pumping capacity requirements and compare them to the existing facility capacities.
6. Visually inspect the wet well (non-entry with remote camera) to determine if repairs to the structure are necessary.
7. Provide a written report outlining our findings and recommendations relative to the station and appurtenances.

The following tasks will be performed relative to the sewer rehabilitation project: LDA Engineering will provide coordination and prepare information to address requirements of the TDEC-SRF Loan Program. These services include:

1. Updating the Sewer Post Remediation Plan to meet the requirement for the Facilities Planning Document,
2. Prepare Interdisciplinary Environmental Review documents (project description and map),
3. Prepare the TDEC-SRF documentation for land acquisition/easements or letter of ownership of land, and,
4. Attend/conduct the SRF Public Meeting.

It is our understanding that Public Works department personnel shall provide LDA the necessary inspection information (CCTV, field notes, etc.) for the project design. We based our engineering services not-to-exceed hourly budget on a construction contract of approximately \$750,000.00 and estimated contract construction time of 210 days. LDA will provide the following engineering services, based upon priority areas established by the City's Work Order System:

- LDA will evaluate the information for a design solution based upon sewer line location/condition, size, slope, and economic basis. Provide 30%, 60% and 90% design drawings for COR Review. Upon design completion, we will submit the design drawings/technical specifications to TDEC-SRF for approval. LDA's knowledge of the City's Sewer Collection System will reduce the time involved in the design task for the Sanitary Sewer Rehabilitation Project.

Ms. Shira McWaters, P.E.  
Public Works Director  
City of Oak Ridge  
City of Oak Ridge Public Works Department  
Maintenance Work Orders  
Sanitary Sewer Rehabilitation Project  
May 1, 2019  
Page 3

- Bidding services including assistance in obtaining bids, responding to contractor/vendor questions, preparing any necessary addendums, attending the bid opening, analysis of the bids received, recommendations on award of the contract, rendering assistance in award of the contract, assembly of the contract documents, and providing bid information to the Tennessee Department of Environment and Conservation State Revolving Fund (TDEC-SRF).

We propose to provide the services outlined above for the following not-to-exceed hourly budgets:

1. Emory Valley Pump Station Evaluation:	\$ 30,000.00
2. TDEC-SRF Loan Program Services:	\$ 15,000.00
3. Maintenance Work Order Sewer Design:	\$ 65,000.00
4. Bidding Services:	\$ 7,500.00

We are prepared to begin this project immediately in accordance with the LDA Engineering Services for Wastewater Annual Agreement, originally dated June 2016 (renewed July 1, 2018), once all the work order information has been delivered to LDA for design evaluation. Invoices will be submitted monthly based upon the services performed during the billing period.

If you have any questions or comments, please do not hesitate to give me a call at 865-573-7672.

Sincerely,



Greg Jones, P.E.  
Vice President  
Client Service Manager

ACCEPTANCE OF PROPOSAL AND AUTHORIZATION TO PROCEED:

By: \_\_\_\_\_ Date: \_\_\_\_\_

**RESOLUTION**

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LDA ENGINEERING, ALCOA, TENNESSEE, FOR THE COMPLETION OF SANITARY SEWER COLLECTION IMPROVEMENTS AND THE EVALUATION OF THE EMORY VALLEY SEWER PUMP STATION IN AN AMOUNT NOT TO EXCEED \$117,500.00.

WHEREAS, the City is in the process of developing a list of sewer mains, lateral connections, and manholes that require repair in order to maintain compliance with the City's NPDES permit; and

WHEREAS, LDA Engineering, Alcoa, Tennessee, has submitted a proposal to assist the City with these efforts as well as to evaluate the Emory Valley Sewer Pump Station to determine if improvements are needed to increase the operational efficiency and to help mitigate sanitary sewer overflows in this area of the system; and

WHEREAS, the City Manager recommends approval of a professional services agreement with LDA Engineering to provide said services.

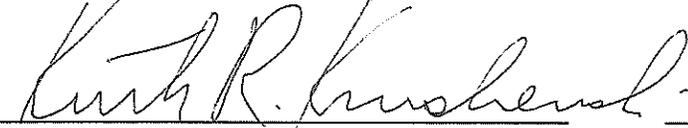
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into a Professional Services Agreement with LDA Engineering, 110 Tyson Boulevard, Suite 200, Alcoa, Tennessee 37701, for completion of sanitary sewer collection improvements and the evaluation of the Emory Valley Sewer Pump Station in an amount not to exceed \$117,500.00.

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 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**COMMUNITY DEVELOPMENT MEMORANDUM**  
**19-38**

DATE: June 26, 2019

TO: Mark S. Watson, City Manager

FROM: Wayne E. Blasius, Community Development Director

SUBJECT: PLANNING GRANT IN THE AMOUNT OF \$48,000 TO STUDY CIRCULATION AND FUTURE MIXED-USE DEVELOPMENT ON WILSON STREET

Introduction

An item for City Council's consideration is a resolution to authorize the City Manager to sign a \$48,000 grant agreement with the Knoxville-Knox County Metropolitan Planning Commission for transportation and urban design planning through the Knoxville Regional Transportation Planning Organization (TPO).

Funding

The grant requires a \$12,000 local match, which funds are available in the General Fund.

Background

The recent amendment to the Main Street Planned Unit Development (PUD) relocated the planned 'mixed-use' area from the center of the Main Street property, to the northern edge along Wilson Street, in order to accommodate the location of new retail development within the core of Main Street. The PUD recommends mixed-use along the Main Street portion of the Wilson Street corridor, with expectation of the entire corridor, from Tulane to Rutgers, being included in a future mixed-use development area. This new development is consistent with Realty Link plans for Main Street as memorialized in the PUD amendment, the original vision for mixed-use development in the Main Street core, and the wishes of Oak Ridge citizens expressed during development of the recently adopted "Oak Ridge City Blueprint" plan.

The \$48,000.00 grant, plus a \$12,000 local city match, will provide a total of \$60,000.00 to evaluate the vehicular, pedestrian and bicycle circulation related to the new retail at Main Street, plus the anticipated new development along Wilson Street. Additionally, the work will produce an urban design plan, based on the traffic analysis, to accommodate the new mixed-use development. This plan will be a guide for development on the northern portion of Main Street, plus a tool to attract new, high-quality mixed-use projects on property owned by all parties along the Wilson Street corridor. The potential impact of this development can be a significant increase in both the amount and variety of new development in Oak Ridge, fortifying the tax base, and providing a central 'place' for Oak Ridgers to gather.

The work under this grant will involve a full-service engineering/urban design firm and be completed before October 1, 2019. The attached resolution authorizes the City Manager to sign an agreement with a consultant for these services provided the City utilizes its request for proposals process and follows any associated requirements from the Tennessee Department of Transportation.

Recommendation

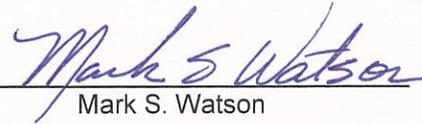
Approval of the attached resolution is recommended.

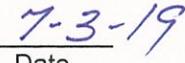
  
Wayne E. Blasius

Attachments:

**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 AN AGREEMENT WITH KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION FOR COST REIMBURSEMENT GRANT FUNDS TO BE USED FOR DESIGN PLANNING ALONG WILSON STREET IN THE AMOUNT OF \$48,000.00, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH A CONSULTANT TO PROVIDE SAID DESIGN PLAN.

WHEREAS, grant funds are available from the Knoxville Regional Transportation Planning Organization (TPO) in the amount of \$48,000.00 for use by the City of Oak Ridge for design planning along Wilson Street, which funds are evidenced by an approved amendment to the Transportation Planning Work Program; and

WHEREAS, the Knoxville-Knox County Metropolitan Planning Commission has submitted an agreement to the City for the cost reimbursement grant funds to be used for this purpose; and

WHEREAS, as required by the agreement, the City will enter into an agreement with a consultant to provide professional planning and engineering services pertaining to design planning along Wilson Street; and

WHEREAS, this design plan is in line with the terms of the Memorandum of Agreement between the City and TN Oak Ridge Rutgers, LLC, as approved by Resolution 5-44-2019 regarding the Main Street Oak Ridge Planned Unit Development; and

WHEREAS, the City Manager recommends approval of an agreement with the Knoxville-Knox County Metropolitan Planning Commission for this purpose; and

WHEREAS, the City Manager recommends authorization to enter into a professional services agreement with a consultant for this project provided the selection of the consultant is done in accordance with the City's Request for Proposals process and any associated requirements of the Tennessee Department of Transportation.

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

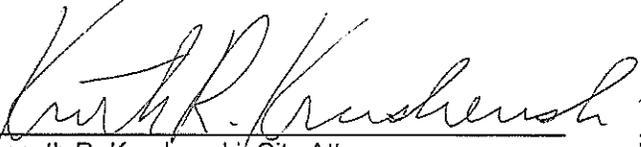
That the recommendation of the City Manager is approved and the City is hereby authorized to enter into an agreement with the Knoxville-Knox County Metropolitan Planning Commission to accept a cost reimbursement grant in the amount of \$48,000.00 from the Knoxville Regional Transportation Planning Organization (TPO).

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to enter into a professional services agreement with a consultant to provide design planning services pertaining to Wilson Street, provided said consultant is selected using the City's Request for Proposals process and any associated requirements of the Tennessee Department of Transportation; said agreement shall not exceed \$60,000.00 which provides for \$12,000.00 in City funds and \$48,000.00 in TPO grant funds.

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

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:

  
Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

**CITY COUNCIL MEMORANDUM**  
**19-21**

DATE: July 2, 2019  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: CONVENTION AND VISITORS BUREAU FY 2020 CONTRACT

Introduction:

An item for the City Council agenda is a resolution approving a contract between the City and the Oak Ridge Convention and Visitors Bureau (CVC) for the provision of services and materials to promote tourism in Oak Ridge for FY 2020 in an amount not to exceed \$380,000.00.

Funding:

Funds have been appropriated in the FY 2020 Budget (July 1, 2019 through June 30, 2020) in the amount of \$380,000.

Background:

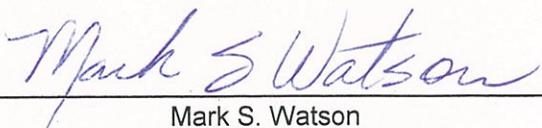
The City of Oak Ridge has received funding from the Hotel Occupancy Tax for many years. The funding is used to primarily support the promotion of the City and its recreational activities; such as, sports tourism, historical tourism, and general visitation. The funding also provides for nominal improvements to tourism related facilities.

The CVB is a 501(c)3 organization that operates on the City's behalf and is able to receive contributions toward its efforts through sponsorships and event revenues. The local hotels as well as general citizens are represented on the Board. The CVB has coordinated the recent events with USA Cycling and various rowing regattas. Next year, the CVB will be integrally involved with the NCAA Women's National Rowing Championships. The CVB is also working with CASA for the Secret City Half Marathon this fall. Promotion of historical tourism and the Manhattan Project National Historical Park is also part of their portfolio.

The Convention and Visitor's Bureau is charged with assisting the City Manager in promotional efforts and bringing additional visitors and activities to the community. The proposed contract outlines many of the issues to be prepared for and addressed as goals and objectives for the organization.

Recommendation:

Approval of the attached resolution is recommended.

  
Mark S. Watson

Attachment

CONTRACT

This Contract entered into this 8th day of July, 2019 by and between the City of Oak Ridge, Tennessee, hereinafter referred to as the "City," and the Oak Ridge Convention and Visitors Bureau, hereinafter referred to as the "CVB."

WITNESSETH:

WHEREAS, the City and the CVB have had a longstanding relationship in matters associated with tourism; and

WHEREAS, the parties desire to enter into a contract to continue this relationship.

NOW, THEREFORE, in consideration of the mutual covenants and conditions hereinafter contained, the City and the CVB hereby agree as follows:

1. Term

This Contract shall be for a term of twelve (12) months commencing July 1, 2019 through June 30, 2020.

2. CVB Requirement and Objectives

A. The CVB shall meet the objectives listed below:

1. Establish a goal of one to two and a half percent (1-2.5%) increase in collected city hotel tax revenue by the end of the contact term compared to that collected for the previous fiscal year through increased community awareness and marketing.
2. Develop strategies as part of the CVB's strategic plan that will be used to promote the City's unique assets:
  - a. Seasonal advertising campaigns using Social Media, Digital and Print Advertising, and Search Engine Marketing (e.g. MAPR, Centennial Golf);
  - b. Public Relations and Earn Media campaign aimed at getting stories printing in well-known publications by travel writers (e.g. MAPR, Mountain Biking, Historical Tourism);
  - c. Recruit, support, and develop events in Oak Ridge that prioritize overnight stays by participants (e.g. NCAA Rowing 2020, Cycling Trials 2020);
  - d. Operating a welcome center at the Oak Ridge Chamber of Commerce to serve as a visitor information resource and to help enhance visitor experience in Oak Ridge;
  - e. In partnership with the City, U.S. Department of Energy (DOE), and National Park Service, help develop promotional initiatives and cooperative efforts with the Manhattan Project National Historical Park (e.g. interpretive signage);

- f. Create a program to provide resources to local businesses to help them benefit from visitors coming to Oak Ridge; and
  - g. Use opportunities to inform Oak Ridge residents of local events and happenings such as Centennial Golf, the farmers market, and the Haw Ridge bicycle course.
3. Determine separate occupancy rates during weekdays compared to weekends.
  4. Generate revenue in addition to and exclusive of any funds provided by the City as described herein by the end of the contract term. These funds shall be equal to or greater than three percent (3%) of the total amount of funds allocated by the City.
  5. Conduct at least two (2) working meetings with the City Manager by April 1, 2020.
  6. Coordinate promotional efforts with the Oak Ridge Rowing Association for NCAA Women's Nationals and sustain existing activity levels of regattas.
- B. The CVB shall emphasize and prioritize the following actions to achieve the above objectives:
1. Develop a unique brand and marketing position for Oak Ridge that will aim to unite Oak Ridge's various messages and news into one common format. The CVB will create a "voice" for Oak Ridge to promote its positive attributes to visitors and community residents.
  2. Prioritize promotion of local events that increases the number of overnight visitors to Oak Ridge's hotels/motels.
  3. Identify, develop and use multimedia and social networking facilities to maximize and promote Oak Ridge as a venue for premier events and activities including but not limited to those identified by the CVB and the City for purposes of regional recognition and publicity.
  4. Implement the signage grant program for historical sites.
  5. Shall develop projects within its strategic plan to exploit the SMERF (Social, Military, Educational, Religious, and Fraternal) market both locally and regionally.
  6. Shall coordinate with the City Recreation and Parks Department and local sports programs to promote events that draw in out-of-town visitors.
  7. Promote the City's unique sporting, cultural, and historic assets (e.g. Centennial Golf, Rowing, the Oak Ridge Playhouse).

3. Monitoring and Reporting Requirements

- A. For the purposes of monitoring and reporting, the CVB shall provide to the City periodic reports addressing progress toward strategic goals on October 15, 2019; January 15, 2020; April 15, 2020 and July 15, 2020.
- B. The CVB shall submit an annual financial report, which will be audited by the City, to summarize expenditure of City funds and a statement of cash position, by July 31, 2020.

4. Availability of Documents for Inspection

- A. All CVB documents and reports pertaining to this Contract shall be available for inspection by the City Manager or the City Manager's duly authorized designee and shall be made available for inspection following written request. The CVB shall allow the inspection within a reasonable timeframe, but no later than seven (7) business days from receipt of the request.
- B. The CVB shall maintain records in such a manner as to enable the City and/or the City's auditors to audit the expenditures for compliance with this Contract during regular City business hours.

5. Compensation to CVB for Services Rendered

- A. The City shall pay the CVB \$380,000.00 in exchange the services specifically defined in Section 2 of this Contract. The City will pay the CVB in four equal installments of \$95,000.00 on or about the following provided the periodic reports required by Section 3 above have been submitted: October 30, 2019; January 31, 2020; April 30, 2020; and July 31, 2020. For purposes of cash flow and business management, the CVB shall have a goal of a thirty-day reserve for payroll and expenses.
- B. Conditions:
  - 1. The City may provide cash advances, not to exceed the total amount indicated in Section 5.A. to the CVB through a written request procedure and approval from the City Manager, at the City Manager's discretion, with concurrence by the City Council.
  - 2. The CVB may request budget revisions in writing. Any City approval of budget revisions shall be made in writing.
  - 3. CVB Staff: The CVB shall pay its employees under this Contract, not including volunteers, at least the federal minimum wage. The CVB shall not increase its employees' salaries to an extent greater than the salary increases allowed by the City for its employees during the same fiscal year.
  - 4. Anti-Discrimination: In carrying out the work of this Contract, the CVB shall not discriminate against any employee or applicant for employment because race, color, religion, creed, sex, sexual orientation, national origin, age, disability or any other legally protected status.
  - 5. If, through any cause, the CVB shall fail to fulfill in a timely and proper manner the obligations under this Contract, or if the CVB shall violate any of the covenants, agreements, or stipulations of this Contract, the CVB shall provide satisfactory explanation to the City Manager before the next partial payment is made.

6. Any expenditure desired to be made that is outside of the scope of this Contract shall receive prior concurrence of the City Manager in writing.

6. Termination

- A. If, through any cause, the CVB shall fail to fulfill the obligations under this Contract, or if the CVB shall violate any of the covenants, agreements, or stipulations of this Contract, the City shall thereupon have the right to terminate this Contract by giving written notice to the CVB of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination.
- B. In that event, all finished and unfinished documents and other materials prepared by the CVB under this Contract shall, at the option of the City, become its property and the CVB shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials, any such amount not to exceed the City's budgeted amount under this Contract.
- C. Notwithstanding the above, the CVB shall not be relieved of liability by the City by virtue of any breach of the Contract by the CVB, and the City may withhold any payments to the CVB for the purpose of off-set until such time as the exact amount of damages due the City from the CVB is determined.

7. Contract Representatives

- A. The CVB's contact person for this Contract shall be the CVB's President and/or his or her duly authorized designee.
- B. The City's contact person for this Contract shall be the City Manager and/or the City Manager's duly authorized designee.

8. Communications

- A. Any suggested changes in the CVB's scope of work shall be presented to the CVB's Board of Directors, in writing, for consideration and approval.
- B. The CVB President and the City Manager shall schedule a joint meeting with the CVB Board of Directors and City Council before February 15, 2020 to provide a mid-year performance report and discussion.
- C. If the CVB has any requested changes in scope of services and/or compensation for the subsequent fiscal year's contract, the CVB shall inform the City Manager of such requests no later than March 30, 2020. Nothing herein shall be construed to imply or promise a contract for any subsequent fiscal year.

9. Assignment

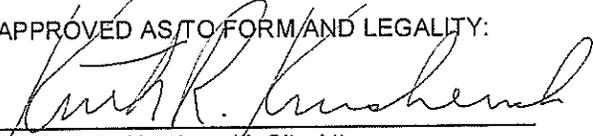
The CVB may utilize the services of specialty subcontractors for those services which, under normal contracting practices, are performed by specialty subcontractors. Except as set forth for specialty subcontractors, the CVB's obligations under this Contract may not be assigned in whole or in part without the prior written consent of the City Manager, which consent shall not be unreasonably withheld. Nothing contained in this Contract shall create any contractual relationship between any subcontractor and the City.

10. Governing Law

This Contract is governed by the laws of the State of Tennessee.

IN WITNESS WHEREOF, the parties hereto have executed this Contract as of the day and year first above written, the City of Oak Ridge, by its Mayor, by authority duly given.

APPROVED AS TO FORM AND LEGALITY:

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

CITY OF OAK RIDGE, TENNESSEE

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

OAK RIDGE CONVENTION AND VISITORS  
BUREAU

\_\_\_\_\_  
President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Board of Directors Chairperson

\_\_\_\_\_  
Date

Attachments: None  
Approved by Resolution \_\_\_\_\_

**RESOLUTION**

A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY AND THE OAK RIDGE CONVENTION AND VISITORS BUREAU (CVB) FOR THE PROVISION OF SERVICES AND MATERIALS TO PROMOTE TOURISM IN OAK RIDGE FOR FISCAL YEAR 2020 IN AN AMOUNT NOT TO EXCEED \$380,000.00.

WHEREAS, by Resolution 7-64-2018, City Council approved a contract with the Oak Ridge Convention and Visitors Bureau (CVB) to promote tourism for Fiscal Year 2019 (July 1, 2018 through June 30, 2019) in an amount not to exceed \$365,000.00, which contract expired on June 30, 2019; and

WHEREAS, the City has appropriated funds for Fiscal Year 2020 (July 1, 2019 through June 30, 2020) in the amount of \$380,000.00 for a contract with the CVB to continue to promote tourism in Oak Ridge; and

WHEREAS, the City and the CVB desire to enter into a contract to set forth the responsibilities and obligations of the parties and to provide measures of performance and accountability for the funds so appropriated; and

WHEREAS, the City Manager recommends approval of a contract with the CVB for tourism promotion for Fiscal Year 2020.

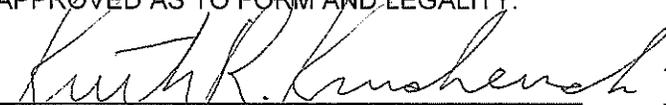
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into a contract (FY2020-013) with the Oak Ridge Convention and Visitors Bureau for the promotion of tourism in Oak Ridge for Fiscal Year 2020 (July 1, 2019 through June 30, 2020); said contract in an amount not to exceed \$380,000.00.

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

This the 8th day of July 2019.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

**ELECTIONS  
AND  
APPOINTMENTS**

**CITY CLERK MEMORANDUM**  
**19-13**

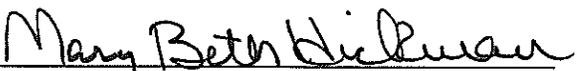
DATE: July 3, 2019  
TO: Honorable Mayor and Members of City Council  
FROM: Mary Beth Hickman, City Clerk  
SUBJECT: 2019 MID-YEAR BOARDS AND COMMISSIONS ELECTIONS

2019 Mid-Year Elections

The mid-year election cycle included one vacancy on the Oak Ridge Municipal Planning Commission due to resignation and relocation and one vacancy on the Senior Advisory Board due to death. There were also one vacancy each for high school representatives on the Environmental Quality Advisory Board and the Traffic Safety Advisory Board.

The City Clerk's Office ran a weekly ad in the Oak Ridger advertising the vacancies, as well as published the list on the city's website. There were also efforts to recruit applicants for the student positions through teachers at Oak Ridge High School and applicants to the Youth Advisory Board. One application was received for the student representative on the Traffic Safety Advisory Board, but no other applications were received. Information for the one applicant for the student representative on the Traffic Safety Advisory Board is included in your packet. Since there was only one applicant for this position, the election can occur by acclamation.

Five applications were received for the vacancy on the Oak Ridge Municipal Planning Commission, but none were received for the vacancy on the Senior Advisory Board. Due to the length of the July 8, 2019 meeting agenda and the lack of applicants for the additional vacancies, the City Manager and the City Clerk recommended deferring the elections, other than for Traffic Safety Advisory Board student representative, until a future meeting.

  
\_\_\_\_\_  
Mary Beth Hickman

Attachments

Application for Levi Parish for the high school representative position on the Traffic Safety Advisory Board

# Traffic Safety Advisory Board

NumVacancies 1 Total # of Members 10

Term of Office

One-year from date of appointment

Qualifications

Oak Ridge resident and high school age student

Traffic Safety Advisory Board	Special Qualifications	Submitted	Preference	# of Previous Submissions
Mr. Levi Parish		6/30/2019	1	0
<b>Total Number of Applicants: 1</b>				

## Current Members

Member Name	Special Qualifications	Term Expires
Ms. Martha Adler-Jasny		12/31/2020
Ms. Alexis Hammond	Student	7/31/2019
Mr. Andrew Howe		12/31/2019
Ms. Jana F. Humphrey		12/31/2021
Ms. Ilona Kaczocha		12/31/2021
Mr. Ronald Linkins		12/31/2019
Mr. Colin Loring		12/31/2021
Ms. Melissa McMahan		12/31/2020
Mr. William Polfus		12/31/2019
Ms. Jane Shelton	Planning Commission Representative	12/31/2019
10 of 10 members		

# City of Oak Ridge Board Application 2019

BoardName: Traffic Safety Advisory Board

Application Submitted

Applicant: Parish, Levi

6/30/2019 7:37 PM

Race (Optional):

Preference: 1

Number of Times Previously Applied: 0

## Address

122 Kentucky Avenue

## Contact Information

Home Phone: (865) 405-5242

Email: levi@leviparish.com

Oak Ridge, TN 37830

## Current Company/Organization

## Current Position / Title

## Retired?

N

## Do you currently serve on any other City board, commission or committee?

No

## Education, Professional and or Community Activity

Oak Ridge High School Junior, Driver's License, Member of the Anderson County NAACP

## Explain why you are interested in being appointed to this board, commission or committee

To deal with traffic planning and safety and be on a city board. I hope to bring a student viewpoint.

## Describe any special knowledge or past experience qualifying you for this appointment?

I drive and like maps. In my spare time, I create maps and correlating data.

## Additional Information

## Special Qualifications

# Levi B. Parish

122 Kentucky Avenue, Oak Ridge, TN 37830 | 865-292-8749 | [levi@leviparish.com](mailto:levi@leviparish.com)

## EDUCATION

2017-Present, Oak Ridge High School, Rising Junior, 4.0 GPA (unweighted)

2013-2017, Jefferson Middle School

2011-2013, Linden Elementary School

2009-2011, St. Mary's School

2007-2008, Montessori School of Oak Ridge

## VOLUNTEER EXPERIENCE

9<sup>th</sup> District Public Defender's Office                      July 2019 – Present

City of Oak Ridge Public Library                      August 2018 – May 2019

## ACTIVITIES & AWARDS

**ORHS International Relations Club** (Grade 10)

**American Association of Teachers of German**, Gold Award for Distinguished Achievement, National German Exam (Grade 10)

**ACT Examination**, Oak Ridge High School Top Performer (April 2018), English – 35, Reading - 34

**Model United Nations** (ORHS International Relations Club), VoIMUN IV at The University of Tennessee, represented South Africa's Disarmament and International Security Committee (Grade 10)

**Viola** (Grades 4-10) + **Piano** (Grades 1-4)

- All-State Orchestra, Nashville
- Current Viola section leader for ORHS 10<sup>th</sup>-12<sup>th</sup>-grade Orchestra class
- All East Tennessee Orchestra Senior Clinic (2018)
- East Tennessee Junior Orchestra Clinic (Red in 2016 & Blue in 2017)
- Knoxville Youth Symphony Orchestra (Sinfonia 2016-2017, Youth Chamber 2017-2018)
- Private viola lessons (individual and small group) since Grade 5
- Hand Bell Choir, Bethel Presbyterian Church

## **FIRST Robotics**

- ORHS Secret City Wildbots (Grades 9-10)—Ranked 10<sup>th</sup> in the 2018 Houston Carver Division; Ranked 8<sup>th</sup> in the 2018 Smoky Mountains Regional
- JMS Atomic Eagles FLL Team (Grades 5-8)—2015 East Tennessee State Champions & Winners of the Rising Star Award at the 2016 Razorback Invitational (international); Regional awards each year (e.g., Gracious Professionalism, Robot Design)
- Linden Lego Lions Junior FLL (Grade 4)

**Fencing** at Knoxville's Academy of the Blade (Grades 8-Present); University of Tennessee Fencing Tournament (2/2019)

**ORHS Tennis Team** (Grades 9-10)

## **Chess**

- ORHS Junior High Team 2017-2018—took the team to 2018 State Competition; individual award at 2017 Secret City Tournament
- JMS Chess Team 2014-2017—took the team to 2016 & 2017 State Competitions

## **HOBBIES**

- Board games (especially those related to past world wars, strategy, and highly complex rules)
- Collecting antique maps
- Learning new languages (Icelandic, Arabic & Russian)
- Geography
- Travel: Canada, Paris, France, Alaska, Caribbean, Mexico, Iceland
- Sailing (Sea Scouts/Boy Scouts), CPR training
- Sheep Training/Showing

## **SPECIAL TRAINING**

The Driving Center of Oak Ridge, new driver course (completed July 2018)

**CITY CLERK MEMORANDUM**  
**19-14**

DATE: June 26, 2019  
TO: Honorable Mayor and Members of City Council  
FROM: Mary Beth Hickman, City Clerk  
SUBJECT: APPOINTMENT TO CITY MANAGER AND CITY ATTORNEY EVALUATION COMMITTEES

At the July 8, 2019 City Council meeting, City Council will need to confirm appointments to the City Attorney and City Manager Evaluation Committees. Given that these committees are appointed on an annual basis, City Council will be utilizing the appointment methods provided in Resolution No. 11-106-07, which provides for a method of rotation of Councilmembers between the two committees with one Councilmember rotating off annually.

As outlined in the employment agreements, City Council shall complete performance evaluations for both the City Attorney and the City Manager on an annual basis.

Resolution No.11-106-07 established a policy of rotating councilmembers from committees, and that policy has been in practice for the selection of councilmembers for the Evaluation Committees for the City Attorney and City Manager with the listing of committee members maintained by the City Clerk. In FY2018, the City Attorney's Evaluation Committee consisted of Councilmembers Chuck Hope, Chair; Jim Dodson and Ellen Smith, and the City Manager's Evaluation Committee consisted of Mayor Pro Tem Rick Chinn, Chair; Mayor Warren L. Gooch and Councilmember Kelly Callison.

The below committee composition is recommended:

<u>City Attorney's Evaluation</u>	<u>City Manager's Evaluation</u>
Jim Dodson, Chair	Warren L. Gooch, Chair
Ellen D. Smith	Kelly Callison
Derrick Hammond	Chuck Hope

Following the established membership of the Committees, it is recommended that all members of City Council receive the evaluation forms utilized for the FY2018 evaluations and upon receipt by staff of all completed forms, the committee members will meet with the City Manager and City Attorney to review the evaluations and discuss recommendations to provide to City Council.

It is the Mayor's recommendation to appoint the City Attorney and City Manager Evaluation Committees as presented above.

  
Mary Beth Hickman

**MAYOR'S MEMORANDUM**  
**19-02**

**DATE:** June 26, 2019  
**TO:** Members of City Council  
**FROM:** Warren L. Gooch, Mayor  
**SUBJECT:** APPOINTMENTS TO BUDGET AND FINANCE COMMITTEE

At the July 8, 2019 City Council meeting, City Council will be asked to confirm appointments to the Budget and Finance Committee.

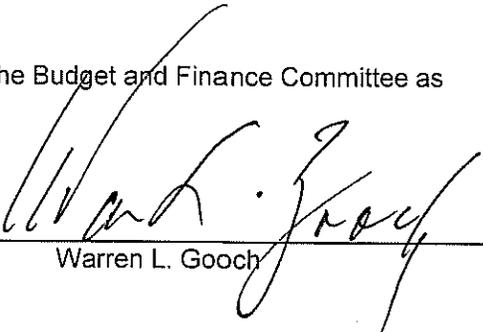
With the adoption of Resolution 09-90-2014, City Council reestablished the Budget and Finance Committee with the mission to assist City Council in providing guidance to the City Manager with respect to budget preparation, as required by Article V, Section 10 of the City Charter.

The FY2019 Budget and Finance Committee was comprised of Kelly Callison, Chair, Mayor Pro Tem Rick Chinn, and Ellen Smith. For FY2020, I am making no changes and thus the following composition is recommended:

Budget and Finance Committee

Kelly Callison, Chair  
Rick Chinn  
Ellen Smith

It is the Mayor's recommendation to confirm the appointment of the Budget and Finance Committee as presented above.

  
\_\_\_\_\_  
Warren L. Gooch