

**CITY COUNCIL WORK SESSION
Municipal Building Courtroom**

March 26, 2012

**CALL TO ORDER: IMMEDIATELY FOLLOWING THE SPECIAL MEETINGS
ON PROPOSED AMENDMENTS TO THE CITY CODE
AND THE ZONING ORDINANCE**

AGENDA

- I. Overview and discussion on the Utility Business Office Operations, including the cut-off policy, credit check system and deposits.
- II. Update and discussion on Water and Sewer Rates scheduled for adoption on April 9, 2012, with updates on meetings with commercial customers and discussion of Council's final questions and concerns.
- III. Update by Mayor and City Manager on meeting with School Board Chair and projected timeframe for resolution of Sales Tax issue.
- IV. Submittal of staff report on Public Meetings and Electronic Communications by Council and general discussion on findings.
- V. Review and general discussion of concerns for City Electrical Department tree trimming policies and practices.
- VI. Informational Items:
 - Oak Ridge Schools / City of Oak Ridge Budget Timeline
 - Tax Year 2011 Summary of Annual PILOT Incentive Reports
 - City Manager's Calendar for April and the April work session
 - Land Bank Legislation
 - Oak Ridge Day in Nashville on March 28, 2012
- VII. Adjournment

Electronic Communication/Participation City Council

Open Meetings, Generally

Tennessee law governs public meetings of governing bodies. For the purposes of City Council, those provisions are set forth in Tennessee Code Annotated Title 8, Chapter 44, Part 1, and are commonly referred to as the open meeting law.

It is the policy of the State that formation of public policy and decisions of public business shall not be conducted in secret. Therefore, all meetings of governing bodies are declared to be public meetings, absent any rights and privileges contained in the Tennessee Constitution. Public meetings require adequate public notice and minutes of all meetings must be promptly recorded and open to the public. Actions taken at meetings in violation of the open meetings law are nullified. (Tennessee Code Annotated §8-44-101 – §8-44-105)

The provisions do not prohibit chance meetings between two or more members, however, such chance meetings, informal assemblage, or electronic communication shall not be used to decide or deliberate public business in circumvention of the spirit or requirements of the open meetings law. (Tennessee Code Annotated §8-44-102(c))

Electronic Communications

By State law, City Council may, but is not required to, allow electronic communication between councilmembers by means of an Internet forum, provided certain requirements are met. In order to permit electronic communications among councilmembers, an Internet forum would need to be created meeting the following requirements:

- (1) Council must ensure that the forum is available to the public at all times other than that necessary for technical maintenance or unforeseen technical limitations;
- (2) Council must provide adequate public notice of their intended use of the forum;
- (3) Council must control who may communicate through the forum;
- (4) Council must control the archiving of the electronic communications to ensure that the electronic communications are publicly available for at least one (1) year after the date of the communication; provided, that access to the archived electronic communications is user-friendly for the public; and
- (5) Council must provide reasonable access for members of the public to view the forum at the public library, the building where Council meets, or another public building.

The forum cannot be a substitute for decision making at a public meeting.

Prior to utilizing such a forum, Council is required to submit a plan with Tennessee's Office of Open Records Counsel describing how Council would comply with the statutory requirements. The Office of

Open Records Counsel has thirty days from receipt of the plan to approve the plan or supply written comments. Council is not permitted to institute a forum for electronic communications until such time as a report of compliance is given by the Office of Open Records Counsel.

(Tennessee Code Annotated §8-44-109)

Electronic Participation at Meetings in Tennessee

State law permits certain governing bodies to participate in public meetings via electronic or other communications. At this time, Council is not one of those permitted governing bodies. The statute's applicability to municipal governing bodies is limited to those organized under Title 6, Chapter 8, with three commissioners and a population of more than 2,500. (Tennessee Code Annotated §8-44-108)

The permitted governing bodies are required to comply with the following, if they choose to allow participation by electronic or other means:

- A physical quorum must be present at the location specified in the public notice of the meeting.
 - If a physical quorum is not present at the location specified in the public notice, in order for a quorum to participate by electronic or other means of communication the governing body must determine that a necessity exists and must include facts to support a necessity in the minutes. Necessity is defined as matters that require timely action, a physical presence by a quorum is not practical within the time period requiring action, and participation by a quorum through electronic or other means is necessary.
 - If a physical quorum is not present at the location specified in the public notice, and a necessity exists, the governing body must file a determination of necessity reciting the facts and circumstances to the Secretary of State (unless the governing body is a state debt issuer).
- All parts of the meeting must be audible to the public at the location specified in the public notice.
- Each member participating electronically or otherwise must be able to simultaneously hear each other and speak to each other.
- Members participating electronically or otherwise must disclose the identity of all persons present at the location from which the member is participating.
- Members participating electronically or otherwise must be provided all documents to be discussed at the meeting in advance.
- All votes must be taken by roll call vote.

Meetings where electronic or other means of communications are permitted must still meet the requirements of the open meetings law and shall not circumvent the spirit or requirements of the open meetings law. Public notices for the meeting must include a statement that the meeting will permit electronic or other means of communication.

Electronic Participation at Meetings in Other States

The following states generally permit some type of telephonic or videoconference meetings in their statutory open meeting laws:

Alaska – Attendance and participation at meetings by members of the public or by members of a governmental body may be by teleconferencing. Agency materials that are to be considered at the meeting shall be made available at teleconference locations if practicable. The vote at a meeting held by teleconference shall be taken by roll call. For convenience.

California – Permits public bodies to use video or audio teleconferencing for all purposes, with voting done by roll call, but the public body must post agendas at all teleconference locations, which must be open to public and identified in the notice and agenda; the agenda must provide an opportunity for members of public to address public body at each teleconference location; and local public bodies must adopt reasonable regulations to protect statutory and constitutional rights of parties and public appearing before public body

Colorado – Allows use of telephone conference calls for adjudicatory administrative hearings but use of telephone calls for meetings would violate the purpose and spirit of the open meeting law.

Delaware – Defines video-conferencing as “any system permitting interaction among all participants in 2 or more noticed public locations in compliance” and provides for video-conferencing under specific circumstances: provided each attending member’s participation occurs at a noticed public location where members of the public may also attend the meeting; at least one of the noticed public locations shall be within the geographic jurisdiction of the public body; each member must be identified; all participants shall be able to communicate with each other at the same time; and members of the public attending at the noticed public location or locations of the meeting must be able to hear and view the communication among all members of the public body participating by video-conference. Video-conferencing participation is not permitted when a verbatim transcript of the meeting may be required by law, except for public hearings on proposed rules and regulations, or where the chair or presiding officer determines that physical attendance is required at a single location.

Hawaii – Videoconference meetings: notice must identify all locations at which board members will be physically present and public may attend at any location. Requires termination of meeting if audio and visual communication cannot be maintained at all locations after the meeting convenes, even if a quorum of the body is physically present in one location, but the meeting may continue with audio alone if everyone has already received any visual aids or participants are able to transmit visual aids readily to other locations within 15 minutes.

Kansas – Meeting includes any gathering or assembly in person or through the use of a telephone or any other medium for interactive communication by a majority of the membership of a body or agency subject to this act for the purpose of discussing the business or affairs of the body or agency.

Kentucky – Videoconference permitted for any meeting other than executive session.

Minnesota – At least one member must be present at regular meeting location.

Missouri – Allows telephone or other electronic means (including, but not limited to, conference call, video conference, Internet chat, or Internet message board) of conducting public meetings provided there is a designated location for the public to observe and attend the meeting.

Montana – Meeting includes by means of electronic equipment.

Nevada – Electronic communication must not be used to circumvent the spirit or letter of their open meetings laws in order to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.

New Jersey – Meeting includes by means of electronic equipment.

North Carolina – Conference telephone meetings permitted if location and means for members of public to listen are provided; up to \$25 may be charged per listener to defray costs.

North Dakota – Permits meetings whether in person or through electronic means such as telephone or videoconference.

Oklahoma – Permits videoconference meetings by public bodies when each member of the body is visible and audible to each other and to the public.

Oregon - requires that the governing body shall make available to the public at least one place where the public can listen to the communications with the absent member.

Rhode Island – No meeting of members of a public body or use of electronic communication, including telephonic communication and telephone conferencing, shall be used to circumvent the spirit or requirements of their public meetings laws. However, such meetings and discussions are not prohibited.

South Dakota – Any official meeting may be conducted by teleconference. A member is deemed present if the member answers present to the roll call conducted by teleconference for the purpose of determining a quorum. Each vote at an official meeting held by teleconference shall be taken by roll call.

Utah – A meeting is the convening of a public body whether the meeting is held in person or by means of electronic communications.

Vermont – A meeting may be conducted by audio conference or other electronic means, as long as certain provisions are met.

The following states permit the use of electronic communications by court opinion or attorney general opinion:

Arizona – The use of electronic communications that permit the public to see and hear the participation of the absent member is permitted under the open meeting law without express statutory authorization to be used only when no reasonable alternative was available and that all open meeting law requirements must be observed.

Florida – Permits members of a public body who are physically unable to attend but mentally capable to use interactive video and telephone systems to participate and vote, but physical presence at the meeting is required in other circumstances if action is to be taken.

Georgia – Permits meetings by conference or speaker telephone when the public can hear and record the comments and votes.

Michigan – Found no problem with the holding of hearings via teleconference calls heard through speaker phones and audible to all in the room. Michigan Attorney General ruled that interactive television could properly be used for a public meeting.

Mississippi – Permits the recording of final votes by telephone when the vote is reduced to public record and all the deliberations were conducted in accordance with the open meeting law. Mississippi Attorney General has approved participation in lawfully called meetings at which a quorum is physically present by an incapacitated member of the public body so long as the public may hear all discussions.

Ohio – Ohio Attorney General approved the use of speaker telephone equipment by one member of a three-person quorum so long as the audience can hear the absent member.

Pennsylvania – Approved use of speaker phone meetings.

Wisconsin – Telephone conference meeting may be considered 'reasonably accessible' if the public and the news media may effectively monitor it.

Title 8 Public Officers And Employees
Chapter 44 Public Meetings
Part 1 General Provisions

§8-44-101. Policy -- Construction.

- (a) The general assembly hereby declares it to be the policy of this state that the formation of public policy and decisions is public business and shall not be conducted in secret.
- (b) This part shall not be construed to limit any of the rights and privileges contained in article I, § 19 of the Constitution of Tennessee.

§8-44-102. Open meetings -- "Governing body" defined -- "Meeting" defined.

- (a) All meetings of any governing body are declared to be public meetings open to the public at all times, except as provided by the Constitution of Tennessee.
- (b) (1) "Governing body" means:
 - (A) The members of any public body which consists of two (2) or more members, with the authority to make decisions for or recommendations to a public body on policy or administration and also means a community action agency which administers community action programs under the provisions of 42 U.S.C. § 2790 [repealed]. Any governing body so defined by this section shall remain so defined, notwithstanding the fact that such governing body may have designated itself as a negotiation committee for collective bargaining purposes, and strategy sessions of a governing body under such circumstances shall be open to the public at all times;
 - (B) The board of directors of any nonprofit corporation which contracts with a state agency to receive community grant funds in consideration for rendering specified services to the public; provided, that community grant funds comprise at least thirty percent (30%) of the total annual income of such corporation. Except such meetings of the board of directors of such nonprofit corporation that are called solely to discuss matters involving confidential doctor-patient relationships, personnel matters or matters required to be kept confidential by federal or state law or by federal or state regulation shall not be covered under the provisions of this chapter, and no other matter shall be discussed at such meetings;
 - (C) The board of directors of any not-for-profit corporation authorized by the laws of Tennessee to act for the benefit or on behalf of any one (1) or more counties, cities, towns and local governments pursuant to the provisions of title 7, chapter 54 or 58. The provisions of this subdivision (b)(1)(C) shall not apply to any county with a metropolitan form of government and having a population of four hundred thousand

(400,000) or more, according to the 1980 federal census or any subsequent federal census;

(D) The board of directors of any nonprofit corporation which through contract or otherwise provides a metropolitan form of government having a population in excess of five hundred thousand (500,000), according to the 1990 federal census or any subsequent federal census, with heat, steam or incineration of refuse;

(E) (i) The board of directors of any association or nonprofit corporation authorized by the laws of Tennessee that:

(a) Was established for the benefit of local government officials or counties, cities, towns or other local governments or as a municipal bond financing pool;

(b) Receives dues, service fees or any other income from local government officials or such local governments that constitute at least thirty percent (30%) of its total annual income; and

(c) Was authorized as of January 1, 1998, under state law to obtain coverage for its employees in the Tennessee consolidated retirement system.

(ii) The provisions of this subdivision (b)(1)(E) shall not be construed to require the disclosure of a trade secret or proprietary information held or used by an association or nonprofit corporation to which this chapter applies. In the event a trade secret or proprietary information is required to be discussed in an open meeting, the association or nonprofit corporation may conduct an executive session to discuss such trade secret or proprietary information; provided, that a notice of the executive session is included in the agenda for such meeting.

(iii) As used in this subdivision (b)(1)(E):

(a) "Proprietary information" means rating information, plans, or proposals; actuarial information; specifications for specific services provided; and any other similar commercial or financial information used in making or deliberating toward a decision by employees, agents or the board of directors of such association or corporation; and which if known to a person or entity outside the association or corporation would give such person or entity an advantage or an opportunity to gain an advantage over the association or corporation when

providing or bidding to provide the same or similar services to local governments; and

(b) "Trade secret" means the whole or any portion or phrase of any scientific or technical information, design, process, procedure, formula or improvement which is secret and of value. The trier of fact may infer a trade secret to be secret when the owner thereof takes measures to prevent it from becoming available to persons other than those selected by the owner to have access thereto for limited purposes.

(2) "Meeting" means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. "Meeting" does not include any on-site inspection of any project or program.

(c) Nothing in this section shall be construed as to require a chance meeting of two (2) or more members of a public body to be considered a public meeting. No such chance meetings, informal assemblages, or electronic communication shall be used to decide or deliberate public business in circumvention of the spirit or requirements of this part.

§8-44-103. Notice of public meetings.

(a) *Notice of Regular Meetings.* Any such governmental body which holds a meeting previously scheduled by statute, ordinance, or resolution shall give adequate public notice of such meeting.

(b) *Notice of Special Meetings.* Any such governmental body which holds a meeting not previously scheduled by statute, ordinance, or resolution, or for which notice is not already provided by law, shall give adequate public notice of such meeting.

(c) The notice requirements of this part are in addition to, and not in substitution of, any other notice required by law.

§8-44-104. Minutes recorded and open to public -- Secret votes prohibited.

(a) The minutes of a meeting of any such governmental body shall be promptly and fully recorded, shall be open to public inspection, and shall include, but not be limited to, a record of persons present, all motions, proposals and resolutions offered, the results of any votes taken, and a record of individual votes in the event of roll call.

(b) All votes of any such governmental body shall be by public vote or public ballot or public roll call. No secret votes, or secret ballots, or secret roll calls shall be allowed. As used in this chapter, "public vote" means a vote in which the "aye" faction vocally expresses its will in unison and in which the "nay" faction, subsequently, vocally expresses its will in unison.

§8-44-105. Action nullified -- Exception.

Any action taken at a meeting in violation of this part shall be void and of no effect; provided, that this nullification of actions taken at such meetings shall not apply to any commitment, otherwise legal, affecting the public debt of the entity concerned.

§8-44-106. Enforcement -- Jurisdiction.

- (a) The circuit courts, chancery courts, and other courts which have equity jurisdiction, have jurisdiction to issue injunctions, impose penalties, and otherwise enforce the purposes of this part upon application of any citizen of this state.
- (b) In each suit brought under this part, the court shall file written findings of fact and conclusions of law and final judgments, which shall also be recorded in the minutes of the body involved.
- (c) The court shall permanently enjoin any person adjudged by it in violation of this part from further violation of this part. Each separate occurrence of such meetings not held in accordance with this part constitutes a separate violation.
- (d) The final judgment or decree in each suit shall state that the court retains jurisdiction over the parties and subject matter for a period of one (1) year from date of entry, and the court shall order the defendants to report in writing semiannually to the court of their compliance with this part.

§8-44-107. Board of directors of Performing Arts Center Management Corporation.

The board of directors of the Tennessee Performing Arts Center Management Corporation shall be subject to, and shall in all respects comply with, all of the provisions made applicable to governing bodies by this chapter.

§8-44-108. Participation by electronic or other means.

- (a) As used in this section, unless the context otherwise requires:
 - (1) "Governing body" refers to boards, agencies and commissions of state government, including state debt issuers as defined in this section and municipal governing bodies. For the purpose of this section only, "municipal governing bodies" means only those municipal governing bodies organized under title 6, chapter 18, and having a city commission of three (3) members, and having a population of more than two thousand five hundred (2,500), according to the 2000 federal census or any subsequent federal census;
 - (2) "Meeting" has the same definition as defined in § 8-44-102;
 - (3) "Necessity" means that the matters to be considered by the governing body at that meeting require timely action by the body, that physical presence by a quorum of the members is not practical within the period of time requiring

action, and that participation by a quorum of the members by electronic or other means of communication is necessary; and

- (4) "State debt issuers" means the Tennessee state funding board, Tennessee local development authority, Tennessee housing development agency, and Tennessee state school bond authority, and any of their committees.
- (b)
- (1) A governing body may, but is not required to, allow participation by electronic or other means of communication for the benefit of the public and the governing body in connection with any meeting authorized by law; provided, that a physical quorum is present at the location specified in the notice of the meeting as the location of the meeting.
 - (2) If a physical quorum is not present at the location of a meeting of a governing body, then in order for a quorum of members to participate by electronic or other means of communication, the governing body must make a determination that a necessity exists. Such determination, and a recitation of the facts and circumstances on which it was based, must be included in the minutes of the meeting.
 - (3) If a physical quorum is not present at the location of a meeting of a governing body other than a state debt issuer, the governing body other than a state debt issuer must file such determination of necessity, including the recitation of the facts and circumstances on which it was based, with the office of secretary of state no later than two (2) working days after the meeting. The secretary of state shall report, no less than annually, to the general assembly as to the filings of the determinations of necessity.
 - (4) Nothing in this section shall prohibit a governing body from complying with § 8-44-109.
- (c)
- (1) Any meeting held pursuant to the terms of this section shall comply with the requirements of the Open Meetings Law, codified in this part, and shall not circumvent the spirit or requirements of that law.
 - (2) Notices required by the Open Meetings Law, or any other notice required by law, shall state that the meeting will be conducted permitting participation by electronic or other means of communication.
 - (3) Each part of a meeting required to be open to the public shall be audible to the public at the location specified in the notice of the meeting as the location of the meeting. Each member participating electronically or otherwise must be able to simultaneously hear each other and speak to each other during the meeting. Any member participating in such fashion shall identify the persons present in the location from which the member is participating.
 - (4) Any member of a governing body not physically present at a meeting shall be provided, before the meeting, with any documents that will be discussed at the

meeting, with substantially the same content as those documents actually presented.

- (5) All votes taken during a meeting held pursuant to the terms of this section shall be by roll call vote.
- (6) A member participating in a meeting by this means is deemed to be present in person at the meeting for purposes of voting, but not for purposes of determining per diem eligibility. However, a member may be reimbursed expenses of such electronic communication or other means of participation.

§8-44-109. Electronic communication

- (a) A governing body may, but is not required to, allow electronic communication between members by means of a forum over the Internet only if the governing body:
 - (6) Ensures that the forum through which the electronic communications are conducted is available to the public at all times other than that necessary for technical maintenance or unforeseen technical limitations;
 - (7) Provides adequate public notice of the governing body's intended use of the electronic communication forum;
 - (8) Controls who may communicate through the forum;
 - (9) Controls the archiving of the electronic communications to ensure that the electronic communications are publicly available for at least one (1) year after the date of the communication; provided, that access to the archived electronic communications is user-friendly for the public; and
 - (10) Provides reasonable access for members of the public to view the forum at the local public library, the building where the governing body meets or other public building.
- (b) Electronic communications posted to a forum shall not substitute for decision making by the governing body in a meeting held in accordance with this part. Communications between members of a governing body posted to a forum complying with this section shall be deemed to be in compliance with the open meetings laws compiled in this part.
- (c) Prior to a governing body initially utilizing a forum to allow electronic communications by its members that meets the requirements of this section, including the public notice required in subsection (a), the governing body shall file a plan with the office of open records counsel. The plan shall describe how the governing body will ensure compliance with subsection (a). Within thirty (30) days of receipt of the plan, the office of open records counsel shall acknowledge receipt of the plan and shall report whether or not the plan and the proposed actions comply with subsection (a). If the office determines that compliance with subsection (a) has not been met, the office shall provide written comments regarding the plan to the governing body. Until such time as the governing

body complies with the written comments provided by the office and the office issues a report of compliance, the governing body shall not be allowed to establish or utilize such forum. This subsection (c) shall not apply to any governing body that had established a forum pursuant to this section prior to May 7, 2009.

- (d) No member participating in an electronic communication pursuant to this section is deemed to be eligible for per diem for such participation.
- (e) As used in this section, "governing body" means the elected governing body of a county, city, metropolitan form of government or school board.

§8-44-110. [Repealed.]

§8-44-111. Open meetings -- Development of educational program required -- Materials.

- (a) The municipal technical advisory service (MTAS) for municipalities and the county technical assistance service (CTAS) for counties, in order to provide guidance and direction, shall develop a program for educating their respective public officials about the open meetings laws codified in this chapter, and how to remain in compliance with such laws.
- (b) The Tennessee school board association shall develop a program for educating elected school board members about the open meetings laws and how to remain in compliance with such laws.
- (c) The utility management review board shall develop a program for board members of water, wastewater and gas authorities created by private act or under the general law and of utility districts, in order to educate the board members about the open meetings laws and how to remain in compliance with such laws.
- (d) The state emergency communications board created by § 7-86-302 shall develop a program for educating emergency communications district board members about the open meetings laws and how to remain in compliance with such laws.
- (e) The office of open records counsel established in chapter 4, part 6 of this title shall establish educational programs and materials regarding open meetings laws in this state, to be made available to the public and to public officials.

**OAK RIDGE SCHOOLS
FY 2012-2013
“REVISED” APPROVED BUDGET TIMELINE**

- July-August 8, 2011** **SUPERVISOR OF MAINTENANCE AND OPERATIONS & BUILDING PRINCIPALS**
Site visits, if needed, to discuss requests from Administrators for development of the Capital Improvement Plan (CIP). Principals' projects to be incorporated with scheduled HVAC, mechanical, roofing and other mandatory projects planned.
- August 8, 2011** **SPECIAL BOARD MEETING-IN LIEU OF JULY MEETING - 7:00 P.M.**
Monday
- August 24, 2011** **SPECIAL BOARD MEETING - 5:00 P.M.**
Wednesday
- August 29, 2011** **REGULAR BOARD MEETING - 7:00 P.M.**
Monday
Proposed Budget Timeline presented for approval
Discussion and approval of CIP Projects for City of Oak Ridge funding
- August 30, 2011** **ADMINISTRATIVE COUNCIL**
Tuesday
Board approved Budget Timeline distributed
Board approved CIP Projects list discussed
- September 16, 2011** **SUPERVISOR OF MAINTENANCE AND OPERATIONS**
Friday
Board approved CIP Projects submitted to the City of Oak Ridge
- September 26, 2011** **REGULAR BOARD MEETING - 7:00 P.M.**
Monday
- September 27, 2011** **ADMINISTRATIVE COUNCIL**
Tuesday
- October 17, 2011** **REGULAR BOARD MEETING - 7:00 P.M.**
Monday

<u>October 18, 2011</u> <i>Tuesday</i>	<u>ADMINISTRATIVE COUNCIL</u>
<u>November 17, 2011</u> <i>Thursday</i>	<u>CIP WORK SESSION WITH CITY PLANNING COMMISSION – 5:30 P.M.</u>
<u>November 28, 2011</u> <i>Monday</i>	<u>REGULAR BOARD MEETING - 7:00 P.M.</u> Budget Timeline Revisions Approved
<u>November 29, 2012</u> <i>Tuesday</i>	<u>ADMINISTRATIVE COUNCIL</u>
<u>December 1, 2011</u> <i>Thursday</i>	<u>APPROVAL OF CIP – PLANNING COMMISSION-??</u> December 9 th document changes due to Kathryn Baldwin December 15 th document approval by Planning Commission
<u>January 2, 2012</u> <i>Monday</i>	<u>EXECUTIVE COMMITTEE</u>
	<u>CITY MANAGER, SUPERINTENDENT OF SCHOOLS & FINANCE 3:00-4:00</u> Sharing Budget Development status to date
<u>January 3, 2012</u> <i>Tuesday</i>	<u>IN LIEU OF DECEMBER- BOARD MEETING 7:00 P.M.</u> Budget Timeline Revisions - Per City Of Oak Ridge
<u>January 4, 2012</u> <i>Wednesday</i>	<u>ADMINISTRATIVE COUNCIL</u>
<u>January 23, 2012</u> <i>Monday</i>	<u>REGULAR BOARD MEETING – 7:00 P.M.</u>
<u>January 24, 2012</u> <i>Tuesday</i>	<u>ADMINISTRATIVE COUNCIL</u>
<u>February 6, 2012</u> <i>Monday</i>	<u>WORK SESSION –CITY COUNCIL & BOARD OF EDUCATION</u> Woodland Elementary Recommendations CIP Tax Issues
<u>February 21, 2012</u> <i>Tuesday</i>	<u>DAY ON THE HILL</u>

<u>February 27, 2012</u> <i>Monday</i>	<u>REGULAR BOARD MEETING – 7:00 P.M.</u>
<u>February 28, 2012</u> <i>Tuesday</i>	<u>ADMINISTRATIVE COUNCIL</u>
<u>February 29, 2012</u> <i>Wednesday</i>	<u>CITY MANAGER, SUPERINTENDENT OF SCHOOLS & FINANCE</u> Meet to discuss “Day on the Hill” information
<u>March 2011</u>	<u>DIRECTOR OF BUSINESS & SUPPORT SERVICES</u> Estimate General 2012 Budget Position (Revenue and Expenditures) without BEP Estimate to arrive in mid-April
	<u>DIRECTOR OF HUMAN RESOURCES</u> HR Database Verified and Completed
<u>March 9, 2012</u> <i>Friday</i>	<u>PHASE I AND II BUDGETS</u> Due from Principals to Assistant Superintendent of Schools Due from Executive Committee Staff/Supervisors to Director of Business and Support Services
<u>March 12-16, 2012</u>	<u>SPRING BREAK</u>
<u>March 19 – April 6, 2012</u>	<u>EXECUTIVE COMMITTEE</u> Review of Budget Requests with Principals, Directors & Supervisors
<u>March 26, 2012</u> <i>Monday</i>	<u>REGULAR BOARD MEETING - 7:00 P.M.</u> OREA & Principal Salary Proposals
<u>March 27, 2012</u> <i>Tuesday</i>	<u>ADMINISTRATIVE COUNCIL</u> Budget Discussion
<u>April 2, 2012</u> <i>Monday</i>	<u>CITY MANAGER, SUPERINTENDENT OF SCHOOLS & FINANCE</u> Budget Update – Review of Salary proposals
<u>April 20, 2012</u> <i>Friday</i>	<u>STATE OF TENNESSEE</u> First BEP Estimate Released

<u>April 24, 2012</u> <i>Tuesday</i>	<u>DIRECTOR OF BUSINESS & SUPPORT SERVICES</u> Compile "Big Picture Draft" Big Picture "Draft" sent to Board of Education
<u>April 30, 2012</u> <i>Monday</i>	<u>REGULAR BOARD MEETING - 7:00 P.M.</u> Discuss "Big Picture Draft"
<u>May 1, 2012</u> <i>Tuesday</i>	<u>ADMINISTRATIVE COUNCIL</u> Discuss "Big Picture Draft"
<u>May 1, 2012</u> <i>Tuesday</i>	<u>CITY MANAGER, SUPERINTENDENT OF SCHOOLS, FINANCE</u> Review Big Picture
	<u>DIRECTOR OF BUSINESS & SUPPORT SERVICES</u> Send "Big Picture Draft" to City Council as in the past
<u>May 2, 2012</u> <i>Wednesday</i>	<u>EXECUTIVE COMMITTEE AND SUPERVISORS - ALL FINAL BUDGET DEVELOPMENT MATERIALS DUE TO DIRECTOR OF BUSINESS & SUPPORT SERVICES FOR PROCESSING</u> All Budget Figures <u>including completed Narratives are due</u>
<u>May 3, 2012</u> <i>Thursday</i>	<u>DIRECTOR OF BUSINESS & SUPPORT SERVICES</u> Finalize Budget Details
	<u>CITY MANAGER, SUPERINTENDENT OF SCHOOLS & FINANCE</u> Meet to discuss Budget Details to date
<u>May 7, 2012</u> <i>Monday</i>	<u>CITY COUNCIL MEETING – 7:00 P.M.</u> City Manager Budget Presentation to City Council
<u>May 11, 2012</u> <i>Friday</i>	<u>DIRECTOR OF BUSINESS & SUPPORT SERVICES</u> First Draft of Budget Sent to Board of Education
<u>May 14, 2012</u> <i>Monday</i>	<u>SPECIAL BOARD OF EDUCATION MEETING – 5:30 P.M.</u> Budget Presented to Board of Education City Council will visit for Budget Presentation
<u>May 14, 2012</u> <i>Monday</i>	<u>CITY COUNCIL MEETING – BOARD OF EDUCATION TO ATTEND CITY PRESENTATION - 7:00 P.M.</u> Public Hearing for Appropriations Ordinance First Reading of Appropriations Ordinance

<u>May 15, 2012</u> <i>Tuesday</i>	<u>SPECIAL BOARD OF EDUCATION MEETING – 5:30 P.M.</u> Line by Line Review of the Budget
<u>May 17, 2012</u> <i>Thursday</i>	<u>SPECIAL BOARD OF EDUCATION MEETING – 5:30 P.M.</u> Work Session – If Needed
<u>May 21, 2012</u> <i>Monday</i>	<u>REGULAR BOARD MEETING - 7:00 P.M.</u> Public Hearing of Budget – First Reading
<u>May 22, 2012</u> <i>Tuesday</i>	<u>SPECIAL BOARD OF EDUCATION MEETING – 5:30 P.M.</u> Work Session- If Needed
<u>May 24, 2012</u> <i>Thursday</i>	<u>SPECIAL BOARD OF EDUCATION MEETING – 5:30 P.M.</u> Second Reading – Adoption of Budget
<u>May 25, 2012</u> <i>Friday</i>	<u>DIRECTOR OF BUSINESS & SUPPORT SERVICES</u> Budget Transmitted to the City
<u>May 28, 2012</u> <i>Monday</i>	<u>MEMORIAL DAY HOLIDAY</u>
<u>May 29, 2012</u> <i>Tuesday</i>	<u>CITY COUNCIL MEETING - 7:00 P.M.</u> Second Reading of Appropriations Ordinance Board Chairman to speak to Budget Highlights
<u>June 25, 2012</u> <i>Monday</i>	<u>REGULAR BOARD MEETING – 7:00 P.M.</u>
<u>June 26, 2012</u> <i>Tuesday</i>	<u>ASSISTANT SUPERINTENDENT OF SCHOOLS/DIRECTOR OF BUSINESS & SUPPORT SERVICES</u> Instructional Allocations Distributed to Principals – via Appendix B-2

IDB

March 5, 2012

**Industrial
Development
Board
of
Oak Ridge**

P.O. Box 1
Oak Ridge,
Tennessee
37831-0001

www.oakridgetn.gov

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Vice-Chairman

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P 865.483.1321
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Mark S. Watson, City Manager
City of Oak Ridge
P.O. Box 1
Oak Ridge, TN 37831-0001

RE: Tax Year 2011 Summary of Annual PILOT Incentive Reports

Dear Mr. Watson,

Attached is the Summary of Annual PILOT Incentive Reports for Tax Year 2011 in compliance with the City of Oak Ridge Property Tax Program Policies and Procedures. The report summarizes data provided to the Industrial Development Board of the City of Oak Ridge (IDB) from the companies participating in the PILOT.

Section V of the City of Oak Ridge Property Tax Program Polices and Procedures requires the IDB to transmit the annual report to the City Manager, who will make the compilation available to members of City Council.

For the 2011 tax year, three of the eight program participants did not meet a portion of their commitment pursuant to their lease agreements. The required evaluations of the report data have been provided to the Finance Department.

The summary report is for information only. Thank you for your support.

Sincerely,



William J. Biloski
Chairman, Industrial Development Board

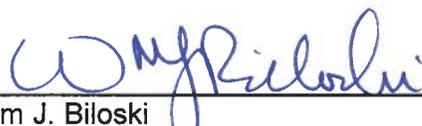
Attachment

Industrial Development Board
of the
City of Oak Ridge
Summary of Annual PILOT Incentive Reports
Tax Year 2011 (January 1 through December 31, 2011)

Eight PILOT Incentive Reports were received by the IDB in compliance with the City of Oak Ridge Property Tax Program Policies and Procedures.

Company	Capital Expenditures	Total # of Jobs and Salaries	Total # of Employees Living in OR/AC and Salaries	Miscellaneous
Bristol Park Apartments (Nickel Plate)	N/A	N/A	N/A	208 Units with Occupancy Rate of 97%
Centennial Village Apartments LLC	\$22,000,000 To Date	N/A	N/A	252 Units with Occupancy Rate of 24%
Kissmat/ Staybridge Suites	N/A	N/A	N/A	76% Occupancy Rate for 2011
Mullins Properties, LLC	\$125,802	37 \$1,668,845	16 \$759,792	\$491,219 spent with local suppliers / contracts
Nucsafe	\$113,556	95 \$4,575,250	13 \$748,029	\$1,211,326 spent with local suppliers / contracts
Pro2Serve	\$156,220	345 \$26,101,195	33 \$3,219,565	\$837,711 spent with local suppliers / contracts
USEC	\$846,964	181 \$15,678,616	18 \$1,497,618	\$21,486,491 spent with local suppliers / contracts
OR Centre (National Fitness Center)	Total Sq. Ft.=64,602, Total Leased=58,130 (90%) Tenants/Sq. Ft: NFC/46,000; Gondolier/4,000; Bravo Wireless/ 880; Mattress Outlet/1,500; Edward Jones/1,250; 5 th Avenue Nails/1,500; Results Physical Therapy/1,500; Chop Stix 1,500			

This summary report fulfills the requirement stated in Section V Post-Closing Monitoring of the City of Oak Ridge Property Tax Program Policies and Procedures.



William J. Biloski
Chairman, Industrial Development Board

March 5, 2012