

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

July 9, 2012—7:00 p.m.

AGENDA

I. INVOCATION

The Reverend Jake Morrill, Unitarian Universalist Church

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPEARANCE OF CITIZENS

V. PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation designating July 16-21, 2012 as Anderson County Fair Week.

VI. SPECIAL REPORTS

ADA Status Report from Pat Fallon, Public Works Operations and Maintenance Manager.

VII. CONSENT AGENDA

- a. Approval of the minutes of the June 11, 2012 City Council Meeting.
- b. Adoption of a resolution approving two amendments to the power contract between the City and the Tennessee Valley Authority (TVA) to extend the electric power services contracts for East Tennessee Technology Park (ETTP) and the Science and Technology Park.
- c. Adoption of a resolution to accept a \$16,000.00 Emergency Management Grant from the State of Tennessee, Department of Military, Tennessee Emergency Management Agency (TEMA).
- d. Adoption of a resolution amending Resolution 5-31-2012 to delete the SEP requirement and approve a cash settlement in the total amount of \$171,000.00 with the United States Environmental Protection Agency (EPA) for alleged violations.
- e. Adoption of a resolution to give Fire Department personnel citation authority in accordance with Tennessee Code Annotated §7-63-101 for enforcement of ordinance violations as part of the *Not in Our City* Campaign Policies & Ordinances Program Initiative.

VIII. RESOLUTIONS

- a. Adoption of a resolution awarding a contract (COR 11-13-E1) to Morgan Contracting, Inc., Baker, Florida, for the East Plant Sewer Improvement Project as required for compliance with the U.S. Environmental Protection Agency Administrative Order, said contract in the total estimated amount of \$899,619.00.
- b. Adoption of a resolution authorizing the City to purchase a replacement vehicle for the Fire Department, in an amount not to exceed \$50,000.00, provided such vehicle is

purchased under the City's bidding requirements.

- c. Adoption of a resolution to approve an agreement with Ray Evans for economic development services in the amount of \$42,000.00.
- d. Adoption of 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 the period July 1, 2012 through June 30, 2013 (FY2013) in an amount not to exceed \$410,000.00.
- e. Adoption of a resolution to amend the City Manager's Employment Agreement (approved by Resolution 7-73-10 and amended by Resolution 7-72-11) to provide for a two-year contract extension, an equivalent one and one-half percent (1.5%) salary increase, and a modification to the severance package.
- f. Adoption of a resolution to amend the City Manager's Employment Agreement (approved by Resolution 7-73-10 and amended by Resolution 7-72-11) to provide for a two-year contract extension, an equivalent one and one-half percent (1.5%) salary increase, a modification to the severance package, and the addition of an education package. (Presented as a substitute resolution for City Council's consideration regarding an amendment to the City Manager's Employment Agreement; please see City Council Memorandum 12-26 for details.)

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of Ordinances

AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED "A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE," AS AMENDED, BY AMENDING SECTION 11.1, TITLED "GENERAL LEAVE," SUBSECTION B., TITLED "CREDITING GENERAL LEAVE," TO ADJUST THE LEAVE ACCRUAL RATES FOR POLICE DEPARTMENT PATROL SHIFT EMPLOYEES AND FIRE DEPARTMENT STATION-BASED SHIFT EMPLOYEES, AND BY AMENDING SECTION 11.3, TITLED "HOLIDAY LEAVE," TO ADD A NEW HOLIDAY, PRESIDENTS' DAY, IN CHRONOLOGICAL ORDER.

X. FINAL ADOPTION OF ORDINANCES

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

a. Elections/Appointments

- i. Election of sixteen (16) members to the Youth Advisory Board for one year term of office commencing on August 1, 2012.
- ii. Election of one (1) applicant to the Traffic Safety Advisory Board for a balance of an unexpired term ending on December 31, 2013.

b. Announcements

c. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

"Executive Time": Policy discussion on recently adopted land bank legislation by City Council, including updates from land bank conference held this week. Discussion shall center on the initial

goals and vision for this program

- XIII. SUMMARY OF CURRENT EVENTS
 - a. CITY MANAGER'S REPORT
 - b. CITY ATTORNEY'S REPORT
- XIV. ADJOURNMENT

**PROCLAMATIONS
AND
PUBLIC RECOGNITIONS**

CITY CLERK MEMORANDUM

12-30

DATE: June 26, 2012

TO: Honorable Mayor and Members of City Council

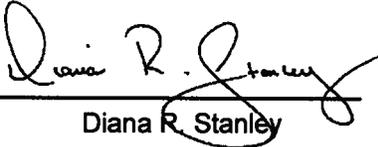
FROM: Diana R. Stanley, City Clerk

SUBJECT: PROCLAMATIONS AND PUBLIC RECOGNITIONS

The following proclamation is presented for the July 9, 2012 City Council meeting:

Anderson County Fair Week

A proclamation for City Council's consideration is in response to a request from Ms. Robin Bilsoki, Anderson County Commissioner, and will be accepted by Anderson County Fair Association Officers Steve Queener, President; and Mr. ET Stamey, Vice President.


Diana R. Stanley

Attachments

PROCLAMATION

WHEREAS, the Anderson County Fair was established in its present form in 1889 and the 2010 Fair will be the 123rd fair in its proud history; and

WHEREAS, the Anderson County Fair was designated as a "Century Fair" by the Tennessee Department of Agriculture in 2003, in recognition of 100+ years of continuous operation within the State of Tennessee; and

WHEREAS, the Anderson County Fair is an annual educational and entertainment opportunity that is enjoyed by thousands of people of all ages; and

WHEREAS, it is a true partnership of hundreds of volunteers working together with local agencies, businesses and industries to provide an opportunity to showcase the Anderson County area, and to effectively highlight Tennessee agriculture and products; and

WHEREAS, the Anderson County Fair Association, which is the Fair's governing agency, is a completely volunteer organization and its members serve the community; and

WHEREAS, the Fair was awarded "Most Improved Fair in 2007" by the Tennessee Association of Fairs, and was voted "2nd Runner Up Champion of Fairs AAA Division" in 2008; and

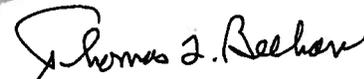
WHEREAS, Oak Ridgers are proud to be a part of Anderson County and, like all Anderson County citizens, we take great pride in our outstanding Anderson County Fair.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that the week of July 16-21, 2012 be proclaimed

ANDERSON COUNTY FAIR WEEK

in the City of Oak Ridge, Tennessee, and that all Oak Ridgers be encouraged to support the Anderson County Fair Association as it endeavors to produce the best fair in Tennessee, and to honor the Anderson County Fair slogan – *The Best Six Days of Summer* – by attending and enjoying the 2012 fair during the week of July 16-21.

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 9th day of July in the year 2012.



MAYOR

CONSENT AGENDA

**MINUTES OF THE
OAK RIDGE CITY COUNCIL**

June 11, 2012

The regular meeting of the City Council City of Oak Ridge, Tennessee convened at 7:00 p.m. on June 11, 2012, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

INVOCATION

The Invocation was given by Reverend Sean Pennington, Oak Ridge Police Department Chaplain.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States was given by Ms. Candy Seay, Vice President for the Aid to Distress Families of Appalachian Counties (ADFAC) Board of Directors.

ROLL CALL

Upon roll call, the following councilmembers were present: Mayor Thomas L. Beehan, Councilmember Anne Garcia Garland; Councilmember L. Charles Hensley; Councilmember Charles J. Hope, Jr.; Mayor Pro Tem D. Jane Miller; Councilmember David N. Mosby; and Councilmember Ellen D. Smith.

Also present were Mark S. Watson, City Manager; Janice E. McGinnis, Finance Director; Kenneth R. Krushenski, City Attorney; and Diana R. Stanley, City Clerk.

APPEARANCE OF CITIZENS

(NONE)

(diverting from the original order of the agenda)

SPECIAL REPORTS

Councilmember Hope commented that he had attended and completed the Elected Officials Academy Level II Class, in addition to completing Level I at an earlier date.

Youth Advisory Board State of the Youth Address 2012 presented by Ms. Sarah Stokely

Ms. Sarah Stokely, Chair of the Youth Advisory Board, presented the Board's 2012 *State of the Youth Address*.

(reverting back to the original order of the agenda)

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation designating the year of 2012 as ADFAC's 25th Anniversary Year

Councilmember Hensley moved that the proclamation be adopted. The motion was seconded by Councilmember Smith and approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

The proclamation was presented to Ms. Candy Seay, Vice President for the Aid to Distress Families of Appalachian Counties (ADFAC) Board of Directors

Agenda Addition

City Manager Mark Watson noted that staff proposed an addition to the agenda on June 8, 2012 to

include an additional resolution titled “a resolution supporting citizen efforts to establish a dog park and obtain a PetSafe grant for its development and if Oak Ridge wins a grant will dedicate a portion of Big Turtle Park and allocate other resources to support a dog park there.” Mr. Watson requested that Council consider amending the agenda to include said resolution toward the end of the “Consent Agenda.” Councilmember Hensley moved, seconded by Councilmember Smith to amend the agenda by including the additional resolution. The motion was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting “Aye.”

CONSENT AGENDA

At the request of Councilmember Mosby, item e titled, “adoption of a resolution to renew the contract with Pugh & Company, P.C., Knoxville, Tennessee, approved by Resolution 5-44-08, to conduct an audit of the City’s accounts and funds for fiscal year 2012 and for preparation of financial statements in the Comprehensive Annual Financial Report, in the estimated amount of \$53,800.00” was removed from the Consent Agenda.

Following removal of the item, the remainder of the Consent Agenda was unanimously approved, as amended, by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting “Aye,” thereby:

- Approving the minutes of the May 29, 2012 City Council Meeting.
- **Adopting Resolution No. 6-38-2012 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 2012 calendar year.**
- **Adopting Resolution No. 6-39-2012 authorizing a change order to contracts approved by Resolution 9-88-11 (COR 11-14-E2 and COR 11-15-E2) for the rehabilitation of portions of the wastewater collection and transportation system, as required for compliance with the U.S. Environmental Protection Agency Administrative Order, in order to expand the scope of work to be citywide.**
- **Adopting Resolution No. 6-40-2012 to renew the contract with Pugh & Company, P.C., Knoxville, Tennessee, approved by Resolution 5-44-08, to conduct an audit of the City’s accounts and funds for fiscal year 2012 and for preparation of financial statements in the Comprehensive Annual Financial Report, in the estimated amount of \$53,800.00.**
- **Adopting Resolution No. 6-41-2012 supporting citizen efforts to establish a dog park and obtain a PetSafe grant for its development and if Oak Ridge wins a grant will dedicate a portion of Big Turtle Park and allocate other resources to support a dog park there.**

Item Removed from the Consent Agenda

Resolution No. 6-42-2012

Adoption of a resolution awarding a contract (COR 12-12) to C.M. Henley Co., LLC, Knoxville, Tennessee, for the Fire Station #3 roof replacement project in the estimated amount of \$53,200.00.

Mayor Pro Tem Miller moved, seconded by Councilmember Hensley that the resolution be adopted.

Councilmember Mosby inquired regarding the disparities of the bids received, which was addressed by Public Works Operations and Maintenance Manager Pat Fallon. Mr. Fallon explained that one bidder had submitted a quote as a courtesy to the City, and noted that staff is comfortable with the selected bidder and the reports received about them.

The resolution was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan.

RESOLUTIONS

Resolution No. 6-43-2012

Adoption of a resolution approving a contract with the Tennessee Department of Transportation (TDOT) for maintenance of state highways within the corporate city limits whereby the City is reimbursed by TDOT for said services in the amount of \$141,176.00.

Councilmember Smith moved that the resolution be adopted. The motion was seconded by Councilmember Hensley and approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Resolution No. 6-44-2012

Adoption of a resolution awarding a contract (COR 12-05) to Richardson Turner Construction Company, Knoxville, Tennessee, for the Police Department security upgrade project in the estimated amount of \$277,088.00 and authorizing an additional \$20,000.00 to Bankston Architectural Group, Knoxville, Tennessee, for construction oversight services.

Mayor Pro Tem Miller moved, seconded by Councilmember Hensley that the resolution be adopted.

The City Manager briefly reviewed the security upgrades included in the project and noted that the presented phase is a scaled down version of the overall plan. The City Manager responded to several questions from Council regarding funding and future improvements, which would include rearranging office spaces to better accommodate staffing.

Councilmember Garcia Garland expressed that while she normally sees police expenditures as justified, she has not received enough information that the requested project is financially warranted, especially in light of some of the City's current financial situations.

Councilmember Hope commented that future consideration be given to the exterior portions of the Police Department for safety reasons. Mayor Beehan expressed his support for the safety improvements to the Police Department and would like for future consideration to be examined regarding the security of the Municipal Building.

Councilmember Mosby inquired about the selection of Bankston Architectural Group, to which Pat Fallon responded that the company has performed several architectural projects for the City, related to the Police Department, and that the company has an agreement with the City to provide architectural services as needed.

The resolution was approved by voice vote with Councilmembers Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Garcia Garland voting "Nay."

Resolution No. 6-45-2012

Adoption of a resolution awarding bids in the grand total estimated amount of \$1,271,600.00 for the furnishing of various materials as required by the City during fiscal year 2013.

Councilmember Hensley moved, seconded by Councilmember Hope that the resolution be adopted.

Staff responded to questions from City Council about the bid awarding, as well as provided additional clarification on the process. Councilmember Garcia Garland expressed confidence in both the Public Works Department and the Electric Department for their outstanding purchasing performance, and commented that their items could be placed on the "Consent Agenda." The resolution was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro

Tem Miller, and Mayor Beehan voting "Aye."

Resolution No. 6-46-2012

Adoption of a resolution waiving competitive bids and making awards in the grand total estimated amount of \$5,321,600.00 based upon written quotations and negotiated agreements with suppliers for the furnishing of routine materials, equipment, and services as required by the City during fiscal year 2013.

Mayor Pro Tem Miller moved, seconded by Councilmember Hope that the resolution be adopted.

Councilmember Smith suggested exploring the use of consultant services that can reduce procurement costs for the City for similar items listed in the resolution.

The resolution was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Resolution No. 6-47-2012

Adoption of a resolution urging Congress to establish the Manhattan Project National Historical Park in the communities of Oak Ridge, Tennessee; Los Alamos, New Mexico; and Hanford Site, Washington.

Councilmember Hensley moved, seconded by Councilmember Hope that the resolution be adopted.

Councilmember Smith suggested urging citizens to become involved in public support of this project by communicating with their elected officials. Councilmember Mosby proposed that the three communities come together for a public event, as an example of the cities' collaboration.

Mr. Lloyd Stokes, 131 Orchard Lane, began by commenting that he is an active proponent for the preservation of Oak Ridge's history. Mr. Stokes lauded the resolution for showing support in this endeavor to other communities. He further noted that there have been past efforts of many organizations or groups to showcase the City's history to visitors, and wanted to thank the citizens and others for their support in this ongoing effort to enhance heritage tourism in Oak Ridge.

The resolution was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Resolution No. 6-48-2012

Adoption of a resolution authorizing the City to apply for a Tennessee Department of Environment and Conservation Grant to support implementation of the Tennessee Oversight Interlocal Agreement, to accept said grant if approved, and to serve as fiscal agent for the parties to the Tennessee Oversight Interlocal Agreement.

Councilmember Hope moved, seconded by Mayor Pro Tem Miller that the resolution be adopted.

Councilmember Smith made several inquiries, including funding duration, scope of work, and budget, which were addressed by Government and Public Affairs Coordinator Dr. Amy Fitzgerald. Following additional discussions, the resolution was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Resolution No. 6-49-2012

Adoption of a resolution supporting the creation of a general aviation airport at the East Tennessee Technology Park and identifying the Metropolitan Knoxville Airport Authority as the lead agency and situs support through the Community Reuse Organization of East Tennessee.

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the resolution be adopted.

The City Manager noted that Councilmember Smith recommended an amendment to the resolution, specifically to amend the language on the next to last “be it further resolved” paragraph to alter the verbiage from “*the Metropolitan Knoxville Airport Authority shall designate an Oak Ridge appointee*” to “*the Metropolitan Knoxville Airport Authority shall permit the Oak Ridge City Council to designate an appointee. . .*”

In response to questions from Councilmember Smith, Mr. William Marrison, President of the Metropolitan Knoxville Airport Authority, explained that the project’s current phase is the “justification study,” and is set to begin any day. He further outlined the timeline of the project which included several elements, such as partnership with the Federal Aviation Administration (FAA), eligibility for federal funding, and the development of a master plan which will contain more detail about the airport proposal.

The resolution was approved, as amended on the floor, by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting “Aye.”

Resolution No. 6-50-2012

Adoption of a resolution to amend the City Attorney’s Employment Agreement, as approved by Resolution 2-26-01, to provide for a one-year contract extension and a one and one half (1.5%) salary increase, with the salary increase effective on March 4, 2012.

Mayor Pro Tem Miller moved, seconded by Councilmember Hope that the resolution be adopted.

Councilmember Hensley, Chairman of the City Attorney Evaluation Committee, briefly reviewed the recommendations of the Committee while noting the positive evaluation of the City Attorney. Councilmember Hensley commented that City Council could review his report entitled, “Detailed Discussions, City Attorney Evaluation Committee Final Meeting,” in a City Council Work Session setting.

Councilmember Garcia Garland commented that she is not in favor of contract extensions, due to the fact that can ultimately be terminated with notice.

The resolution was approved by voice vote with Councilmembers Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting “Aye,” and Councilmember Garcia Garland voting “Nay.”

Resolution No. 6-51-2012

Adoption of a resolution approving a Professional Services Agreement with Bill Nolan and Associates, Oak Ridge, Tennessee, for the provision of consulting services in the area of relations with the Tennessee General Assembly and the Executive Branch of the State of Tennessee for agreed upon priorities for the City in an amount not to exceed \$45,000.00.

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the resolution be adopted.

Several councilmembers, including Smith, Garcia Garland, Beehan, Hope, and Hensley, expressed their support for Mr. Nolan’s services.

The resolution was approved unanimously by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting “Aye.”

Resolution No. 6-52-2012

Adoption of a resolution approving a Professional Services Agreement with the Ferguson Group, LLC, Washington, D.C., for the provision of consulting services to provide grant support and to develop a comprehensive federal government relations agenda and action plan for agreed upon priorities for the City in the amount of \$30,000 at a rate of \$425.00 per hour with an allowance of \$5,000.00 for expenses.

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the resolution be adopted.

Following staff's responses to councilmembers' inquiries, the resolution was approved unanimously by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

(NONE)

FINAL ADOPTION OF ORDINANCES

Ordinance No. 08-2012

AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED "A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE," AS AMENDED, BY DELETING SUBSECTION 7.2.B, TITLED "NEPOTISM," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION 7.2.B, TITLED "NEPOTISM"; DELETING SUBSECTION 9.1.D, TITLED "LAYOFF," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION 9.1.D, TITLED "LAYOFF"; RENUMBERING EXISTING SUBSECTIONS 9.1.E, TITLED "REMOVAL," 9.1.F, TITLED "DISMISSAL," AND 9.1.G, TITLED "DEATH," TO BE SUBSECTIONS 9.1.G, 9.1.H AND 9.1.I RESPECTIVELY; CREATING A NEW SUBSECTION 9.1.E, TITLED "REORGANIZATION;" CREATING A NEW SUBSECTION 9.1.F, TITLED "SEVERANCE PACKAGE;" DELETING SUBSECTION 11.4, TITLED "INJURY LEAVE," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SUBSECTION 11.4, TITLED "INJURY LEAVE"; AND AMENDING SUBSECTION 13.3, TITLED "EMPLOYEE POLITICAL ACTIVITY," BY CREATING A NEW SUBSECTION (E), ALL FOR THE PURPOSE OF UPDATING THE PERSONNEL PLAN.

Councilmember Hope moved that the ordinance be adopted. The motion was seconded by Councilmember Smith and approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Elect one (1) member to the following boards: Environmental Quality Advisory Board, Oak Ridge Convention and Visitors Bureau, and Traffic Safety Advisory Board

The City Clerk recommended that each of the applicants be elected by acclamation, given that the total number of applicants equaled the total number of vacancies.

Councilmember Smith moved to elect the applicants by acclamation. The motion was seconded by Councilmember Hensley and approved unanimously by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," thereby electing the following applicants to the following boards:

Dr. Sylvia Milanez to the Environmental Quality Advisory Board for the balance of an unexpired term ending on December 31, 2014; Mr. Hugh B. Ward, Jr. to the Oak Ridge Convention and Visitors Bureau for the balance of an unexpired term ending on December 31, 2012; and Mr. Zachary Criswell as a high school representative to the Traffic Safety Advisory Board for a one year term of office ending on May 31, 2013.

Confirmation of Nomination by Oak Ridge Utility District Board of Commissioners

Councilmember Hensley moved, seconded by Councilmember Garcia Garland the confirm the

reappointment of Ms. Nancy B. Stanley to fill a five-year term of office beginning July 1, 2012 to the Oak Ridge Utility District Board of Commissioners. The confirmation was approved unanimously by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Announcements

Mayor Beehan reported on the recent City Council Retreat and commented about the positivity and productivity of the meeting.

Councilmember Hensley noted that he spoke with the City Council Retreat Facilitator Darryl Akins, and that Mr. Akins would be willing to provide the next steps for City Council. The City Manager responded that he would speak with councilmembers individually and coordinate additional actions at a future date.

Councilmember Mosby requested discussions on enhancing the City's procurement strategy.

Councilmember Hope recognized audience members Bonnie and Peter Angelo, and noted that they are active community members.

Councilmember Smith recognized Ms. Kay Williamson, who had expressed concern over allocation of parking spaces as a result of the new painting of parking stripes, and the insufficient parking that may be experienced. Councilmember Smith expressed an interest in developing a mechanism for residents to contact staff to address parking concerns to which the City Manager briefly responded about current parking enforcements and updating Council on staff's findings at a future City Council Work Session.

Councilmember Garcia Garland inquired about the status of her requested report concerning accidents at the intersection near Jefferson Avenue.

Councilmember Hensley commented that Mr. Dan Stout with the Tennessee Valley Authority has offered to attend a City Council Work Session.

Scheduling

(NONE)

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

"Executive Time:" Briefing and update on TIF processes associated with the Oak Ridge Mall and other projects.

The City Manager explained that, based on conversations with potential buyers of the mall, public dollar involvement will be necessary. Mr. Watson added that the City would be examining a Tax Increment Finance (TIF) District to help generate monies for this potential project. He indicated that his conversations with developers indicate a variety of potential development configurations for the mall, and that these developments could assist with the City's utilization of a TIF District.

Mr. Watson responded to questions and comments from councilmembers.

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

SUMMARY OF CURRENT EVENTS

City Manager's Report

Verbal report on the City's 4th of July Fireworks Celebration

The City Manager explained that he was striving for business support for the special event, as many businesses were not open last year. Mr. Watson stressed that is a community event and that the goal would be to coordinate it as such.

City Attorney's Report

(NONE)

ADJOURNMENT

The meeting adjourned at 9:30 p.m.

Diana R. Stanley, City Clerk
CITY OF OAK RIDGE, TENNESSEE

ELECTRIC DEPARTMENT MEMORANDUM
12-11

DATE: June 26, 2012
To: Mark S. Watson, City Manager
From: Jack L. Suggs, Electrical Director
SUBJECT: EXTENSION OF TVA AGREEMENTS REGARDING ELECTRIC POWER RESALE

Attached is a resolution approving two agreements with the Tennessee Valley Authority (TVA) which form the basis by which the City of Oak Ridge provides power to customers at the East Tennessee Technology Park (ETTP) and the Science and Technology Park (STP). These agreements extend existing agreements that are set to expire in October of this year.

Both ETTP and STP provide unique challenges to the City when it comes to providing electric power. At ETTP, the City needs to continue to provide power on a temporary basis until we are able to take over all electric infrastructure on the site. Conversely, at STP it is likely that the City will provide power to customers through an arrangement with the Department of Energy (DOE) and TVA for the indefinite future.

Originally, both DOE and City staff believed that transfer of the infrastructure at ETTP to City ownership would be completed by October 1, 2012. As such, the agreement to supply power to a mix of City customers and DOE loads through a hybrid power delivery arrangement was set to expire at that time. It is now obvious that the conversion will not take place by October 1, and that the existing power delivery arrangements need to be extended. The new contract extends the expiration for one year.

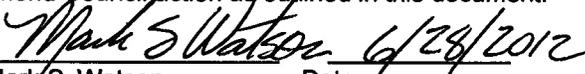
At STP, the original agreement did not provide for Time of Use (TOU) metering. Because the City will be moving to a TOU wholesale power purchase agreement with TVA on October 1, the metering at the park will have to be converted to real time TOU. At the time the original agreement was crafted (June of 2008) neither staff nor TVA was certain what arrangement could be reached to accommodate the anticipated switch to wholesale TOU and, as such, the agreement was set to expire on October 1, 2012 as well. The new agreement continues the framework of the existing power delivery agreement and provides that the City will install the proper metering. There are currently only three meters that will have to be changed to TOU at a cost of a few thousand dollars. As no City electrical infrastructure exists to support this area, the investment in the meters is the only reasonable option to serve these customers.

Staff recommends approval of the attached resolution.


Jack L. Suggs
Electrical Director

City Manager's Comments:

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


Mark S. Watson Date 6/28/2012



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1401

June 4, 2012

TV-54097A, Supp. No. 83

Mr. Jack L. Suggs, Electrical Director
Oak Ridge Electric Department
Post Office Box 1
Oak Ridge, Tennessee 37831-0001

Dear Mr. Suggs:

This will confirm the understanding between representatives of Oak Ridge, Tennessee (Distributor), and the Tennessee Valley Authority (TVA) with regard to amending the Power Contract between the parties, numbered TV-54097A and dated May 1, 1980, as amended (Power Contract), to provide new arrangements under which TVA shall deliver power and energy to Distributor for resale to certain customers (Oak Ridge Science and Technology Park Customers) at the facilities of the Department of Energy (DOE) located at DOE's Oak Ridge National Laboratory (ORNL Site). It is expressly recognized that temporary metering arrangements for the ORNL Site were previously established under an agreement numbered TV-54097A, Supp. No. 64 and dated June 19, 2008 (2008 Agreement), as amended under an agreement numbered TV-54097A, Supp. No. 79 and dated April 1, 2011 (2011 Agreement).

It is understood and agreed that:

1. TVA shall deliver power and energy to Distributor at the point at which TVA's 161-kV transmission line terminates on the steel structure in DOE's ORNL 161-kV Substation for resale to Oak Ridge Science and Technology Park Customers for the operation of their facilities at the ORNL Site. The conditions of delivery are provided for in DOE Contract No. DE-AC05-07OR23242, TVA Contract No. 00032001, dated May 1, 2007, as amended (DOE Power Contract). Under a separate agreement between Distributor and DOE, Distributor will utilize DOE's electric facilities to distribute power and energy to Oak Ridge Science and Technology Park Customers. Except as otherwise provided in this agreement, the power and energy to be delivered by TVA under this section shall be delivered, metered, taken, and paid for in accordance with and subject to all of the provisions of the Power Contract.
2. Distributor shall provide and install interval-type, real-time revenue meter and all appropriate equipment (Meter Facilities) for each of the Oak Ridge Science and Technology Park Customers by no later than October 1, 2012. Upon such installation, Distributor shall provide TVA with real-time, remote access to the Meter Facilities, as well as unrestricted physical access to the Meter Facilities for the purpose of confirming remotely-accessed data during such period specified by TVA.

Mr. Jack L. Suggs
Page 2 of 3
June 4, 2012

3. Upon the installation of the Meter Facilities described in section 2 above and in accordance with a separate agreement between TVA and DOE (DOE Meter Agreement), it is recognized that all power and energy amounts measured from the Meter Facilities shall be used by TVA for billing purposes under the DOE Power Contract and the Power Contract.
4. For purposes of applying the demand and energy charges under the Standard Service section of the Wholesale Schedule, the power and energy amounts delivered by Distributor each month to Oak Ridge Science and Technology Park Customers, as measured by the Meter Facilities and increased by 3 percent to reflect losses, shall be deemed to have been amounts of power and energy delivered by TVA to Distributor at Distributor's West Oak Ridge 161-kV Substation (161-kV Substation). Accordingly, it is expressly recognized that the point of delivery provided for by this agreement shall not be considered a separate point of delivery for purposes of applying the Delivery Point Charge contained in the "Base Charges" section of the wholesale rate schedule (Wholesale Schedule) contained in the Schedule of Rates and Charges attached to and made a part of the Power Contract.
5. This agreement shall become effective as of the date the Meter Facilities are installed in accordance with section 2 above (Effective Date), and, unless earlier terminated in accordance with the next sentence, shall continue in effect for a period ending the sooner of (a) termination of the Power Contract, (b) the termination of the DOE Meter Agreement, or (c) such time that Distributor notifies TVA that it will no longer serve any customers at ORNL Site through DOE's electric facilities within the ORNL Site. This agreement may be terminated by TVA or Distributor upon at least six (6) months' written notice.
6. The 2008 Agreement, as amended, shall be terminated as of the Effective Date.
7. The Power Contract, as supplemented and amended by this agreement, is hereby ratified and confirmed as the continuing obligation of the parties.

Mr. Jack L. Suggs
Page 3 of 3
June 4, 2012

If this letter satisfactorily sets forth our understandings, please have a duly authorized representative execute two duplicate originals on behalf of Distributor and return them to the TVA customer service center. Upon execution by TVA, this letter shall be a binding agreement, and a fully executed original will be returned to you.

Accepted and agreed to as of the
____ day of _____, 201__.

TENNESSEE VALLEY AUTHORITY

By _____
Title:

Accepted and agreed to as of the
____ day of _____, 201__.

OAK RIDGE, TENNESSEE

By _____
Title:



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1401

May 23, 2012

TV-54097A, Supp. No. 82

Mr. Jack L. Suggs, Electrical Director
Oak Ridge Electric Department
Post Office Box 1
Oak Ridge, Tennessee 37831-0001

Dear Mr. Suggs:

This will confirm the understanding between representatives of Oak Ridge, Tennessee (Distributor), and the Tennessee Valley Authority (TVA) with regard to amending the Power Contract between the parties, numbered TV-54097A and dated May 1, 1980, as amended (Power Contract), to extend temporary arrangements under which TVA delivers power and energy to Distributor for resale to the Department of Energy (DOE) and to certain other customers (K-25 Customers) for the operation of their facilities at DOE's K-25 site (K-25 Site). It is expressly recognized that pursuant to an agreement numbered TV-54097A, Supp. No. 78 and dated May 1, 2011 (2011 Agreement), TVA currently delivers power and energy to Distributor for resale by Distributor to K-25 Customers.

It is understood that from and after the effective date of this agreement, Section 8 of the 2011 Agreement shall be replaced with the following:

8. This agreement shall become effective as of the date Distributor first supplies power to DOE and the K-25 Customers from the 161-kV Substation and, unless sooner terminated as provided below, shall continue in effect for a period ending the sooner of (a) October 1, 2013, or (b) such time that Distributor notifies TVA that it will no longer serve any customers at the K-25 Site through the 13-kV Meter and DOE's electric facilities within the K-25 Site. This agreement may be sooner terminated by TVA upon 6 months' written notice, and in any event shall terminate effective as of date of expiration or termination of (a) the Industrial Agreement or (b) the Power Contract, whichever first occurs. Notwithstanding any expiration or termination of this agreement, the obligations of the parties with respect to power and energy delivered to Distributor for resale to customers at the K-25 Site prior to the effective date of such expiration or termination shall continue until they are discharged.

The Power Contract, as supplemented and amended by this agreement, is hereby ratified and confirmed as the continuing obligation of the parties.

Mr. Jack L. Suggs
Page 2 of 2
May 23, 2012

If this letter satisfactorily sets forth our understandings, please have a duly authorized representative execute two duplicate originals on behalf of Distributor and return them to the TVA customer service center. Upon execution by TVA, this letter shall be a binding agreement, and a fully executed original will be returned to you.

Accepted and agreed to as of the
____ day of _____, 201_.

TENNESSEE VALLEY AUTHORITY

By _____
Title:

Accepted and agreed to as of the
____ day of _____, 201_.

OAK RIDGE, TENNESSEE

By _____
Title:

RESOLUTION

A RESOLUTION APPROVING TWO AMENDMENTS TO THE POWER CONTRACT BETWEEN THE CITY AND THE TENNESSEE VALLEY AUTHORITY (TVA) TO EXTEND THE ELECTRIC POWER SERVICES CONTRACTS FOR EAST TENNESSEE TECHNOLOGY PARK (ETTP) AND THE SCIENCE AND TECHNOLOGY PARK.

WHEREAS, the City of Oak Ridge is a distributor of electric power purchased from the Tennessee Valley Authority (TVA) under an agreement known as the Power Contract (TV-54097A); and

WHEREAS, by Resolution 6-107-97, City Council approved an agreement between the City and the U.S. Department of Energy (DOE) and an amendment to the power contract with the Tennessee Valley Authority (TVA) to provide for a mechanism for the provision of electrical power and energy to private companies at the East Tennessee Technology Park (ETTP); and

WHEREAS, by Resolution 8-77-08, City Council approved an agreement between the City and TVA, as well as a Municipal Services Agreement between the City and DOE, for the provision of electric service to Oak Ridge Science and Technology Park located on the Oak Ridge National Laboratory campus; and

WHEREAS, the agreements are set to expire on October 1, 2012, and both require a contract extension which is accomplished through an amendment to the Power Contract; and

WHEREAS, the City Manager recommends approval of both amendments.

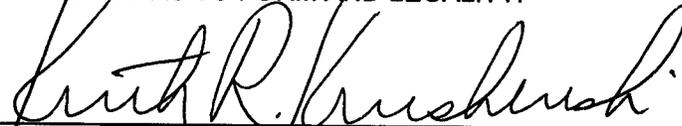
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to enter into the necessary agreements with the Tennessee Valley Authority (TVA) in order to extend the agreements for electric power services to the East Tennessee Technology Park (ETTP) and the Science and Technology Park.

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

This the 9th day of July 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

INTER-DEPARTMENTAL MEMORANDUM
FIRE DEPARTMENT HEADQUARTERS
HQ-12-12

DATE: June 22, 2012
TO: Mark S. Watson, City Manager
FROM: Darryl Kerley, Fire Chief
SUBJECT: **ACCEPTANCE OF DOE/TEMA GRANT**

The attached resolution authorizes the acceptance of \$16,000 from the Department of Energy through the Tennessee Emergency Management Agency for on-site and off-site emergency response planning, notification and equipment.

While there is no "local match" specified in the terms of the grant contract, this amount does not cover City of Oak Ridge costs in planning, attendance at meetings, and participation in exercises.

The terms of the grant contract are broad enough to allow our continuing upgrade of hazardous materials response and fire fighting capabilities to the sites. No decision has been reached on the use of these funds at this time. Last year's funds (\$16,000) were used to upgrade the Anderson County Hazardous Materials Response vehicle.

Staff recommends approval of the attached resolution.



Darryl Kerley, Fire Chief

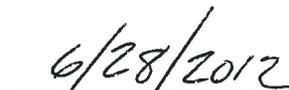
Attachment

City Manager's Comments:

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



Mark S. Watson, City Manager



Date

RESOLUTION

A RESOLUTION TO ACCEPT A \$16,000.00 EMERGENCY MANAGEMENT GRANT FROM THE STATE OF TENNESSEE, DEPARTMENT OF MILITARY, TENNESSEE EMERGENCY MANAGEMENT AGENCY (TEMA).

WHEREAS, the City has determined that emergency management planning and response is in the best interest of its citizens; and

WHEREAS, the United States Department of Energy makes grant funds available to local jurisdictions through the State of Tennessee, Department of Military, Tennessee Emergency Management Agency (TEMA); and

WHEREAS, the City is eligible to receive \$16,000.00 in grant funds from TEMA; and

WHEREAS, said grant requires no local matching funds; and

WHEREAS, the City Manager recommends acceptance of said grant.

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

That the recommendation of the City Manager is approved and a grant from the State of Tennessee, Department of Military, Tennessee Emergency Management Agency for United States Department of Energy pass-through funding for on-site and off-site emergency response planning, notification and equipment, in the amount of \$16,000.00, is hereby accepted.

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

This the 9th day of July 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

LEGAL DEPARTMENT MEMORANDUM
12-41

DATE: June 25, 2012

TO: Honorable Mayor and Members of City Council

FROM: Kenneth R. Krushenski, City Attorney

SUBJECT: EPA SETTLEMENT PROPOSAL/ADMINISTRATIVE ORDER-FINES AND PENALTIES – AMENDED RESOLUTION

At City Council's Work Session on Tuesday, April 24, 2012, Council was briefed by the Public Works Director, City Attorney and City Manager of a settlement proposal made by United States Environmental Protection Agency (EPA) Regional Counsel's Office for the fines and associated penalties incurred by the City for violations of the Clean Water Act. The total amount of fines and penalties that could have been imposed on the City was in the \$4-5 million dollar range.

The EPA and the City discussed a proposed settlement of \$171,000.00 to be allocated as follows:

Cash:	\$102,600.00
SEP:	\$ 68,400.00
TOTAL:	\$171,000.00

This settlement was approved by Council by Resolution 5-31-2012.

The EPA Regional Counsel, and their Office of Environmental Compliance (OEC), after review of the City's Supplemental Environment Project (SEP) proposal, did not approve the SEP as presented for a one-to-one (1-1) match, but advised the Legal Department that the original offer of \$171,000.00 was still acceptable without the submission of an amended SEP proposal.

A Resolution amending Resolution 5-31-2012 to delete the SEP requirement and approving the settlement in the cash amount of \$171,000.00 is attached to this Memo. Approval of the attached resolution is recommended.


Kenneth R. Krushenski

City Manager's Comments:

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


Mark S. Watson

6/26/2012
Date

RESOLUTION

A RESOLUTION AMENDING RESOLUTION 5-31-2012 TO DELETE THE SEP REQUIREMENT AND APPROVE A CASH SETTLEMENT IN THE TOTAL AMOUNT OF \$171,000.00 WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) FOR ALLEGED VIOLATIONS.

WHEREAS, at the September 27, 2010 work session, City Council was briefed by the City Manager and Public Works Director on an Administrative Order with the United States Environmental Protection Agency (EPA) outlining the various studies, plans, and corrective actions to be taken by the City related to the violations determined by the EPA regarding periodic overflows from the sanitary sewer collection system; and

WHEREAS, by Resolution 9-86-11, City Council adopted the City's Management Operations-Maintenance Program as required for compliance with the EPA administrative Order; and

WHEREAS, it was estimated that the amount of fines and penalties that could be levied against the City by the EPA for said violations could range from \$4,000,000.00 to \$5,000,000.00; and

WHEREAS, the EPA previously offered a settlement in the amount of \$171,000.00, with \$102,600.00 paid in cash and \$68,400.00 as a Supplemental Environmental Project (SEP), which settlement was approved by Council by Resolution 5-31-2012; and

WHEREAS, the proposed SEP was not accepted by the EPA Regional Counsel's Office and their Office of Environmental Compliance (OEC) for a one-to-one (1-1) match; and

WHEREAS, the EPA has agreed to accept the City's settlement offer of \$171,000.00 cash without the requirement of submitting an amended SEP; and

WHEREAS, the City Attorney and City Manager recommend approval of the cash settlement without a SEP requirement.

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

That the recommendation of the City Attorney and the City Manager is approved, Resolution 5-31-2012 is amended to delete the SEP requirement, and the City hereby agrees to pay the demands made by the United States Environmental Protection Agency for a total cash settlement of \$171,000.00.

This the 9th day of July 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

CITY COUNCIL MEMORANDUM
12-23

DATE: June 26, 2012
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: CITATION AUTHORITY FOR FIRE DEPARTMENT PERSONNEL

An item for the agenda is a resolution designating Fire Department personnel (except for the Administrative Assistant) as special police officers with citation authority for ordinance violations committed in their presence.

By Resolutions 11-109-11 and 11-110-11, City Council adopted the *Not in Our City* conceptual plan to address drugs and crime, improve housing, and make Oak Ridge a better place to live and invest. The *Not in Our City* campaign consists of eight initiatives, one of which is the Policies & Ordinances Program. In furtherance of that initiative, City Council recently adopted three ordinances pertaining to on-street and off-street parking.

The Police Department began enforcing the new on-street parking provisions on June 18, 2012. In order to provide greater enforcement opportunities for on-street parking provisions, the City desires to utilize the authority granted by Tennessee Code Annotated §7-63-101 to allow other employees to assist the Police Department in their efforts. Tennessee Code Annotated §7-63-101 authorizes members of a fire department to issue citations in lieu of arrest for violations of traffic or other ordinances, laws, or regulations committed in their presence provided such fire department member has been designated as a "special police officer" of the municipality. The City desires to give all members of the Fire Department (with the exception of the Administrative Assistant) the designation of "special police officers" with authority to issue citations in lieu of arrest for any ordinance violation committed in their presence. This will allow Fire Department personnel the ability to issue on-street parking violations, with particular emphasis on vehicles that are parked too close to a fire hydrant or block emergency vehicle access.

Prior to issuing any citations, Fire Department personnel will be trained by the Police Department in the proper procedure for issuance of a citation in lieu of arrest.

Approval of the attached resolution is recommended.



Mark S. Watson

Attachment

NUMBER _____

RESOLUTION

A RESOLUTION TO GIVE FIRE DEPARTMENT PERSONNEL CITATION AUTHORITY IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED §7-63-101 FOR ENFORCEMENT OF ORDINANCE VIOLATIONS AS PART OF THE *NOT IN OUR CITY* CAMPAIGN POLICIES & ORDINANCES PROGRAM INITIATIVE.

WHEREAS, by Resolutions 11-109-11 and 11-110-11, City Council adopted the *Not in Our City* conceptual plan to address drugs and crime, improve housing, and make Oak Ridge a better place to live and invest; and

WHEREAS, the *Not in Our City* campaign consists of eight initiatives, one of which is the Policies & Ordinances Program; and

WHEREAS, as part of the Policies & Ordinance Program initiative, City Council recently adopted three ordinances pertaining to on-street and off-street parking (Ordinance No. 01-2012 and Ordinance No. 03-2012, and Ordinance No. 02-2012, respectively); and

WHEREAS, in order to provide greater enforcement opportunities for on-street parking provisions in furtherance of the *Not in Our City* campaign, the City desires to give members of the Fire Department the designation of special police officers with authority to issue citations in lieu of arrest for any traffic or other ordinance violation committed in their presence as authorized by Tennessee Code Annotated §7-63-101; and

WHEREAS, prior to the issuance of any citation in lieu of arrest by a member of the Fire Department, the Police Department will conduct training sessions for the Fire Department in the proper procedure for issuance of a citation in lieu of arrest.

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

That in accordance with Tennessee Code Annotated §7-63-101, the City hereby designates all City of Oak Ridge Fire Department personnel, except for the Administrative Assistant, as special police officers with authority to issue citations in lieu of arrest for any traffic or other ordinance violation committed in their presence as part of the *Not in Our City* campaign Policies & Ordinances Program initiative provided such member of the department has received training from the Police Department in the proper procedure for issuance of such citations.

This the 9th day of July 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

RESOLUTIONS

PUBLIC WORKS MEMORANDUM
12-22

DATE: June 26, 2012

TO: Mark S. Watson, City Manager

FROM: Gary M. Cinder, P.E., Director of Public Works

SUBJECT: COR 11-13-E1 East Plant Sewer Improvements

The accompanying resolution authorizes a contract in the estimated amount of \$899,619 to Morgan Contracting, Inc. of Baker, Florida to furnish all labor, tools, equipment and material to construct improvements to the gravity sewer collection system located between Athens Road north of the Oak Ridge Turnpike (ORTP) and the East Plant sewer pumping station located on Cairo Road.

Section IV of the Environmental Protection Agency (EPA) Administrative Order requires that the City develop a plan for complete remediation of the WCTS with all remediation work to be completed by September 2015. Staff is now letting projects as soon as the design information from field investigation becomes available for the various mini-basins and sewer sheds. This project has been determined to be a high priority.

The purpose of the subject project is to correct problems with 2,750 feet of sewer line that collects wastewater from the six mini systems that are located in the most northeast portion of Oak Ridge. Staff prefers contracts for repairs to apply to the entire mini-systems and would not normally let a contract for such a relatively short amount of footage, but the complexity of this project justifies a stand-alone contract.

This line has been found to have both structural and capacity issues with the capacity issues being directly responsible for eleven by-passes at one location in the past twenty-four months. The most southern section of the line immediately prior to where it enters the East Plant was replaced in a 2009 contract. Portions of two mini-systems served by this line have been rehabilitated in previous contracts to reduce the amount of extraneous water entering the collection system; however, the available capacity remains inadequate.

The sewer lines in this project are currently 10 inches in diameter and will be upsized to new 15 inch lines. The preferred and least intrusive way to replace a line with one of larger diameter would be to pipe-burst the existing line with a larger one. This is the plan for two of the sections in this project. The remaining sections must be replaced and/or relocated due to obstacles and the first one includes a line that runs from north to south under the ORTP. At least a portion of this line is encased in concrete and the line is known to be partially collapsed at the corner of Science.Gov Way and ORTP. Public Works cannot risk an unsuccessful attempt to pipe burst through concrete under a major state road. The selected alternative is to install a new and larger line parallel to and thirty feet east of the existing one using a bore and jack method. Relocation of this line requires relocation of the adjacent lines and also the service connections attached to these lines.

The next major obstacle is located at 169 Warehouse Road where the existing structure is constructed in the sewer easement and on top of the sewer main line. This occurred in 1977 when Anco Supply constructed an office extension on the west end of the building. A hold harmless agreement was signed; however, the agreement was not recorded and not binding to future owners. The current owner has provided a new easement across the western most portion of the property where a new and larger line can be installed parallel to the existing one.

The last major obstacle is the CSX railroad line known as the Oak Ridge Spur. This railroad line has not been in service for many years, but is still in CSX's inventory as an active line. Public Works, Community Development and the Manager's office have all been working toward the goal of getting this track officially declared as abandoned. The active status designation is presently impeding this project and also two street resurfacing projects. The subject sewer line crosses under the railroad and is encased in concrete. Public Works has not, as of this date, been able to secure an acceptable agreement with CSX to install a parallel line. Replacement of the line was designed and included in the base bid for the project. Language in the contract documents allows the deletion of this crossing from the project should agreement not be reached with CSX before the contractor is ready to perform the work. The contract price will be adjusted accordingly. Stopping the project short of its point of terminus, north end of line upsized previously, will create a "bottle neck" type restriction that will have to be corrected in a future contract while staff continues to pursue agreement from CSX. The increased size of the lines upstream of this location provides additional storage volume for high flow in the interim.

In 2002, the City obtained a loan from the State of Tennessee Revolving Loan Fund (SRF) Program administrated by the Tennessee Department of Environment and Conservation (TDEC). Funds from this loan were designated for sanitary sewer system rehabilitation or improvement. This will be the last project funded using that loan.

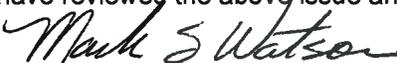
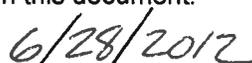
Final award of this contract is subject to TDEC approval

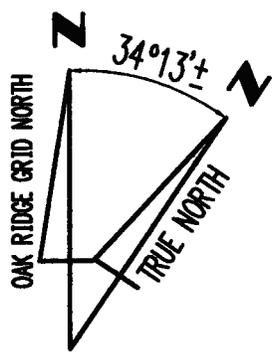
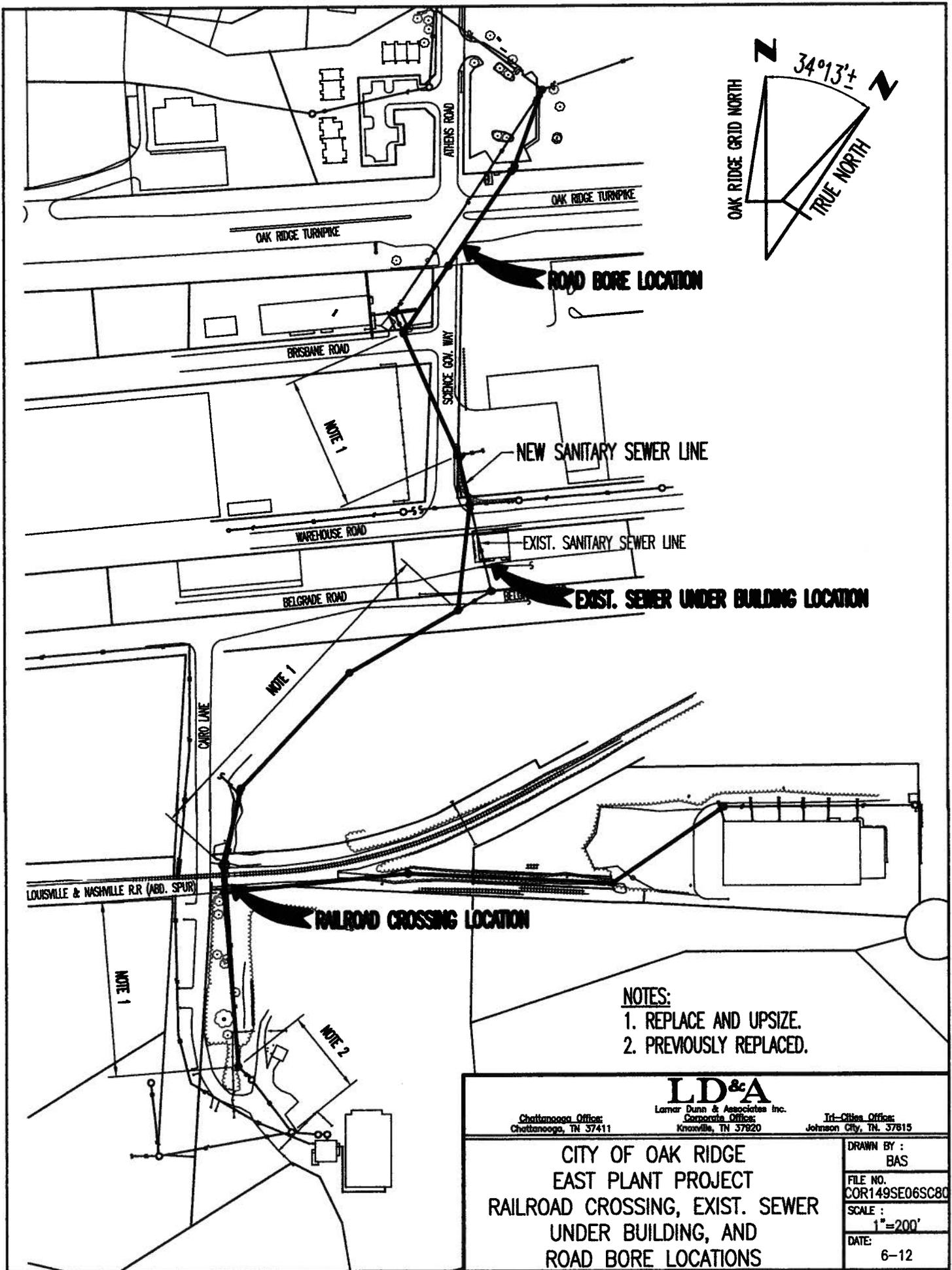
Staff recommends approval of the accompanying resolution.



Gary M. Cinder

ks

City Manager's Comments:	
I have reviewed the above issue and recommend council action as outlined in this document.	
 _____ Mark S. Watson	 _____ Date



- NOTES:**
1. REPLACE AND UPSIZE.
 2. PREVIOUSLY REPLACED.

LD&A	
Chattanooga Office: Chattanooga, TN 37411	Larner Dunn & Associates Inc. Corporate Office: Knoxville, TN 37920
Tri-Cities Office: Johnson City, TN 37615	
CITY OF OAK RIDGE EAST PLANT PROJECT RAILROAD CROSSING, EXIST. SEWER UNDER BUILDING, AND ROAD BORE LOCATIONS	
DRAWN BY :	BAS
FILE NO.	COR149SE06SC80
SCALE :	1"=200'
DATE:	6-12

RESOLUTION

A RESOLUTION AWARDING A CONTRACT (COR 11-13-E1) TO MORGAN CONTRACTING, INC., BAKER, FLORIDA, FOR THE EAST PLANT SEWER IMPROVEMENT PROJECT AS REQUIRED FOR COMPLIANCE WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY ADMINISTRATIVE ORDER, SAID CONTRACT IN THE TOTAL ESTIMATED AMOUNT OF \$899,619.00.

WHEREAS, at the September 27, 2010 work session, City Council was briefed by the City Manager and Public Works Director on an Administrative Order with the United States Environmental Protection Agency (EPA) outlining the various studies, plans, and corrective actions to be taken by the City related to the violations determined by the EPA regarding periodic overflows from the sanitary sewer collection system; and

WHEREAS, as part of the Administrative Order, the City is required to develop a plan for complete remediation of the Wastewater Collection and Transportation System, with all remediation work to be completed by September 2015; and

WHEREAS, bids were received and publicly opened on May 22, 2012, with Morgan Contracting, Inc., Baker, Florida, submitting the sole bid, which bid the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved and award is hereby made to Morgan Contracting, Inc., 6575 Highway 189 North, Baker, Florida 32531, for the furnishing of all labor, tools, materials, equipment and supplies necessary for the improvements to the gravity sewer collection system located between Athens Road north of the Oak Ridge Turnpike and the East Plant sewer pumping station located on Cairo Road; said award in strict accordance with COR 11-13-E1, the required specifications, and the bid as publicly opened on May 22, 2012, and in the estimated amount of \$899,619.00.

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

This the 9th day of July 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

INTER-DEPARTMENTAL MEMORANDUM
FIRE DEPARTMENT HEADQUARTERS
HQ-12-11

DATE: June 22, 2012
TO: Mark S. Watson, City Manager
FROM: Darryl Kerley, Fire Chief 
SUBJECT: **BATTALION CHIEF VEHICLE REPLACEMENT PURCHASE**

The accompanying resolution authorizes the purchase of a new vehicle to replace shop number 279, a 2004 Ford Excursion assigned to the Battalion Chief Position.

In 2004, the battalion chiefs were taken off the fire engines and assigned to a staff vehicle to manage the additional duties assigned leading up the transition of the Department of Energy (DOE) Fire Station into the City Fire Department. This vehicle has been in service now for 8 years and has approximately 94,000 miles on it. The 2004 Excursion has the Ford diesel engine which has given trouble since it was purchased. This engine is now known to have common reoccurring problems across the country, especially with the fuel injectors and turbo chargers.

In 2007, the City inherited a 1994 Ford F-350 pickup truck (shop number 367) from DOE to use as an on-site command vehicle and to tow the special response trailers. That 1994 Ford was transferred to the DOE Fire Department by Bechtel Jacobs when they no longer needed the vehicle for the hazardous waste land fill project. For the last five years, the City has had problems with the transmission, cooling system, and drive train. Prior to the transfer, the DOE Fire Department was even having multiple problems with the vehicle while used at the ETPP site.

I am proposing a purchase of a new $\frac{3}{4}$ ton vehicle to replace the 2004 Excursion for the battalion chief assignment as it needs to be more dependable 24-hours per day, 365 days per year. The 2004 Excursion will be transferred to Fire Station 4 to replace the 1994 F-350 (described above), which will meet our requirements to DOE to maintain the fleet on site. The 2004 Excursion will then be used Monday through Friday 8 a.m. till 3:30 p.m. by the DOE Liaison Officer and will go from being driven on average 50 miles per day to less than 10 miles per day. This should allow the 2004 Excursion to be serviceable for the remainder of the DOE agreement with little maintenance. The Excursion is currently being used to tow the specialty trailers, so we can be certain it will provide the needed capabilities at Station 4 for three to five more years.

By executing this plan, we will be able to share the cost of the new battalion chief vehicle between the Equipment Replace Fund and the West End Fund with a 50/50 split. The new battalion vehicle is also needed to serve the DOE sites and the high mileage is contributed to the daily trips to Station 4 (approximately 28 miles a day). We have secured preliminary estimates for the new vehicle; however, without purchase approval, a final bid specification sheet and projected delivery date has not been established. We received preliminary bids ranging from \$ 43,000.00 to \$ 51,000.00. City staff would like to be approved in the amount not to exceed \$ 50,000.00. The vehicle being requested will be outfitted with the latest equipment making sure that the Oak Ridge Fire Department continues to respond effectively to emergency situations, while keeping the crew safe.

If approved the vehicle will go out for bid and will take approximately 60 days to locate and purchase. The City Fleet Management staff has been involved in our process to upgrade these 2 vehicles and supports this plan. An Equipment Evaluation Form will be completed for the DOE liaison vehicle (1994 Ford) and the vehicle will be placed for sale by the City.

Funds for this purchase are available in the Equipment Replacement Account and the West End Fire Fund.

Staff recommends approval of the 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 AUTHORIZING THE CITY TO PURCHASE A REPLACEMENT VEHICLE FOR THE FIRE DEPARTMENT, IN AN AMOUNT NOT TO EXCEED \$50,000.00, PROVIDED SUCH VEHICLE IS PURCHASED UNDER THE CITY'S BIDDING REQUIREMENTS.

WHEREAS, the City of Oak Ridge Fire Department is in need of one (1) replacement ¾ ton vehicle for the Fire Department for use by the Battalion Chief position; and

WHEREAS, the current vehicle used by the Battalion Chief position will be transferred to Fire Station 4 for use by the DOE liaison officer as a replacement for an 1994 F-350 with the transmission, cooling system, and drive train problems; and

WHEREAS, the current vehicle used by the Battalion Chief position also has engine issues, however, assigning it to the DOE liaison officer will reduce its daily mileage rate and should allow it to be serviceable for the remainder of the DOE agreement with less maintenance; and

WHEREAS, preliminary bids were received resulting in a cost ranging from \$43,000.00 to \$51,000.00, however, due to timing needs, a final bid specification and projected delivery date cannot be determined without prior approval for the purchase; and

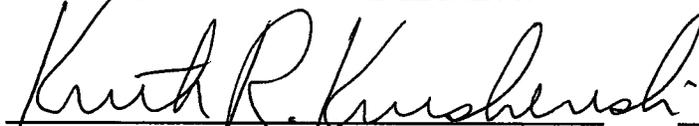
WHEREAS, the City Manager recommends authorization to purchase a vehicle for use by the Fire Department's Battalion Chief position in an amount not to exceed \$50,000.00.

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 purchase a vehicle for use by the Fire Department's Battalion Chief position in an amount not to exceed \$50,000.00, with such vehicle being purchased under the City's bidding requirements.

This the 9th day of July 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

CITY COUNCIL MEMORANDUM
12-24

DATE: June 28, 2012
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: ECONOMIC DEVELOPMENT SERVICES AGREEMENT

An item for the agenda is a resolution to approve an agreement with Ray Evans, 107 Amanda Place, Oak Ridge, Tennessee for economic development services in an estimated amount of \$42,000.

On February 27, 2012, the City Manager engaged the services of Ray Evans to serve the City of Oak Ridge as an independent contractor, assisting the City Manager in responding to a series of economic development projects. Most important at the time was the completion of the Walter Wise tax increment financing project. Mr. Evans successfully completed the necessary details with the developer and the Industrial Development Board and the City's financial attorney. Today, we witness the construction of two new restaurants and a yet-to-be announced project in the available area. We have also seen spin-off activity that will allow further economic activity to occur.

The contractual arrangement has been very helpful to the City Manager's office and the City Manager has been able to rely on Mr. Evan's expertise to ensure timely response by the City of Oak Ridge to inquiring developers. Several large projects are on the horizon, not the least of which is the transfer of ownership of the Oak Ridge Mall. The City Manager recommends continuing this contractual service for the coming year. Money is available in the FY 2013 Economic Diversification Fund for this service. Approval of a contract in an amount of \$3,500 per month is recommended, which is in line with other professional services being used by the City. Of course, this arrangement may be ended at any time should work in accord with contracts ending procedures.

The City Manager recommends approval of the attached resolution.



Mark S. Watson

Attachments

RESOLUTION

A RESOLUTION TO APPROVE AN AGREEMENT WITH RAY EVANS FOR ECONOMIC DEVELOPMENT SERVICES IN THE ESTIMATED AMOUNT OF \$42,000.00.

WHEREAS, the City has previously entered into an agreement with Ray Evans, Oak Ridge, Tennessee, for economic development services, ending June 30, 2012, with particular emphasis on serving as a point of contact for the City for implementing the Walter Wise tax increment financing project; and

WHEREAS, Mr. Evans successfully completed this task and development has begun for Woodland Town Center with the construction of two new restaurants; and

WHEREAS, economic activity continues to occur, with several large projects anticipated for the near future; and

WHEREAS, the City Manager recommends entering into an agreement with Mr. Evans for FY2013 for various economic development services, with particular emphasis being the transfer of ownership for the Oak Ridge Mall.

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 attached agreement for FY2013 with Ray Evans for economic development services in the estimated amount of \$42,000.00.

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

This the 9th day of July 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

AGREEMENT
(Economic Development Support Services)

This Agreement entered into this 9th day of July 2012, between the City of Oak Ridge, Tennessee, P.O. Box 1, Oak Ridge, Tennessee 37831, hereinafter referred to as the "City," and Ray Evans, 107 Amanda Place, Oak Ridge, Tennessee 37830, hereinafter referred to as "Mr. Evans."

WITNESSETH:

WHEREAS, the City is in need of professional-level staff assistance in economic development support; and

WHEREAS, Mr. Evans is willing to, and is capable of, providing these services and has provided such services in the past to the City's satisfaction.

In consideration of the mutual promises of the parties hereto, the City and Mr. Evans do hereby agree as follows:

1. **SCOPE OF SERVICES**

Mr. Evans shall provide economic development support services to the City for projects assigned to Mr. Evans by Mark Watson, City Manager. Mr. Evans shall report to Mr. Watson. The scope of services includes, but is not limited to, the following:

- A. To assist and advise the City Manager on City-related details of proposed economic development projects in Oak Ridge, particularly retail projects.
- B. Develop initial steps and contracts to implement the Jackson Square Tennessee Department of Transportation (TDOT) enhancement grant.
- C. Finalize the Walter Wise Tax Increment Financing (TIF) project.
- D. Assist in the study and possible development of additional TIF projects.
- E. Coordinate and respond to out of town developers with necessary information and assistance.
- F. Serve and assist the City Manager as City point person during the sales process of the Oak Ridge Mall and development of TIF Program.
- G. Advise the City Manager on strategic approaches for developing improved retail activity in Oak Ridge and coordinate with City departments.
- H. Implement necessary improvements to Appalachian Underwriters

All services, including but not limited to, work product and documents prepared or produced under this Agreement shall become the property of the City upon payment of compensation for the services.

2. **COMMENCEMENT**

The services under this Agreement shall commence on July 1, 2012 and shall terminate on June 30, 2013, unless terminated earlier by the City under Section 13.

3. COMPENSATION

The total compensation to be paid to Mr. Evans by the City is estimated to not exceed \$42,000.00, which is based upon the City compensating Mr. Evans at a rate of \$3,500.00 per month for services rendered. Mr. Evans shall provide monthly summaries to the City Manager by email for services completed, which services must be completed to the City's satisfaction. Mr. Evans shall also meet in person with the City Manager no less than once every two weeks to discuss projects and services.

The City will not withhold any taxes from this payment as this is not an employment relationship. Mr. Evans will receive a 1099 from the City for these services.

4. ASSISTANCE FROM CITY

To assist Mr. Evans, the City shall furnish, without charge, copies of all available agreements, reports, regulations, technical data and other information reasonably requested by Mr. Evans relevant to the services to be provided by Mr. Evans. The City will be responsible for printing and postage costs associated with mailings conducted pursuant to the scope of services. The necessary City Department will coordinate with Mr. Evans for any assistance he may need to perform the services under this Agreement.

5. NO DISCRIMINATION

In performing the services under this Agreement, Mr. Evans shall not discriminate against any person because of race, color, religion, creed, sex, sexual orientation, national origin, age, disability or other legally protected status.

6. INSURANCE

Mr. Evans is responsible for obtaining his own liability and automobile insurance during the term of this Agreement.

7. INDEMNIFICATION

To the fullest extent permitted by all applicable laws and regulations, Mr. Evans hereby agrees to protect, indemnify and hold harmless the City and its employees from and against any and all claims, loss, expense, damage, charges and costs direct, indirect or consequential (including but not limited to fees and charges of engineers, architects, attorneys and other professional and court costs), collectively referred to as "claims," 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 act or omission on the part of Mr. Evans.

8. AMENDMENTS

This Agreement may only be amended by a writing signed by both parties. No proposed amendment which is not in writing and executed by both parties shall effect the terms of this Agreement.

9. ASSIGNMENT

The service provided for hereunder may not be assigned in whole or in part without the prior written consent of the City.

10. COMPLIANCE WITH APPLICABLE LAWS

Mr. Evans shall comply with all applicable federal, state, county and local laws, ordinances, statutes, rules and regulations related to the performance of the services under this Agreement.

11. 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

12. NOTICE

Any notice or other communication required or permitted under this Agreement shall be in writing and will be deemed given at the time it is deposited in the United States mail, postage paid, certified or registered mail, return receipt requested, addressed to the party to whom it is to be given as follows:

To Mr. Evans:

To the City:

Ray Evans
107 Amanda Place
Oak Ridge, Tennessee 37830

Mark Watson, City Manager
P. O. Box 1
Oak Ridge, Tennessee 37831

Either party may change its address to which notices will be sent by a notice similarly sent.

13. TERMINATION

The City may terminate this Agreement at any time for any reason or no reason by giving written notice to Mr. Evans. In such event, the termination will be effective immediately. In the event of termination, the City shall compensate Mr. Evans as provided in Section 3 through the termination date.

14. 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



City Attorney

Mayor

RAY EVANS

Signature

Approved by Resolution _____

CITY COUNCIL MEMORANDUM
12-25

DATE: June 28, 2012

TO: Honorable Mayor and Members of City Council

FROM: Mark S. Watson, City Manager

SUBJECT: OAK RIDGE CONVENTION AND VISITORS BUREAU CONTRACT FOR 2012-2013

An item for the agenda is consideration of a resolution approving a contract with the Oak Ridge Convention and Visitors Bureau (ORCVB) for the provision of services to promote tourism in Oak Ridge for the period July 1, 2012 through June 30, 2013 in an amount not to exceed \$410,000.

Background:

Last year, the City Council of Oak Ridge approved a new agreement with the Oak Ridge Convention and Visitors Bureau. This agreement outlined the expected priorities and structure required for operating in the current year. The City has found the actions of the ORCVB to be more responsive and directed during this past year. Occupancy has improved and events have received active attention and coordination this year.

The City Manager's office is recommending approval of the coming year's contract in the same form as the previous year with a few modifications in the scope of work and objectives. Funding is to be allocated in the amount of \$410,000 with a small upward modification to its reserve fund. Additional goals shall focus on (1) developing a regional marketing and familiarity programs, (2) Developing a 3-year business plan to enhance the Secret City Festival, and (3) support in the assistance and development of hotel infrastructure and local conference capacity.

Approval of the attached resolution is recommended.



Mark S. Watson

Attachments



June 26, 2012

City Manager Mark Watson
City of Oak Ridge
PO Box 1
Oak Ridge, TN 37831

Dear Mr. Watson:

Greetings from the Oak Ridge Convention and Visitors Bureau. The tourism industry in Oak Ridge continues to be a strong economic driver in the community. According to lodging tax collections reported at this time by city staff, the tourism industry is holding steady. The ORCVB is working with our hospitality partners to bring in new activities and events to generate hotel revenues and sales tax dollars.

You have received reports for the first through third quarters so far this year, outlining the many activities that ORCVB has been involved in. We intend to give you an annual report in July. However, some of the projects that are scheduled for completion by the end of the 2011-2012 budget cycle are our Outdoor Brochure Rack, temporary signage at the Melton Lake regatta venue, revamped website and new visitors guide for the ORCVB, completion of the Top Secret Trail (partner with the State Department of Tourism), and much more.

We are planning some exciting things for the upcoming budget year, including but not limited to creating a sports committee that will focus on bringing new sporting events to Oak Ridge, producing a mobile tour of our community, creating a Welcome Center Gift Shop with unique souvenirs, focusing on extensive advertising opportunities that target specific demographics, and continuously expanding our reach to potential visitors.

We will continue to work with our hospitality partners, the Oak Ridge Chamber of Commerce, our community merchants and restaurants, community members and organizations, and of course, the city of Oak Ridge to bring more overnight business to our city and more people in front of our cash registers.

Under the current economic climate, the Oak Ridge Convention & Visitors Bureau would like to request that our budget remain flat with the same incentives that are in line for the current budget year. We feel that it is imperative to continue the trend in supporting tourism for the best return on investment.

We are looking forward to an exciting year. Our thanks go out to you and the Oak Ridge City Council for your support of tourism in Oak Ridge. Feel free to stop by our office anytime, located at the Oak Ridge Welcome Center, 102 Robertsville Road, or visit our website www.OakRidgeVisitor.com.

Warmest Regards,

A handwritten signature in black ink that reads "Katy Brown". The signature is written in a cursive, flowing style.

Katy Brown
President

**Oak Ridge Convention & Visitors Bureau
Quarterly Report – July through September 2011, 1st Qtr**

Quarterly #s – July - Sept	Current Quarter	Difference from Qtr1 2010
Lodging Tax collected*	\$123,502.01	+\$2,499.93
Occupancy Rate (OCC)	61.43%	+1.60%
Average Daily Rate (ADR)	\$88.72	-\$2.91
Revenue Per Available Room (REV/PAR)	\$54.35	-\$0.48

**according to City staff, numbers are not complete at this time*

Noteworthy:

- *Wing Ding Motorcycle Event* – 250 cyclists came to Oak Ridge for lunch and tours of museums and scenic road trip, part of the GoldWing event held in Knoxville this year in July.
- *Oak Ridge Velo* – volunteers were provided by our staff, board and hospitality partners, public relations assistance
- *Strategic Planning and meeting with board/hospitality partners* – held meeting with our stakeholders as we move forward for the year. Included a presentation by the city manager and brainstorm session with all hoteliers, attractions and other stakeholders.
- *National Geographic – East Tennessee River Valley Geotourism Map Guide* – handled nominations for Oak Ridge’s attractions, points of interest (21 total)
- *Addition of hoteliers to the ORCVB Board of Directors* – city council voted to add three hotelier positions to the ORCVB board. These positions have been filled and the first meeting will be held in October.
- *Preserve America Grant Completion* – Monuments were placed in front of the municipal building to complete the PA grant awarded to the city of Oak Ridge.
- *Group Tours* - opportunities are growing, Debi Boody has taken on much of the responsibility of these tours. This fall alone we have 16 scheduled, two are scheduled for next spring.
- *Top Secret Trail* – Brown was chosen as trail leader among 10 county tourism officials. Working closely with the Tennessee Department of Tourist Development to launch this trail before the calendar year’s end. Will host a launch event in Oak Ridge that council will be notified about as things progress.
- *Pumpkin Fest* – Oct 29 assisting with securing sponsorship, volunteers, public relations efforts, general organizing, secured pumpkins for sale on site
- *Holiday Market* – Dec 2-4 assisted with securing WATE & CW 20, providing advertising assistance through planning and dollars, organizing community performance groups, volunteers
- *Southeast Festivals & Events Conference set* – November 15, Brown included in a team presentation about SCF, hosting event for regional industry professionals
- *Secret City Festival* - planning underway – early stages. Things will kick off more towards new year.
- *World Bell Festival*- team created, planning has begun – July 14, secured live feed sponsorship
- *TN Dept of Tourist Development: Matching funds received, \$14,000 co-op*
- *Governor’s Conference on Tourism* – Memphis, TN Industry annual conference

Public Relations Efforts

Newspaper Editorial Values for 1st Quarter 2011 -\$128,463.58

Tri-Cities Media Visit, September 2011:

Media blitz to the Tri-Cities TN/VA area. Meetings to pitch story ideas were conducted with the following media outlets: Daytime Tri-Cities, WJHL-TV, The Johnson News & Neighbor, Johnson City Press, The Greeneville Sun, Festival, Fun Things to do in the Mountains, Marquee Magazine, Elizabethton Star

Middle & West Tennessee Media Visit, October 2011:

Media blitz to the Nashville/Franklin and Memphis areas. Meetings to pitch story ideas were conducted with the following media outlets: Tennessee Home & Farm Magazine, At Home Tennessee Magazine, The Tennessean

1st Quarter Advertisements :

- WhereToGoNext.com Newsletter – annual renewal. Circ: 75,000, target market: people with disposable income
- AAA Tour Book 2012 – annual renewal. Circ: 1.69 million, target market: drive market
- Knoxnews.com/Yahoo.com – online web campaign. Circ: 450,000, target market: regional
- Preservation Magazine – Circ: 185,000, target market: historical interest
- AAA Home & Away Magazine – Circ: 1.88 million, target market: drive market
- Southern Living Magazine – Circ: 170,000, target market: Tennessee Living
- Southern Living Magazine – Circ: 360,000, target market: Texas Living
- Chattanooga Times Free Press, Special edition – Glimpse, focusing on regional events and destinations – Circ: 100,000, target market: regional
- Blue Ridge Country Magazine – Circ.: 90,000, target market: regional
- Destinations Magazine – Circ.: 6,495 group tour leaders in the American Bus Association

Upcoming Activities:

- October 27, 2011: A writer from Germany will be doing a 1-day FAM tour in Oak Ridge and Anderson County. This was set up with our state tourism office in Germany. The writer will be touring the entire state during her visit.
- October 29, 2011: Pumpkin Fest, Historic Grove Center
- December 2,3,4, 2011: Holiday Market in Historic Grove Center
- February 24-26, 2012: Heartland Travel Showcase, Knoxville, TN, Group Tour
- Mar 4-7, 2012: TravelSouth Showcase, Group Tour
- March, 2012: Southeast Tourism Society Spring Meeting, Industry meeting
- March 2012: Oak Ridge, Knoxville and Sevierville PR representatives will do a media blitz to the Lexington / Louisville / Cincinnati areas.
- April 2012: ECA meeting
- April 2012: Tennessee Sampler Express, Location: Texas. This is an event hosted by the Tennessee Department of Tourist Development. Destination marketing organizations (DMOs) from across the state do a media blitz across a selected state or region to promote visiting, writing about, and selling Tennessee.



MEMORANDUM

TO: Mark Watson, Oak Ridge City Manager

From: Katy Brown, President, Oak Ridge Convention & Visitors Bureau

Date: April 13, 2012

RE: 2011-2012 3rd Qtr Report, Oak Ridge Convention & Visitors Bureau

Please accept this 3rd Qtr Report from the Oak Ridge Convention & Visitors Bureau. I am again pleased to report that hotel/motel tax collections continue to remain above the previous year's numbers.

As you are aware, Nicky Reynolds left the ORCVB and moved on to a Director's position elsewhere. At the end of the quarter we had not yet hired anyone, but I am pleased to report that we do have the position filled as of today. Wendy Bishop is our new PR Coordinator.

We are thrilled to have a full staff again as we begin one of our busiest times of the year. Several regattas, the Secret City Festival and World Bell Festival, and some new initiatives are on our slate for the final quarter of 2011-12.

I have attached a Tennessee Vacation Guide for your review as well. This guide is used by the state of TN to fulfill requests for information. You'll find that Oak Ridge is very well represented.

If you have questions, please don't hesitate to contact my office, 865-482-7821.

cc: ORCVB Board of directors
OR City Council Members
File

**Oak Ridge Convention & Visitors Bureau
2011/12 – Jan – Mar 3rd Quarter**

Midyear 2011-12	3rd QTR	Difference from 2010-11
Lodging Tax collected* (July – Feb)	\$305,085.39	+13,080.66
Occupancy Rate (OCC) (3rd Qtr)	50.4%	-3.7
Average Daily Rate (ADR) (3rd Qtr)	\$92.01	\$+.20
Revenue Per Available Room (REV/PAR)	\$46.37	-\$3.29

**according to City staff, numbers are not complete at this time*

Noteworthy:

- Secret City Festival – Work continues on festival projects.
- World Bell Festival – continue to work with small group to plan event for July 14, 2012, connecting Apolda, Germany and various sites around the Globe with Oak Ridge in a celebration of bells and music.
- Complete redesign of visitors guide – editing process now
- Complete redesign of www.OakRidgeVisitor.com website –Spring.
- Blizzard – staff attended this industry supported workshop in February in Murfreesboro
- Heartland Travel Showcase – Knoxville, TN – ORCVB attended and met with tour operators from around the Midwest. 72 appointments
- TravelSouth – Louisville, KY – ORCVB attended and met with tour operators from the Southeast. 37 appointments
- Southeast Tourism Society Meeting – Tunica, MS - Brown represents Oak Ridge as a board member.
- Launched Facebook page for Oak Ridge CVB.
- Re-print of Shopping/Dining Guide
- Completed edits for the Top Secret Trail brochure, including all Oak Ridge information and photos
- The ORCVB is researching the possibility of a retail/souvenir space at our facility
- Continue to work closely with ORRE on several projects including the Christmas Tree Lighting, Holiday Market sponsorship and advertising
- Leadership Oak Ridge – Debi Boody, Sales Manager, has enrolled in the program for the year.
- Temporary Signage – Designed temp signage to be placed strategically around the rowing venue pulling people back into the center of the city to generate sales tax.
- Researched and met with Tom Dunigan with Friends of Haw Ridge Park to discuss opportunities for promotion
- Fourteen group tours scheduled through Dec. 2012
- Continue to research opportunities for advertisement, looking into Summer months and several new initiatives including an email marketing campaign and a digital campaign with Collinson Media.
- Ads in Southern Living, Georgia Magazine, Tennessee Vacation Guide
- Hosted Tennessee Web Assistance 2012 Tour in Oak Ridge. Partnered with Comfort Inn and the TN Department of Tourist Development

- Hosted new board member orientation
- Represented Oak Ridge at Legislative Tourism Brunch (sponsored by Middle East Tennessee Tourism Council and Knoxville Tourism Alliance)
- Attended site visit to Kingsport/Meadowview Conference facility

Public Relations Report for Quarter:

- Lori Pruitt with *Birmingham Parent* magazine visited Oak Ridge and is planning a story to run in the June edition. She brought her family here during her Spring Break and visited attractions within the county.
- Pat Brennan, travel writer, was in town researching for a story for an upcoming publication. He traveled here on a previous press tour sponsored by the ORCVB and wanted to update his information.
- Worked closely with the Anderson County Tourism Council on a Marketing study.
- Interviews began for the Public Relations Coordinator position. More than 70 applications were accepted. Initial interviews began during this quarter.
- TN Vacation Guide featured ORCVB in several places (guide attached, locations marked)
- East TN Geotourism guide website is up and running, ORCVB nominated the majority of the points of interest included for our area

General Hotel Update:

- *Vista Inn* is open for business.
- *Super 8* should be complete by the end of April.
- *Holiday Inn* – building is underway. Scheduled for opening June 1.

Upcoming :

- April – Regatta Season will be in full swing
- April 25-27 - ECA Conference – Brown is speaking on a panel
- May 5-12 National Tourism Week – planning to attend visits to Welcome Centers, possibly planning a "meet the board" opportunity with ORCVB board, recognizing our hospitality partners, push to recognize OR's tourism presence in the area.
- May 15-19 – Knoxville/Oak Ridge Media Tour – State of TN is sponsoring a tour to area. The ORCVB is working closely with surrounding partners to plan this tour. Visits to ORNL, AMSE, Children's Museum and Secret City Excursion Train are expected.
- May 22 – hosting Travel Channel International in the community
- June – Secret City Festival
- June – Top Secret Trail Launch in conjunction with the Secret City Festival
- June – Youth Nationals Regatta



MEMORANDUM

TO: Mark Watson, Oak Ridge City Manager

From: Katy Brown, President, Oak Ridge Convention & Visitors Bureau

Date: January 14, 2012

RE: 2011-2012 Mid-Year Report, Oak Ridge Convention & Visitors Bureau

I am pleased to submit this 2011-2012 Mid-Year Report for the Oak Ridge Convention and Visitors Bureau. Based on the numbers provided to us by the city of Oak Ridge, hotel/motel tax collections are on the rise. Considering the loss of two hotels to renovations, I am cautiously optimistic about the numbers and what the Spring season should bring. Our office has been informed that the two hotels undergoing renovations will both be back online by April, and our newest hotel will enter the market on June 1st.

Our brand new Outdoor Brochure Rack has been a welcome addition in servicing our visitors during off hours and we believe it has been an excellent resource.

The ORCVB continues to monitor trends and look for new ways to market and promote Oak Ridge to potential visitors. Our website and visitors guide will go through a complete redesign in the next several months. We are also considering several projects that will bring Oak Ridge attractions to our visitors' fingertips. I look forward to sharing these with you as our projects come together.

If you have questions, please don't hesitate to contact my office, 865-482-7821.

cc: ORCVB Board of directors
OR City Council Members
File

**Oak Ridge Convention & Visitors Bureau
2011-12 Midyear Report – July – Dec**

Midyear 2011-12	Midyear	Difference from Midyear 2010-11
Lodging Tax collected* (July – Nov)	\$212,447.09	+\$11,979.64 (up 6%)
Occupancy Rate (OCC)	61.72%	+5.8 points
Average Daily Rate (ADR)	\$89.99	-\$0.84
Revenue Per Available Room (REV/PAR)	\$55.54	+\$4.75

**according to City staff, numbers are not complete at this time*

Noteworthy:



Outdoor Brochure Rack – ORCVB Outdoor Brochure Rack was completed at the end of October. Built to service our visitors during off hours, it holds a map and brochure racks that will ultimately help visitors find their way around when our facilities are not available. Since its completion we have given away 468 items during hours that we are closed. This includes our visitor guides, maps, area attraction/event brochures and TN state maps.

- *Pumpkinfest* – One of the most successful PF events ever held in OR, ORCVB assisted in pre-planning and promotion of the event. Volunteers were also provided.
- *Holiday Market* – ORCVB partnership with ORRE to market and promote the event through a local advertising campaign. This included securing media sponsorship, placing ads for the event and recruiting volunteers.
- *Bus Tours* – Thirteen motorcoach tours visited various museums and historic sites, ate in our restaurants and purchased gas from our merchants. We hosted 532 people on the buses in two months. Two groups stayed overnight generating 182 room nights.
- *Secret City Festival* – kick off held, more than \$130K in sponsorship money was confirmed at the kick off. Secret City Festival received two awards: Best Festival in Anderson County and Top 20 Event for June 2012 by the Southeast Tourism Society.
- *World Bell Festival* – continue to work with small group to plan event for July 14, 2012, connecting Apolda, Germany and various sites around the Globe with Oak Ridge in a celebration of bells and music.
- *Governors Conference on Tourism* – staff attended conference in Memphis
- *Dr. Steve Morse* – UTK professor and economist presented tourism numbers to city council in October.
- *Southeast Festival and Events Association Workshop* – SFEA held a one day workshop that brought 31 attendees from around the south to Oak Ridge. The

event featured a seminar hosted by the Secret City Festival executive committee discussing our strengths and weaknesses.

- *Secret City Half Marathon*- 742 attendees participated in the half marathon, approximately 101 overnights.
- *DOE/K-25 Contributing Parties meeting* – participated in discussions with parties involved in MOA for K-25 site.
- *Volunteer Luncheon* – Hosted Annual Volunteer luncheon for our volunteers and board of directors
- *Southeast Tourism Society* - Brown was chosen for the STS Board of Directors for the state of Tennessee. She will serve on the Advisory Council as well. This position is two years.
- *TN Association of Convention & Visitors Bureaus* – Brown was asked to serve as the East Tennessee Representative for the TACVB. This is a three year term.
- *ETEC Postma Young Professionals Medal* – Brown received this award on 12/2
- *ORCVB Board of Directors* – Addition of two new members, Frank Chmielewicz and Trina Baughn. Two incumbents returned to their current roles as board members: Patti Shelton and Carol Smallridge; Three hoteliers were also added to the board: Gretchen Julius from the DoubleTree, Misty Williams from Staybridge Suites, Steve Hattangadi from Comfort Inn

Public Relations Report for Quarter:

Middle & West Tennessee Media Visit, October 2011:

Media blitz to the Nashville/Franklin and Memphis areas. Meetings to pitch story ideas were conducted with the following media outlets:

Tennessee Home & Farm Magazine, At Home Tennessee Magazine, The Tennessean

October 27, 2011: A writer from Germany did a 1-day FAM tour in Oak Ridge and Anderson County. This was set up with our state tourism office in Germany. The publication she writes for is similar in style to our AAA guide.

Articles:

While these articles ran in August and September, we didn't get the clippings until after the first quarter report was turned in:

<http://www.examiner.com/travel-in-cincinnati/east-tennessee-mountain-community-a-treasure-trove-of-hidden-gems>

Story also ran in Raleigh News Observer, Macon Telegraph, Sacramento Bee, and Bellingham Herald.

Advertising Buys:

Southern Living – we received a free ad on slvacations.com as added value for previous ad purchases

Miles Media – we renewed our annual online banner on the homepage of TNVacation.com, the official website for the Tennessee Department of Tourist Development

Knoxville News Sentinel, Facebook, Grapeseed Magazine – a media campaign for Holiday Market

Madden Preprint Newspaper Insert – Value added included 4 months online at vacationfun.com, listing with hyperlink in eZine email blasts to 25,000 opt-in subscribers, 2.5 million readers. Bonus insert circ. to AAA offices nationwide.

WheretogoNext.com Newsletter – we renewed our annual contract with them. They publicize our news in their weekly newsletter that is emailed to 75,000 subscribers, 50% who have incomes over \$100,000 and 95% who have graduated college
Knoxville News Sentinel – received free ad for December 14 publication. Worked with Children's Museum and AMSE to generate attendance. Provided Buy One/Get One coupons for both museums good through end of Jan.

General Hotel Update:

- *Vista Inn & Super 8* – these hotels have been closed for most of the first half of the year and are undergoing major renovations. Vista Inn should be complete by the end of February. Super 8 should be complete by the end of April. Both properties are undergoing extensive renovations and according to owners “will have all the frill of newer hotels in the area.”
- *Holiday Inn* – building is underway. Scheduled for opening June 1.
- *Comfort Inn* – New GM, Steve Hattangadi has joined the Oak Ridge hotel family

Upcoming :

Developing CVent.com presence in an effort to attract small conferences, sports activities and events.

Complete redesign of visitors guide – by end of Jan.

Complete redesign of www.OakRidgeVisitor.com website – mid Spring.

Blizzard – industry session designed for education, networking and discussion of tourism trends

Heartland Travel Showcase – coming to Knoxville, ORCVB has a booth and will represent our community to many group tour leaders – Feb 24 -26

TravelSouth USA – staff will travel to Louisville, KY, March 4-7. Currently registering for appointments with group tour leaders.

Spring Training begins – End of Feb through mid April – hundreds of rowers from colleges and high schools across the country will be in Oak Ridge training for the upcoming season.

Regatta Season Begins – Rowing events get in full swing in April.

Driving Tour Update – mid Spring, currently researching new tour ideas

Sustainable Energy & Environment Expo – May 5 – general assistance

NUMBER _____

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 THE PERIOD JULY 1, 2012 THROUGH JUNE 30, 2013 (FY2013) IN AN AMOUNT NOT TO EXCEED \$410,000.00.

WHEREAS, the City of Oak Ridge has heretofore approved certain appropriations for FY 2013 for the Oak Ridge Convention and Visitors Bureau; and

WHEREAS, the City and the Oak Ridge Convention and Visitors Bureau 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.

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

That the attached contract between the City of Oak Ridge and the Oak Ridge Convention and Visitors Bureau for the provision of services and materials to promote tourism in Oak Ridge for the period July 1, 2012 through June 30, 2013, is hereby approved; said contract in an amount not to exceed \$410,000.00.

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

This the 9th day of July 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

CONTRACT

This Contract entered into this 9th day of July, 2012 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."

In consideration of the mutual covenants and conditions hereinafter contained, the City and the CVB hereby contract and agree as follows:

1. Term

This Contract shall be for a term of one (1) year commencing July 1, 2012 through June 30, 2013, with a one (1) year option to renew at the City's option.

2. Scope of Work, Goals, Objectives and Benchmarks

A. The scope of work for this Contract shall be to promote the five (5) functions of the CVB which are: General Tourism Promotion, Tourism Product Development, Recreational Tourism (Sports, Waterfront, Etc.), Heritage Tourism, and Sustainable Tourism Initiatives as set forth in the CVB's Bylaws. In furtherance of these functions, the CVB will achieve the following:

1. General Tourism Promotion

The CVB will market and promote Oak Ridge as a travel destination to consumer groups including but not limited to the SMERF market, motor coach tours, general visitors, leisure and recreational travelers, and heritage tourists with a particular emphasis on overnight stays through advertising, marketing and promotion, trades show attendance, networking, and social media. The CVB is responsible for fulfilling all tourism related leads and will respond to all requests from potential visitors. The CVB will serve as the lead on all travel and tourism initiatives within the city. **The CVB will develop and implement a regional advertising approach for targeted marketing and branding of Oak Ridge as a "great place to live" using the community assets to turn general public opinion in the region about Oak Ridge to that of positive, knowledgeable and understanding of the Oak Ridge Community.**

2. Tourism Product Development

The CVB will carry out all tourist promotion of Oak Ridge, including developing a cohesive marketing and public relations plan that includes creating a tourism brand; advertising the city to regional, national, and international visitors as the CVB deems appropriate; develop marketing materials including itineraries, web and mobile sites, brochures, maps, and other materials that ultimately support Oak Ridge and encourage overnight stays. The CVB will enhance the overall Oak Ridge tourism product, including but not limited to the development of new tourism initiatives, promotional items that encourage longer visits and generate new revenues within the community, and community festivals and events that bring in overnight stays. The CVB will continue to work with the Oak Ridge Arts Council on enhancing and promoting the annual Secret City Festival, continually ranked a Top 20 Event by the Southeast Tourism Society (STS) and named Festival of the Year by STS in 2007. **The CVB shall develop a three-year business plan for taking the Secret City Festival to a larger attendance, even higher quality festival. The CVB shall review the attractions (survey and modify) to ensure greater attendance next year and more financial cost**

recovery by the City. The CVB shall also coordinate with the CVB's board to review and offer recommendations on the level of support or possible sponsorships for a July 4th (Independence Day) celebration in Oak Ridge.

3. Recreational Tourism (Sports, Waterfront, Etc.)

The CVB will promote Oak Ridge's natural resources and sports facilities as an ideal place for tournaments and competitions, general water recreation and outdoor events. The CVB will market to colleges, clubs and other organizations who can utilize our rowing venue, trails, parks and sports complexes which will ultimately generate revenues for our hotels and local businesses. The CVB will assist the Oak Ridge Rowing Association (ORRA) in developing, scheduling, and publicizing Oak Ridge as a center for water activities.

4. Heritage Tourism

The CVB will promote Oak Ridge to attract heritage tourists in an effort to capitalize on the rich and unique history that makes Oak Ridge a popular destination for history buffs, veterans and their families, and military reunions. The CVB will target individuals who are interested in our nation's stories and history, specifically those relating to World War II, the Manhattan Project, and historic preservation. The CVB will utilize the state's connection and relationship with the National Trust for Historic Preservation office at Middle Tennessee State University. **The CVB shall prepare initial material and advertising for the Manhattan Project National Historical Park, assuming possible approval by Congress this year. The CVB shall assist the City in publicizing this important new project.**

5. Sustainable Tourism Initiatives

The CVB will work closely with the City and its partners to ensure that tourism development enhances our overall tourism product while preserving and protecting our scenic beauty, natural resources, and unique historic assets. The Oak Ridge area is fortunate to have several sites listed on the National Register of Historic Places, as well as several sites that do an excellent job of telling the Oak Ridge story. In addition, some of our hotels and attractions are currently working to become more sustainable in terms of greening, an opportunity that is currently being marketed strongly by the Tennessee tourism industry, a leader in sustainable tourism. **The CVB will support and assist in the development of LEED Hotel Infrastructure and local conference capacity.**

B. The CVB's goals under this Contract are as follows:

1. Primary Goal: To increase the amount of revenues generated by hotel/motel room occupancy taxed through coordination with the Oak Ridge hotel/motel industry and tourism/community events that's increases economic activity within the Oak Ridge community.
2. Secondary Goal: To reduce economic "outflow" to surrounding areas outside of Oak Ridge and Anderson County.

C. The CVB's objectives under this Contract are as follows:

1. The CVB shall assist and cooperate with various business associations and governmental entities in promoting events and programs that meet the goals of the CVB.

2. The CVB shall clarify regional understanding of Oak Ridge premier events and area events in conjunction with the City.
 3. The CVB shall make every effort to expand regional cooperation and knowledge of area events.
 4. The CVB shall ensure the distribution of Oak Ridge material in local hotels/motels and provide familiarity overviews for local hotel/motel employees.
 5. The CVB shall identify and budget for small improvements (less than \$10,000.00) that will enhance business and hotel/motel industry (i.e. portable direction signage for regattas).
 6. The CVB shall develop an aggressive campaign to address the SMERF market.
- D. The success of the CVB under this Contract shall be benchmarked by the following measures:
1. Revenue per Available Room (RevPAR)
 2. Hotel/motel occupancy as a percentage of rooms occupied
 3. Develop measures for weekend hotel/motel occupancy
 4. Develop return on investment (ROI) analysis of local events with CVB Board and report findings to City Council and establishing future measures.
- E. Except as otherwise specified within this Contract, the specific strategy, plans and efforts to provide such services shall be determined and implemented by the CVB. It is understood that unusual circumstances affecting the economy may impact the achievement of these objectives.
- F. The City and the CVB may make changes as mutually agreed upon in the scope of work of this Contract. Such changes shall be incorporated as written amendments to this Contract signed by both parties.

3. Monitoring and Reporting Requirements

For the purposes of monitoring and reporting, the CVB shall provide to the City periodic reports as follows: by October 15, 2011; January 15, 2012; and April 15, 2012. The periodic reports shall detail the CVB's efforts toward, and accomplishment of, the Scope of Work outlined in Section 2 above. The CVB shall also submit an annual report of its activities under this Contract no later than July 31, 2012. The annual report shall be a written report indicating the expenditure of City funds and a statement of cash position, which report is audited by the City.

4. Compensation

- A. The City will pay the CVB \$410,000.00 for the services provided under this Contract as specified in Section 2, Scope of Work.
- B. The City will pay the CVB in four (4) quarterly installments of \$102,500.00 on or about the following dates provided the required reports have been submitted: July 15, 2012; October 20, 2012; January 20, 2013; and April 20, 2013. The City will reserve three percent (3%) of the total compensation (\$12,300.00) (incentive amount) from the fourth quarterly payment as incentive for the CVB to meet the goals and objectives set forth in Section 2. The incentive amount is payable to the CVB on or about August 1, 2013

provided the CVB meets the goals and objectives. If projections at the end of the third quarter predict the CVB will meet the goals and objectives, the City Manager may elect to not withhold the incentive amount from the fourth quarterly payment. If the CVB fails to meet the goals and objectives, the CVB will not be entitled to receive the incentive amount and if the incentive amount was not withheld from the fourth quarterly payment, the CVB will be required to return the incentive amount to the City within fifteen (15) days.

- C. Written requests by the CVB for cash advances may be granted by the City Manager, at the City Manager's sole discretion, which cash advances shall not exceed the City's budgeted amount under this Contract.
- D. The CVB may request budget revisions in writing. Any City approvals of budget revisions shall be made in writing.
- E. 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 City shall withhold quarterly payment of the annual budgeted amount until the CVB has fulfilled said obligation or corrected any specified violation.
- F. The CVB shall reimburse the City within sixty (60) calendar days for any disbursements or expenditures from the Contract funds which the City determines are not within the scope of the Contract.
- G. The CVB shall budget the use of funds received under this Contract and shall create a reserve amount set aside for unforeseen circumstances to avoid strict reliance on funding to arrive before expenses occur. The CVB shall set a goal of \$20,500.00 for the reserve amount (the equivalent of five percent (5%) of the total compensation amount) with a goal to doubling that amount in the subsequent fiscal year. The CVB shall develop a process for the use of reserve funds and submit such process in writing to the City Manager. The CVB may use reserve funds for small improvements (less than \$10,000.00) as set forth in Section 2.C.5.

5. Assignment

The CVB shall not assign, subcontract or use consultants for any portion of this Contract without prior written approval of the City Manager or the City Manager's duly authorized designee.

6. Staff

The CVB shall pay its employees under this Contract, save for 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. For FY2013, the City budgeted for a one and one-half percent (1.5%) salary increase, therefore, CVB may increase its employees' salaries by no more than one and one-half percent (1.5%) for the fiscal year.

7. 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.

8. Termination

- A. 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 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 setoff until such time as the exact amount of damages due the City from the CVB is determined.

9. Contract Representatives

- A. The CVB's contact person for this Contract shall be the CVB's President or the President's duly authorized designee.
- B. The City's contact person for this Contract shall be the City Manager or the City Manager's duly authorized designee.

10. Availability of Documents for Inspection

- A. All CVB documents and reports pertaining to economic development activity within the scope of this Contract shall be available for inspection by the City Manager or the City Manager's duly authorized designee.
- 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.

11. Governing Law

This Contract is governed by the laws of the State of Tennessee.

(signature page follows)

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:

CITY OF OAK RIDGE, TENNESSEE



City Attorney

Mayor

OAK RIDGE CONVENTION AND VISITORS
BUREAU

President

Approved by Resolution _____

MEMORANDUM

DATE: June 27, 2012
TO: Fellow Members of City Council
FROM: City Manager Evaluation Committee
Councilmember David N. Mosby, Chair
Councilmember Charles J. Hope, Jr.
Councilmember Ellen D. Smith

SUBJECT: CITY MANAGER EVALUATION REPORT AND RECOMMENDATIONS

The City Manager Evaluation Committee met on June 5, 2012 to develop its recommendation to the Council based on their review of the completed performance evaluation of the City Manager. All Committee members were present along with the City Manager Mark S. Watson, and City Clerk Diana R. Stanley.

A copy of the aforementioned report is attached along with the City Manager's Employment Agreement.

Following a review and discussion, the Committee unanimously recommends the continuation of Mr. Mark Watson's contract as City Manager and supports the following recommendations:

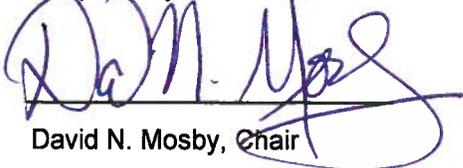
1. That the City Manager is awarded a 1.5% salary increase that is consistent with the raise that all city employees will receive for FY2013; the salary increase will be effective to July 8, 2012.
2. That his term of office be extended for two additional years to August 8, 2016 as an indication of passing a "probationary period."
3. That his accrued emergency leave be included as part of Mr. Watson's severance package.

The attached resolution amends the City Manager's Employment Agreement to extend his term of office by two years, provide for the recommended salary increase, and modify his severance packet to receive a cash equivalent for an accrued emergency leave as recommended by the Committee.

During this meeting, references were made to former City Manager Jim O'Connor's employment agreement and the addition of his leave as part of his severance package. Based on discussions during the meeting, staff would use Mr. O'Connor's former agreement as a comparison tool to amend Mr. Watson's current agreement regarding leave.

The Committee also discussed other opportunities for compensation, particularly an education package, to discuss further at a future date.

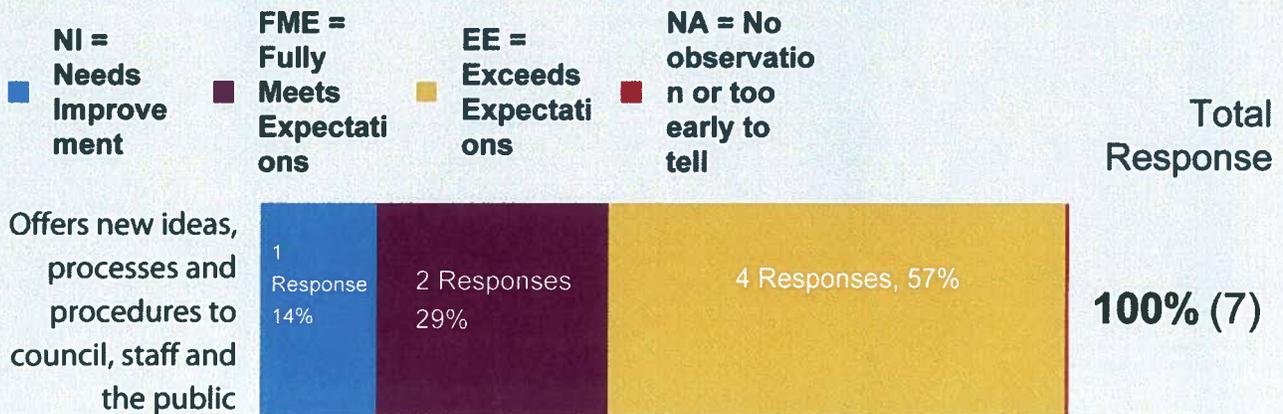
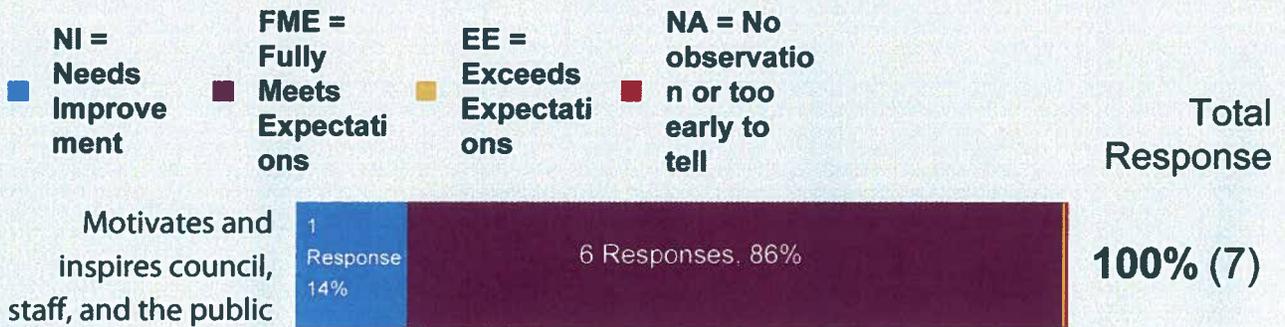
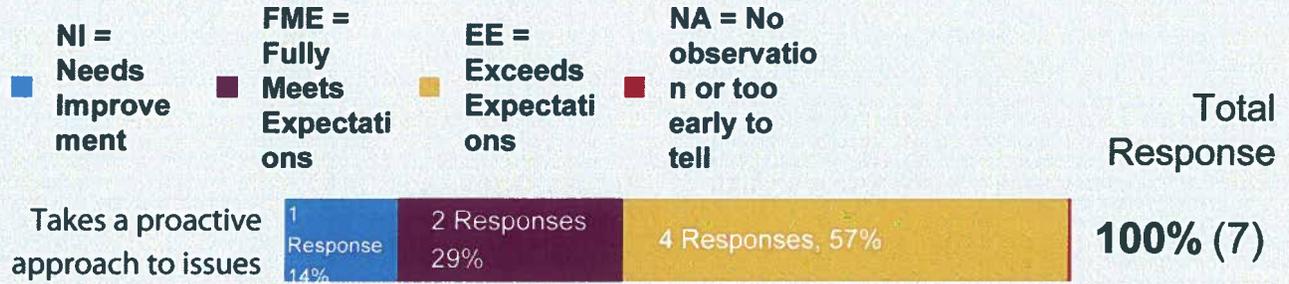
Respectfully submitted,

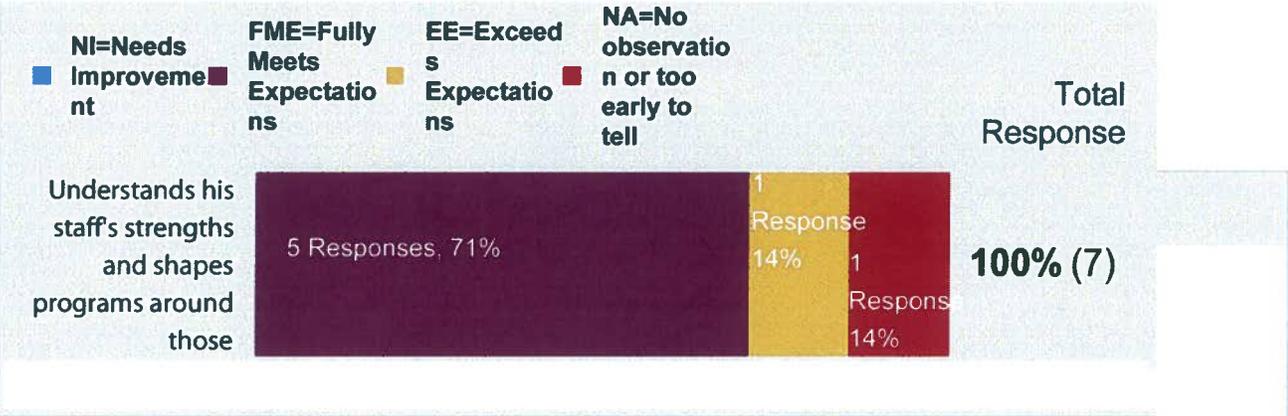
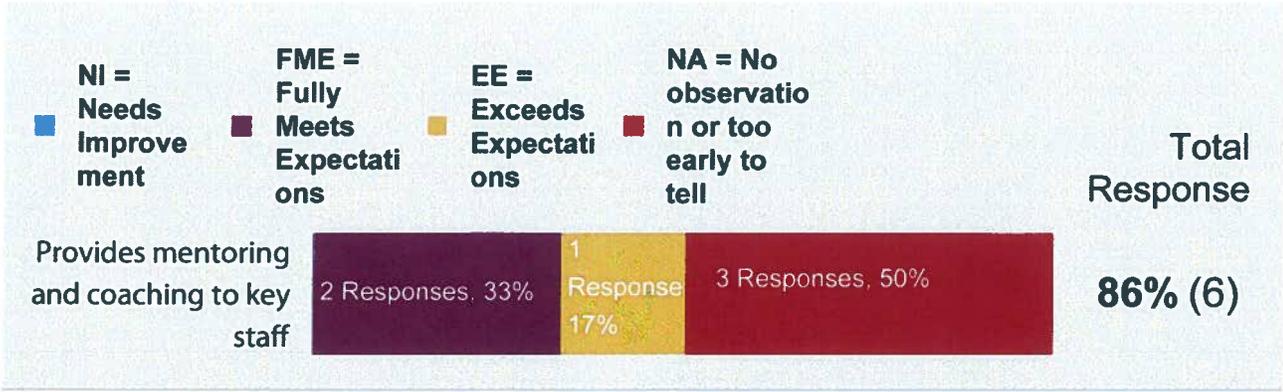


David N. Mosby, Chair

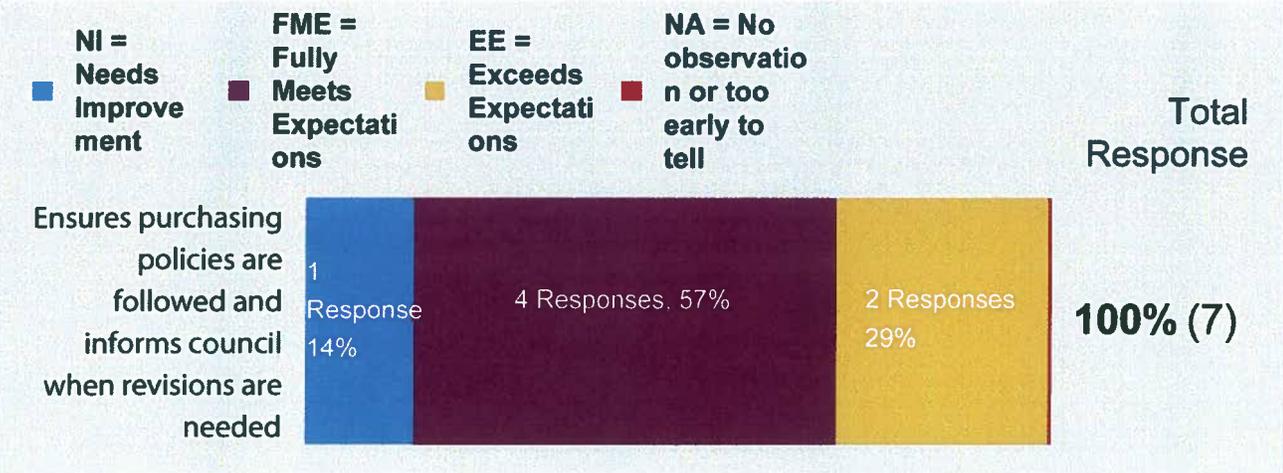
Attachments

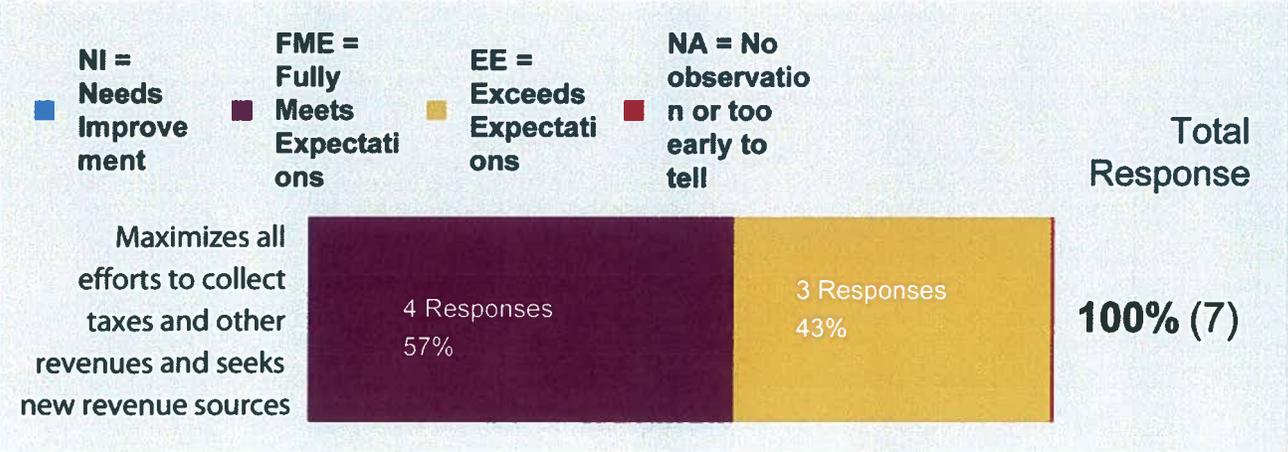
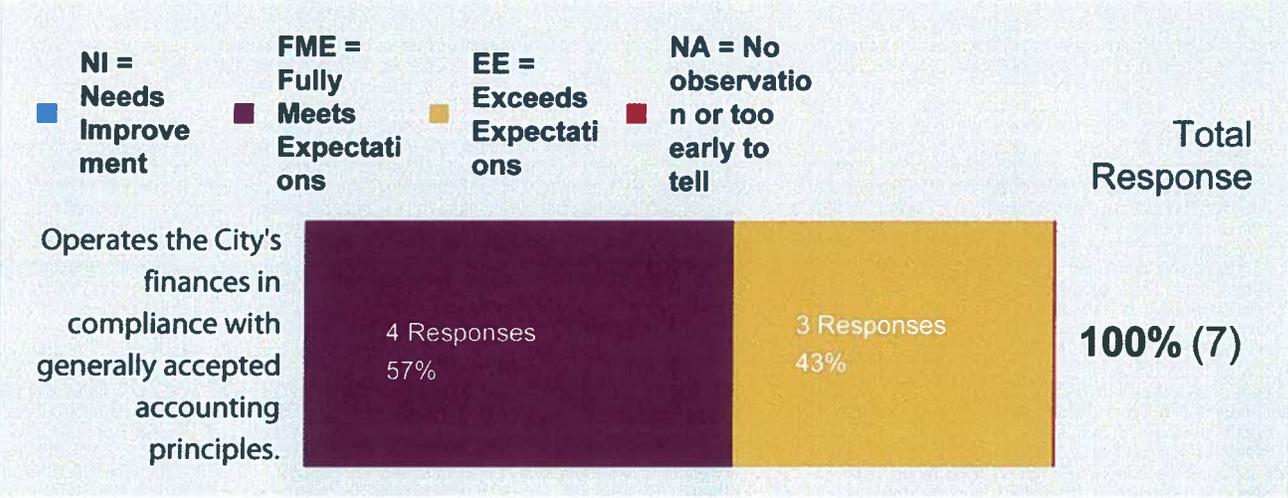
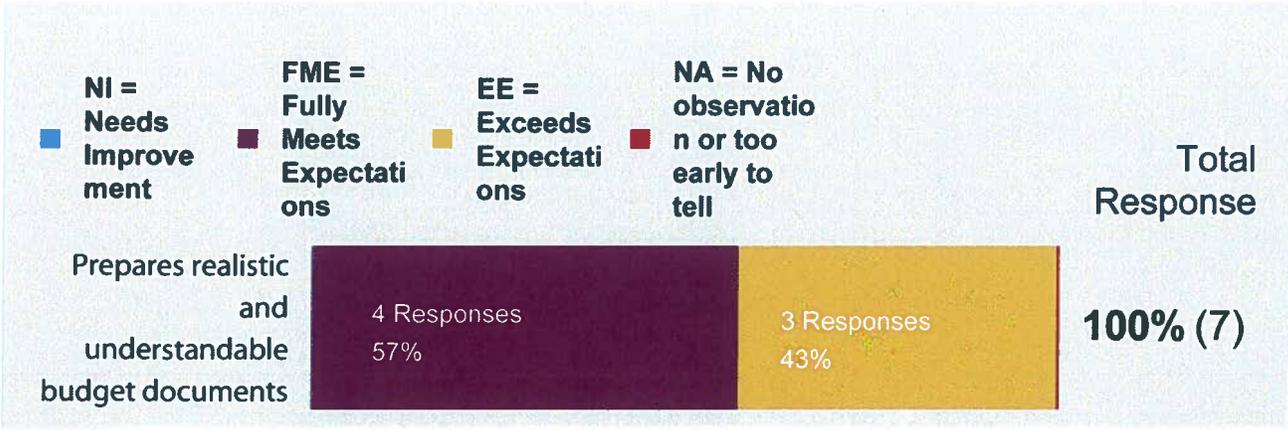
LEADERSHIP

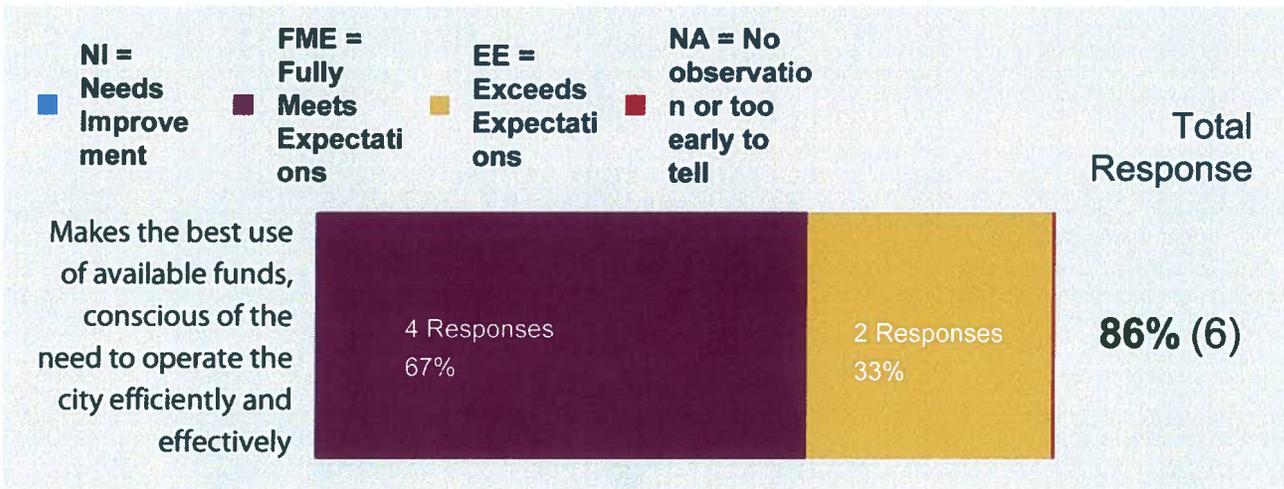
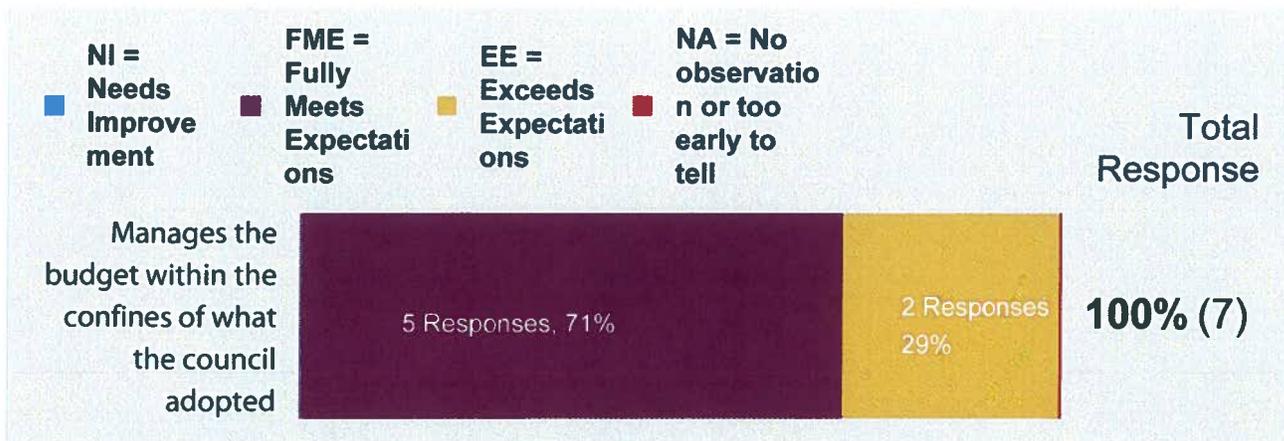




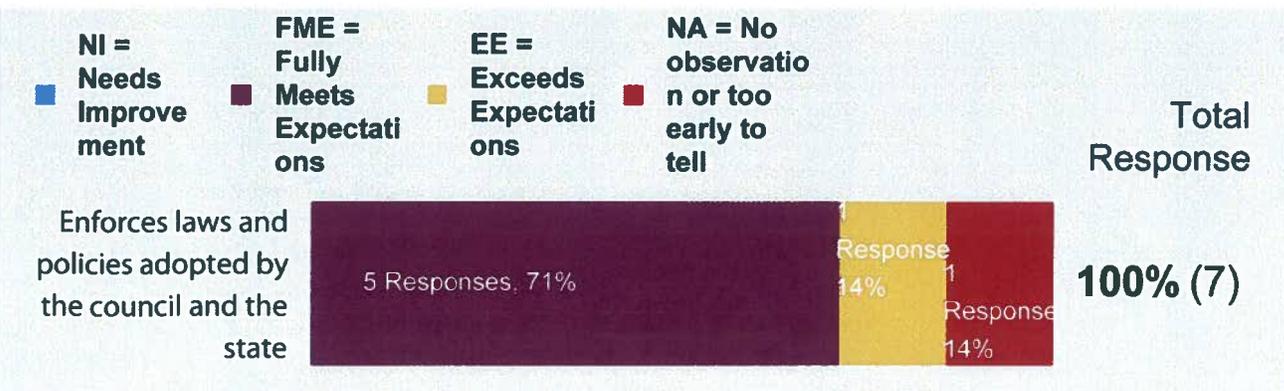
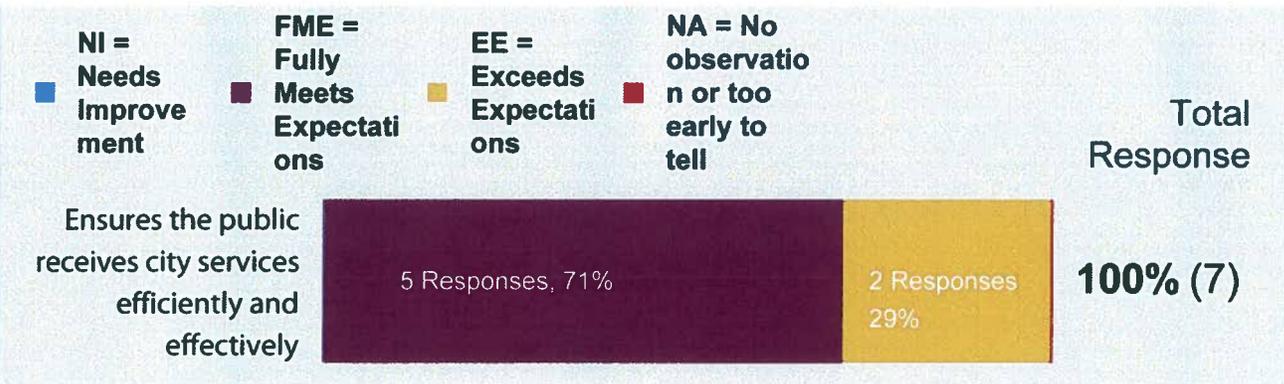
FISCAL MANAGEMENT AND BUDGETING

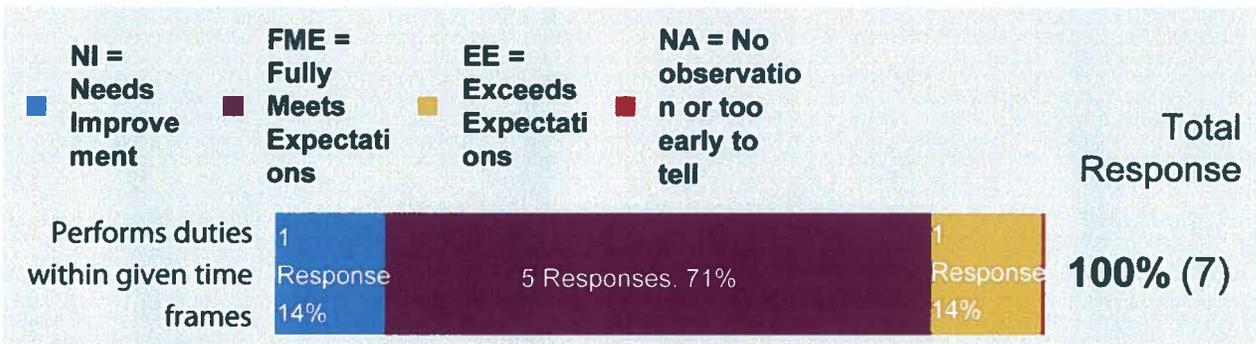
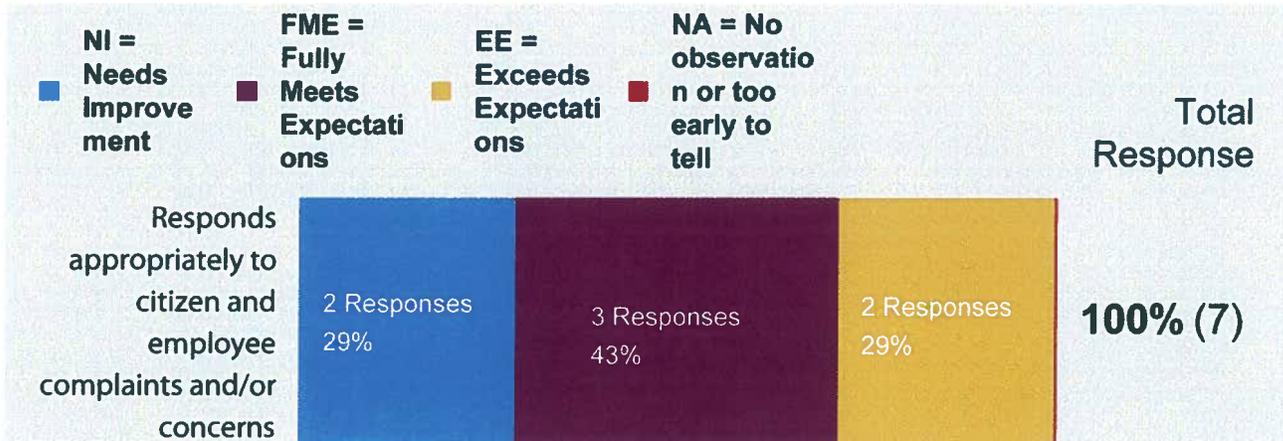
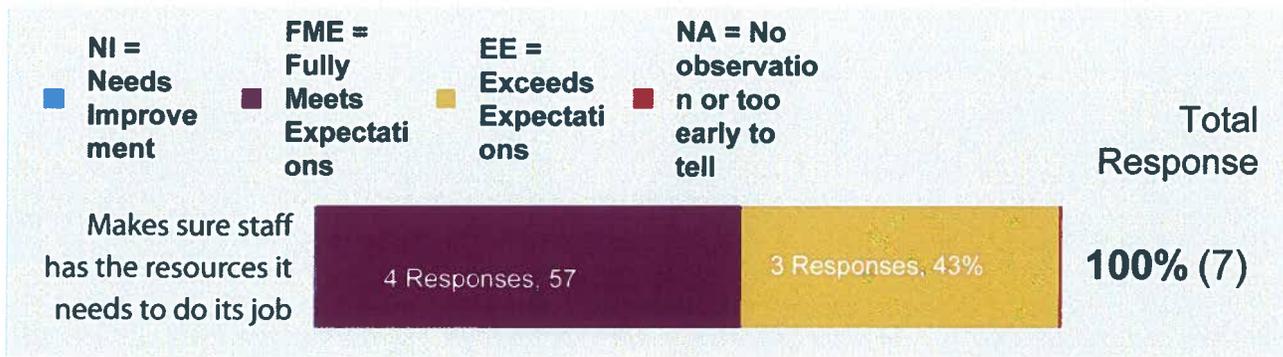




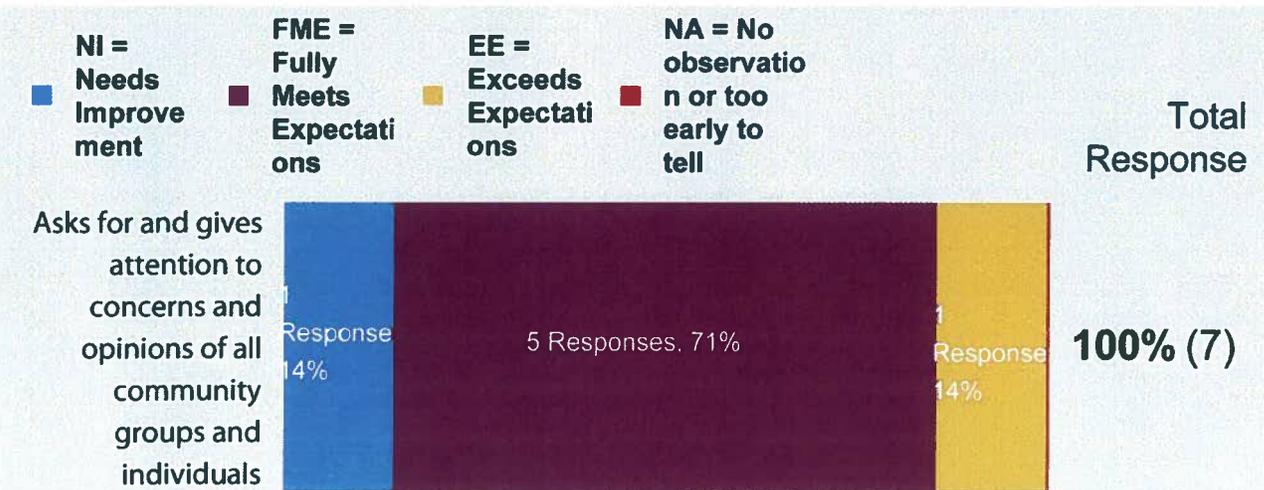


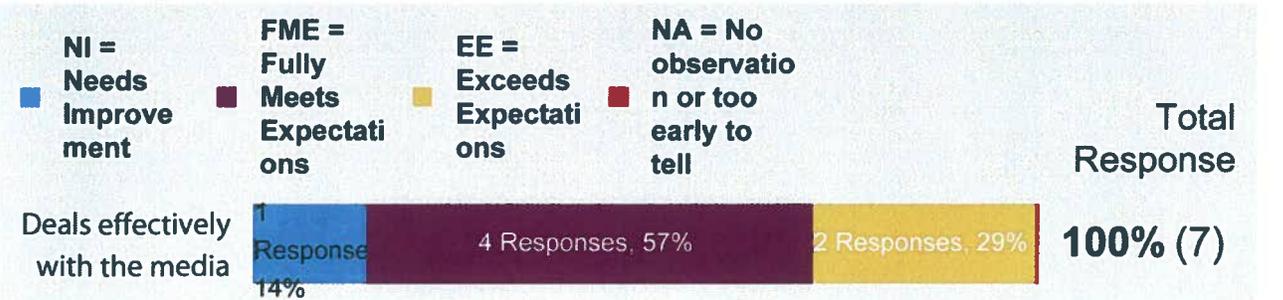
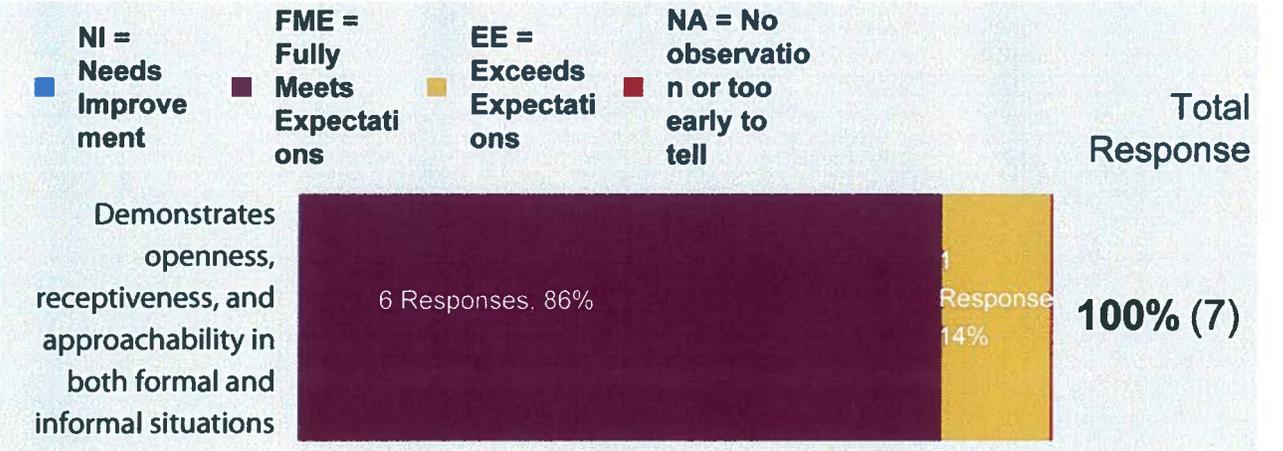
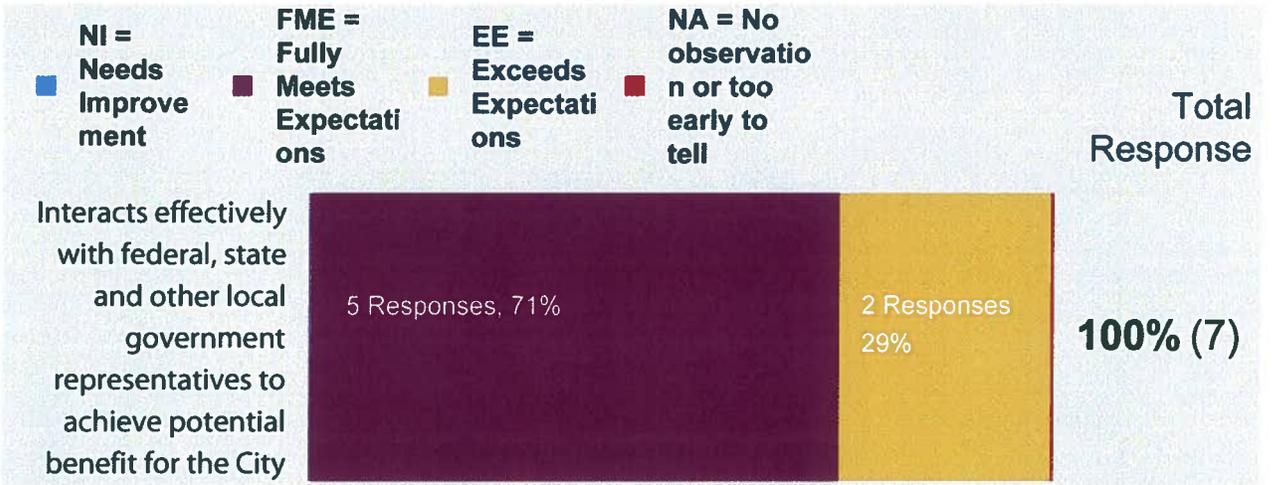
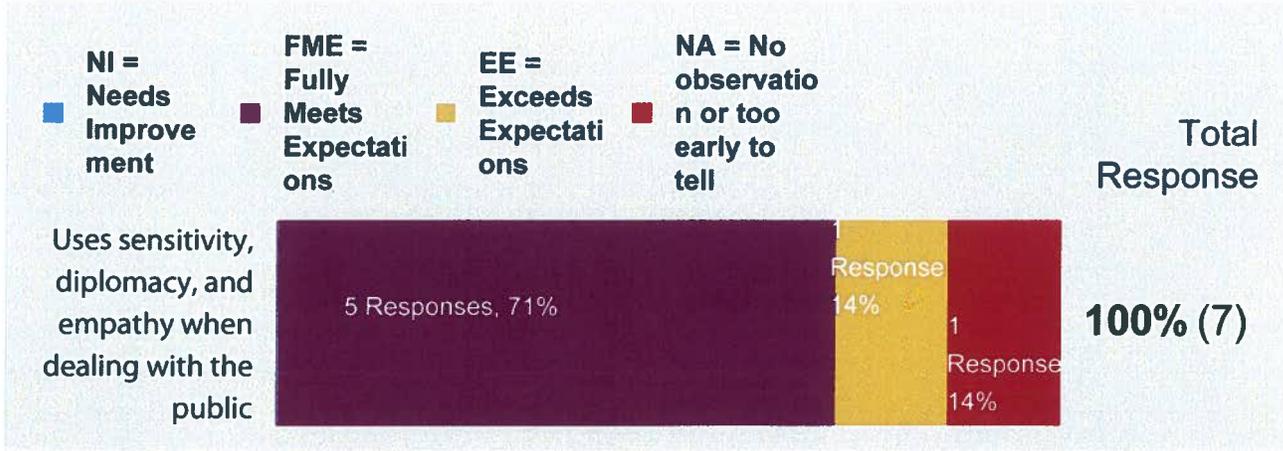
SERVICE DELIVERY AND ADMINISTRATION



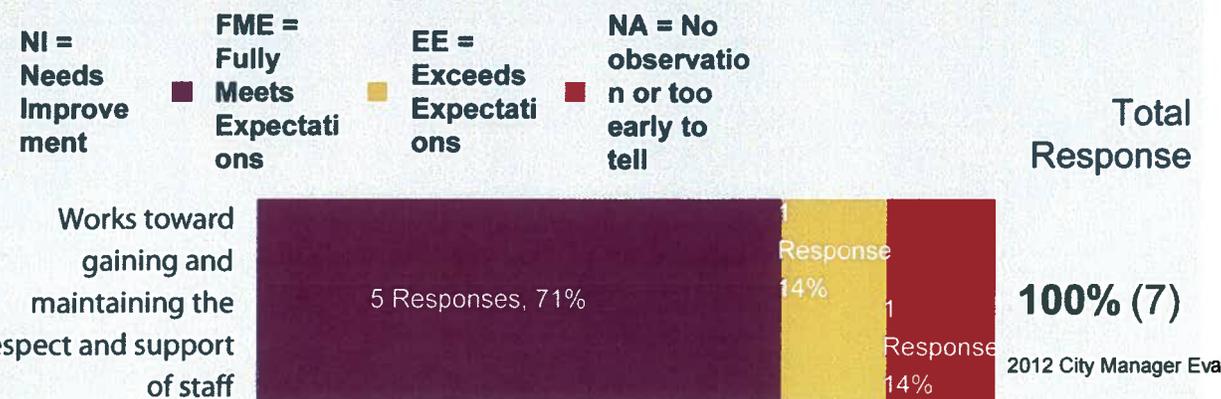
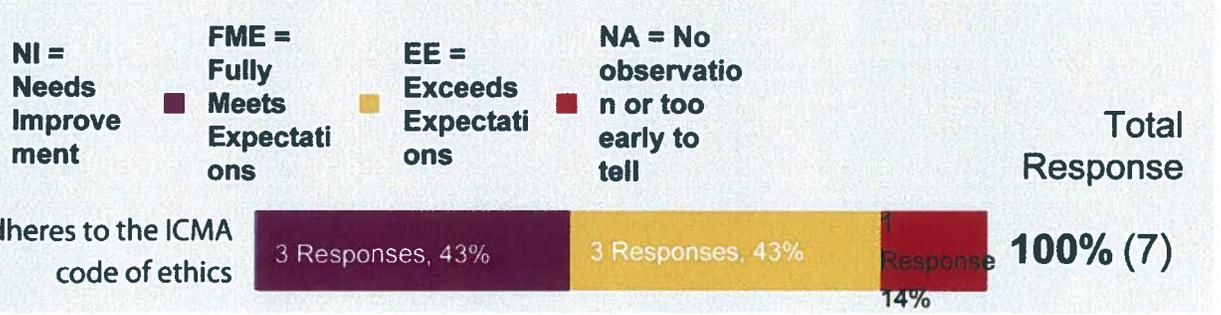
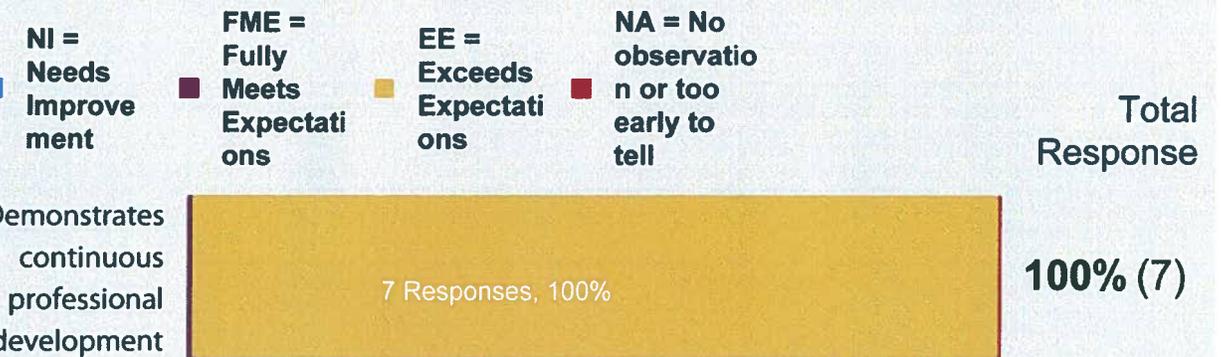
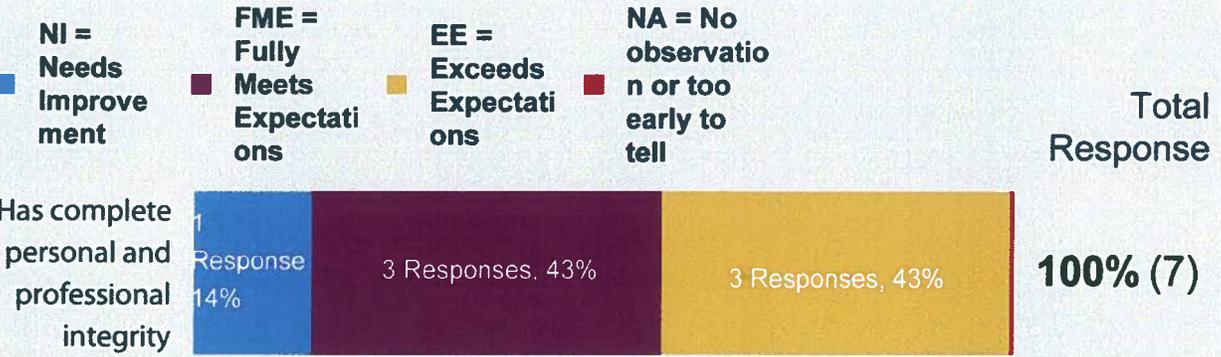
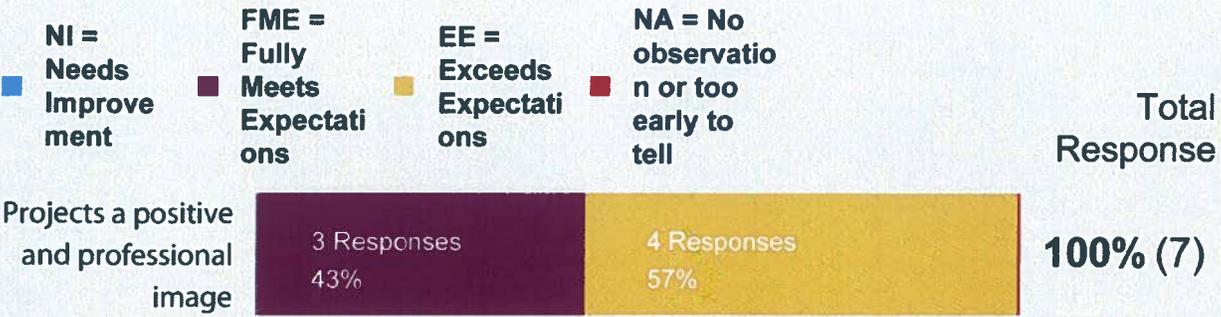


CITIZEN AND COMMUNITY RELATIONS





PERSONAL AND PROFESSIONAL QUALITIES



CITY COUNCIL RELATIONS

NI = Needs Improvement

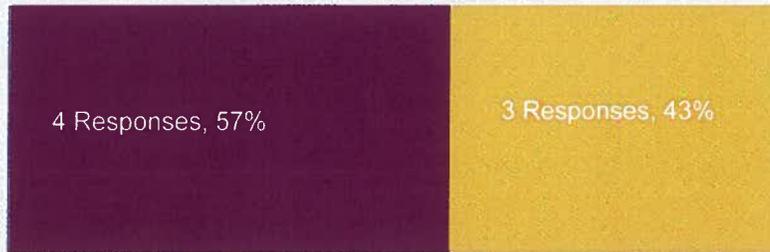
FME = Fully Meets Expectations

EE = Exceeds Expectations

NA = No observation or too early to tell

Total Response

Progress toward accomplishing established goals set by the City Manager and the City Council



100% (7)

NI = Needs Improvement

FME = Fully Meets Expectations

EE = Exceeds Expectations

NA = No observation or too early to tell

Total Response

Assists by facilitating decision making without usurping authority



100% (7)

NI = Needs Improvement

FME = Fully Meets Expectations

EE = Exceeds Expectations

NA = No observation or too early to tell

Total Response

Disseminates complete and accurate information equally to all members in a timely manner



100% (7)

NI = Needs Improvement

FME = Fully Meets Expectations

EE = Exceeds Expectations

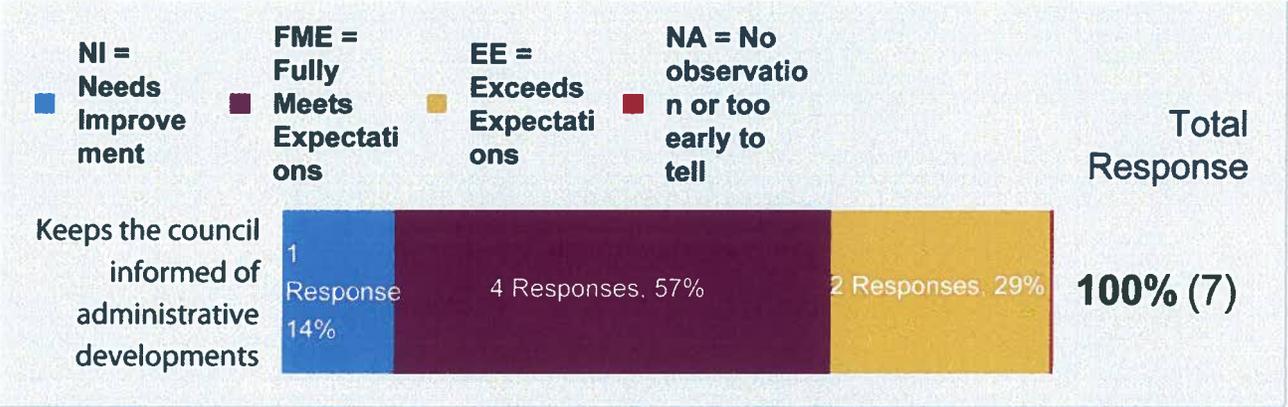
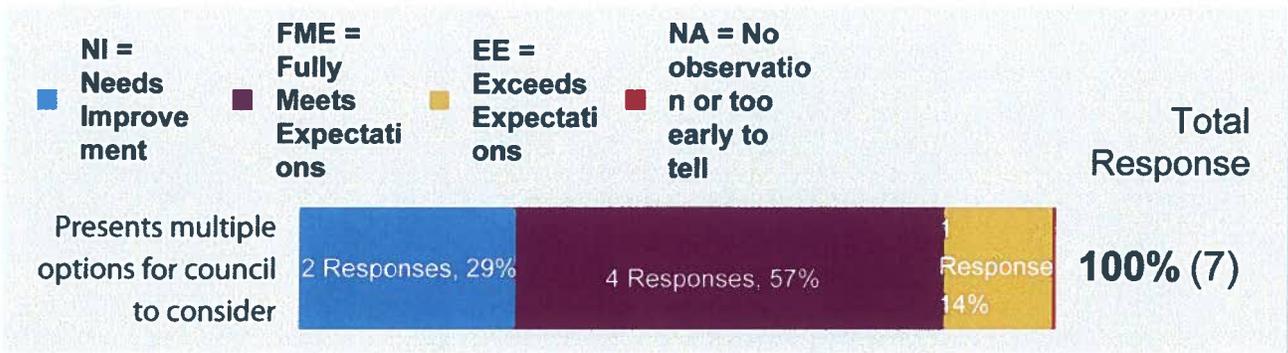
NA = No observation or too early to tell

Total Response

Responds well to requests, advice, and constructive criticism



100% (7)



Leadership: General Comments Consolidation

Takes a proactive approach to issues

- I am very pleased with Marks willingness to go "outside the box".
- Best to ask staff. Inspires some and strikes fear in to the hearts of others. Prefer reduced fear.
- Mark has done a fantastic job in setting the agenda to address city issues.
- Mark's proactivity (together with his store of information about what has worked elsewhere) has been very beneficial for Oak Ridge.

Motivates and inspires council, staff, and the public

- It would be more motivational if he would reach out to the public more and ask and listen. Needs improvement is not the right phrase. More, still has room to improve.

Offers new ideas, processes and procedures to council, staff, and the public

- "Not in our City" program is a prime example. Could be award winning at some time in the future.
- Yes he does offer ideas from his experience and his learning. Tends to decide on his own how things "should be" and offer them as expectations rather than suggestions.
- Mark has offered many new ideas, processes, and procedures. His new approaches are often excellent, but, unfortunately, the details don't always get worked adequately before they come to City Council for adoption. The issues that arose in evaluation of parking ordinances (when it became clear that there were some significant problems with the initial proposal) and the unintended consequences that are arising with the new utility deposit program are two examples of situations where more attention to the details -- or more opportunity for City Council to explore the details of implementation before being asked to vote up or down -- could have been very beneficial.

Provides mentoring and coaching to key staff

- Mark has made many changes in the senior staff. His selections have been outstanding.
- Ask staff.
- I'm not in a position to evaluate the nature of the mentoring and coaching that staff currently receives.

Understands his staff's strengths and shapes programs around those

- Mark has made changes in staff that has streamlined operations.
- Mark has done a good job of identifying the strengths of some key staff -- and has adjusted responsibilities and shaped programs to take advantage of those strengths. Some staff who have received expanded responsibilities seem to have been energized and motivated by their expanded scope. It's possible to have too much of a good thing, though -- some people appear to feel overburdened by the additional responsibilities and workload that they have been given following other staff departures, while others (below the senior staff level) appear to be intimidated in the current environment -- they are unsure where they stand with the manager and they worry about their status.

Notes or comments that support the overall rating on leadership

- I believe Mark's approach on the Manhattan Project National Park is a good example of how he is taking bridging the gap between a wide range of people, staff, and committees

- **Mark taken some bold steps and has shown great leadership skills.**

Fiscal Management and Budgeting: General Comments Consolidation

Ensures purchasing policies are followed and informs council when revisions are needed

- He has just presented a budget that is balanced with no tax increase.
- I would like more emphasis on the multi-year financial model to guide planning.
- We could use quarterly or even monthly summary sheets.

Prepares realistic and understandable budget documents

- Well, up until the resolution to change the appropriation to the schools. But, yes, it's clearer now. I do think he should consult council before starting in on the budget, however.

Operates the City's finances in compliance with generally accepted accounting principles.

- The Oak Ridge Finance department is award winning.
- Within a very challenging year, mark has shown good leadership
- City Council needs to reinstitute the Audit Committee. It is valuable to have a group of Council members sit down with the City's auditor and engage in focused discussion of the City audit. I do not have reasons for concern about the way the City's finances are handled, but I don't think that the approach that the manager has instituted in the past two years of having the auditor make a public presentation to the full Council has provided the level of assurance that Council should seek to have.

Maximizes all efforts to collect taxes and other revenues and seeks new revenue sources

- Made changes in the utility department.

Manages the budget within the confines of what the council adopted

(none)

Makes the best use of available funds, conscious of the need to operate the city efficiently and effectively

- The city makes good use of its financial resources, but staff should never stop looking for opportunities for improved efficiency.

Notes or comments that support the overall rating on fiscal management and budgeting

- This is an area in which Mr. Watson excels in competence. The part that is lacking is consulting council collectively in advance. Almost all issues which are changes or significantly new need to be worked on in full council work sessions. The decision on his part to use traffic camera revenues to repair Woodland School contradicts a previous vote of council and ought to have been discussed in work session along with the alternatives.
- With tight budgets, flat sales tax, and Federal program mandates, Mark continues to show good leadership skills
- I have been very pleased to see more timely posting of current quarterly and monthly financial information for the City.

Service Delivery and Administration: General Comments Consolidation

Ensures the public receives city services efficiently and effectively

- I'd like a sliding scale here. Mr. Watson is extremely responsive to council requests and inquiries but sometimes seems a bit testy about needing to answer citizens' inquiries. Some departments seem to be running much better. Some seem to be still in need of vast improvement. So "too early to tell" even applies a little. The challenges took years to accumulate. It would be a bit much to expect 100% cure in two years.

Enforces laws and policies adopted by the council and the state

- Still not sure about the equity with which laws get enforced. But he did get us a solid new police chief and a working model for new residential parking rules.
- It was particularly gratifying to have the opportunity to pass a new ordinance on parking that should increase the police department's ability to enforce. I hope to see increased consistency and effectiveness in enforcement of other laws, such as the sign ordinance provisions on "flashing", etc. I believe there are other laws that may need to be revised to enhance enforcement, such as the ordinances applicable to greenbelts.

Makes sure staff has the resources it needs to do its job

- Within the limitations of what the treasury can provide, he appears to do quite well. Plus he seems to be planning ahead strategically.

Responds appropriately to citizen and employee complaints and/or concerns

- Very proactive in his approach to citizens.
- It would be better if his irritation didn't show through. I believe his announced intention was to treat complaints and concerns as opportunities to improve and to collect additional information and wisdom. The job has been tremendously taxing so I hope he will be able to relax into his intentions in the coming year.
- The substantive actions taken in response to complaints and concerns are almost always "appropriate", but on multiple occasions I've been frustrated not to be told what has been done (or not done) to follow up on a concern that I have forwarded to the manager. Communication is an element of "response" that needs improvement.

Performs duties within given time frames

- Except for setting retreat dates. And giving us quarterly account summaries.

Notes or comments that support the overall rating on service delivery and administration

- He certainly seems to work well with the service delivery people under his direction. The community development department's inspection force could use more attention which I believe Mr. Watson has been working toward. (Where are those trash containers that were to be put out into neighborhoods, though?)
- The positive changes in the past year in the area of law enforcement are particularly commendable.

Citizens and Community Relations: General Comments Consolidation

Asks for and gives attention to concerns and opinions of all community groups and individuals

- Very proactive in his approach to citizens.
- Is becoming very involved in Community and listens to citizens as much as possible.
- It may be that Mr. Watson is still overwhelmed by the extent of the issues which need attending to here. The area of community relations, especially with respect to openness, is an opportunity for growth.

Uses sensitivity, diplomacy, and empathy when dealing with the public

- Although my overall rating is "fully meets", I have some concern that people sometimes get the impression that the manager doesn't care about their complaints and problems.

Interacts effectively with federal, state and other local government representatives to achieve potential benefit for the City

- A real strength. He is a quick study when it comes to relationship with all levels of governments.
- I especially commend Mr. Watson for consulting with Kareem Murphy and incorporating Kareem's advice into dealings with the EPA.

Demonstrates openness, receptiveness, and approachability in both formal and informal situations

- Can I have that sliding scale again? I believe he has made great strides and still has room to improve

Deals effectively with the media

- I think Mr. Watson does the best he can within the strictures of his beliefs about working with the media. We differ on the better approach to some issues.
- The City is doing OK in this area, but we can always do better. Changes in the news media business (such as the continuing loss of capacity in the local print media) and media technology (such as the use of Twitter and other social media to disseminate news) require continual change on the City's part. The City needs to be creative and assertive about telling its story -- and to maintain credibility the City's media communications can't be restricted to "good news" press releases and interviews.

Notes or comments that support the overall rating on citizen and community relations

- Mark seems to be open and approachable by all groups of people, he is willing to listen and adopts new policies.

Personal and Professional Qualities: General Comments Consolidation

Projects a positive and professional image

(none)

Has complete personal and professional integrity

- Mark keeps the best interests of the city at the forefront in his actions, but as the adage goes, "the ends do not justify the means," particularly when it comes to the way that actions affect people. Integrity means, among other things, that people should be treated honestly and fairly. The manager's actions leading to the dissolution of the Local Oversight Committee, including secret dealmaking and dissemination of rumors/misinformation that could harm personal and professional reputations, have seriously undermined my trust in the manager's personal and professional integrity. Grumblings related to the handling of some employee reassignments and departures also give concern. The manager ought to hold himself to a higher standard.

Demonstrates continuous professional development

- Working on his PHD in Political Science is a perfect example.
- Mark is taking advanced classes in Public Administration and applies knowledge as appropriate.
- It was great to learn that Mark is working on his PHD and leading work sessions for other professionals.

Adheres to the ICMA code of ethics

- Is very active in ICMA, and is a recognized leader in this organization.
- ICMA's Code of Ethics requires many specific actions, activities, and commitments; I believe Mark fulfills all items.

Works toward gaining and maintaining the respect and support of staff

- I'm sure he works toward it but it would be a very useful tool for him to offer the staff an anonymous evaluation. I would hesitate to speak for them.

Notes or comments that support the overall rating on personal and professional qualities

- Mr. Watson conducts himself publicly in a laudably professional manner. In addition, he is personable and usually very gracious. As a bonus, he has an infectious sense of humor and geniality. Everyone wants to like him even when they disagree with him.
- Mark has managed staff transitions very well.

City Council Relations: General Comments Consolidated

Progress toward accomplishing established goals set by the City Manager and the City Council

- Mark keeps Council members informed fully, both formally and informally.
- Sliding scale, please. Some have been pursued vigorously and much accomplished. Some, like conducting additional council work sessions on budget and school budgets didn't get done at all. Also, communications from the boards and commissions have been diminished in their effectiveness since Mr. Watson has treated the boards as being his rather than council's.
- I would have liked for an operational audit of the city to have been performed, but that may come in the future. Otherwise, I think the Manager has done an excellent job in accomplishing City goals.

Assists by facilitating decision making without usurping authority

- This is a major area requiring conversation between manager and council. Mr. Watson tends to decide and then advise council rather than suggest, inform and ask. The habit of bringing decisions to council at the last heartbeat for them to rubber stamp was a serious bone of contention with his predecessor and we look for a better relationship.

Disseminates complete and accurate information equally to all members in a timely manner

- Part of the problem we still face is that we don't know what Mr. Watson says to each of us. Most of us are aware that Mr. Watson confides in and relies on the mayor disproportionately leaving the rest of council vulnerable to lack of information.
- I am not sure of how equal the information I receive has been.
- Different Council members sometimes seem to have different amounts of information about the status of various situations and proposals. Continuing effort is needed to combat the tendency to treat the Mayor as if he were the elected singular leader of the City. The Mayor has duties over and above those of the other Council members, but the Mayor should not be the only Council member who is informed and consulted on various matters.

Responds well to requests, advice, and constructive criticism

- Well, he responds well initially but he still does as he damn well pleases. And that is risky even though so far it hasn't been fatal. If he disagrees with that comment then maybe his communications with us haven't been fully open...yet.
- Mark's responses to requests, advice, and constructive criticism are good, but I don't always receive acknowledgements -- much less responses. Not every request requires a thorough response, of course. Perhaps there is a need for some sort of follow-through tracking system?

Presents multiple options for council to consider

- Usually decides on an option and then presents it to council, often just in time to vote on it.
- Councilmembers get the opportunity to consider options, but there is room for improvement in this area. Mark has a way of presenting requests for input on optional approaches (to the full Council or to individual Councilmembers) in an offhand and informal fashion, then "running" with the quick responses he receives. This doesn't always allow for sufficient consideration by members of Council, who often are providing a seat-of-the-pants reaction to something they first heard about two minutes earlier, and have not yet had the benefit of analysis or discussion of the options presented.

Keeps the council informed of administrative developments

- Not sure. Logically therefore improvement is needed.
- Mark keeps Council informed regarding major changes.

Notes or comments that support the overall rating on City Council relations

- So far, Mr. Watson has been gracious but still seems to be under the misapprehension that he is serving with an elected mayor. He is an enormously talented administrator. I believe the city would benefit even far more than it has so far from his tenure with us if he would trust council as cohorts and work at being a team player rather than a CEO. The diversity that council brings to the city in its understanding of the populace, particularly, should be a huge resource to the manager. But most of us expect to work at our role and need to operate as a team.
- I believe Mark works well with the current make-up of city council, this has been a year in which a council member had to be brought to speed rather quickly, as well as getting that council member integrated into city council functions

Additional Narrative—Looking Ahead

What would you identify as the manager's strength(s), expressed in terms of the principal results achieved during the rating period?

- Mark applies his experience and new ideas from his ongoing academic training to address Oak Ridge issues. He often offers new ideas that have greatly (or will greatly) impact to City's future.
- Mr. Watson has the backbone council was looking for in an administrator. He has tackled a huge variety of city challenges with gusto and a nearly indefatigable enthusiasm. The public discussion of housing has shifted direction and moved forward. Commercial development seems to be about to bloom (see: withdrawal of tax abatements on mall development and Woodland commercial project.)
- His ability to take the initiative on a wide range of topics, to listen to what city council says, then implement a strategy from those ideas
- Leadership and community trust.
- The manager has a broad and deep base of experience that he draws on frequently to get the job done.

What performance area(s) would you identify as most critical for improvement?

- Hopefully, Mark will continue to bring local expertise to bear on City problems. Consolidation of Oak Ridge resources and expertise to the benefit of Oak Ridge has long been needed. Local organizations need to be brought together to develop and follow a vision and plan for the City. This unity of purpose was lost in the '88-'94 period and is now being re-consolidated to address some long-existing problems.
- Regard the entire council as "the boss." Interact with entire council in work sessions and consult with them before taking a direction.
 - Reach out to the community for advice and consent. Begin to set the example for working with the public at large and finding ways to encourage public participation.
- Working through our economic situation as it stands today, working with our school system to find ways to positively change our outcomes, and finds ways to reduce cost and streamline services
- Aggressive focus on economic development.

What constructive suggestions or assistance can you offer the City Manager to enhance performance?

- I will meet with Mark also to give him my thoughts.
- Regard the entire council as "the boss." Interact with entire council in work sessions and consult with them before taking a direction. Reach out to the community for advice and consent. Begin to set the example for working with the public at large and finding ways to encourage public participation.
- Concerted effort to shut down known drug houses - get help from state, county, special task force. Make it tough to sell drugs in OR.
- The next few years are going to be critical for setting long-term success plans in motion for the City. The CM should select one really big idea that will create a constant "buzz" in the region and work with Council to make it happen

What other comments do you have for the City Manager, e.g. priorities, expectations, goals, or objectives for the new rating period?

- Let's have a two hour work session on developing expectations and goals. Let's act like a council and manager team for a change
- increase our ability to engage economic development, increase sales tax growth

- I think Mark has done a great job coming into a new, difficult city with a multitude of issues - diverse council, EPA, police fatality, staff issues.
- Continue to seek efficiencies in City operation. Assist Council in developing a better working relationship by scheduling dedicated Council planning time. Ensure follow-up and follow-through on Council objectives
- Interactions with the Oak Ridge Schools in the coming year will be a significant challenge, but we need to set a high priority on collaborating with the school district to ensure that the entire City operation (which includes the schools) is efficient, fiscally sound, and as effective as it can be in delivering the high value that the community expects. City Council needs to be closely engaged with staff in formulating plans for the Land Bank approved this year by the General Assembly.

Please provide recommendations and comments on a possible change in compensation (currently \$138,673.60) and a contract extension beyond the current expiration date of August 8, 2014.

- I'm very satisfied with Mark's performance. I continue to hear from the public support for him, and how he represents the city. He is very professional and creative in his approach to issues.
- I will await the recommendations of the Manager Evaluation Committee after all input is considered.
- It would be negligent to not offer the manager the same 1.5% increase he has created for the staff. His contract should not be extended beyond a two year period at any time.
- as Mark has continued to achieve the goals city council provides, implement new initiatives, and change the scope of what city staff should do. I believe a 2.75% increase in base salary is recommended, with a reach goal of 5% if certain measurables were met. I believe a one year extension of his contract would be a good recommendation.
- 1.5% increase and 1 year contract extension.
- Mark has performed above my expectations for the year should receive at least the same adjustment as other employees. For the future, I would recommend that Council consider creating a discretionary bonus compensation pool. This pool would be funded by a portion of the annual savings created through certain (defined in advance) operational efficiencies or revenue enhancements.
- Compensation increase commensurate with that provided to other staff this year and a contract extension of one year would be entirely appropriate.

RESOLUTION

A RESOLUTION TO AMEND THE CITY MANAGER'S EMPLOYMENT AGREEMENT (APPROVED BY RESOLUTION 7-73-10 AND AMENDED BY RESOLUTION 7-72-11) TO PROVIDE FOR A TWO-YEAR CONTRACT EXTENSION, AN EQUIVALENT ONE AND ONE-HALF PERCENT (1.5%) SALARY INCREASE, AND A MODIFICATION TO THE SEVERANCE PACKAGE.

WHEREAS, Article V, Section 1, of the City Charter provides that City Council shall appoint a chief administrative officer of the City who shall be entitled City Manager and who shall serve at the pleasure of City Council; and

WHEREAS, by Resolution 7-73-10, City Council entered into an employment agreement in which City Council agreed to employ Mark S. Watson as the City Manager; and

WHEREAS, said employment agreement provides that formal evaluations of the City Manager shall be conducted on an annual basis by July 31st of each year, and to this end City Council appointed a City Manager Evaluation Committee (the Committee) to develop an evaluation procedure; and

WHEREAS, the Committee has completed its work and based on the evaluation results recommends that the City Manager's term of office be extended by two years, the City Manager receive an equivalent one and one-half percent (1.5%) salary increase, and be entitled to receive a cash equivalent for any accrued emergency leave upon termination without just cause as well as receive a cash equivalent for any accrued general leave upon termination for just cause.

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

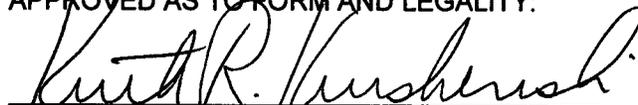
That the attached Amendment No. 2 to the Employment Agreement between the City of Oak Ridge and Mark S. Watson as City Manager is hereby approved.

BE IT FURTHER RESOLVED that said Employment Agreement is amended as follows: Section 2, Term, Subsection C, to provide that it shall continue in effect until August 8, 2016; Section 5, Termination and Severance Pay, Subsection A, to provide that accrued emergency leave will be included in the severance package should the City Manager be terminated without "just cause" and to provide that should the City Manager be terminated with "just cause" that he will still be entitled to receive a cash equivalent of his accrued general leave as would any other employee; and Section 7, Salary, Subsection A, to provide for an equivalent one and one-half percent (1.5%) salary increase for a new annual salary amount \$136,656.00, effective July 8, 2012.

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

This the 9th day of July 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

AMENDMENT NO. 2
(Employment Agreement – Mark S. Watson, City Manager)

This Amendment No. 1 entered into this the 9th day of July, 2012, amends the Employment Agreement dated July 15, 2010, as amended, between the City of Oak Ridge, Tennessee, hereinafter referred to as the "City," and Mark S. Watson, hereinafter referred to as the "City Manager."

NOW, THEREFORE, the parties hereto agree as follows:

1. Section 2, Term, Subsection C, of the Employment Agreement is hereby amended by extending the term of the agreement by two years, which changes the effective ending date of the agreement to August 8, 2016.
2. Section 5, Termination and Severance Pay, Subsection A, of the Employment Agreement is hereby amended to include the bolded language as shown below:

In the event the City Manager is terminated by the Council at its will and pleasure, during such time as the City Manager is willing and able to perform his duties under this agreement, then in that event the City agrees to pay the City Manager a lump sum cash payment equal to six (6) months' aggregate salary plus one (1) additional month's aggregate salary for each year of service for the first six years, not to exceed a total of twelve (12) months, plus any accrued general leave, **accrued emergency leave**, and benefits less applicable deductions as required by agreement, law ordinance or policy for other employees and/or the City Manager's matching portion of benefits provided for and during said severance period. At City Council's option, the actual resignation date may be extended through earned and accrued leave balances due the City Manager then in effect. Provided, however, that in the event the City Manager is terminated for "just cause," then in such event, the City shall have no obligation to pay the aggregate severance sum, **with the exception of accumulated general leave**, designated in this paragraph. "Just cause" is defined and limited for the purposes of this Agreement to the following reasons: (1) willful neglect of duty; (2) felony or misdemeanor conviction of any crime involving moral turpitude; (3) violation of duties by the City Manager of honesty and sobriety; (4) any other act of a similar nature of the same or greater seriousness.

3. Section 14, Leave, of the Employment Agreement is hereby amended to include the bolded language as shown below:

The City Manager shall be credited 120 hours of general leave and 140 hours of emergency leave upon the effective date of his employment with the City and shall thereafter accrue leave in the same manner as other City employees and as specified in Article 11 of the City of Oak Ridge Personnel Plan. **Provided, however, that Section 11.2.e., Effect of Termination on Emergency Leave Credits, of said Plan shall have no applicability to the City Manager, and Sections 11.1.e and 11.8 of said Plan shall be applied to the City Manager as follows:**

Section 11.1.e. General and Emergency Leave Upon Termination

Upon termination of employment, all general leave and emergency leave shall be paid to the City Manager, subject to the provisions of Section 5, Termination and Severance Pay, of this Employment Agreement.

4. Section 7, Salary, Subsection A, of the Employment Agreement is hereby amended by increasing the City Manager's base salary to \$136,656.00 effective July 8, 2012, which is the equivalent of a one and one half percent (1.5%) salary increase.
5. All other terms, conditions and provisions of the Employment Agreement, dated July 15 2010, as amended, not in conflict with this Amendment No. 2 shall remain in full force and effect.

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

MARK S. WATSON

Signature

Approved by Resolution _____

CITY COUNCIL MEMORANDUM
12-26

DATE: June 29, 2012
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: CITY MANAGER EMPLOYMENT AGREEMENT – REQUESTED ADDITION

An item for the agenda is a resolution to amend the City Manager's employment agreement in accordance with the City Manager's Evaluation Committee's three recommendations. This memorandum outlines a requested addition to the amendments to the employment agreement in light of the discussions that took place at the Committee's June 5, 2012 meeting and the June 25, 2012 Work Session.

During the City Manager's Evaluation Committee's June 5, 2012 meeting, other compensation measures were briefly discussed, specifically an education package. The Committee's recommendations were presented to City Council at the June 25, 2012 Work Session. Councilmember David Mosby, Chair of the Committee, reviewed the main points of the Committee's recommendations including the Committee's discussions regarding additional compensation measures. After noting that one of the compensation measures was an education package, additional comments and questions arose from City Council regarding the details of this option.

Given the discussions that took place at the Committee's meeting and the Work Session, I propose the following language be included in the employment agreement as an amendment to Section 11, Professional Development, as a new subsection C:

The City supports the City Manager's efforts to advance his education through completion of graduate level courses through an accredited university as he seeks his PhD Degree. In support of this endeavor, the City will provide tuition reimbursement (limited to tuition, course textbooks, and instructor-required materials) for any such graduate course completed with at least a "B" average.

In exchange for the tuition reimbursement, the City Manager agrees to remain employed with the City for a period of three (3) years from the date of course completion and should the City Manager voluntarily leave employment prior to expiration of the three-year timeframe, the City Manager will repay his tuition reimbursement for the applicable courses, which the City may deduct from his cash leave payment.

The above proposed language is similar to other employer's education compensation benefits in that it is tied to a grade level indicating the employee's knowledge and commitment to furthering their education. The three-year employment timeframe is consistent with the City's current training reimbursement policy.

Should Council desire to include this language, a substitute resolution is attached. This resolution and its attachment can be substituted on the floor for the resolution included with the Committee's memorandum in the agenda packet.


Mark S. Watson

Attachments

RESOLUTION

A RESOLUTION TO AMEND THE CITY MANAGER'S EMPLOYMENT AGREEMENT (APPROVED BY RESOLUTION 7-73-10 AND AMENDED BY RESOLUTION 7-72-11) TO PROVIDE FOR A TWO-YEAR CONTRACT EXTENSION, AN EQUIVALENT ONE AND ONE-HALF PERCENT (1.5%) SALARY INCREASE, A MODIFICATION TO THE SEVERANCE PACKAGE, AND THE ADDITION OF AN EDUCATION PACKAGE.

WHEREAS, Article V, Section 1, of the City Charter provides that City Council shall appoint a chief administrative officer of the City who shall be entitled City Manager and who shall serve at the pleasure of City Council; and

WHEREAS, by Resolution 7-73-10, City Council entered into an employment agreement in which City Council agreed to employ Mark S. Watson as the City Manager; and

WHEREAS, said employment agreement provides that formal evaluations of the City Manager shall be conducted on an annual basis by July 31st of each year, and to this end City Council appointed a City Manager Evaluation Committee (the Committee) to develop an evaluation procedure; and

WHEREAS, the Committee has completed its work and based on the evaluation results recommends that the City Manager's term of office be extended by two years, the City Manager receive an equivalent one and one-half percent (1.5%) salary increase, and be entitled to receive a cash equivalent for any accrued emergency leave upon termination without just cause as well as receive a cash equivalent for any accrued general leave upon termination for just cause; and

WHEREAS, City Council desires to also include an education package to the City Manager's employment agreement.

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

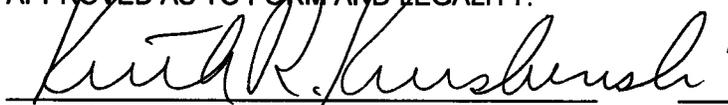
That the attached Amendment No. 2 to the Employment Agreement between the City of Oak Ridge and Mark S. Watson as City Manager is hereby approved.

BE IT FURTHER RESOLVED that said Employment Agreement is amended as follows: Section 2, Term, Subsection C, to provide that it shall continue in effect until August 8, 2016; Section 5, Termination and Severance Pay, Subsection A, to provide that accrued emergency leave will be included in the severance package should the City Manager be terminated without "just cause" and to provide that should the City Manager be terminated with "just cause" that he will still be entitled to receive a cash equivalent of his accrued general leave as would any other employee; Section 7, Salary, Subsection A, to provide for an equivalent one and one-half percent (1.5%) salary increase for a new annual salary amount \$136,656.00, effective July 8, 2012; and Section 11, Professional Development, for a new subsection C providing for tuition reimbursement for graduate courses in pursuit of a PhD degree.

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

This the 9th day of July 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

AMENDMENT NO. 2
(Employment Agreement – Mark S. Watson, City Manager)

This Amendment No. 1 entered into this the 9th day of July, 2012, amends the Employment Agreement dated July 15, 2010, as amended, between the City of Oak Ridge, Tennessee, hereinafter referred to as the "City," and Mark S. Watson, hereinafter referred to as the "City Manager."

NOW, THEREFORE, the parties hereto agree as follows:

1. Section 2, Term, Subsection C, of the Employment Agreement is hereby amended by extending the term of the agreement by two years, which changes the effective ending date of the agreement to August 8, 2016.
2. Section 5, Termination and Severance Pay, Subsection A, of the Employment Agreement is hereby amended to include the bolded language as shown below:

In the event the City Manager is terminated by the Council at its will and pleasure, during such time as the City Manager is willing and able to perform his duties under this agreement, then in that event the City agrees to pay the City Manager a lump sum cash payment equal to six (6) months' aggregate salary plus one (1) additional month's aggregate salary for each year of service for the first six years, not to exceed a total of twelve (12) months, plus any accrued general leave, **accrued emergency leave**, and benefits less applicable deductions as required by agreement, law ordinance or policy for other employees and/or the City Manager's matching portion of benefits provided for and during said severance period. At City Council's option, the actual resignation date may be extended through earned and accrued leave balances due the City Manager then in effect. Provided, however, that in the event the City Manager is terminated for "just cause," then in such event, the City shall have no obligation to pay the aggregate severance sum, **with the exception of accumulated general leave**, designated in this paragraph. "Just cause" is defined and limited for the purposes of this Agreement to the following reasons: (1) willful neglect of duty; (2) felony or misdemeanor conviction of any crime involving moral turpitude; (3) violation of duties by the City Manager of honesty and sobriety; (4) any other act of a similar nature of the same or greater seriousness.

3. Section 14, Leave, of the Employment Agreement is hereby amended to include the bolded language as shown below:

The City Manager shall be credited 120 hours of general leave and 140 hours of emergency leave upon the effective date of his employment with the City and shall thereafter accrue leave in the same manner as other City employees and as specified in Article 11 of the City of Oak Ridge Personnel Plan. **Provided, however, that Section 11.2.e., Effect of Termination on Emergency Leave Credits, of said Plan shall have no applicability to the City Manager, and Sections 11.1.e and 11.8 of said Plan shall be applied to the City Manager as follows:**

Section 11.1.e. General and Emergency Leave Upon Termination

Upon termination of employment, all general leave and emergency leave shall be paid to the City Manager, subject to the provisions of Section 5, Termination and Severance Pay, of this Employment Agreement.

4. Section 7, Salary, Subsection A, of the Employment Agreement is hereby amended by increasing the City Manager's base salary to \$136,656.00 effective July 8, 2012, which is the equivalent of a one and one half percent (1.5%) salary increase.
5. Section 11, Professional Development, of the Employment Agreement is hereby amended to add a new Subsection C as follows:
 - C. The City supports the City Manager's efforts to advance his education through completion of graduate level courses through an accredited university as he seeks his PhD Degree. In support of this endeavor, the City will provide tuition reimbursement (limited to tuition, course textbooks, and instructor-required materials) for any such graduate course completed with at least a "B" average.

In exchange for the tuition reimbursement, the City Manager agrees to remain employed with the City for a period of three (3) years from the date of course completion and should the City Manager voluntarily leave employment prior to expiration of the three-year timeframe, the City Manager will repay his tuition reimbursement for the applicable courses, which the City may deduct from his cash leave payment.
6. All other terms, conditions and provisions of the Employment Agreement, dated July 15 2010, as amended, not in conflict with this Amendment No. 2 shall remain in full force and effect.

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE



Kenneth R. Krushenksi, City Attorney

Thomas L. Beehan, Mayor

MARK S. WATSON

Signature

Approved by Resolution _____

**PUBLIC HEARING
AND
FIRST READING
OF
ORDINANCES**

PERSONNEL MEMORANDUM
12-068

DATE: June 25, 2012
TO: Mark S. Watson, City Manager
FROM: Penelope H. Sissom, Personnel Director
SUBJECT: PERSONNEL PLAN/ORDINANCE AMENDMENT – ADDITION OF PRESIDENTS' DAY
AS A HOLIDAY FOR REGULAR CITY EMPLOYEES

An item for the agenda is an ordinance to amend the Personnel Plan/Ordinance to provide an additional holiday for regular City employees. A bold/strikethrough version of the proposed amendments is included for ease of reference.

As part of the adoption of the FY 2013 Budget, an additional holiday (Presidents' Day) was approved for City employees. Since this was a recommendation by the City Manager and approved by the City Council, it was not necessary for the Personnel Advisory Board to take action on this item.

The following sections of Personnel Plan/Ordinance are proposed to be amended:

Crediting General Leave – Article 11, Section 11.1, Subsection b

As the Section of the Personnel Plan/Ordinance on Holiday Leave specifies, time off for holidays for Police Department patrol shift employees and Fire Department station-based employees is included in their General Leave accrual rate and all usage is taken as if it were General Leave. Employees in these categories accrue an additional amount of General Leave in lieu of specified holidays and this change reflects the additional proportionate amount to the current General Leave accruals.

Holiday Leave – Article 11, Section 11.3

This section of the Personnel/Plan Ordinance lists the holidays that are granted to regular forty hours per week employees with pay. The Section is being modified by the addition of Presidents' Day (Third Monday in February).

The City budgets on the basis of 2,080 hours per year for forty hours per week employees, including Police personnel, and 2,912 hours per year for Fire Department station-based employees. These base amounts include all hours actually worked as well as any hours of leave used by employees. Therefore, there is no direct cost associated with an additional holiday, unless an employee, other than a Police Department patrol shift employee or a Fire Department station-based shift employee, is required to work overtime on a day designated as a holiday. There would be one less day of productive service to citizens and there could be payment on termination of additional General Leave hours if Police Department patrol shift employees or Fire Department station-based employees did not use the additional hours accrued in lieu of the extra holiday.

The City Manager and staff recommend approval of the attached ordinance.



Penelope H. Sissom

ARTICLE 11 – LEAVE

11.1 GENERAL LEAVE

b. Crediting General Leave

Regular full-time employees shall be credited with the following amounts of General Leave and regular part-time employees shall receive a proportionate amount of General Leave. General Leave credit shall not be given if an employee is in a non-pay status for more than one-half of the accrual period or on injury leave for more than one-half of the pay period.

1. During the first year (twenty-six [26] full pay periods) of continuous employment and subject to the provisions of Section 11.2.a., the following amounts of General Leave will be credited to fulltime employees:

Forty hours per week employees: 8.31 hours per pay period

Police Department patrol shift employees: **11.69** ~~44.39~~ hours per pay period

Fire Department station-based shift employees: **16.36** ~~45.94~~ hours per pay period

2. During the next two years (fifty-two [52] full pay periods) of employment and subject to the provisions of Section 11.2.a., the following amounts of General Leave will be credited to fulltime employees:

Forty hours per week employees: 9.31 hours per pay period

Police Department patrol shift employees: **12.69** ~~42.39~~ hours per pay period

Fire Department station-based shift employees: **17.76** ~~47.44~~ hours per pay period

3. Following completion of three years (seventy-eight [78] full pay periods) of employment and subject to the provisions of Section 11.2.a., the following amounts of General Leave will be credited to fulltime employees:

Forty hours per week employees: 10.31 hours per pay period

Police Department patrol shift employees: **13.69** ~~43.39~~ hours per pay period

Fire Department station-based shift employees: **19.16** ~~48.74~~ hours per pay period

4. Following completion of three hundred ninety (390) full pay periods of employment (15 years) and subject to the provisions of Section 11.2.a., the following amounts of General Leave will be credited to fulltime employees:

Forty hours per week employees: 11.81 hours per pay period

Police Department patrol shift employees: **15.19** ~~44.89~~ hours per pay period

Fire Department station-based shift employees: **21.26** ~~20.84~~ hours per pay period

[Note: The above changes to the accrual leave become effective on January 6, 2013 since Presidents' Day has already passed for Calendar Year 2012]

11.3 HOLIDAY LEAVE

Holiday Leave Policy

The following holidays are observed by the City and shall be granted, as provided below, to regular forty hours per week employees with pay, and shall be observed during the calendar year in which they fall or be forfeited. Unless required to be on scheduled duty, provisional, temporary or seasonal employees will not be paid for observed holidays.

- (1) New Year's Day (January 1)
- (2) Martin Luther King, Jr. Day (Third Monday in January)
- (3) Presidents' Day (Third Monday in February)**
- ~~(4)(3)~~ Good Friday (Friday before Easter)
- ~~(5)(4)~~ Memorial Day (Last Monday in May)
- ~~(6)(5)~~ Independence Day (July 4)
- ~~(7)(6)~~ Labor Day (First Monday in September)
- ~~(8)(7)~~ Thanksgiving Day (Fourth Thursday in November)
- ~~(9)(8)~~ Friday after Thanksgiving Day
- ~~(10)(9)~~ Christmas Even (December 24) or Day after Christmas (December 26) to be specified by the City Manager
- ~~(11)(10)~~ Christmas Day (December 25)

When a holiday falls on Saturday, it shall be observed on the preceding Friday; when a holiday falls on Sunday, the following Monday shall be observed.

[Note: The effective date for the above changes to the list of holidays does not need to be different than any regular ordinance amendment since Presidents' Day has already passed for Calendar Year 2012. It is only the leave accrual rate changes on the previous page that need a specific effective date.]

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED "A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE," AS AMENDED, BY AMENDING SECTION 11.1, TITLED "GENERAL LEAVE," SUBSECTION B., TITLED "CREDITING GENERAL LEAVE," TO ADJUST THE LEAVE ACCRUAL RATES FOR POLICE DEPARTMENT PATROL SHIFT EMPLOYEES AND FIRE DEPARTMENT STATION-BASED SHIFT EMPLOYEES, AND BY AMENDING SECTION 11.3, TITLED "HOLIDAY LEAVE," TO ADD A NEW HOLIDAY, PRESIDENTS' DAY, IN CHRONOLOGICAL ORDER.

WHEREAS, by adoption of the FY2013 budget, City Council has incorporated an additional holiday, Presidents' Day, into the list of observed City holidays; and

WHEREAS, Section 11.3, Holiday Leave, of the Personnel Plan sets forth the observed City holidays and requires an amendment to incorporate the additional holiday of Presidents' Day; and

WHEREAS, additionally, Section 11.1, General Leave, Subsection b, Crediting General Leave, requires an amendment to adjust the leave accrual rate for Police Department patrol shift employees and Fire Department station-based shift employees; and

WHEREAS, since this addition is a housekeeping measure for consistency with the FY2013 budget adopted by City Council, this amendment did not go to the Personnel Advisory Board for recommendation; and

WHEREAS, the City Manager recommends that the Personnel Plan be amended as set forth above.

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

Section 1. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 11, "Leave," Section 11.1, titled "General Leave," Subsection b, titled "Crediting General Leave," is hereby amended by changing the leave accrual rates, effective January 6, 2013, as follows:

For Police Department patrol shift employees:

- 11.69 hours per pay period during the first year of continuous employment (§11.1.b.1.)
- 12.69 hours per pay period during the next two years of employment (§11.1.b.2.)
- 13.69 hours per pay period after completion of three years of employment (§11.1.b.3.)
- 15.19 hours per pay period after completion of fifteen years of employment (§11.1.b.4.)

For Fire Department station-based shift employees:

- 16.36 hours per pay period during the first year of continuous employment (§11.1.b.1.)
- 17.76 hours per pay period during the next two years of employment (§11.1.b.2.)
- 19.16 hours per pay period after completion of three years of employment (§11.1.b.3.)
- 21.26 hours per pay period after completion of fifteen years of employment (§11.1.b.4.)

Section 2. Ordinance No. 27-85, titled "A Personnel Plan for Employees of the City of Oak Ridge, Tennessee," Article 11, "Leave," Section 11.3, titled "Holiday Leave," is hereby amended by adding a new holiday in chronological order, which new holiday shall read as follows :

Presidents' Day (Third Monday in February)

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

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

First Reading: _____
Publication Date: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____

ELECTIONS
&
APPOINTMENTS

ANNOUNCEMENTS

SCHEDULING



June 12, 2012

Honorable Mayor and Members of City Council
P.O. Box 1
Oak Ridge, TN 37831

Dear Council Members,

The City Youth Advisory Board Screening Panel for the 2012-2013 term of office consisted of City Council member Chuck Hope, 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 2012-2013 Youth Advisory Board. The applications are attached to be included in the agenda for the July 9th meeting of the Oak Ridge City Council.

<u>NAME</u>	<u>ADDRESS</u>	<u>GRADE LEVEL</u>
Monil Mehta	170 Sweet Gum Ln.	12
Aaron Chasan	46 Rivers Run Way	12
Patrick Williams	102 Deerfield Ln.	12
Hannah Magill	135 Center Park Ln.	12
Ross Landenberger	14 Radcliff Ter.	12
Kelsey Warmbrod	106 Neville Ln.	11
Richard Goyette	112 Terri Ln.	11
Lara de Almeida	170 Glassboro Dr.	11
Hannah Craig	108 Westwind Dr.	11
Caroline Bradshaw	116 Pratt Ln.	10
Shane Harris	105 Tamara Ln.	10
Shelby Chambers	45 Outer Dr.	10
Lauren Collier	38 Riverside Dr.	9
Laura Skipper	127 Baltimore Dr.	9
Peter Magill	135 Center Park Ln.	9
Dalyssa Webb	104 Temple Rd.	9

Sincerely,

Matt Reedy

Liaison to the City Youth Advisory Board



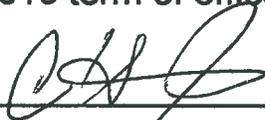
YAB Screening Panel

DATE: 6-11-12

- | | | | |
|---|--------------------------|----|------------------------|
| 1 | <u>Aaron Chasan</u> | 9 | <u>Monil Mehta</u> |
| 2 | <u>Shane Harris</u> | 10 | <u>Peter Magill</u> |
| 3 | <u>Ross Landenberger</u> | 11 | <u>LAURA Skipper</u> |
| 4 | <u>Hannah Magill</u> | 12 | <u>Shelby Chambers</u> |
| 5 | <u>Kelsey Warmbrad</u> | 13 | <u>Ricky Goyette</u> |
| 6 | <u>Patrick Williams</u> | 14 | <u>Lara de Almeida</u> |
| 7 | <u>Caroline Bradshaw</u> | 15 | <u>Dalyssa Webb</u> |
| 8 | <u>Hannah Craig</u> | 16 | <u>Lauren Collier</u> |

We, the YAB Screening Panel, recommend the 16 students
above to serve on the City Youth Advisory Board
for the 2012-2013 term of office.

Councilman Chuck Hope



ORHS Staff Connie Wilson



City Staff Matt Reedy



Youth Advisory Board

Election Date: 7/9/2012

Number of Vacancies: 16

Term Valid Through: July 31, 2013

Number of Members: 16

Qualifications:

To be considered, applicants must be residents of Oak Ridge and entering grade levels 8th through 12th.

Applicants

FirstName	LastName	Submission Date	Preference
Caroline	Bradshaw	4/16/2012	
Shelby	Chambers	5/10/2012	
Aaron	Chasan	5/28/2012	
Lauren	Collier	5/28/2012	
Hannah	Craig	5/15/2012	
Lara	de Almeida	6/1/2012	
Richard	Goyette	5/31/2012	
Shane	Harris	4/18/2012	
Ross	Landenberger	4/15/2012	
Peter	Magill	4/16/2012	
Hannah	Magill	4/16/2012	
Monil	Mehta	5/12/2012	
Laura	Skipper	5/25/2012	
Kelsey	Warmbrod	5/16/2012	
Dalyssa	Webb	4/16/2012	
Patrick	Williams	5/12/2012	

Current Members

FirstName	LastName	Term Expires
Cameron	Brinkman	7/31/2012
Caliope	Brousal	7/31/2012
Aaron	Chasan	7/31/2012
Emily	Ducko	7/31/2012
Patrick	Edou	7/31/2012
Courtney	Follman	7/31/2012
Shane	Harris	7/31/2012
Ross	Landenberger	7/31/2012

Emily	Lockhart	7/31/2012
Hannah	Magill	7/31/2012
Ashley	Parks	7/31/2012
Patrick	Rader	7/31/2012
Sarah	Stokely	7/31/2012
Kelsey	Warmbrod	7/31/2012
Patrick	Williams	7/31/2012
Shichen	Zhang	7/31/2012

Youth Advisory Board Applicants

As chosen by screening panel

Application Submission Date:		4/16/2012			
Prefix	FirstName	LastName			
Ms.	Caroline	Bradshaw			
Address		City	St		
116 Pratt Ln.,		Oak Ridge	TN		
Mobile Phone	Home Phone	Email			
(865) 776-6621	(865) 483-3343	quinn55@comcast.net			
Submission Date	Currently serving YAB?	How many years served on YAB?			
4/16/2012	N				
School Name					
Oak Ridge High School					
School Grade	GPA	Favorite Class			
10th		4 French			
Extra Curricular Activities					
I play soccer for AYSO. I participate in the dance program at my church. I am currently on ORHS's golf team. I am a member of Key Club at ORHS and was elected treasurer for next year. I am the alternate representative in my home room for ORHS's Student					
Volunteer Work Experience (1)					
Kern United Methodist Church					
Dates					
2008- Present					
Description					
I started off as a vollunteer working in the nursery at Kern. I am currently a paid staff member. I greatly enjoy working in the nursery. I have had a great experience learning how to care for children. I hope to continue to work in the nursery for many y					
Volunteer Work Experience (2)					
Oak Ridge Playhouse (ORPH)					
Dates					
2009- Present					
Description					
I have been volunteering as a crew member for productions at ORPH for several years. I have held many leadership positions while volunteering such as: Prop Master, Lightboard Operator, and the Stage Manager. I greatly enjoy the time I spend at ORPH. I hav					
Why do you want to serve on the YAB?					
I want to serve on YAB because I want my voice to be heard. I want to have a say in what happens in my community.					
<table border="1" style="margin: auto;"> <tr> <td>End of report for:</td> <td>Caroline Bradshaw</td> </tr> </table>				End of report for:	Caroline Bradshaw
End of report for:	Caroline Bradshaw				

Application Submission Date: 5/10/2012			
Prefix	FirstName	LastName	
Ms.	Shelby	Chambers	
Address	City	St	
45 Outer Drive	Oak Ridge	TN	
Mobile Phone	Home Phone	Email	
865-387-2097	865-297-7771	shelbychambers15@yahoo.com	
Submission Date	Currently serving YAB?	How many years served on YAB?	
5/10/2012			
School Name			
Oak Ridge High School			
School Grade	GPA	Favorite Class	
9th		3.7 Spanish	
Extra Curricular Activities			
I participate in the school orchestra and plan to the remaining three years of my high school career. I have been a girl scout for 9 years and have achieved the 3rd and 2nd highest award and I am currently working on the highest. I participate in intera			
Volunteer Work Experience (1)			
Girl Scout Council			
Dates			
2003 - present			
Description			
I have been a girl scout going on my 10th year. I have served 50 + hours working at the hospitality house. I have helped another troupe to get started. I have planted trees at Elm Grove Park and also picked up trash. Going to the hospital and Senior Ci			
Volunteer Work Experience (2)			
Interact Club of District #6780			
Dates			
2011-2012			
Description			
I am currently helping out with the Relay for Life. I worked on scrapbook making a UNICEF coin collection in October 2011. I also worked at the concession stand at every home football game in 2011.			
Why do you want to serve on the YAB?			
I would like to serve on the YAB because I love helping with people and events. I think that serving on the YAB would give me more opportunities for helping out. I am a hard working and determined person and I would live up to everything handed to me.			
<table border="1" style="margin: auto;"> <tr> <td>End of report for: Shelby Chambers</td> </tr> </table>			End of report for: Shelby Chambers
End of report for: Shelby Chambers			

Application Submission Date:		5/28/2012		
Prefix	FirstName	LastName		
Mr.	Aaron	Chasan		
Address		City	St	
46 Rivers Run Way		Oak Ridge	TN	
Mobile Phone	Home Phone	Email		
865-963-8386	865-482-3674	aaronsc95@gmail.com		
Submission Date	Currently serving YAB?	How many years served on YAB?		
5/28/2012	Y	2		
School Name				
Oak Ridge High School				
School Grade	GPA	Favorite Class		
11th		4.5 French or Calculus		
Extra Curricular Activities				
Youth Advisory Board- Vice President B'nai Brith Youth Organization- current Southeast Regional President ORHS International Relations Club- member ORHS Soccer- player National Honors Society- member Student Council- President for upcoming year				
Volunteer Work Experience (1)				
Youth Advisory Board				
Dates				
August 2010-present				
Description				
As a YAB member for the past two years, I helped with many voluntary events such as serving pizza at Girls Inc., helping to run the city Halloween party, serving food at Breakfast with Santa, etc. As vice president of the board, I have learned more of the				
Volunteer Work Experience (2)				
Camp Barney Medintz				
Dates				
June 2011				
Description				
At Camp Barney Medintz last year I served as Staff-In-Training. I was able to work with kids the whole summer and have amazing experiences. My favorite volunteer experience that summer was when a group of underprivileged children from the local community				
Why do you want to serve on the YAB?				
I want to serve on the YAB to make a difference in the community during my last year in high school. Since I was able to serve as vice president of the board this year and as a board member the year before, I am able to see how YAB works and lead the board				
<table border="1" style="margin: auto;"> <tr> <td>End of report for: Aaron Chasan</td> </tr> </table>				End of report for: Aaron Chasan
End of report for: Aaron Chasan				

CITY OF OAK RIDGE, TENNESSEE
BOARDS AND COMMISSIONS

TIME IN OFFICE AND ATTENDANCE RECORD

NAME: Aaron Chasan

BOARD OR COMMISSION: Youth Advisory Board

TIME IN OFFICE: Term of Office 1 Year

Date Appointed August 2011

ATTENDANCE RECORD (MOST RECENT TERM OF OFFICE):

Number of Meetings Held 14

Number of Absences 1

Date Prepared 6/19/12

Application Submission Date: 5/28/2012

Prefix	FirstName	LastName
Ms.	Lauren	Collier

Address	City	St
38 Riverside Dr.	Oak Ridge	TN

Mobile Phone	Home Phone	Email
	(865) 481-2761	kimn_1@yahoo.com

Submission Date	Currently serving YAB?	How many years served on YAB?
5/28/2012		

School Name
Jefferson Middle School

School Grade	GPA	Favorite Class
8th	3.96	French

Extra Curricular Activities

Earlier in the year, I was a member of cross country and track. I am currently in the Technology Student Association (TSA), math club, and art club. I am also a violinist in the Knoxville Youth Symphony Orchestra.

Volunteer Work Experience (1)

Oak Ridge Children's Museum

Dates

June 27-July 1, 2011; Dec. 2, 2011; Feb. 18, 2012; May 5, 2012

Description

Last summer, I worked with fellow volunteers to assist counselors at the Oak Ridge Children's Museum. We helped the museum during the summer camps by assisting children with various projects and making sure they were accounted for. I also volunteered as

Volunteer Work Experience (2)

First United Methodist Church

Dates

June 27- July 1

Description

I helped church volunteers set up and manage Vacation Bible School. I felt that working with these children was a way of giving back to my church and community. I also participate in multiple church volunteer events such as the Relay for Life, food drives

Why do you want to serve on the YAB?

Entering high-school, I believe that this program would improve my diligence, organization, and community pride. Being on the Youth Advisory Board would help me feel a sense of accomplishment in improving the place I live. The community has provided me w

End of report for: Lauren Collier

Application Submission Date:		5/15/2012	
Prefix	FirstName	LastName	
Ms.	Hannah	Craig	
Address	City	St	
108 Westwind Drive	Oak Ridge	TN	
Mobile Phone	Home Phone	Email	
(865) 622-0836	(865) 604-3203	2hannahbanana@gmail.com	
Submission Date	Currently serving YAB?	How many years served on YAB?	
5/15/2012			
School Name			
Oak Ridge High School			
School Grade	GPA	Favorite Class	
10th	4.06		
Extra Curricular Activities			
Cross Country (Varsity) Swim Team (Varsity) Track (Varsity)			
Volunteer Work Experience (1)			
E.L.L.F			
Dates			
October (2011)-February (2012)			
Description			
I volunteered at Willow Brook Elementary School for an after-school program targeted at Spanish-speaking students. The high school volunteers were in charge of handing out snacks, organizing the students into groups based on their grade, helping with teac			
Volunteer Work Experience (2)			
Methodist Medical Center			
Dates			
May (2011) - October (2011)			
Description			
I worked as a candy striper for the Methodist Medical Center Junior Volunteer Program last summer. Usually the candy stripers worked as a group with other high school volunteers, and we were in charge of tasks such as taking the fruit wagon around to nurs			
Why do you want to serve on the YAB?			
I would like to serve on the YAB because of the board's long history of integrating not only the community at large but also local youth. Friends who have served on YAB have had positive experiences, and I have noticed they have gained positions of leader			
End of report for: Hannah Craig			

Application Submission Date: 6/1/2012		
Prefix Ms.	FirstName Lara	LastName de Almeida
Address 170 Glassboro Drive	City Oak Ridge	St TN
Mobile Phone () 566-1604	Home Phone 865-483-5256	Email soccertiger1@gmail.com
Submission Date 6/1/2012	Currently serving YAB?	How many years served on YAB?
School Name Oak Ridge High School		
School Grade 10th	GPA	Favorite Class 4.2 Chemistry
Extra Curricular Activities FC Alliance soccer, ORHS band, piano, art classes		
Volunteer Work Experience (1) Methodist Church		
Dates July 2009, 2010, 2011		
Description I volunteered at the bible school for children and got to work with my own group of kids. It was very rewarding and a great bonding experience.		
Volunteer Work Experience (2) Knoxville Museum of Art		
Dates Fall of 2011		
Description I helped the museum prepare for the yearly showcase, including my own painting and facilitated the judges work.		
Why do you want to serve on the YAB? I would like to help out in my community and play a role in the decision as well as offer opinions that affect the youth of my town. I think it will be a helpful in assisting in maturing and preparing for college.		
End of report for: Lara de Almeida		

Application Submission Date: 5/31/2012

Prefix	FirstName	LastName
Mr.	Richard	Goyette

Address	City	St
112 Terri Lane	Oak Ridge	TN

Mobile Phone	Home Phone	Email
865-456-1464	865-274-8340	rickygoyette@comcast.net

Submission Date	Currently serving YAB?	How many years served on YAB?
5/31/2012		

School Name
Oak Ridge High School

School Grade	GPA	Favorite Class
10th		3.8 French

Extra Curricular Activities
SCOR Soccer
Highschool Soccer
Drama Club

Volunteer Work Experience (1)
Earth Day Festival

Dates
April 28, 2011; April 2010

Description
The first time I volunteered, I got to put on a small skit for the little children at the festival, and do miscellaneous tasks around the booths. The second time I got to sell soda, various tasks again, and I helped clear up afterwards. Both times were fun

Volunteer Work Experience (2)
St. Mary's Church

Dates
October 15, 2010; Fall 2010; May 17, 2011

Description
Fall Festival - I got to sell sodas and work with my friends, and see lots of people as I worked
Confirmation Set up - I helped set up for the 11th grade confirmation dinner with my dad and brother
Raked leaves - I raked leaves for senior citizens with

Why do you want to serve on the YAB?
I enjoy volunteering and working with others, and I would love to help out with my community!

End of report for: Richard Goyette

Application Submission Date: 4/18/2012

Prefix	FirstName	LastName
--------	-----------	----------

Ms.	Shane	Harris
-----	-------	--------

Address	City	St
105 Tamara Lane	Oak Ridge	TN

Mobile Phone	Home Phone	Email
865-399-8445	865-483-7553	silverlightharris@gmail.com

Submission Date	Currently serving YAB?	How many years served on YAB?
4/18/2012	Y	2

School Name
Oak Ridge High School

School Grade	GPA	Favorite Class
9th		3.8 English

Extra Curricular Activities

Piano
Masquers Drama Club
Volley Ball

Volunteer Work Experience (1)

Children's Museum of Oak Ridge

Dates

June-July 2011

Description

I work with children as an assistant of the camp teacher and community service.

Volunteer Work Experience (2)

Oak Valley Baptist Youth Group

Dates

2008-current

Description

Volunteer work - we go to the Homeless Shelter in Knoxville and feed the hungry. (community service)

Why do you want to serve on the YAB?

I aim to see Oak Ridge change and grow and with Youth Advisory Board, change will have a youthful voice so that Oak Ridge will not only be attractive to the elders but the youth also.

End of report for: Shane Harris

CITY OF OAK RIDGE, TENNESSEE
BOARDS AND COMMISSIONS

TIME IN OFFICE AND ATTENDANCE RECORD

NAME: Shane Harris

BOARD OR COMMISSION: Youth Advisory Board

TIME IN OFFICE: Term of Office 1 Year

Date Appointed August 2011

ATTENDANCE RECORD (MOST RECENT TERM OF OFFICE):

Number of Meetings Held 14

Number of Absences 2

Date Prepared 6/19/12

Application Submission Date: 4/15/2012

Prefix	FirstName	LastName
Mr.	Ross	Landenberger

Address	City	St
14 Radcliff Terrace	Oak Ridge	TN

Mobile Phone	Home Phone	Email
865-323-9599	865-425-0982	

Submission Date	Currently serving YAB?	How many years served on YAB?
4/15/2012	Y	1

School Name
Oak Ridge High School

School Grade	GPA	Favorite Class
11th		3.7 English/AP Environmental Science

Extra Curricular Activities
Disc Interest Sports Club International Relations Club ORHS Tennis AYSO Soccer Student Council YAB Environmental Club

Volunteer Work Experience (1)
Keep Anderson County Beautiful

Dates
Spring 2012

Description
Through Keep Anderson County Beautiful I have participated in environmental clean-ups in Anderson County by doing things such as pulling invasive species and cleaning up trash.

Volunteer Work Experience (2)
The American Museum of Science and Energy

Dates
Summer 2011

Description
During my time volunteering at AMSE I welcomed visitors, explained exhibits to visitors, and assisted with the managing of the museum and its activities.

Why do you want to serve on the YAB?
I want to serve on the YAB because I really enjoy being an active member of my community and my experience serving on the YAB this past year has been great and I would love to continue doing so.

End of report for: Ross Landenberger

CITY OF OAK RIDGE, TENNESSEE
BOARDS AND COMMISSIONS

TIME IN OFFICE AND ATTENDANCE RECORD

NAME: Ross Landenberger

BOARD OR COMMISSION: Youth Advisory Board

TIME IN OFFICE: Term of Office 1 Year

Date Appointed August 2011

ATTENDANCE RECORD (MOST RECENT TERM OF OFFICE):

Number of Meetings Held 14

Number of Absences 1

Date Prepared 6/19/12

Application Submission Date: 4/16/2012		
Prefix	FirstName	LastName
Ms.	Hannah	Magill
Address	City	St
135 Center Park	Oak Ridge	TN
Mobile Phone	Home Phone	Email
865-567-3495	865-482-0009	atigerntn@comcast.net
Submission Date	Currently serving YAB?	How many years served on YAB?
4/16/2012	Y	2
School Name		
Oak Ridge High School		
School Grade	GPA	Favorite Class
12		3.8 Art History
Extra Curricular Activities		
Colunteer at Girls Inc on Wednesdays		
VIP Soccer Volunteer (Soccer for Special needs kids) on Fridays		
Friends of the Smokies Volunteer work		
Volunteer Work Experience (1)		
VIP Soccer		
Dates		
Past 2 years - Spring and Fall seasons		
Description		
I really enjoy working with the special needs children because these kids don't offer have a chance to play sports and its really great to help them enjoy it.		
Volunteer Work Experience (2)		
Friends of the Smokies		
Dates		
2011-2012		
Description		
I love working with the Friends of the Smokies, especially during the Evergreen Ball. It's so cool to see all the volunteers' hard work to come together to make an amazing event.		
Why do you want to serve on the YAB?		
I love working on the YAB. The events are a lot of fun and this year at YAB we made some efforts towards helping the mall to become something great for Oak Ridge and I'd love to continue with that project.		
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> End of report for: Hannah Magill </div>		

CITY OF OAK RIDGE, TENNESSEE
BOARDS AND COMMISSIONS

TIME IN OFFICE AND ATTENDANCE RECORD

NAME: Hannah Magill

BOARD OR COMMISSION: Youth Advisory Board

TIME IN OFFICE: Term of Office 1 Year

Date Appointed August 2011

ATTENDANCE RECORD (MOST RECENT TERM OF OFFICE):

Number of Meetings Held 14

Number of Absences 0

Date Prepared 6/19/12

Application Submission Date: 5/12/2012		
Prefix	FirstName	LastName
Mr.	Monil	Mehta
Address	City	St
170 Sweet Gum Lane	Oak Ridge	TN
Mobile Phone	Home Phone	Email
(865) 360-4413	(865) 483-8688	monil1234@ymail.com
Submission Date	Currently serving YAB?	How many years served on YAB?
5/12/2012		
School Name		
Oak Ridge High School		
School Grade	GPA	Favorite Class
12		4.35 Medical Therapudics/Health Science
Extra Curricular Activities		
I run Cross-Country for the highschool team, work at Food City, am a member of National Honor Society, am on The Recycling Committiee, am a member of Spanish Honor Society, volunteer at the Children's Museum, volunteer at other various events, am a member		
Volunteer Work Experience (1)		
Children's Museum		
Dates		
Summer of 2010 and 2011		
Description		
I helped as a volunteer with the summer camp that the Children's Museum runs. In it I helped set up activities for the kids, supervised and lead some of the activities, played with the kids and made sure everyone was safe, helped clean up after the activi		
Volunteer Work Experience (2)		
Food City		
Dates		
Feburary 2010- Present		
Description		
I started out as a grocery bagger, but now I am a cashier. I only work on the weekends during the school year, but during the summer I work anytime during the week. The job is fun if you come with the right attitude to work. I learn a lot about handling m		
Why do you want to serve on the YAB?		
I want to serve on YAB because I want to be involved in the planning and coordination of some city events. I feel like it would be a good experience to have and would teach me a lot of valuable things. This is my last year before college and I want to get		
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> End of report for: Monil Mehta </div>		

Application Submission Date: 5/25/2012

Prefix	FirstName	LastName
Ms.	Laura	Skipper

Address	City	St
127 Baltimore Drive	Oak Ridge	TN

Mobile Phone	Home Phone	Email
865-556-6868	865-483-0547	

Submission Date	Currently serving YAB?	How many years served on YAB?
5/25/2012		

School Name
Jefferson Middle School

School Grade	GPA	Favorite Class
	3.97	English

Extra Curricular Activities
Dancer at Oak Ridge Academy of Dance for 10 years; Cheerleader at JMS for 3 years; Student Council representative for 2 years; TACL (gifted program); Ski Club Member for 2 years; Wilderness Connections Back Packing Trip and Orchestra for 5 years.

Volunteer Work Experience (1)
Volunteer Ministry Center

Dates
January 2012

Description
My youth group and I went to the volunteer ministry center to serve a meal we had prepared for the homeless.

Volunteer Work Experience (2)
First Presbyterian Church Nursery

Dates
October 2011

Description
I volunteer in the nursery to watch after toddler age children. This teaches me proper behavior towards and around children, as well as giving me the opportunity to develop leadership skills.

Why do you want to serve on the YAB?
The experience of servicing on the YAB would allow me the chance to become a more responsible individual. I would also like the opportunity offered through the YAB to become a more active and involved citizen in the Oak Ridge community.

End of report for: Laura Skipper

Application Submission Date: 5/16/2012

Prefix	FirstName	LastName
Ms.	Kelsey	Warmbrod

Address	City	St
106 Neville Lane	Oak Ridge	TN

Mobile Phone	Home Phone	Email
() 405-6408	(865)425-0651	kwarmbrod@hotmail.com

Submission Date	Currently serving YAB?	How many years served on YAB?
5/16/2012	Y	3

School Name
Oak Ridge High School

School Grade	GPA	Favorite Class
10th		4.2 Chemistry

Extra Curricular Activities
Rowing Lifeguard Teaching Swim Lessons (summer) Red Cross Club Interact

Volunteer Work Experience (1)
Oak Ridge Rowing Association

Dates
2009- present

Description
During the summer, I have volunteered to teach people how to row at summer camps. During the year, I volunteer at every regatta and go to schools with the captains to help teach people how to erg. I often work as a runner and general volunteer.

Volunteer Work Experience (2)
Interact and Rotary

Dates
2008-present

Description
I often volunteer at random events that my parent's Rotary club host. I also am a member of the Interact club at the highschool where I am volunteer at many events such as ringing the bell for Salvation Army during Christmas time and helping with Relay Fo

Why do you want to serve on the YAB?

I want to help the city improve for everybody, but especially the youth. I want it to be more enjoyable for the students and I want to have a voice in decisions that impact the youth. Also, I enjoy working the events.

End of report for: Kelsey Warmbrod

CITY OF OAK RIDGE, TENNESSEE
BOARDS AND COMMISSIONS

TIME IN OFFICE AND ATTENDANCE RECORD

NAME: Kelsey Warmbrod

BOARD OR COMMISSION: Youth Advisory Board

TIME IN OFFICE: Term of Office 1 Year

Date Appointed August 2011

ATTENDANCE RECORD (MOST RECENT TERM OF OFFICE):

Number of Meetings Held 14

Number of Absences 1

Date Prepared 6/19/12

Application Submission Date: 4/16/2012

Prefix	FirstName	LastName
--------	-----------	----------

Ms.	Dalyssa	Webb
-----	---------	------

Address	City	St
104 1/2 Temple RD	Oak Ridge	TN

Mobile Phone	Home Phone	Email
	423-404-0487	disacharling@hotmail.com

Submission Date	Currently serving YAB?	How many years served on YAB?
4/16/2012	N	

School Name
Jefferson Middle School

School Grade	GPA	Favorite Class
8th	3.75	Spanish

Extra Curricular Activities
Tae Kwon Do. 2nd degree black belt Judo Green belt Ski club Biking

Volunteer Work Experience (1)

TTJC KarTe

Dates
01/05/2012- present

Description
I volunteer teaching 3-7 year old girls and boys martial arts skills, respect for parents, teachers, the importance of good grades and respect for oneself and others

Volunteer Work Experience (2)

Dates

Description

Why do you want to serve on the YAB?

I feel that it is important to become involved in our communities, and schools! As future leaders of our communities it is important that we know the inner workings of those communities. I feel that those who fail to participate are given a community no

End of report for: **Dalyssa Webb**

Application Submission Date:		5/12/2012			
Prefix	FirstName	LastName			
Mr.	Patrick	Williams			
Address	City	St			
102 Deerfield Lane	Oak Ridge	TN			
Mobile Phone	Home Phone	Email			
243-501	(865) 482- 4739	pat.williams101@gmail.com			
Submission Date	Currently serving YAB?	How many years served on YAB?			
5/12/2012	Y	2			
School Name					
Oak Ridge High School					
School Grade	GPA	Favorite Class			
12		4.3 Calculus			
Extra Curricular Activities					
YAB Swim Team VIP Soccer Interact First United Methodist Church Youth Council					
Volunteer Work Experience (1)					
VIP Soccer					
Dates					
Fridays 5:30 Since fall 2009					
Description					
I help volunteer with a soccer team for mentally and physically handicapped children. Usually I am a "buddy" for a specific child and help him/her learn to play the game					
Volunteer Work Experience (2)					
FUMCOR Youth Council					
Dates					
Sundays 11:30-12:30 Since 2010					
Description					
I am on a Youth Board to assist our current church board. Because I am on this board, I am involved in many volunteer mission trips and other activities. We work with ADFAC and other organizations, specifically this summer I will be going to Alaska to hel					
Why do you want to serve on the YAB?					
I like making decisions that positively affect the city around me. I hope to make more changes in the upcoming year.					
<table border="1" style="margin: auto;"> <tr> <td>End of report for:</td> <td>Patrick Williams</td> </tr> </table>				End of report for:	Patrick Williams
End of report for:	Patrick Williams				

CITY OF OAK RIDGE, TENNESSEE
BOARDS AND COMMISSIONS

TIME IN OFFICE AND ATTENDANCE RECORD

NAME: Patrick Williams

BOARD OR COMMISSION: Youth Advisory Board

TIME IN OFFICE: Term of Office 1 Year

Date Appointed August 2011

ATTENDANCE RECORD (MOST RECENT TERM OF OFFICE):

Number of Meetings Held 14

Number of Absences 2

Date Prepared 6/19/12

Traffic Safety Advisory Board

NumVacancies 1
Total # of Members 10

Term of Office
A balance of an unexpired term ending on December 31, 2013.

Qualifications

No special qualifications other than Oak Ridge residency.

Applicants

Traffic Safety Advisory Board	Submitted	Preference
Mr. Richard J Raridon	6/20/2012	1

Current Members

Traffic Safety Advisory Board		Term Expires
Mr. Zachary Criswell	Oak Ridge High School student representative	2013
Mr. William A Davis	Chair	2014
Mr. Jason Elliott		2014
Ms. Jana F. Humphrey		2012
Mr. Thomas M. Jelinek		2013
Ms. Sharon Kohler		2013
Mr. Ben Redmond		2013
Ms. Jane Shelton	Planning Commission Representative	2013
Mr. William P. Smith		2012
Mr. Phil Wallace	Vice Chair	2013

City of Oak Ridge Board Application

BoardName: Traffic Safety Advisory Board

2012

Application Submitted

Applicant: Raridon, Richard

Choice

1

6/20/2012 14:09

111 Columbia Drive

HomePhone

865-483-4843

Email

MobilePhone

raridon@hotmail.com

Oak Ridge

TN

OfficePhone

Retired?

Y

Current Position / Title

Current Employer

ORNL

Company / Organization Retired From

Do you currently serve on any other City board, commission or committee?

NONE

Education, Professional and or Community Activity

BA, Grinnel College 1953

MA, Vanderbilt University 1955

Ph.D., Vanderbilt University 1959

Explain why you are interested in being appointed to this board, commission or committee

Long time interest in traffic conditions

Describe any special knowledge or past experience qualifying you for this appointment?

Oak Ridge resident for 50 years.

Notes

End of Application for Raridon, Richard

For Board: Traffic Safety Advisory Board

CITY CLERK MEMORANDUM

12-31

DATE: June 26, 2012

TO: Honorable Mayor and Members of City Council

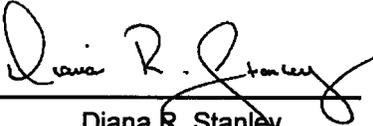
FROM: Diana R. Stanley, City Clerk

SUBJECT: CESSATION OF BOARDS AND COMMISSIONS VACANCY RECRUITMENT

Provided that all the applicants seeking consideration to our City Boards and Commissions are approved at the July 9, 2012 City Council meeting, all boards will now have full, active memberships.

With that said, I would like to request that recruitment efforts for future board and commission vacancies cease, so that the City Clerk's Office can begin to plan and prepare for the end of year election that will take place on December 17, 2012. Any vacancies from this point forward would be filled as a result of that election, unless there are quorum issues.

Currently, the City Clerks is finalizing a schedule for recruitment measures, deadlines, and packet completions. The schedule will be made available upon finalization.


Diana R. Stanley

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



State of Tennessee
PUBLIC CHAPTER NO. 1096

SENATE BILL NO. 3223

By McNally, Yager

Substituted for: House Bill No. 3400

By Ragan, Hardaway, Parkinson

AN ACT to amend Tennessee Code Annotated, Title 13, to enact the "Tennessee Local Land Bank Pilot Program".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 13, is amended by adding the following language as a new Chapter 30:

13-30-101. This act shall be known and may be cited as the "Tennessee Local Land Bank Pilot Program".

13-30-102. The legislature finds and declares as follows:

(1) Tennessee's communities are important to the social and economic vitality of the state. Whether urban, suburban or rural, many communities are struggling to cope with vacant, abandoned and tax-delinquent properties.

(2) There exists a crisis in many cities and their metro areas caused by disinvestment in real property and resulting in a significant amount of vacant and abandoned property. This condition of vacant and abandoned property represents lost revenue to local governments and large costs associated with demolition, safety hazards and spreading deterioration of neighborhoods including resulting mortgage foreclosures.

(3) The need exists to strengthen and revitalize the economy of the state and its local units of government by solving the problems of vacant and abandoned property in a coordinated manner and to foster the development of such property and promote economic growth. Such problems may include multiple taxing jurisdictions lacking common policies, ineffective property inspection, code enforcement and property rehabilitation support, lengthy and/or inadequate foreclosure proceedings, and lack of coordination and resources to support economic revitalization.

(4) There is an overriding public need to confront the problems caused by vacant, abandoned and tax-delinquent properties through the creation of new tools to be available to communities throughout the state enabling them to turn vacant spaces into vibrant places.

(5) Land banks are one of the tools that can be utilized by communities to facilitate the return of vacant, abandoned and tax-delinquent properties to productive use.

(6) In the interest of self-governance on the part of Tennessee's cities, this pilot program will be used in specific areas as a testing model of a self-governing, self-sustaining land bank that can revitalize Tennessee cities and counties.

13-30-103. As used in this act, unless the context clearly indicates otherwise:

(1) "Board of directors" or "board" means the board of directors or other similar governing body of the corporation;

(2) "Corporation" means a corporation created pursuant to this chapter to operate a land bank;

(3) "Land bank" means real property, however obtained or acquired and held by a corporation, created pursuant to this chapter, with the intent of acquiring and holding onto the real property so acquired until such a time as the corporation is able to find a willing and able buyer to acquire the real property from the corporation;

(4) "Local government" means any municipality or county incorporated or existing under the laws of Tennessee, or any combination of any municipality or county incorporated or existing under the laws of Tennessee meeting the requirements of § 13-30-104;

(5) "Pilot program" means the Tennessee Local Land Bank Pilot Program meeting the requirements of § 13-30-104;

(6) "Real estate" means an identified parcel or tract of land, including improvements, if any; and

(7) "Real property" means one (1) or more defined parcels or tracts of land or interests, benefits and rights inherent in the ownership of real estate.

13-30-104.

(a)(1) Any municipality or county incorporated or existing under the laws of Tennessee, or any combination of any municipality or county incorporated or existing under the laws of Tennessee, to which all of the following elements applies, has the authority to establish a pilot program by creating a corporation which is authorized to operate a land bank for the creating local government or local governments, hereafter referred to as "corporation", within the jurisdictional boundaries of the local government or local governments establishing the corporation:

(A) The local government was chosen as a site for a nuclear research facility for the U.S. Government during the World War II era;

(B) Prefabricated modular homes, apartments and dormitories, many made from cameso panels, were quickly erected for those employed at the nuclear research facility; and

(C) Many units of such housing, while intended to be only temporary structures, are in extremely deteriorated conditions and still serve as residential homes for municipal residents seventy (70) years after originally constructed.

(2) The corporation is hereby declared to be performing a public function on behalf of the local government with respect to which the corporation is created and organized and to be a public instrumentality of such local government. Accordingly, the corporation and all properties of the corporation, including all properties held in the name of the corporation in the land bank, at any time owned by it, and the income and revenues from the properties shall be exempt from all taxation in the State of Tennessee.

(b)(1) A corporation shall come into existence under the terms of this chapter when any local government to which subsection (a) applies either on its own initiative or through inter-local agreements entered into by and between one (1) or more creating local governments vote by majority vote of its legislative body to establish the corporation. Evidence of such authorization shall be proclaimed and countersigned by the presiding officer of each participating county or municipality and certified by such officer to the secretary of state.

(2) The governing bodies of the creating local governments shall indicate their willingness to appropriate sufficient funds to provide for the initial administration of the corporation as a part of the authorization process and for such purposes are authorized to provide funding or grants and appropriate money to the corporation in such manner as directed by the legislative bodies.

13-30-105.

(a) The corporation shall have a board of directors in which all powers of the corporation shall be vested. Such board shall consist of any number of directors, no fewer than five (5), all of whom shall be duly qualified electors of and taxpayers in the creating local government or local governments.

(b) The creating local government or local governments, if more than one (1) has jointly created a corporation, shall determine the qualifications, manner of selection or appointment, terms of office of members of the board, the number of directors, whether and to what extent the members of the local legislative bodies shall be appointed or elected to serve on the board of the corporation and the manner of filling vacancies.

(c) The term of each director on the corporation shall be as set by the creating local government or local governments, provided that any director shall continue to serve beyond the end of the director's term until the director's successor has been appointed. At the first organizational meeting of the corporation, the creating local government or local governments shall establish the terms of the initial directors so that the directors serve staggered terms and an approximately equal number of directors have terms that expire in each year.

13-30-106.

(a) A majority of the board of the corporation shall constitute a quorum for the transaction of any business. Unless a greater number or percentage is required by state law, the vote of a simple majority of the directors present at any meeting at which a quorum is present shall be the action of the corporation. To the extent permitted by applicable law, the corporation may permit any or all directors to participate in an annual, regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all directors participating may simultaneously hear each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting.

(b) The members of the board of directors shall select annually from among themselves a chairman, a vice chairman, a treasurer, and such other officers as the board may determine, and shall establish their duties as may be regulated by rules adopted by the board.

(c) The board shall establish rules and requirements relative to the attendance and participation of members in its meetings, regular or special. Such rules and regulations may prescribe a procedure whereby, should any member fail to comply with such rules and regulations, such member may be disqualified and removed automatically from office by no less than a majority vote of the remaining members of the board, and that member's position shall be vacant as of the first day of the next calendar month. Any person removed under the provisions of this subsection shall be ineligible for reappointment to the board, unless such reappointment is confirmed unanimously by the board.

(d) Any citizen or group of citizens upon collection of a petition having a clearly worded purpose, of at least twenty (20) verified signatures of qualified voters registered in the jurisdiction in which the board operates may present to the local government legislative body a resolution calling for the removal of any board member. The local government legislative body shall have the power, upon timely and due consideration of the citizen petition and a response from the board, to remove or retain the cited board member by simple majority vote. Removal from the board of directors of any public official shall not, in, and of itself, impair the public official or municipal or county employee in his or her other duties.

(e) Board members shall serve without compensation, shall have the power to organize and reorganize the executive, administrative, clerical, and other departments of the corporation and to fix the duties, powers and compensation of all employees, agents and consultants of the corporation. The board may reimburse any member for expenses actually incurred in the performance of duties on behalf of the corporation.

(f) The board shall meet in regular session according to a schedule adopted by the board, and also shall meet in special session as convened by the chairman or upon written notice signed by a majority of the members. The presence of a majority of the total membership of the board shall constitute a quorum.

(g) All actions of the board shall be approved by the affirmative vote of a majority of the members of that board present and voting. However, no action of the board shall be authorized on the following matters unless approved by a majority of the total board membership:

(1) Adoption of bylaws and other rules and regulations for conduct of the business of the corporation;

(2) Hiring or firing of any employee or contractor of the corporation. This function may, by majority vote, be delegated by the board to a specified officer or committee of the corporation, under such terms and conditions, and to the extent, that the board may specify;

(3) The incurring of debt;

(4) Adoption or amendment of the annual budget; and

(5) Sale, lease, encumbrance, or alienation of real property, improvements or personal property with a value of more than fifty thousand dollars (\$50,000).

(h) Vote by proxy shall not be permitted. Any member may request a recorded vote on any resolution or action of the board.

13-30-107.

(a) The corporation, once created, shall have the authority to create a land bank for real property located within the boundaries of the creating local government or local governments.

(b) No rules or bylaws created by the corporation, may contravene state law.

(c) All board members, appointees, employees and/or paid advisors of the corporation created, appointed or employed, with or without pay, pursuant to this act are subject to the provisions of Tennessee Code Annotated, Title 8, Chapter 17, and may not be exempted, on the basis of any corporate board governance rules or bylaws.

(d) All meetings of the board of directors of the corporation and/or its employees are subject to Tennessee Code Annotated, Title 8, Chapter 44, and may not be exempted on the basis of the corporate board governance rules or bylaws.

(e) All corporate records are subject to the provisions of Tennessee Code Annotated, §§ 10-7-503 through 10-7-505, and may not be exempted on the basis of any corporate board governance rules or bylaws.

13-30-108. The corporation may enter into contracts and agreements with the creating local government or local governments for staffing services to be provided to the corporation by such local governments or agencies or departments thereof.

13-30-109. The corporation shall have the power, as limited by the legislative body of the creating local government or local governments, to:

(1) Adopt, amend and repeal bylaws for the regulation of its affairs and the conduct of its business;

(2) Sue and be sued in its own name and plead and be impleaded in all civil actions, including, but not limited to, actions to clear title to the real property held in the land bank;

(3) Adopt a seal and to alter the same at pleasure;

(4) Borrow funds as may be necessary, for the operation and work of the corporation with the concurrence of the legislative body of the creating local government or local governments;

(5) Enter into contracts and other instruments necessary, incidental or convenient to the performance of its duties and the exercise of its powers, including, but not limited to, intergovernmental agreements under the existing Tennessee Code for the joint exercise of powers under this act;

(6) Make and execute contracts and other instruments necessary or convenient to the exercise of the powers to acquire, hold and dispose of real property held in the land bank;

(7) Procure and enter into contracts for any type of insurance or indemnity against loss or damage to property from any cause, including loss of use and occupancy, against death or injury of any person, against employer's liability, against any act of any member, officer or employee of the corporation in the performance of the duties of such person's office or employment or any other insurable risk, as the board of directors, in its discretion, may deem necessary;

(8) Accept donations, contributions, revenues, capital grants or gifts from any individual, association, public or private corporation, municipality or county of the State of Tennessee, the State of Tennessee or the United States government, or any agency or instrumentality of the State of Tennessee or the United States, for or in aid of any of the purposes of this act and enter into agreements in connection with the donations, contributions, revenues, capital grants or gifts;

(9) Invest money of the corporation in investments that would be eligible investments for a municipality or county in the state and name and use depositories for its money with a bank or trust company which is a member of the Federal Deposit Insurance Corporation;

(10) Identify, investigate, document and nominate properties meeting established criteria to the creating local government or local governments for initiation and exercise of eminent domain procedures in accordance with state law; provided that any real property taken by eminent domain, if transferred to or acquired by the corporation shall only be disposed of by the corporation in a manner which does not violate § 29-17-102;

(11) Enter into contracts which do not violate § 29-17-102, for the management of or the sale of real property in the land bank; such power shall include the power to preserve the value or prevent diminution of the value of any such property until disposed of by the corporation, including the following actions:

(A) Design, develop, construct, demolish, reconstruct, rehabilitate, renovate, relocate, and otherwise improve real property or rights or interests in real property;

(B) Fix, charge and collect rents, fees and charges for the use of real property of the land bank and for services provided by the corporation;

(C) Grant or acquire a license, easement, lease, as lessor and as lessee, or option with respect to real property in the land bank; and

(D) Enter into limited partnerships, limited joint ventures and other limited collaborative relationships with local governments and other public and private entities within the designated boundary for the ownership, management, development, and disposition of real property; and

(12) Do all other things necessary or convenient to achieve the objectives and purposes of the corporation related to the real property held in the land bank.

13-30-110.

(a) The corporation may acquire real property or interests in real property for the land bank by gift, devise, transfer, exchange, foreclosure, purchase, or otherwise on terms and conditions and in a manner the corporation considers proper.

(b) The corporation may acquire real property by purchase contracts, lease purchase agreements, installment sales contracts or land contracts, and may accept transfers from municipalities or counties upon such terms and conditions as agreed to by the corporation and the local government.

(c) The corporation shall maintain all of its real property and real property held in the land bank in accordance with state law and the laws and ordinances of the jurisdiction in which the real property is located.

(d) The corporation shall not own or hold real property located outside the jurisdictional boundaries of the local governmental entity or entities that created the corporation; provided, however, that the corporation may be granted authority pursuant to an intergovernmental cooperation agreement with another municipality or county to manage and maintain real property located within the jurisdiction of such other municipality or county.

(e) Notwithstanding any other provision of law to the contrary, any municipality or county may convey to the corporation real property and interests in real property on such terms and conditions, and according to such procedures, as determined by the legislative body of the local government conveying the real property to the corporation.

13-30-111.

(a) The corporation shall hold in its own name all real property acquired by the corporation for the land bank irrespective of the identity of the transferor of such property.

(b) The corporation shall maintain and make available for public review and inspection an inventory of all real property held for the land bank. In addition to referrals to public access, routine, printed, real property records or those on municipal and county electronic database files, the corporation is authorized to maintain an independent, publically available, electronic inventory via the creating local government or local government's Web site with any combination of pictures, informal descriptions, legal descriptions and addresses as the board may deem appropriate to its purposes related to real property in the land bank. The corporation is obligated to make reasonable efforts to ensure that information contained in any independent, electronic inventory is practically accurate or to ensure that a prominent disclaimer of accuracy is prominently displayed to any potential viewer.

(c) The corporation shall determine and set forth in policies and procedures of the board of directors, the general terms and conditions for consideration to be received for the transfer of real property and interests in real property, which consideration may take the form of monetary payments and secured financial obligations, covenants and conditions related to the present and future use of the property, contractual commitments of the transferee, and such other forms of consideration as determined by the board of directors to be in the best interest of the corporation related to real property in and for the land bank.

(d) The corporation may convey, exchange, sell, transfer, lease as lessee, grant, release and demise, pledge and hypothecate any and all interests in, upon or to real property of the land bank, to the extent authorized by the legislative body of the creating local government or local governments and in a manner which does not violate § 29-17-102.

(e) The legislative body of the local government or local governments creating the corporation, are authorized to establish a hierarchical ranking of priorities for the use of real property conveyed to the corporation for the land bank including, but not limited to:

- (1) Use for purely public spaces and places;
- (2) Use for affordable housing;
- (3) Use for retail, commercial and industrial activities; or
- (4) Use as wildlife conservation areas, and such other uses and in such hierarchical order as determined.

(f) The creating local government or local governments are authorized to require that any particular form of disposition of real property, or any disposition of real property located within specified jurisdictions which is held by the corporation in the land bank, be subject to specified voting and approval requirements of the board of directors. Except and unless restricted or constrained in this manner, the board of directors may delegate to officers and employees the authority to enter into and execute agreements, instruments of conveyance and all other related documents pertaining to the conveyance of real property held by the corporation as real property for the land bank.

13-30-112.

(a) The board shall cause minutes and a record to be kept of all its proceedings and such records shall be available for timely public inspection. All meetings shall be open to the public with appropriate notice published in accordance with Section 13-30-107(d).

(b) The board shall publish a report on an annual basis to its creating local government or local governments. This annual report must contain a detailed financial accounting of the corporation's debt obligations, income (sources and amounts), properties, dispositions, expenditures, acquisitions, contracts (executed and pending within the next ninety (90) days), significant activities and other data as required by organizational bylaws and governance documents. This report shall be maintained on file for audit purposes and immediately available to the Department of Audit in the office of the comptroller of the treasury upon request. Additionally, all such reports shall be available for public inspection.

(c) The board of directors of the corporation shall cause an annual audit to be made of the books and records of the corporation. With prior approval of the comptroller of the treasury, the audit may be performed by a licensed certified public accountant selected by the corporation. If a licensed certified public accountant is employed, the audit contract between the corporation and the licensed certified public accountant shall be on contract forms prescribed by the comptroller of the treasury. The cost of any audit shall be paid by the corporation. The comptroller of the treasury, through the department of audit, shall be responsible for determining that the audits are prepared in accordance with generally accepted government auditing standards and that the audits meet the minimum standards prescribed by the comptroller of the treasury.

(d) In the event the governing body of the corporation fails or refuses to have the audit prepared, then the comptroller of the treasury may appoint a licensed certified public accountant, or direct the Department of Audit, to prepare the audit, the cost of the audit to be paid by the corporation.

(e) A copy of the annual audit referenced in subsection (c) shall be filed annually with the creating local government or local governments.

13-30-113. A corporation created pursuant to this chapter may be dissolved in the manner established by the creating local government or local governments or otherwise in accordance with general law for the dissolution of a public corporation.

13-30-114. No member of the board or employee of a corporation shall acquire any interest, direct or indirect, in real property acquired or held by the corporation. No member of the board or employee of the corporation shall have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used by the corporation. The board may adopt supplemental rules and regulations addressing potential conflicts of interest and ethical guidelines for members of the board and employees of the board or corporation.

13-30-115. This act shall be construed liberally to effectuate the legislative intent and the purposes as complete and independent authorization for the performance of each and every act and thing authorized by this act, and all powers granted shall be broadly interpreted to effectuate the intent and purposes and not as a limitation of powers. Except as otherwise expressly set forth in this act, in the exercise of its powers and duties under this act and its powers relating to property held in the land bank, the corporation shall have complete control as fully and completely as if it represented a private property owner and shall not be subject to restrictions imposed by the charter, ordinances or resolutions of a local unit of government.

13-30-116.

(a) In accordance with existing provisions of Tennessee Code Annotated, §§ 67-5-2505, 67-5-2507, 67-5-2508, 67-5-2509, and 67-5-2514, the corporation is exempt from any state taxation.

(b) Additionally, the corporation has the power to pay any unpaid taxes due and owing by the owner of record of the real property, or make any government mandated improvements to the property, in exchange for the deed of real property to the corporation.

(c) All proceeds from the sale of real property held in the land bank shall be returned to the corporation.

(d) All corporate revenue shall be held by the board of directors, and proceeds shall only go to furthering the aims of the acquisition and/or resale of real property by the corporation for the land bank.

13-30-117.

(a) A corporation shall be authorized to file an action to quiet title as to any real property in which the corporation has an interest. For purposes of any and all such actions, the corporation shall be deemed to be the holder of sufficient legal and equitable interests, and possessory rights, so as to qualify the corporation as adequate complainant in such action.

(b) Prior to the filing of an action to quiet title, the corporation shall conduct an examination of title to determine the identity of any and all persons and entities possessing a claim or interest in or to the real property. Service of the complaint to quiet title shall be provided to all such interested parties by the following methods:

(1) Registered or certified mail to such identity and address as reasonably ascertainable by an inspection of public records;

(2) In the case of occupied real property by registered or certified mail, addressed to "occupant";

(3) By posting a copy of the notice on the real property;

(4) By publication in a newspaper of general circulation in the municipality in which the property is located;

(5) By electronically publishing notices with addresses and descriptions via the municipality's Web site; and

(6) Such other methods as the court may order.

(c) As part of the complaint to quiet title, the corporation shall file an affidavit identifying all parties potentially having an interest in the real property, and the form of notice provided.

(d) The court shall schedule a hearing on the complaint within ninety (90) days following filing of the complaint, and as to all matters upon which an answer was not filed by an interested party, the court shall issue its final judgment within one hundred twenty (120) days of the filing of the complaint.

(e) A corporation shall be authorized to join in a single complaint to quiet title one (1) or more parcels of real property.

13-30-118.

(a) The creating local government or local governments shall establish an appeal procedure as described in this section for any person aggrieved by the decision of the corporation with respect to real property proposed for acquisition or acquired by, held and disposed of by the corporation for the land bank.

(b) The legislative body of the local government is authorized to create an appeals committee or a joint appeals committee if more than one (1) local government created the corporation. Any person aggrieved by the decision of the corporation concerning any aspect of this act may obtain review of the official's decision by requesting an appeal of the decision of the official in written form to the appeals committee within ten (10) days of the date of the official's decision.

(c) The appeals committee shall hear the appeal within thirty (30) days of the written request for appeal.

(d) The appeals committee shall consider the appeal and render a decision on all hearings within thirty (30) days of the hearing date, unless the hearing is continued from time to time by a majority vote of the committee for further information.

(e) The appeals committee shall act as a quasi-judicial body whose purpose is to determine whether the corporation followed proper and authorized procedures related to the acquisition or disposal of real property held in the land bank, its applicability to the appellant, and to rule upon the actions of the official. The appeals committee shall not be bound by formal rules of evidence applicable to the various courts of the state.

(f) Hearings before the appeals committee shall proceed as follows:

(1) The corporate official shall explain his decision and the reasons for his decision related to the real property at issue;

(2) The appellant shall explain his reasons for protesting the decision of the official;

(3) The appeals committee may request further information from any corporate official. The appeals committee shall not have the power of subpoena;

(4) The appeals committee shall deliberate and render a decision by a majority vote as to whether the official acted appropriately in making the decision. The decision shall also include a recommendation for appropriate legislative action to be taken by the local government, if any is required or recommended, to remedy the issue in accordance with the decision rendered by the appeals committee.

(5) Decisions will be reduced to writing and copies shall be sent to all parties, including the legislative body of the local government or local governments, as appropriate, and shall become a part of the minutes of the appeals committee and the appropriate legislative body.

(6) Decisions of the appeals committee shall be final.

13-30-119.

(a) The comptroller shall monitor the actions of the corporation for a period of three (3) years from the date the corporation is created.

(b) No later than March 1st following the end of the third year of the creation of the corporation, the comptroller shall file a report with the governor and the state and local government committees of each house with recommendations concerning whether the pilot project should be continued, expanded or discontinued, together with recommended legislative actions based on such decision.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.

SENATE BILL NO. 3223

PASSED: April 26, 2012



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 21st day of May 2012



BILL HASLAM, GOVERNOR