



**OAK RIDGE CITY COUNCIL
REGULAR MEETING**

Municipal Building Courtroom

May 8, 2023 - 7:00 PM

AGENDA

I. INVOCATION

- a. Christine Rehder, Director of Youth Faith Formation, Oak Ridge Unitarian Universalist Church

II. PLEDGE OF ALLEGIANCE

- a. Nevaeh Catron, Robertsville Middle School Student

III. ROLL CALL

IV. PROCLAMATIONS AND PUBLIC RECOGNITIONS

- a. A Proclamation Recognizing Dr. Mark Watson for his Years of Service as Oak Ridge City Manager
[Dr. Mark Watson Proclamation.doc](#)
- b. A Proclamation Designating May 15-21, 2023 as Police Week and May 15, 2023 as Police Memorial Day
[Police_Day__Week_Proclamation_-_2023.doc](#)
- c. A Proclamation Designating April 30-May 6, 2023 as Municipal Clerks' Week
[Municipal Clerks Week Proclamation.docx](#)
- d. A Proclamation Designating May 21-27, 2023 as Public Works Week
[Public Works Week Proclamation.doc](#)

V. SPECIAL REPORTS

VI. CONSENT AGENDA

- a. March 6, 2023 Special Meeting Minutes
[March 6, 2023 Special Meeting Minutes.pdf](#)
- b. April 10, 2023 Regular Meeting Minutes
[April 10, 2023 Minutes.pdf](#)
- c. April 18, 2023 Special Meeting Minutes
[April 18, 2023 Special Meeting Minutes.pdf](#)

- d. [Contract with FOXPE for Design of Wastewater Lift Station Improvements at the Preserve ORRRWTP Screening Improvements Proposal.pdf](#)
[Resolution - FOXPE - Design Wastewater Lifts at Preserve.docx](#)
- e. [Approval of Bylaws and Rules and Procedures for the Industrial Development Board of the City of Oak Ridge](#)
[IDB Rules and Procedures - Tracked Changes - May 1 2023.pdf](#)
[Resolution - IDB Bylaws and Rules and Procedures.docx](#)
[IDB Bylaws - As Approved by IDB 3.15.23.pdf](#)
[IDB Rules and Procedures - As Approved by IDB 5.1.23 with modifications.pdf](#)
- f. [Annual Maintenance - Infor Asset Management Software](#)
[City of Oak Ridge, Tennessee 2023 Renewal Quote.pdf](#)
[Resolution - Infor Asset Management Software.docx](#)
- g. [Employee Basic Term Life, Employee Basic Accidental Death and Dismemberment, Basic Dependent Life, Supplemental Life, and Long-Term Disability policies Renewal with The Hartford for Fiscal Years 2023 and 2024](#)
[Resolution - Hartford Insurance.docx](#)
[Hartford Rate Comparison 2023.04.28.pdf](#)
[Revised City Of Oak Ridge Renewal - Rate Update for Basic Life Reflected.doc](#)
- h. [Approval of an Extension of the Tennessee Oversight Interlocal Agreement Between the City of Oak Ridge and the Following Counties: Anderson, Knox, Morgan, and Roane, to Cooperate on Issues Related to the U.S. Department of Energy's Environmental Management Program and Emergency Management Activities, and to be Recognized as the Oak Ridge Reservation Communities Alliance.](#)
[TOIA Agreement 2019-2023 Signed.pdf](#)
[Resolution - Extend TN Oversight Interlocal Agreement.docx](#)
- i. [Grant Application to Fund a Recreation & Parks Master Plan](#)
[Resolution - Healthy Built Environment Grant.docx](#)

VII. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

- a. [Zoning Ordinance Text Amendment: Food Truck Parks](#)
[Food Truck Parks Text Amendment.docx](#)
[Food Truck Park Zoning Districts Exhibit.pdf](#)
[Ordinance - Creation of Food Truck Park.docx](#)

VIII. FINAL ADOPTION OF ORDINANCES

IX. RESOLUTIONS

- a. [Renewal of Vegetation \(Tree Trimming\) Contract](#)
[Resolution - Vegetation Mgmt Renewal.docx](#)
- b. [Design & Engineering Services - Outdoor Pool Renovation Project](#)
[Kimley-Horn Proposed Scope Outdoor Pool.pdf](#)
[Resolution - Outdoor Pool Design - KimleyHorn.docx](#)
- c. [Ballfield Light Replacement - Big Turtle Park](#)
[MUSCO Quote Big Turtle Softball 2023.pdf](#)
[Resolution - Big Turtle Park Lighting - Musco Sports Lighting LLC.docx](#)
- d. [Purchase of Underground Cable for Horizon Center](#)

FY2023 Abstract 500 MCM UGD CU Cable.pdf
Resolution - Underground Distribution Cable - Horizon.docx

- e. City of Oak Ridge Social Services (CORSS) Program FY 2023 Amendment
ADFAC - Requesting Amendment to Social Services Policy - April 2023.pdf
City's Social Services Policy.pdf
Resolution - Amendment to Social Services Policy.docx
- f. Purchase of Two Replacement Server Systems
Serve Quote #1 BT2304283BC CoOR_FAS2720 24x16TB (~179.25TiB) - CTG.pdf
Server Quote #2 BT2304282BC CoOR_FAS2720 12x16TB (~102.21TiB) - CTG.pdf
Resolution - Server Replacements.docx

X. APPEARANCE OF CITIZENS

ALL CITIZENS ARE GIVEN 3 MINUTES

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

- a. Appointment of Council Representative to Youth Advisory Board Screening Panel

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. CITY MANAGER'S REPORT

- a. Update on Current Issues

XIV. CITY ATTORNEY'S REPORT

XV. ADJOURNMENT

PROCLAMATION

WHEREAS, Dr. Mark Watson has served as the City Manager of the City of Oak Ridge since 2010 and is retiring on May 5, 2023; and

whereas, Dr. Watson is a second-generation City Manager with a forty-five year career as a public servant, having served as City Manager for not only Oak Ridge but also six prior cities in Texas, Montana, and Arizona; and

WHEREAS, in 2019, Dr. Watson graduated from the University of Tennessee with a Ph.D. in Political Science with emphasis on public administration and public policy, after receiving a Bachelor's in English and a Master's in Public Administration from the University of Kansas; and

WHEREAS, in 2017, Dr. Watson was recognized by the International City/County Management Association for his public service career which spans over four decades, and in 2018, he received the Community Partnership Award from the International City/County Management Association for his efforts in developing a public/private partnership for the redevelopment of the American Museum of Science and Energy and re-use of the existing site; and

WHEREAS, in 2022, Dr. Watson received the L.P. Cookingham Award for Career Development from the International City/County Management Association, which recognizes an outstanding local government administrator who has made a significant contribution to the career development of new talent in professional local government management ; and

WHEREAS, Dr. Watson was recently recognized by the University of Kansas with a Lifetime Achievement Award in City Management, and the University of Tennessee with the award MPPA Fellow in Professional Practice for his immense contributions to the education and professional development of MPPA students; and

WHEREAS, Dr. Watson has positively influenced the career paths of over two dozen interns and assistants since beginning his career in local government in 1981, and has shared his knowledge with students and young professionals from around the world, including teaching forty students about local government in Beijing, China in 2018; and

WHEREAS, Dr. Watson has been married to his wife Jenna for forty-four years this August, and they are the proud parents to four children and grandparents to five grandchildren; and

whereas, the City of Oak Ridge congratulates Dr. Watson on the occasion of his retirement and thanks him for his years of devoted service to Oak Ridge and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the council OF THE CITY OF OAK RIDGE, TENNESSEE, that in recognition of his distinguished service to the Oak Ridge community, the City of Oak Ridge hereby recognizes

Dr. Mark Watson

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 8th day of May in the year 2023.

mAYOR

council member

COUNCILMEMBER

council member

Council member

Mayor Pro Tem

Council member

PROCLAMATION

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which it falls as National Police Week; and

WHEREAS, the members of the Oak Ridge Police Department perform an essential role in safeguarding the rights and freedoms of the citizens of Oak Ridge; and

WHEREAS, it is important that all citizens know and understand the challenges, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, the men and women of the Oak Ridge Police Department provide a vital public service unceasingly; and

WHEREAS, the Oak Ridge Police Department has a long-standing tradition of holding a Peace Officer Memorial Service on or around May 15th each year; and

WHEREAS, the Police Department plans to hold an in-person memorial service at 10:00 a.m. on May 18, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE that the week of May 15 - 21, 2023 be proclaimed

POLICE WEEK

in the City of Oak Ridge, Tennessee, and that all citizens observe this week to commemorate police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities; and

BE IT FURTHER RESOLVED that Sunday, May 15, 2023 be proclaimed

POLICE MEMORIAL DAY

in honor of those peace officers who have lost their lives or have become disabled in the performance of their duty.

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 8th day of May in the year 2023.

Warren L. Gooch, Mayor

PROCLAMATION

WHEREAS, the office of the Professional Municipal Clerk, a time honored and vital part of local government, exists throughout the world; and

WHEREAS, the office of the Professional Municipal Clerk is the oldest among public servants; and

whereas, the office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

whereas, Professional Municipal Clerks have pledged to be forever mindful of their neutrality and impartiality, rendering equal service to all; and

whereas, the Professional Municipal Clerk serves as the information center on functions of local government and community; and

whereas, Professional Municipal Clerks continually strive to improve the administration of the affairs of the office through participation in education programs, seminars, workshops, and the annual meetings of their state, and international professional organizations; and

whereas, it is most appropriate that we recognize the accomplishments of the office of Professional Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED by the council OF THE CITY OF OAK RIDGE, TENNESSEE, that April 30-May 6,, 2023 be recognized as

Professional Municipal Clerks Week

in the City of Oak Ridge, Tennessee, and appreciation be extended to City Clerk Beth Hickman and her assistant, Valarie Emery, for the vital services they perform and their exemplary dedication to the Oak Ridge community.

in witness whereof, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 8th day of May in the year 2023.

Warren L. Gooch, mayor

PROCLAMATION

WHEREAS, Public Works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support and education of an informed citizenry is vital to the efficient operations of Public Works divisions and facilities, such as water distribution, sewer collection, water and wastewater treatment, streets, sidewalks, storm drains, stormwater management, public buildings, snow removal, fleet maintenance, and many other public services; and

WHEREAS, the health, safety, and comfort of our community depends greatly on these services; and

WHEREAS, the efficiency and dedication of all Public Works Department personnel is directly and indirectly influenced by the citizenry's attitude toward and understanding of the importance of the work they perform daily.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that the week of May 21-27, 2023 be proclaimed

Public Works Week

in the City of Oak Ridge, Tennessee, and that all citizens be urged to acquaint themselves with the issues involved in providing our City's public works and to recognize the contributions made by our Public Works personnel every day to ensure a healthy, safe, and comfortable quality of life for all citizens of Oak Ridge.

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 8th day of May in the year 2023.

Warren L. Gooch, Mayor

OAK RIDGE CITY COUNCIL SPECIAL MEETING
Municipal Building Training Room

March 6, 2023

Minutes

A special meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:34 a.m. on March 6, 2023 with Mayor Warren Gooch presiding.

ROLL CALL

Upon roll call the following Councilmembers were present: Mayor Pro Tem Jim Dodson; Councilmember Sean Gleason; Mayor Warren Gooch; Councilmember Derrick Hammond; Councilmember Charlie Hensley; Councilmember Charles J. Hope, Jr.; and Councilmember Ellen Smith.

Also present were Mark Watson, City Manager; Jack Suggs, Deputy City Manager; Tammy Rackard, City Attorney; and Mary Beth Hickman, City Clerk.

ITEMS FOR CONSIDERATION

Discussion of Consultant Presentations to Assist with the City Manager Search and Selection of Finalists for Interviews

Councilmembers discussed the seven consultant presentations from February 27th and then voted by signed ballot for their choices for the top three to proceed to the interview stage of the process.

GovHR USA received seven votes. BakerTilly received 5 votes. Strategic Government Resources (SGR) received four votes. These three will be moving on to the interview stage. It was agreed to that the interviews would be thirty minutes in length with the consultant getting five minutes for opening remarks, and twenty-five minutes would be answering questions from members of Council. The interviews would take place during the scheduled Work Session meeting time, which is Tuesday, March 21, 2023 beginning at 6:00 p.m. in the Municipal Building Courtroom. Interviews will take place via Zoom unless the consultant wishes to travel to present in person.

Councilmembers should submit a list questions to the City Clerk that they would like to have asked to each consultant. The City Clerk and the City Attorney will review the questions and come up with three questions that will be asked of each consultant. The questions will be sent to the consultants on Monday, March 13th after Council has reviewed the final version of the questions.

A special meeting will be called on Wednesday, March 22, 2023 at 4:00 p.m. for Council to choose the consultant from the three finalists.

ADJOURNMENT: 8:27 a.m.

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

April 10, 2023

Minutes

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on April 10, 2023 with Mayor Warren Gooch presiding.

INVOCATION

The invocation was given by Oak Ridge Police Department Chaplain Denna Hornby.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Maria Soledad (Soly) Beehan, 7th Grade Student at Jefferson Middle School.

ROLL CALL

Upon roll call the following Councilmembers were present: Mayor Pro Tem Jim Dodson; Councilmember Sean Gleason; Mayor Warren Gooch; Councilmember Derrick Hammond; Councilmember Charlie Hensley; Councilmember Charles J. Hope, Jr. and Councilmember Ellen Smith.

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

PROCLAMATIONS/PUBLIC RECOGNITIONS

A proclamation paying tribute to Mark Cantrell

Mayor Pro Tem Dodson moved for approval of the proclamation, and Councilmember Hope seconded.

The motion was approved unanimously by voice vote with Councilmembers Gleason, Hammond, Hensley, Hope, Smith, Mayor Gooch, and Mayor Pro Tem Dodson voting "Aye."

A proclamation designating April 18, 2023 as Holocaust Remembrance Day

Councilmember Smith moved for approval of the proclamation, and Councilmember Hope seconded.

The motion was approved unanimously by voice vote with Councilmembers Gleason, Hammond, Hensley, Hope, Smith, Mayor Gooch, and Mayor Pro Tem Dodson voting "Aye."

A proclamation designating April 23-29, 2023 as Library Week

Mayor Pro Tem Dodson moved for approval of the proclamation, and Councilmember Smith seconded.

The motion was approved unanimously by voice vote with Councilmembers Gleason, Hammond, Hensley, Hope, Smith, Mayor Gooch, and Mayor Pro Tem Dodson voting "Aye."

A proclamation designating April, 2023 as Fair Housing Month.

Councilmember Gleason moved for approval of the proclamation, and Councilmember Smith seconded.

The motion was approved unanimously by voice vote with Councilmembers Gleason, Hammond, Hensley, Hope, Smith, Mayor Gooch, and Mayor Pro Tem Dodson voting "Aye."

SPECIAL REPORTS

Presentation by Oak Ridge Housing Authority on Proposed New Housing Project – Maria Catron, Executive Director

Special Report on Cyber Security Incident and Recovery

Dr. Amy Fitzgerald, Director of Government Affairs and Information Services, presented a report on the recent malware attack, recovery and costs to date.

CONSENT AGENDA

Councilmember Ellen Smith requested that the following item be removed from the Consent Agenda for discussion:

A RESOLUTION AWARDING A CONTRACT TO SPORT SURFACE PROS LLC, LAKE FOREST, ILLINOIS, TO RESURFACE THE JACKSON SQUARE TENNIS COURTS IN AMOUNT NOT TO EXCEED \$60,000.

Mayor Pro Tem Dodson moved for approval of the Consent Agenda as amended, and Councilmember Hensley seconded. The motion was approved unanimously by voice vote with Councilmembers Gleason, Hammond, Hensley, Hope, Smith, Mayor Gooch and Mayor Pro Tem Dodson voting “Aye.”

Approval of the March 13, 2023 regular meeting minutes and the March 22, 2023 special meeting minutes

Resolution No. 4-34-2023

A RESOLUTION APPROVING A CONTRACT WITH PYRO SHOWS, INC., LAFOLLETTE, TENNESSEE, FOR THE ANNUAL FOURTH OF JULY FIREWORKS DISPLAY IN AN AMOUNT NOT TO EXCEED \$33,000.

Resolution No. 4-35-2023

A RESOLUTION ADOPTING BYLAWS AND RULES AND PROCEDURES FOR THE PERSONNEL ADVISORY BOARD.

Resolution No. 4-36-2023

A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR, AND ACCEPT IF AWARDED, A GRANT FROM THE STATE OF TENNESSEE, DEPARTMENT OF MILITARY, TENNESSEE EMERGENCY MANAGEMENT AGENCY (TEMA), IN THE AMOUNT OF \$16,000 WITH NO LOCAL MATCH REQUIRED FOR THE FIRE DEPARTMENT.

Resolution No. 4-37-2023

A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) VEHICLES FROM FORD OF MURFREESBORO FOR THE ELECTRIC DEPARTMENT UTILIZING STATE CONTRACT PRICING IN THE TOTAL AMOUNT NOT TO EXCEED \$80,000.

Resolution No. 4-38-2023

A RESOLUTION AUTHORIZING THE PURCHASE OF FOUR (4) VEHICLES FROM FORD OF MURFREESBORO FOR THE RECREATION AND PARKS DEPARTMENT UTILIZING STATE CONTRACT PRICING IN THE TOTAL AMOUNT NOT TO EXCEED \$153, 423.00.

Resolution No. 4-39-2023

A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR, AND ACCEPT IF AWARDED, ENVIRONMENTAL PROTECTION AGENCY GRANT FUNDS IN AN AMOUNT UP TO \$13,500,000.00 TO BE USED FOR CONSTRUCTION OF THE NEW WATER TREATMENT PLANT, WITH MATCHING FUNDS PROVIDED FROM TENNESSEE STATE REVOLVING LOAN FUNDS.

The next item taken up on the agenda was the item removed for discussion.

Resolution No. 4-40-2023

A RESOLUTION AWARDING A CONTRACT TO SPORT SURFACE PROS LLC, LAKE FOREST, ILLINOIS, TO RESURFACE THE JACKSON SQUARE TENNIS COURTS IN AMOUNT NOT TO EXCEED \$60,000.

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

Dana Parker, 24 Rivers Court, Oak Ridge, addressed Council with suggestions for improving the tennis courts.

Ann Frome, 107 Oneida Lane, Oak Ridge spoke in favor of striping all of the tennis courts for pickleball and tennis.

The resolution was approved unanimously by voice vote with Councilmembers Gleason, Hammond, Hensley, Hope, Smith, Mayor Gooch and Mayor Pro Tem Dodson voting “Aye.”

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

(NONE)

FINAL ADOPTION OF ORDINANCES

Ordinance No. 6-2023

AN ORDINANCE TO AMEND ORDINANCE NO. 27-85, TITLED “A PERSONNEL PLAN FOR EMPLOYEES OF THE CITY OF OAK RIDGE, TENNESSEE,” AS AMENDED, AS FOLLOWS: TO AMEND SECTION 6.10, TITLED “LONGEVITY PAYMENTS,” TO CHANGE THE PAYMENT DATE FROM JULY TO JUNE AND TO PROVIDE FOR A PROPORTIONATE PAYMENT IN THE EVENT OF RETIREMENT; TO AMEND SECTION 11.1, TITLED “GENERAL LEAVE,” SUBSECTION F, TITLED “BUY-BACK OF EXCESS GENERAL LEAVE,” TO DELETE THE SECOND PARAGRAPH WHICH IS NOW SUPERFLUOUS LANGUAGE THAT ONLY APPLIED TO CALENDAR YEAR 2018; AND TO AMEND SECTION 11.2, TITLED “EMERGENCY LEAVE,” SUBSECTION E, TITLED “MAXIMUM ACCUMULATION OF EMERGENCY LEAVE,” TO DELETE THE SUBSECTION IN ITS ENTIRETY WITHOUT REPLACEMENT TO REMOVE LANGUAGE THAT IS NO LONGER APPLICABLE IN LIGHT OF THE ADOPTION OF ORDINANCE 01-2023.

City Attorney Tammy Rackard advised Council that there is a substitute ordinance that will need to be brought to the floor which adds the date that the Personnel Advisory Board took action on the item and indicates that the Personnel Advisory Board requested a modification that City staff did not agree with. All other language in the substitute is the same.

Mayor Pro Tem Dodson moved to amend the ordinance to replace it with the substitute ordinance, and Councilmember Hope seconded. The motion was approved unanimously by voice vote.

Deputy City Manager Jack Suggs provided an overview of the ordinance.

The ordinance was adopted unanimously by board vote with Councilmembers Gleason, Hammond, Hensley, Hope, Smith, Mayor Gooch and Mayor Pro Tem Dodson voting “Aye.”

RESOLUTIONS

Resolution No. 4-41-2023

A RESOLUTION AWARDING A CONTRACT TO G&W DIESEL/EMERGENCY VEHICLE SPECIALISTS, KNOXVILLE, TENNESSEE, FOR THE PURCHASE OF A 100-FT PIERCE AERIAL FIRE APPARATUS IN AN AMOUNT NOT TO EXCEED \$1,981,116.30 UTILIZING THE PURCHASING COOPERATIVE SOURCEWELL.

Mayor Gooch moved for approval of the resolution, and Councilmember Smith seconded. Fire Chief Travis Solomon provided an overview of the resolution and answered questions from Council.

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

Resolution No. 4-42-2023

A RESOLUTION AMENDING THE CITY'S ELECTRIC DEPARTMENT VEGETATION MANAGEMENT CONTRACT WITH W.A. KENDALL AND COMPANY, LLC, LAWRENCEVILLE, GEORGIA, (CONTRACT 2020-002) TO INCREASE THE COMPENSATION AMOUNT FOR FY2023 BY AN AMOUNT NOT TO EXCEED \$405,000.00.

Councilmember Hammond moved for approval of the resolution, and Councilmember Hope seconded. Electric Department Director Ardo Ba provided an overview of the resolution and answered questions from Council.

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

Resolution No. 4-43-2023

A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS MATERIALS FOR UPGRADES TO THE EXISTING OVERHEAD ELECTRIC LINES FROM BLAIR ROAD TO THE EDGE OF HORIZON CENTER INDUSTRIAL PARK ALONG STATE ROUTE 95 IN AN AMOUNT NOT TO EXCEED \$404,793.70 FOR USE BY THE ELECTRIC DEPARTMENT.

Mayor Pro Tem Dodson moved for approval of the resolution, and Councilmember Hope seconded. Electric Department Director Ardo Ba provided an overview of the resolution and answered questions from Council.

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

Resolution No. 4-44-2023

A RESOLUTION AWARDING A CONTRACT TO RECREATIONAL CONCEPTS, LLC, COOKEVILLE, TENNESSEE, TO DESIGN AND CONSTRUCT AN INCLUSIVE PLAYGROUND AT HIGHLAND VIEW PARK IN AN AMOUNT NOT TO EXCEED \$300,000.

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

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

Resolution No. 4-45-2023

A RESOLUTION AWARDING A CONTRACT (FY2023-200) TO MORGAN CONTRACTING, INC. KNOXVILLE, TENNESSEE, FOR REPAIR AND REHABILITATION OF PORTIONS OF THE CITY'S SANITARY SEWER COLLECTION SYSTEM IN AN AMOUNT NOT TO EXCEED \$1,725,000.00.

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

Engineer Roger Flynn provided an overview of the resolution and answered questions from Council.

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

Resolution No. 4-46-2023

A RESOLUTION AWARDING A CONTRACT (FY2023-085) TO W & O CONSTRUCTION COMPANY, INC., LIVINGSTON, TENNESSEE, FOR THE REPLACEMENT OF THE EXISTING OAK HILLS PUMPING STATION IN AN AMOUNT NOT TO EXCEED \$455,600.00.

Councilmember Smith moved for approval of the resolution, and Councilmember Hammond seconded. City Engineer Roger Flynn provided an overview of the resolution and answered questions from Council.

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

Resolution No. 4-47-2023

A RESOLUTION AWARDING A CONTRACT (FY2023-110) TO STUBBS CONSTRUCTION SERVICES, LLC, CROSSVILLE, TENNESSEE, FOR REPLACEMENT OF DESIGNATED SIDEWALKS AND RAMPS IN AN AMOUNT NOT TO EXCEED \$460,660.00.

Councilmember Hammond moved for approval of the resolution, and Councilmember Smith seconded. City Engineer Roger Flynn provided an overview of the resolution and answered questions from Council.

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

Resolution No. 4-48-2023

A RESOLUTION APPOINTING JACK L. SUGGS AS INTERIM CITY MANAGER, EFFECTIVE MAY 5, 2023, FOR A TERM TO COINCIDE WITH CITY COUNCIL'S RECRUITMENT PROCESS FOR A SUCCESSOR UPON THE RETIREMENT OF MARK S. WATSON.

Mayor Pro Tem Dodson moved for approval of the resolution, and Councilmember Smith seconded. City Attorney Tammy Rackard provided an overview of the resolution and answered questions from Council.

The resolution was approved unanimously by voice vote with Councilmembers Gleason, Hammond, Hensley, Hope, Smith, Mayor Gooch and Mayor Pro Tem Dodson voting “Aye.”

APPEARANCE OF CITIZENS

Sheila Caldwell Massey, 101 W. Price Lane, Oak Ridge, addressed Council regarding harassment she has been experiencing in her neighborhood.

Martin McBride, 954 W. Outer Drive, Oak Ridge, addressed Council regarding the proposed Department of Energy Waste Disposal Facility and requested that Council consider a resolution rejecting the proposal pending economic negotiations.

Tamara Gunter, 175 Viola Road, Oak Ridge, and member of the Oak Ridge Land Bank, addressed Council in support of the Scarboro redevelopment project.

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

(NONE)

Announcements

Deputy City Manager Jack Suggs announced that on May 4, 2023, there will be a reception in honor of Dr. Watson's retirement at the Towne Place Suites Marriott from 4:00 to 7:00 p.m. Also, Dr. Watson will be attending the May 8th City Council meeting to be recognized by Council.

Councilmember Smith reported on her attendance at the National League of Cities Congressional Cities Conference in Washington, DC the last week of March.

Councilmember Gleason reported on a joint meeting with Oak Ridge National Laboratory to accept public comment on a Department of Energy Request for Information pertaining to transfer of intellectual property into local communities surrounding national laboratory sites.

Scheduling

(NONE)

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Councilmember Dodson requested additional discussion about expanding school resource officer presence in the schools at a future work session.

Mayor Gooch asked Police Chief Robin Smith to provide an update on a security assessment occurring between the City of Oak Ridge and the schools, which he also felt that Council should discuss with the schools at a future date upon completion. He also asked to have a preliminary discussion at the May work session.

SUMMARY OF CURRENT EVENTS

(NONE)

CITY MANAGER'S REPORT

City Manager Mark Watson reminded Council of a very important Budget and Finance Committee meeting this month. He has also asked Finance Director McGinnis to put together a budget adoption calendar.

Dr. Watson also announced there would be a work session next week as well.

CITY ATTORNEY'S REPORT

(NONE)

ADJOURNMENT: 9:09 p.m.

OAK RIDGE CITY COUNCIL SPECIAL MEETING
Municipal Building Courtroom

April 18, 2023

Minutes

A special meeting of the City Council of the City of Oak Ridge, Tennessee convened at 6:00 p.m. on April 18, 2023 with Mayor Warren Gooch presiding.

ROLL CALL

Upon roll call the following Councilmembers were present: Mayor Pro Tem Jim Dodson; Mayor Warren Gooch; Councilmember Charlie Hensley; Councilmember Charles J. Hope, Jr.; and Councilmember Ellen Smith. Councilmember Sean Gleason and Councilmember Derrick Hammond were absent.

Also present were Mark Watson, City Manager; Jack Suggs, Deputy City Manager; Tammy Rackard, City Attorney; and Mary Beth Hickman, City Clerk.

ITEMS FOR CONSIDERATION

Resolution No. 4-49-2023

A RESOLUTION AWARDING A CONTRACT (FY2023-301) TO MORGAN CONTRACTING, INC., KNOXVILLE, TENNESSEE, FOR THE BYPASS RAW WATER LINE PROJECT AT THE WATER INTAKE SITE IN AN AMOUNT NOT TO EXCEED \$367,400.00.

Mayor Pro Tem Dodson moved for approval of the resolution, and Councilmember Smith seconded. Public Works Director Patrick Berge provided an overview of the resolution and answered questions from Council.

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

ADJOURNMENT: 6:09 p.m.

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023

TO: Mark S. Watson, City Manager

FROM: Patrick Berge , Public Works Director

SUBJECT: Contract with FOXPE for Design of Wastewater Lift Station Improvements at the Preserve

Introduction

An item for Council's consideration is a resolution authorizing FOXPE, Nashville, TN, to design improvements to wastewater lift stations located in the Preserve neighborhood in an amount not to exceed \$60,000.

Funding

Funding is available from American Rescue Plan Act (ARPA) funds.

Background

The City received funds through Roane Count's ARPA grant which must be utilized in Roane County. Public Works reviewed several projects which can meet this requirement, among these is the need to upgrade the lift stations located in the Preserve neighborhood draining to the Rarity Ridge Wastewater Treatment Plant. These stations were installed during the initial construction of the Preserve neighborhood and have seen significantly increased flows since 2018. Improvements include replacing pumps subject to clogging and upgrading screening equipment. The primary location of these improvements is the final lift station receiving the majority of wastewater from the Preserve neighborhood and the former K-25 site located just west of the treatment plant. These improvements will be integral to future upgrades to the Rarity Ridge Wastewater Treatment Plant necessitated by growth in the Preserve neighborhood and at the industrial parks located at the former K-25 site. Staff have utilized FOXPE for lift station upgrades in the past, including for the refurbishment of the primary lift station outside the Turtle Park Wastewater Treatment Plant, and have been highly satisfied with the results.

Recommendation

Staff recommends approval of the resolution as attached.

Attachments:

[ORRRWTP Screening Improvements Proposal.pdf](#)

[Resolution - FOXPE - Design Wastewater Lifts at Preserve.docx](#)



April 14, 2023

Mrs. Patrick Berge, P.E.
Director - Public Works Department
P.O. Box 1
Oak Ridge, TN 37831

Re: Rarity Ridge WWTP Screening Improvements

Dear Patrick,

FOXPE is pleased to submit our proposal for Professional Engineering Services to assist The City of Oak Ridge with the Rarity Ridge WWTP Influent Screening project. Design phase services includes preparation of plans, contract documents, and technical specifications utilizing FOXPE design standards, preparation of a design memorandum, and submission to TDEC for approval. This proposal also includes construction phase services which offered in accordance with the attached Scope of Services, Construction Contract Administration. The scope of the project includes the following elements:

1. Replacement of the influent pumps to a non-clog submersible design, perimeter fencing, and miscellaneous site improvements.
2. Replacement of the influent screening equipment and associated piping, valves, painting, miscellaneous metals, and required site improvements.

Exclusions from our scope of services include the following elements.

1. Subsurface exploration for underground utility locations or geotechnical investigations
2. Surveying services

We propose to provide these services on a lump sum basis for a fee of \$60,000. The fee is offered as not-to-exceed without prior written authorization by the City of Oak Ridge. A copy of our current billing rates is attached.

We appreciate the opportunity to present this proposal. We look forward to continuing our work with Oak Ridge. Please do not hesitate to contact me at (615) 476-0706 or dudney@foxpe.com if you have any questions.

Sincerely,

Dudney Fox, P.E.
Principal

**SCOPE OF SERVICES
CITY OF OAK RIDGE
RARITY RIDGE WWTP SCREENING IMPROVEMENTS**

I. SERVICES OF FOXPE

A. Design Phase Services

1. Prepare a Design Development Report (DDR) or Engineering Report (ER) in sufficient detail to clearly indicate the concepts and considerations recommended for each of the Major Project Elements. Major Project Elements include:
 - a. As described in the proposal
 - b. Additional aspects of the design development phase include:
 - i. Prepare schematic layouts, sketches and design concepts and criteria;
 - ii. Prepare detailed hydraulic profile;
 - iii. Provide descriptions of major processes;
 - iv. Provide descriptions of support facilities; and
 - v. Provide appropriate number of copies of the report for review by the CLIENT and required regulatory agencies. The CLIENT will pay any review fees established by the regulatory agency.

During the DDR or ER phase, commence the services required for permitting and topographic survey as described hereinafter.
2. Prepare detailed design drawings, technical specifications, and contract documents for the construction of the selected facilities. Specific elements included are:
 - a. Prepare necessary contract documents utilizing FOXPE standards;
 - b. Coordinate design activities with the CLIENT and appropriate regulatory agencies and prepare any necessary permit applications;
 - c. Prepare an opinion of probable project construction cost; and
 - d. Provide appropriate numbers of copies of plans, specifications, and contract documents for review by the CLIENT and involved regulatory agencies. The CLIENT will pay any review fees established by the state governmental agencies.

B. Construction Phase Services

1. *Bidding and Award Services.* FOXPE will assist the CLIENT in the preparation of bid packages, bidding and bid analysis, and contract award. Bidding services will include the following tasks:
 - a. Assist the CLIENT in preparing and placing advertisements for bids in local papers and other media as selected by the CLIENT. CLIENT will pay for advertising costs;
 - b. Distribute drawings and bound contract documents and specifications to the contractors for use in bidding the project(s). Contractors shall be required to pay FOXPE an appropriate cost for reproduction, shipping, and handling of bid documents;
 - c. As required, interpret contract documents and issue addenda;
 - d. Assist the CLIENT in collecting and tabulating all bids;
 - e. Analyze bids received and prepare a bid tabulation sheet;
 - f. Make recommendation of award; and
 - g. Assist the CLIENT in assembling construction contract documents for execution.
2. *General Administration of Construction Contract.* FOXPE will consult with and advise CLIENT and act as CLIENT's representative as provided in the General Conditions of the construction contract, except as modified herein. The extent and limitations of the duties, responsibilities, and authority of FOXPE as assigned in said General Conditions will not be further modified, except as FOXPE may otherwise agree in writing. All of the CLIENT's instructions to Contractor will be issued through FOXPE who will have authority to act on behalf of the CLIENT to the extent provided in said General Conditions, except as otherwise provided in writing.

3. *Visits to Site and Observation of Construction.* In connection with observations of the work of the Contractor while it is in progress:
 - a. FOXPE will make visits to the site at intervals appropriate to the various stages of construction as FOXPE deems necessary to observe as an experienced and qualified design professional the progress and quality of the various aspects of the Contractor's work. Based on information obtained during such visits and on such observations, FOXPE will endeavor to determine in general if such work is proceeding in accordance with the Contract Documents and FOXPE will keep the CLIENT informed of the progress of the work.
 - b. The purpose of FOXPE's visits to the site will be to enable FOXPE to better carry out the duties and responsibilities assigned to and undertaken by FOXPE during the Construction Phase, and, in addition, by exercise of FOXPE's efforts as an experienced and qualified design professional, to provide for the CLIENT a greater degree of confidence that the completed work of the Contractor will conform generally to the Contract Documents and that the integrity of the design concept as reflected in the Contract Documents has been implemented and preserved by the Contractor. On the other hand, FOXPE will not, during such visits or as a result of such observations of the Contractor's work in progress, supervise, direct, or have control over the Contractor's work, nor will FOXPE have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected by the Contractor, for safety precautions and programs incidental to the work of the Contractor or for any failure of the Contractor to comply with laws, rules, regulations, ordinances, codes, or orders applicable to the Contractor furnishing and performing the work. Accordingly, FOXPE can neither guarantee the performance of the construction contracts by the Contractor nor assume responsibility for the Contractor's failure to furnish and perform the work in accordance with the Contract Documents.
4. *Defective Work.* During such visits and on the basis of such observations, FOXPE may disapprove of or reject the Contractor's work while it is in progress if FOXPE believes that such work will not produce a completed project that conforms generally to the Contract Documents or that it will prejudice the integrity of the design concept of the project as reflected in the Contract Documents.
5. *Interpretations and Clarifications.* FOXPE will issue necessary interpretations and clarifications of the Contract Documents and in connection therewith prepare work directive changes and change orders as required.
6. *Shop Drawings.* FOXPE will review (or take other appropriate action in respect to) Shop Drawings (as that term is defined in the aforesaid General Conditions), samples, and other data that the Contractor is required to submit, but only for general conformance with the design concept of the project and compliance with the information given in the Contract Documents. Such reviews or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incidental thereto.
7. *Substitutes.* FOXPE will evaluate and determine the acceptability of substitute materials and equipment proposed by Contractor, but subject to the provision of Paragraph C of "Required Additional Services."
8. *Inspections and Tests.* FOXPE will have authority, as the CLIENT's representative, to require special inspection or testing of the work and will receive and review all certificates of inspections, tests, and approvals required by laws, rules, regulations, ordinances, codes, orders, or the Contract Documents (but only to determine generally that their content complies with the requirements of, and the results certified indicate compliance with, the Contract Documents).
9. *Disputes between CLIENT and Contractor.* FOXPE will act as initial interpreter of the requirements of the Contract Documents and judge of the acceptability of the work thereunder and make decisions on all claims of the CLIENT and Contractor relating to the acceptability of the work or the interpretation of the requirements of the Contract

- Documents pertaining to the execution and progress of the work. FOXPE will not be liable for the results of any such interpretations or decisions rendered in good faith.
10. *Applications for Payment.* Based on FOXPE's on-site observations as an experienced and qualified design professional on information provided by the CLIENT and on review of applications for payment and the accompanying data and schedules:
 - a. FOXPE will determine the amounts owing to the Contractor and recommend in writing payments to the Contractor in such amounts. Such recommendations of payment will constitute a representation to the CLIENT, based on such observations and review, that the work has progressed to the point indicated, and that, to the best of FOXPE knowledge, information, and belief, the quality of such work is generally in accordance with the Contract Documents (subject to an evaluation of such work as a functioning whole prior to or upon Substantial Completion and to the results of any subsequent tests called for in the Contract Documents). In the case of unit price work, FOXPE recommendations of payment will include final determinations of quantities and classifications of such work (subject to any subsequent adjustments allowed by the Contract Documents).
 - b. By recommending any payment, FOXPE will not thereby be deemed to have represented that exhaustive, continuous, or detailed reviews or examinations have been made by FOXPE to check the quality or quantity of the Contractor's work as it is furnished and performed beyond the responsibilities specifically assigned to FOXPE in this Agreement. FOXPE's review of the Contractor's work for the purposes of recommending payment will not impose on FOXPE responsibility to supervise, direct, or control such work or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incidental thereto or Contractor compliance with laws, rules, regulations, ordinances, codes, or orders applicable to furnishing and performing the work. It will also not impose responsibility on FOXPE to make any examination to ascertain how or for what purposes any Contractor has used the moneys paid on account of the Contract Price, or to determine that title to any of the work, materials, or equipment has passed to the CLIENT free and clear of any lien, claims, security interest, or encumbrances, or that there may not be other matters at issue between the CLIENT and the Contractor that might affect the amount that should be paid.
 11. *Contractor's Completion Documents.* FOXPE will receive and review maintenance and operating instructions, schedules, guarantees, bonds, and certificates of inspection, tests, and acceptance, which are to be assembled by Contractor in accordance with the Contract Documents (but such review will only be to determine that their content complies with the requirements of, and in the case of certificates of inspection, tests and acceptance of the results certified indicate compliance with, the Contract Documents); and will transmit them to the CLIENT with written comments.
 12. *Inspections.* FOXPE will conduct a visual inspection to determine if the work is substantially complete and a final inspection to determine if the completed work is acceptable so FOXPE may recommend, in writing, final payment to the Contractor and may give written notice to the CLIENT and the Contractor that the work is acceptable (subject to any conditions therein expressed), but any such recommendation and notice will be subject to the limitations expressed in Paragraph 10b above.
 13. *Project Meetings.* Attend all project-related meetings and conferences with the CLIENT, Contractor(s), and other applicable parties. At a minimum, construction progress meetings shall be held quarterly during the construction period.
 14. *Record Drawings.* FOXPE will review and correlate the Contractor's records with designer's records. FOXPE will provide two hardcopies and one digital file in PDF format of record drawings to the CLIENT.
 15. *Limitation of Responsibilities.* FOXPE will not be responsible for the acts or omissions of any Contractor, or of any subcontractor or supplier, or any of the Contractor's or subcontractor's or supplier's agents or employees or any other persons (except FOXPE own employees and agents) at the site or otherwise furnishing or performing any of the Contractor's work; however, nothing contained in Paragraphs 1 through 15, inclusive, will

be construed to release FOXPE from liability for failure to properly perform duties and responsibilities assumed by FOXPE under this Agreement.

B. Additional Services Requiring Authorization in Advance

If authorized in writing by the CLIENT, FOXPE will furnish or obtain from others Additional Services of the types listed in the following paragraphs. These services are not included as part of Construction Contract Administration Services.

1. Start-up or operational assistance services.
2. Assistance with NPDES permitting.
3. Preparation of Operation and Maintenance Manuals.
4. Preparation of applications and supporting documents for private or governmental grants, loans, or advances in connection with the project; preparation or review of environmental assessments and impact statements; review and evaluation of the effect on the design requirements of the project of any such statements and documents prepared by others; and assistance in obtaining approvals of authorities having jurisdiction over the anticipated environmental impact of the project.
5. Services to make measured drawings of or to investigate existing conditions or facilities, or to verify the accuracy of drawings or other information furnished by the CLIENT.
6. Services resulting from significant changes in the general scope, extent, or character of the project or its design including, but not limited to, changes in size, complexity, CLIENT's schedule, character of construction method or financing; and revising previously accepted studies, reports, design documents or Contract Documents when such revisions are required by changes in laws, rules, regulations, ordinances, codes, or orders enacted subsequent to the preparation of such studies, reports, or documents, or are due to any other causes beyond FOXPE control.
7. Providing renderings or models for the CLIENT's use.
8. Preparing documents for alternate bids requested by the CLIENT for Contractor's work that is not executed or documents for out-of-sequence work.
9. Investigations and studies involving, but not limited to, detailed consideration of operations, maintenance, and overhead expenses; providing value engineering during the course of design; the preparation of feasibility studies, cash flow and economic evaluations, rate schedules, and appraisals; assistance in obtaining financing for the project; evaluating processes available for licensing and assisting the CLIENT in obtaining process licensing; detailed quantity surveys of material, equipment, and labor; and audits or inventories required in connection with construction performed by the CLIENT.
10. Services during out-of-town travel required of FOXPE other than visits to the site or the CLIENT's office.
11. Assistance in connection with bid protests, rebidding, or renegotiating contracts for construction, materials, equipment, or services.
12. Providing any type of property surveys or related engineering services needed for the transfer of interest in real property and field surveys for purposes of redesign or changes in alignment.
13. Preparing to serve or serving as a consultant or witness for the CLIENT in any litigation, arbitration, or other legal or administrative proceeding involving the project (except for assistance in consultations which is included as part of Construction Contract Administration Services).
14. Preparation of documentation to assist CLIENT in obtaining variances or exemptions from codes or regulations.
15. Assistance in applying for and obtaining zoning changes and appeals.
16. Additional services in connection with the project, including services that are to be furnished by the CLIENT and services not otherwise provided for in this Scope of Services.

C. Required Additional Services

When required by the Contract Documents in circumstances beyond FOXPE control, FOXPE will furnish or obtain from others, as circumstances require during construction and without waiting for specific authorization from the CLIENT, Additional Services of the types listed below. These services are not included as part of the Design and Construction Contract Administration Phase Services. FOXPE will advise the CLIENT promptly before starting any such Additional Services.

1. Services in connection with work directive changes and change orders to reflect changes requested by the CLIENT if the resulting change in compensation for Design or Construction Phase Services is not commensurate with the additional services rendered.
2. Services in making revisions to drawings and specifications occasioned by the acceptance of substitutions proposed by the Contractor; and services after the award of each contract in evaluating and determining the acceptability of an unreasonable or excessive number of substitutions proposed by the Contractor.
3. Services resulting from significant delays, changes, or price increases occurring as a direct or indirect result of material, equipment, or energy shortages.
4. Additional or extended services during construction made necessary by (1) work damaged by fire or other cause during construction, (2) a significant amount of defective or neglected work of any Contractor, (3) acceleration of the progress schedule involving services beyond normal working hours, and (4) default by any Contractor.
5. Services in connection with any partial utilization of any part of the project by the CLIENT prior to substantial completion.
6. Evaluating an unreasonable or extensive number of claims submitted by the Contractor or others in connection with the work.

II. RESPONSIBILITIES OF CLIENT

The CLIENT will be responsible to:

- A. Provide all criteria and full information as to its requirements for the project.
- B. Upon identification by FOXPE and approval by the CLIENT of the necessity and scope of information required, furnish FOXPE with data, reports, surveys, and other materials and information required for this project, except those included in FOXPE scope of services.
- C. Acquire all land, easements, and rights-of-way as required for this project.
- D. Provide access to the project site and make all provisions for FOXPE to enter upon public and private lands as required for FOXPE to perform its services under this Agreement.
- E. Examine all studies, reports, sketches, opinions of the construction costs, specifications, drawings, proposals, and other documents presented by FOXPE to the CLIENT, and render in writing the CLIENT's decisions pertaining thereto within a reasonable time so as not to delay the services of FOXPE.
- F. Give prompt written notice to FOXPE whenever the CLIENT observes or otherwise becomes aware of any defect in the project.
- G. Furnish to FOXPE, prior to execution of this Agreement, a copy of any design and construction standards the CLIENT shall require FOXPE to follow in performing its services under this Agreement.
- H. Pay applicable permit and review fees assessed by regulatory agencies in connection with the project.

III. PERIODS OF SERVICE

- A. The provisions of this section and the various rates of compensation for FOXPE services provided for elsewhere in this Scope of Services have been agreed to in anticipation of the orderly and continuous progress of the project through completion of the Construction Contract Administration Phase.

- B. The construction phase will commence with the execution of the first prime contract to be executed for the work of the project or any part thereof and will terminate upon written recommendation by FOXPE of final payment on the last prime contract to be completed.
- C. If the CLIENT has requested significant modifications or changes in the general scope, extent, or character of the project, the time of performance of FOXPE services will be adjusted equitably.
- D. The periods of service under the construction phase are based upon a construction contract time of **365** consecutive calendar days. If the Contractor fails to substantially complete the project within the original contract time and the CLIENT desires FOXPE to extend the construction phase, the amounts for construction phase services provided for elsewhere in this Agreement will be subject to equitable adjustment.
- E. If FOXPE's services during construction of the project are delayed or suspended in whole or in part by the CLIENT for more than 1 year for reasons beyond FOXPE's control, the various rates of compensation provided for elsewhere in this Agreement will be subject to equitable adjustment.
- F. In the event that the CLIENT authorizes FOXPE to extend construction phase services or resident project representation beyond the expiration of the original construction contract time, the following conditions shall apply:
 - 1. Compensation for the extended services shall not be conditional upon the CLIENT's collection of liquidated damages from the Contractor.



2023 BILLING RATES

TEAM MEMBER	HOURLY BILLING RATE
Project Representative I	\$70
Project Representative II	\$80
Project Representative III	\$90
Project Coordinator I	\$85
Project Coordinator II	\$95
Project Coordinator III	\$105
Engineer Intern I	\$95
Engineer Intern II	\$110
Designer I	\$80
Designer II	\$90
Project Administrator	\$70
Project Designer	\$100
Project Engineer I	\$125
Project Engineer II	\$135
Senior Project Representative	\$95
Senior Project Coordinator	\$120
Senior Administrator	\$90
Construction Manager	\$110
Senior Designer	\$115
Senior Engineer	\$155
Principal Engineer	\$190
Partner	\$300

Travel Mileage Expense - Current US Government Mileage Rates

Travel Expenses – Current GSA Per Diem Rates

Miscellaneous Expenses and Fees - Cost plus 10%

NUMBER _____

RESOLUTION

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH FOXPE, LLC, NASHVILLE, TENNESSEE, FOR DESIGN SERVICES OF WASTEWATER LIFT STATION IMPROVEMENTS AT THE PRESERVE (FORMERLY RARITY RIDGE) IN AN AMOUNT NOT TO EXCEED \$60,000.00.

WHEREAS, the City is the recipient of American Rescue Plan Act (ARPA) funds through Roane County's grant, which must be utilized in the Roane County portion of Oak Ridge; and

WHEREAS, upgrades to the wastewater lift stations in the Preserve neighborhood that drain into the Rarity Ridge Wastewater Treatment Plant qualify for said funds; and

WHEREAS, improvements include replacing pumps subject to clogging and upgrading screening equipment, which improvements will be an integral part of future upgrades to the Rarity Ridge Wastewater Treatment Plant necessitated by the growth in the Preserve neighborhood and nearby industrial parks; and

WHEREAS, FOXPE, LLC, has provided professional engineering services for several recent projects, which services have been highly satisfactory to the City, and has provided a proposal for this project; and,

WHEREAS, the Interim City Manager recommends approval of a professional services agreement with FOXPE, LLC, for these services.

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

That the recommendation of the Interim City Manager is approved and a Professional Services Agreement with FOXPE, LLC, Nashville, Tennessee, for design services of wastewater lift station improvements at the Preserve is hereby approved; said agreement in accordance with the proposal of FOXPE, LLC, dated April 14, 2023, and in an amount not to exceed \$60,000.00.

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

This 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023

TO: Honorable Mayor and City Council

FROM: Tammy Rackard

SUBJECT: Approval of Bylaws and Rules and Procedures for the Industrial Development Board of the City of Oak Ridge

SUPPORTING DEPARTMENT: City Clerk

Introduction

An item for the agenda is a resolution to approve the Bylaws and the Rules and Procedures for the Industrial Development Board of the City of Oak Ridge.

Funding

No funding is associated with this item.

Background

At the July 12, 2021 meeting, City Council approved two resolutions to establish consistency in operations among the various city boards and commission. Resolution 7-80-2021 approved a standardized template for all boards and commissions to establish Bylaws. Resolution 7-81-2021 approved a standardized template for all boards and commissions to establish Rules and Procedures.

The Industrial Development Board of the City of Oak Ridge (IDB) had an existing set of bylaws but not a rules and procedures document. The IDB's bylaws were reviewed and language from the existing bylaws was incorporated into the template as appropriate for a new set of updated Bylaws. Additionally, the IDB's charter and applicable state law provisions were reviewed and incorporated into the updated Bylaws. Since the IDB has statutory and charter provisions, many of those were noted in the Bylaws as endnotes for reference purposes. The Rules and Procedures were created using the Council template with a few requested modifications by the IDB as shown in bold-strikethrough on the attachment. There are three modifications requested. First, language is added to address the difficulty with publishing current financial statements 48-hours prior to the meeting. Due to the IDB meeting on the first Monday of each month, the financial statements for the prior month are often not ready until the morning of the meeting. The IDB would like to retain the flexibility to report on those items at the meeting and not have to postpone it for another month. Second, language is added to establish a 20-minute time limit for public comment for both agenda and non-agenda items to allow the meetings to proceed in a timely fashion. And third, language is added about

confidentiality of projects with specific reference to compliance with state law open records and meetings provisions.

At their March 15, 2023 special meeting, the IDB unanimously approved the updated Bylaws. At their May 1, 2023 meeting, the IDB unanimously approved the Rules and Procedures with the requested modifications. These documents are being brought to City Council for final adoption. The new Bylaws and Rules and Procedures will become effective upon City Council's approval.

Recommendation

Approval of the attached resolution is recommended.

Attachments:

[IDB Rules and Procedures - Tracked Changes - May 1 2023.pdf](#)

[Resolution - IDB Bylaws and Rules and Procedures.docx](#)

[IDB Bylaws - As Approved by IDB 3.15.23.pdf](#)

[IDB Rules and Procedures - As Approved by IDB 5.1.23 with modifications.pdf](#)

**RULES AND PROCEDURES
OF THE
INDUSTRIAL DEVELOPMENT BOARD OF
THE CITY OF OAK RIDGE, TENNESSEE**

I. Meetings

- A. Meeting Procedure. All regular meetings will follow the order of the agenda listed in Article VII, Section E of the Board's bylaws. At special meetings, the Board shall transact only such business as that designated in the previously posted meeting agenda.
- B. Right to Speak.
- (1) Members. The Chairperson shall recognize the right of Board members to speak before the body. A Board member shall initiate his/her right to speak by seeking recognition from the Chairperson.
 - (2) Members of the Public. The Chairperson shall recognize a citizen's opportunity to comment on items that are under consideration by the Board as part of the formal agenda.
- C. Time and Place of Meetings. An annual meeting shall be held within the first week following the election of Board members by City Council, or at such time and place as may be designated by the Chairperson. Regular meetings shall likewise be held on the first Monday of each month, or at such other time and place as may be designated by the Chairperson. Special meetings shall be held at the time and place designated by the notice of meeting. The Board may decide to reschedule a single meeting without the change having to be approved by City Council, but permanently changing the scheduled meeting dates would require City Council approval. The Board shall decide to reschedule a meeting either at a prior meeting or soon enough so that proper notice can be given of the meeting date change.

II. Agenda

- A. Preparation. The agenda for meetings shall be prepared by the Executive Assistant from items suggested by members of the Board, City Manager, City Council, or City Staff. If individuals or groups from the general public have suggested items that would require Board action, they shall coordinate with staff regarding placement on a meeting agenda. Any items which require technical review by staff shall have been submitted in a timeframe in which complete review can be conducted by staff.
- B. Contents. The agenda of a regular meeting shall contain only such items that have been received by a deadline set forth by staff for timely agenda

publication.

- C. Copies. All members shall be furnished a copy of the agenda and as much supporting material as practical prior to any meeting, which material shall be sent to members with the meeting notice referenced in Article VII, Section D of the Board's bylaws.
- D. Publication on website. The entire agenda packet shall be published on the Board's webpage at least forty-eight (48) hours before a regular meeting and twenty-four (24) hours before a special-called meeting. Because of the IDB's regular meeting schedule date, financial statements may not be available until the morning of the meeting and will be published as soon as possible if they are to be incorporated into the agenda.

III. Public Comment

- A. Public Comment During Regular Meetings. Any person speaking to the Board shall be asked to provide their name and address. Speakers shall address all comments to the Board members and not to other members of the audience. The following time limits for speakers shall be observed:
 - (1) The ~~petitioner or a~~ representative (ex. attorney, developer, etc.) for a project scheduled on the agenda shall speak for no more than ten (10) minutes. This may be extended at the discretion of the Chairperson.
 - (2) Public comment on an item on the agenda shall be limited to twenty (20) minutes in total absent a majority vote by the Board to extend it. Any individual who wishes to speak for or against an agenda item shall sign up on the sign in sheet that will be available at the beginning of the meeting. Each individual will have up to three (3) minutes to address the Board. This may be extended at the discretion of the Chairperson. Once the twenty-minute limit is up, no additional public comment may be made absent an extension of time by the Board.
- B. Public Comment During Work Sessions. Public comment during work sessions shall be limited to agenda items under consideration by the Board. The same time limits will apply during Work Sessions as in Section A~~(1)~~ above.
- C. Appearance of Citizens. During the "Appearance of Citizens" section of the meeting agenda pertaining to non-agenda items, the speaker must state their name and address. Speakers shall address all comments to the Board and not to other members of the audience. Public comment shall be limited to twenty (20) minutes in total absent a majority vote by the Board to extend it. Speakers shall have (3) minutes to address the Board. Once the twenty-minute limit is up, no additional public comment may be made absent an extension of time by the Board. This may be extended at the discretion of the Chairperson.

IV. Voting

- A. Number. Each official member of the Board present shall be entitled to cast one (1) vote.
- B. Required Majority. The decisions of the Board shall be by majority vote of the members present and voting, with a quorum being present. In the event of the member's abstention based on a conflict of interest or other disqualification, the abstention shall count as if that member were absent and the number of persons necessary for a majority shall be reduced accordingly without affecting the quorum.
- C. Method. Except for the election of officers, the Chairperson shall call for a voice vote of "Aye" and "Nay" upon each matter voted upon. Should all voice votes be either "Aye" or "Nay," such vote shall be deemed a unanimous vote of all members present; provided, however, any member present may request that the minutes show he or she abstained from voting. In the event both "Aye" and "Nay" votes are cast via voice, the Chairperson shall then direct roll call vote or show of hands.
- D. Recording. The Chairperson shall announce the results of all votes and shall direct that the results be recorded in the official minutes of the Board.

V. Motions

- A. The Board adheres to the current edition of Robert's Rules of Order.

VI. Special Provisions

- A. Advisory Actions of the Board. The Board may provide constructive guidance or suggestions for other action in order to achieve a positive result on an issue under consideration.
- B. Employment of Staff. The Board of Directors may employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the Industrial Development Corporation Act of Tennessee and all other laws of the State of Tennessee applicable thereto. The selection and compensation of such personnel shall be determined by the Board of Directors subject to the laws of the State of Tennessee.
- C. Confidentiality of Projects. The Chairman may discuss potential projects with developers and other interested parties in a confidential manner in the early stages of a project, and the Board may vote to give the Chairman additional authorities to negotiate projects without disclosure of the named parties. At such time as a full vote of the Board is necessary to finalize a project, the identities of the parties involved will become public information. In no circumstances may a project be kept confidential where state law or city ordinance require it to be open to the public.

VII. Records

- A. A file of all materials and decisions of the Board shall be kept by the Industrial Development Board staff as part of the official records of the Board.
- B. All records of the Board shall be public records, with exceptions as provided for by state law.

VIII. Amendments to Rules

- A. These Rules and Procedures may be amended by a majority vote of the members at any Board meeting and shall become effective after approval by City Council.

APPROVED BY THE INDUSTRIAL DEVELOPMENT BOARD
OF THE CITY OF OAK RIDGE

Chairperson

APPROVED BY OAK RIDGE CITY COUNCIL

Mayor

Approved by Resolution _____

Amended: _____

Adopted: _____

Adopted: _____

Resolution No. _____

Effective: _____

DRAFT

RESOLUTION

A RESOLUTION ADOPTING BYLAWS AND RULES AND PROCEDURES FOR THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF OAK RIDGE.

WHEREAS, by Resolution 7-80-2021, City Council approved a standardized template for all boards and commissions to establish bylaws; and,

WHEREAS, by Resolution 7-81-2021, City Council approved a standardized template for all boards and commissions to establish rules and procedures; and,

WHEREAS, utilizing the template, city staff created a new set of bylaws for the Industrial Development Board of the City of Oak Ridge (IDB) and incorporated specialized provisions related to the IDB's statutory and charter provisions; and,

WHEREAS, at their March 15, 2023 meeting, the IDB unanimously approved the new bylaws; and

WHEREAS, utilizing the template, city staff created a rules and procedures document for the IDB as the IDB did not previously have a rules and procedures document; and

WHEREAS, at their May 1, 2023 meeting, the IDB unanimously approved the rules and procedures document with some modification from the template to address financial statement availability for agendas, public comments, and confidentiality of projects; and

WHEREAS, the IDB's new Bylaws and new Rules and Procedures are ready for final adoption by City Council.

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

That the attached Bylaws and attached Rules and Procedures for the Industrial Development Board of the City of Oak Ridge are hereby adopted.

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

This 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

Tammy M.D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

Last Amended: _____
Last Adopted: _____

**BYLAWS OF THE
INDUSTRIAL DEVELOPMENT BOARD OF
OAK RIDGE, TENNESSEE**

ARTICLE I – NAME

The name of this board shall be the “Industrial Development Board of the City of Oak Ridge,” which, for convenience, shall hereafter be referred to as the “Board” or the “IDB” in these bylaws.

ARTICLE II – PURPOSE AND GENERAL POWERS

A. Purpose.

The purpose of the IDB is to acquire, own, lease and dispose of properties in order to promote industry and develop trade by inducing manufacturing, industrial, and corporation enterprises to locate in the City of Oak Ridge and to further the use of its agricultural products and natural resources. The purpose and general powers of the Board shall also encompass those purposes and powers specified in:

- (1) Tennessee Code Annotated Title 7, Consolidated Governments and Local Governmental Functions and Entities, Chapter 53, Industrial Development Corporations;
- (2) Applicable sections of the Oak Ridge City Charter and the Oak Ridge Municipal Code, and any amendments and supplements thereto;
- (3) Regulations, rules, bylaws and policies adopted by the Oak Ridge City Council; and
- (4) The IDB’s Charter of Incorporation issued by the State of Tennessee on March 10, 1962 and amended on November 18, 1964, which includes the following powers and any powers incidental thereto or necessary for the performance of said powers:
 - (a) To have succession by its corporate name for the period specified in the Certificate of Incorporation unless sooner dissolved as provided in the Charter;
 - (b) To sue and be sued and to prosecute and defend, at law or in equity, in any Court having jurisdiction of the subject matter and of the parties;

- (c) To have and to use a Corporate Seal and to alter the same at pleasure;
- (d) To acquire, whether by purchase, exchange, gift, lease or otherwise, and to improve, maintain, equip, and furnish one or more projects, including all real and personal properties which the IDB's Board of Directors may deem necessary in connection therewith and regardless of whether or not any such projects shall then be in existence;
- (e) To lease to others, any or all of its projects and to charge and collect rent therefor and to terminate any such lease upon the failure of the lessees to comply with any of the obligations thereof; and to include in any such lease, if desired, a provision that the lessees thereof shall have options to purchase any or all of its projects or that upon payment of all of the indebtedness of the IDB, it may lease or convey any or all of its projects to the lessees thereof with or without consideration;
- (f) To sell, exchange, donate, and convey any or all of its property whenever its Board of Directors shall find any such action to be in furtherance of the purposes for which the IDB was organized;
- (g) To issue its bonds for the purpose of carrying out any of its powers;
- (h) As security for the payment of the principal of and interest on any bonds so issued and any agreements made in connection therewith, to mortgage and pledge any or all of its projects or any parts or parts thereof, whether then owned or thereafter acquired, and to pledge the revenues and receipts therefrom or from any thereof;
- (i) To employ and pay compensation to such employees and agents, including attorneys, as the Board of Directors shall deem necessary for the business of the IDB; and
- (j) To exercise all power expressly given in the Certificate of Incorporation and to establish bylaws and make all rules and regulations not inconsistent with the Certificate of Incorporation or the provisions of the Charter, deemed expedient for the IDB's affairs, provided, however, that before exercising any of the powers enumerated herein, the Board of Directors shall promulgate and establish bylaws, which bylaws and any amendments thereto shall first be submitted to City Council for approval by resolution.

- B. Creation of the Board. The Board has been created by the Oak Ridge City Council by Resolution 3-16-62 pursuant to the provisions of Tennessee Code Annotated §§7-53-101 et seq.

ARTICLE III – MEMBERS

- A. Size. The Board shall consist of nine (9) voting members (the “Board of Directors”) elected by the City Council and shall hereafter be referred to as “Members” or “Directors” in these bylaws. ⁱ
- B. Membership. Directors must reside within the city limits of Oak Ridge. All Directors shall be duly qualified electors of and taxpayers in the city of Oak Ridge and no member shall be an officer of the City of Oak Ridge.ⁱⁱ Pursuant to the Personnel Ordinance §13.3.e., no active City employee may serve on a City Council appointed board, commission or committee unless they are serving as staff representatives without voting privileges.
- C. Attendance Requirement.
- (1) Expectation of Attendance. Directors are expected to attend all scheduled meetings and are responsible for communicating their inability to attend in a timely fashion to the Chairperson and Staff Liaison along with a reason for the anticipated absence.
 - (2) Attendance Record. The Secretary shall record the full names of those Directors present and absent in the minutes of each scheduled meeting and shall provide the City Clerk with a signed copy of the minutes upon their approval by the Board. The Secretary shall also maintain a separate attendance record, which shall be provided to the Chairperson of the Board and the City Clerk within seven (7) days after each meeting. If the Board has no Secretary, the person responsible for recording the minutes shall perform this function.
 - (3) Absence from Meetings. When a Director is absent from three (3) regularly-scheduled or regularly-called meetings during the Board’s term-year, which is a one-year period beginning on the date of term commencement, the Chairperson shall request that the member provide a written explanation of the absences. The Board shall determine whether to accept or reject the explanation by a majority vote. If the Board votes to accept the explanation, the absences shall be considered “excused” and will not accrue for purposes of removal from the Board. If the Board votes to reject the explanation, the absences will accrue for purposes of removal. If a member is absent from three (3) meetings and makes no efforts to comply with the Chairperson’s request for an explanation, those absences will accrue for purposes of removal.

Accrual of four (4) unexcused absences shall result in removal from the Board as outlined in Item (3).

- (4) Removal Due to Absences. When a member is absent from four (4) regularly-scheduled or regularly-called meetings during the Board's term-year, and consistent with the procedure set forth in Article III Subsection C.(3), the member shall be notified that he/she has been removed from the Board by a vote of his/her peers. The Chairperson shall notify City Council of the vacancy by letter, and the City Clerk shall schedule an election to fill the vacancy in the customary manner.
- D. Terms of office. Directors shall serve for six (6) year staggered terms of office (i.e. every two years three members' terms of office are up for re-election). A Director will serve until a successor is elected.
- E. Oath of Office. Before assuming the duties of office, each Director shall take the Oath or Affirmation of Office through the City Clerk's office.
- F. Vacancies.
- (1) Automatic. Any Director of the Board who shall move to a principal residence located outside the city limits of Oak Ridge shall be deemed to have automatically vacated the office.
 - (2) Resignation. Any Director desiring to resign from the Board shall promptly inform the Chairperson and the City Clerk in writing of his or her intention to resign. Such notice shall state the effective date of resignation and may also state any reason for said resignation. The City Clerk will communicate the resignation and the reason for resignation to the City Manager and City Council.
 - (3) Removal from office. In addition to the circumstances outlined in Article III Subsection F(1) and F(2), a Director can also be removed from office for cause by a majority vote of City Council or upon the recommendation of a majority of Board members.
 - (4) Replacement. In the event of resignation, death, or removal from office, the vacancy will be filled by City Council at the next regularly scheduled election or as soon as possible if multiple vacancies are affecting the ability to have a quorum.
- G. Ethics. All members shall be subject to the provisions of the ethics policy of the City of Oak Ridge and applicable state ethics laws. Any Director who has any conflict of interest in any matter or issue brought before the Board shall make such fact known to the Board prior to any vote by the Board on such issue.

City Code §21-103 and §21-104 provide additional guidance regarding disclosure of personal interest and recusal.

ARTICLE IV – OFFICERS

- A. Title; Number. The officers of the Board shall consist of a Chairperson, Vice-Chairperson, Secretary, Treasurer, and such other officers as the Board may deem appropriate, who shall be elected by and from official Directors of the Board.
- B. Election. The election of officers shall be held at the annual meeting of the Board. A majority vote of Directors present shall be required to elect any officer.
- C. Term of Office. Officers of the Board shall serve for a period of one (1) year, or until the next annual meeting, or until such time as a replacement has been duly elected; provided, however, no officer shall be removed from office prior to the next following annual meeting after such officer's election, except by two-thirds vote of the official Directors of the Board. All officers shall be eligible for re-election for consecutive terms.
- D. Vacancies. In the event any elective office shall become vacant, the Board shall elect a successor at its next regular meeting, in the manner prescribed by Article IV, Section B, above.

ARTICLE V – DUTIES OF OFFICERS

- A. Chairperson.
 - (1) The Chairperson shall preside at all meetings and hearings of the Board, and shall perform such other functions as may be required by law, by these bylaws, and/or those ordinarily performed by a Chairperson, in accordance with parliamentary procedure as prescribed in the current edition of Robert's Rules of Order.
 - (2) Except as otherwise provided by law or authorized by the Board, the Chairperson shall sign all communications from the Board to the City Manager and City Council, as well as all contracts, bonds, deeds, and other instruments made by the Board of Directors.
 - (3) The Chairperson shall ensure issuance to all new members of the Board the latest available revision of any current reports and documents necessary to fully inform such new member of the business presently before the Board.

- (4) The Chairperson shall have the power to appoint such committees deemed advisable which shall have the power to recommend a course of conduct to the Board of Directors but shall have no extraordinary powers to act.
- (5) The Chairperson shall submit such recommendations and information as he/she may consider proper concerning the business affairs and policies of the Board.

B. Vice-Chairperson.

- (1) In the event of a vacancy or absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson until a new Chairperson is duly elected. Should the Chairperson be unable to perform the duties of office due to disability, absence, or disqualification, the Vice-Chairperson shall perform said duties until such time as they may be performed by the Chairperson or a new Chairperson is elected.
- (2) In addition to the foregoing duties, the Vice-Chairperson shall also perform such other duties as may be designated by the Chairperson.

C. Secretary.

- (1) The Secretary shall prepare such certifications of records and transcripts as required by law or as the Board may direct.
- (2) The Secretary shall ensure the recording of minutes of all meetings of the Board and the coordination with the Executive Assistant of the Board for formatting and placement in the agenda packet for the next meeting.
- (3) In the absence or disqualification of the Chairperson and Vice-Chairperson, the Secretary shall preside at the meetings of the Board.
- (4) The Secretary shall maintain attendance records and distribute them according to the provisions in Article III, Section C(2).
- (5) The offices of Secretary and Treasurer may be combined and occupied by the same person.

D. Treasurer.

- (1) The Treasurer shall have the care and custody of all funds of the Board and shall deposit the same in the name of the Board in such bank or banks as the Board of Directors may select.

- (2) The Treasurer shall sign all orders and checks for the payment of money and shall pay out and disburse such moneys under the direction of the Board of Directors. Except as otherwise authorized by Resolution of the Board of Directors, all such orders and checks shall be countersigned by the Chair.
- (3) The Treasurer shall keep regular books of accounts showing receipts and expenditures and shall render to the Board of Directors at each regular meeting (or more often upon request) an account of transactions and also of the financial condition of the Board.
- (4) The offices of Secretary and Treasurer may be combined and occupied by the same person.

ARTICLE VI-STAFF LIAISON/EXECUTIVE ASSISTANT

- A. Duties. The Board does not have a staff liaison appointed by the City Manager, but instead has an individual hired by the Board to serve as the Executive Assistant to the Board. The Executive Assistant shall serve in the same capacity as a staff liaison and shall assist the Chairperson in setting meetings; preparing the agenda and reports to the City Manager and City Council; and other support functions as needed. The Executive Assistant shall also ensure the Board website is up to date at all times with agendas, minutes, and other relevant information. The Executive Assistant shall also perform the duties outlined in Article VII, Section (D)(6) below pertaining to giving proper notice of meetings.

ARTICLE VII – MEETINGS

- A. Meetings Open to the Public. All Board meetings shall be open to the public, and citizens shall have a reasonable opportunity to be heard.
- B. Type; Number. The meetings of the Board shall consist of a regular annual meeting and other regular meetings held each year, together with such special meetings as may be deemed appropriate and called pursuant to these bylaws.
- C. Method of Calling.
 - (1) Regular Meeting. No formal call of a regular meeting shall be necessary, except for the notice of meeting provided for in Article VII, Section D, below.

- (2) Special Meeting. A special meeting shall be called at such time as may be deemed expedient by the Chairperson or any two members of the Board upon written request to the Chairperson or by approval of a majority of the members present at any meeting. The notice of a special meeting shall be as provided for in Article VII, Section D, below. Special meetings are only for the purpose specified and no other item may be voted on at a special meeting that is not explicitly specified when calling a special meeting.
- (3) Work Sessions. Board Work Sessions shall be called by the Chairperson. No formal action will be taken at the work sessions.

D. Notice.

- (1) Regular Meetings. Notices of regular meetings shall be delivered to each member of the Board at least forty-eight (48) hours prior to the meeting.
- (2) Special Meetings. The notice of a special meeting for matters shall be delivered to each member of the Board at least twenty-four (24) hours prior to the meeting.
- (3) Work Sessions. The notice of a work session will follow the same procedure as a regular meeting.
- (4) Cancellation of Meetings. Whenever there is no business before the Board, the Chairperson may dispense with a Regular Meeting or Work Session by giving notice to all members not less than forty-eight (48) hours prior to the time set for the meeting. The Executive Assistant shall also ensure that the City Clerk is notified of the cancelled meeting so the City Calendar can be updated. When unforeseen or emergency circumstances arise, the Chairperson may cancel meetings with less than forty-eight (48) hours' notice. Cancellation of a meeting due to quorum issues or weather would necessitate a special meeting to be called at a later date.
- (5) Adjourned Meetings. Should the Board not complete the business before it, the Chairperson may adjourn the meeting and schedule a continuation of the same meeting until the agenda has been completed. However, the adjourned meeting must meet the same notice requirements as a Special Meeting.
- (6) Proper Notice. The Executive Assistant shall be responsible for ensuring compliance with the Tennessee Open Meetings Act and for notifying members and the public reasonably prior to the date and time of each meeting. The Executive Assistant is required to comply with guidelines pertaining to matters of public notice and scheduling as provided by the City Clerk and shall notify the City Clerk of meetings as soon as possible so the City Calendar can be updated.

E. Agenda.

(1) Order of Business. The order of business of all regular meetings shall be as follows:

1. Call to Order
2. Roll Call
3. Approval of Order of Agenda
4. Approval of Minutes
5. Officers' Reports
6. Executive Assistant's Report
7. Attorney's Report
8. Committee Reports
9. Prospect Activity Report
10. Unfinished Business
11. New Business
12. Appearance of Citizens (Non-agenda items)
13. Announcements
14. Adjournment

An agenda section for "Presentations" is optional and may be added to the agenda as needed. Each agenda item to be discussed shall be listed under the appropriate heading on the published agenda, unless the item is brought up according to appropriate parliamentary rules during the meeting.

ARTICLE VIII-QUORUM AND VOTING PROCEDURES

- A. Quorum. A majority of members of the Board shall constitute a quorum for the purpose of transacting all business. The Chairperson shall acknowledge the presence of a quorum and call the meeting to order at the time designated in the notice of the meeting, or upon the arrival of a sufficient number of members to constitute a quorum if that occurs later. If, during the course of any meeting, any member desires to leave, either temporarily or permanently, that member shall announce such intention to the Chairperson. If at any time it shall appear that there are not sufficient members present to constitute a quorum, the Chairperson shall so announce and declare the meeting recessed or adjourned until a quorum is present. There shall be no substantive discussion of agenda items other than procedural matters if a quorum is not present.
- B. Voting. All votes shall be decided by a majority of those present and voting unless otherwise stipulated by the most recent edition of Robert's Rules of Order. A list of members and any votes taken shall accompany all Board recommendations. If a conflict of interest is claimed, the members claiming such a conflict shall state the conflict for the record. No proxy voting is permitted.

ARTICLE IX – SPECIAL PROVISIONS

- A. Payment in Lieu of Taxes. Upon entering into any contract or lease agreement with any manufacturing, industrial or commercial enterprise, the Industrial Development Board may provide therein for a payment by such enterprise of a sum of money in lieu of taxes, which sum may be fixed as a separate item for payment in the instrument of lease or other document or may be included in the rental payments provided for in such instrument.
- B. Members Serve without Compensation. The members shall serve without compensation except that they shall be reimbursed for their actual expenses incurred in and about the performance of their duties.
- C. Employment of Personnel. The Board may, from time to time, employ such personnel as it deems necessary to exercise its powers, duties, and functions as prescribed by law. The selection and compensation of such personnel shall be determined by the Board subject to the laws of the State of Tennessee.
- D. Committees. The Chairperson shall have the power to appoint such committees as the Chairperson, in his or her discretion, may deem advisable. Said committees shall have the power to recommend a course of conduct to the Board but shall have no extraordinary powers to act.

ARTICLE X-PARLIAMENTARY AUTHORITY

- A. Robert's Rules. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules the Board may adopt, or any rules approved by City Council governing the operation of the Board.

ARTICLE XI – BYLAWS

- A. Date of Approval. These bylaws and any amendments thereto shall take effect upon their approval by the City Council, as provided in Article III, Section 6, of the City Charter. Additionally, City Council approval by resolution is required in the Board's Charter of Incorporation.
- B. Amendments. Amendments to these bylaws may be considered at any regular or special meeting of the Board, provided that any proposed amendment shall have been provided to the Board members at least seven (7) days prior to the meeting at which it is to be considered. Amendment of the bylaws requires a two-thirds

vote of the Board members. The Chairperson may designate a committee to review the bylaws, where appropriate.

- C. Official Copies. An official copy of these bylaws and any changes thereto shall be maintained in the City Clerk's office and shall be furnished to any other appropriate body.

APPROVED BY THE INDUSTRIAL DEVELOPMENT BOARD
OF OAK RIDGE, TENNESSEE

Chairperson

APPROVED BY OAK RIDGE CITY COUNCIL

Mayor

Resolution _____

Amended: _____
Adopted: _____

ⁱ Tennessee Code Annotated §7-53-301 establishes a minimum number of members for an industrial development board, which is seven (7) members. The IDB's Charter sets forth a minimum number of seven (7) members as well so the membership total may be lowered to seven (7) or may be increased to any number with City Council action and no Charter amendment is required.

ⁱⁱ Tennessee Code Annotated §7-53-301 requires members to be qualified electors and taxpayers of the city. It also prohibits employees and officers of the city from being on the board. The City's Personnel Ordinance does not prohibit councilmembers from serving on boards, but the applicable state law for this board does.

**RULES AND PROCEDURES
OF THE
INDUSTRIAL DEVELOPMENT BOARD OF
THE CITY OF OAK RIDGE, TENNESSEE**

I. Meetings

- A. Meeting Procedure. All regular meetings will follow the order of the agenda listed in Article VII, Section E of the Board's bylaws. At special meetings, the Board shall transact only such business as that designated in the previously posted meeting agenda.
- B. Right to Speak.
- (1) Members. The Chairperson shall recognize the right of Board members to speak before the body. A Board member shall initiate his/her right to speak by seeking recognition from the Chairperson.
 - (2) Members of the Public. The Chairperson shall recognize a citizen's opportunity to comment on items that are under consideration by the Board as part of the formal agenda.
- C. Time and Place of Meetings. An annual meeting shall be held within the first week following the election of Board members by City Council, or at such time and place as may be designated by the Chairperson. Regular meetings shall likewise be held on the first Monday of each month, or at such other time and place as may be designated by the Chairperson. Special meetings shall be held at the time and place designated by the notice of meeting. The Board may decide to reschedule a single meeting without the change having to be approved by City Council, but permanently changing the scheduled meeting dates would require City Council approval. The Board shall decide to reschedule a meeting either at a prior meeting or soon enough so that proper notice can be given of the meeting date change.

II. Agenda

- A. Preparation. The agenda for meetings shall be prepared by the Executive Assistant from items suggested by members of the Board, City Manager, City Council, or City Staff. If individuals or groups from the general public have suggested items that would require Board action, they shall coordinate with staff regarding placement on a meeting agenda. Any items which require technical review by staff shall have been submitted in a timeframe in which complete review can be conducted by staff.
- B. Contents. The agenda of a regular meeting shall contain only such items that have been received by a deadline set forth by staff for timely agenda

publication.

- C. Copies. All members shall be furnished a copy of the agenda and as much supporting material as practical prior to any meeting, which material shall be sent to members with the meeting notice referenced in Article VII, Section D of the Board's bylaws.
- D. Publication on website. The entire agenda packet shall be published on the Board's webpage at least forty-eight (48) hours before a regular meeting and twenty-four (24) hours before a special-called meeting. Because of the IDB's regular meeting schedule date, financial statements may not be available until the morning of the meeting and will be published as soon as possible if they are to be incorporated into the agenda.

III. Public Comment

- A. Public Comment During Regular Meetings. Any person speaking to the Board shall be asked to provide their name and address. Speakers shall address all comments to the Board members and not to other members of the audience. The following time limits for speakers shall be observed:
 - (1) The representative (ex. attorney, developer, etc.) for a project scheduled on the agenda shall speak for no more than ten (10) minutes. This may be extended at the discretion of the Chairperson.
 - (2) Public comment on an item on the agenda shall be limited to twenty (20) minutes in total absent a majority vote by the Board to extend it. Any individual who wishes to speak for or against an agenda item shall sign up on the sign in sheet that will be available at the beginning of the meeting. Each individual will have up to three (3) minutes to address the Board. Once the twenty-minute limit is up, no additional public comment may be made absent an extension of time by the Board.
- B. Public Comment During Work Sessions. Public comment during work sessions shall be limited to agenda items under consideration by the Board. The same time limits will apply during Work Sessions as in Section A above.
- C. Appearance of Citizens. During the "Appearance of Citizens" section of the meeting agenda pertaining to non-agenda items, the speaker must state their name and address. Speakers shall address all comments to the Board and not to other members of the audience. Public comment shall be limited to twenty (20) minutes in total absent a majority vote by the Board to extend it. Speakers shall have (3) minutes to address the Board. Once the twenty-minute limit is up, no additional public comment may be made absent an extension of time by the Board.

IV. Voting

- A. Number. Each official member of the Board present shall be entitled to cast one (1) vote.

- B. Required Majority. The decisions of the Board shall be by majority vote of the members present and voting, with a quorum being present. In the event of the member's abstention based on a conflict of interest or other disqualification, the abstention shall count as if that member were absent and the number of persons necessary for a majority shall be reduced accordingly without affecting the quorum.

- C. Method. Except for the election of officers, the Chairperson shall call for a voice vote of "Aye" and "Nay" upon each matter voted upon. Should all voice votes be either "Aye" or "Nay," such vote shall be deemed a unanimous vote of all members present; provided, however, any member present may request that the minutes show he or she abstained from voting. In the event both "Aye" and "Nay" votes are cast via voice, the Chairperson shall then direct roll call vote or show of hands.

- D. Recording. The Chairperson shall announce the results of all votes and shall direct that the results be recorded in the official minutes of the Board.

V. Motions

- A. The Board adheres to the current edition of Robert's Rules of Order.

VI. Special Provisions

- A. Advisory Actions of the Board. The Board may provide constructive guidance or suggestions for other action in order to achieve a positive result on an issue under consideration.

- B. Employment of Staff. The Board of Directors may employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the Industrial Development Corporation Act of Tennessee and all other laws of the State of Tennessee applicable thereto. The selection and compensation of such personnel shall be determined by the Board of Directors subject to the laws of the State of Tennessee.

- C. Confidentiality of Projects. The Chairman may discuss potential projects with developers and other interested parties in a confidential manner in the early stages of a project, and the Board may vote to give the Chairman additional authorities to negotiate projects without disclosure of the named parties. At such time as a full vote of the Board is necessary to finalize a project, the identities of the parties involved will become public information. In no circumstances may a project be kept confidential where state law or city ordinance require it to be open to the public.

VII. Records

- A. A file of all materials and decisions of the Board shall be kept by the Industrial Development Board staff as part of the official records of the Board.
- B. All records of the Board shall be public records, with exceptions as provided for by state law.

VIII. Amendments to Rules

- A. These Rules and Procedures may be amended by a majority vote of the members at any Board meeting and shall become effective after approval by City Council.

APPROVED BY THE INDUSTRIAL DEVELOPMENT BOARD
OF THE CITY OF OAK RIDGE

Chairperson

APPROVED BY OAK RIDGE CITY COUNCIL

Mayor

Approved by Resolution _____

Amended: _____
Adopted: _____

Adopted: _____ Resolution No. _____ Effective: _____

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023
TO: Mark S. Watson, City Manager
FROM: Patrick Berge , Public Works Director
SUBJECT: Annual Maintenance - Infor Asset Management Software

Introduction

An item for City Council's consideration is the recommendation for the expenditure of funds for the provision of computer software maintenance for the asset management system, Hexagon EAM Holdings, LLC for FY2024 in the total not to exceed amount of \$32,233.44.

Funding

Funding is available in the Waterworks Fund.

Background

The Infor software was originally approved for purchase by Resolution 5-36-11, dated May 9, 2011 to comply with the U.S. Environmental Protection Agency (EPA) Administrative Order No. CWA-04-2010-4772, dated September 28, 2010.

Infor software is used for documenting and tracking all service calls within the Public Work Department. It provides detailed data of work activities conducted. We are continuing the transition of the asset management component over to Cayenta. Public Works and Information Services discussed the potential renewal of this agreement and concluded that an extension of one additional year for this contract would be appropriate to allow time to transition all required data to Cayenta or to a legacy backup system. Therefore, we are looking to extend for one fiscal year.

Hexagon AB acquired the global enterprise asset management business from Infor (US), Inc. on October 1, 2021. Hexagon is the sole provider of software maintenance for their product. The City's original purchase agreement for the software allows for an annual increase of up to 6% for software maintenance. No increase is included in this renewal. The software renewal cost for FY2023 is \$32,233.44.

Recommendation

Staff recommends approval of the attached resolution as submitted. As this recommendation is a waiver of soliciting competitive bids due to Hexagon EAM Holdings, LLC being the sole

provider of software maintenance for their product, Council is reminded that a unanimous vote is required for approval.

Attachments:

[City of Oak Ridge, Tennessee 2023 Renewal Quote.pdf](#)

[Resolution - Infor Asset Management Software.docx](#)

Quote Summary Information
CITY OF OAK RIDGE, TENNESSEE



Service Site : US00227638
Site Contact : TERRI REEDY
Contact Phone :
Email Address : treedy@oakridgetn.gov
Service Address : 100 WOODBURY LANE

City/State/Zip : OAK RIDGE TN 37830
Country : US

Customer ID : CITY OF O/OAK R US00227638
Bill To Cust : CITY OF OAK RIDGE, TENNESSEE
Bill To Address : 100 WOODBURY LANE

City/State/Zip : OAK RIDGE TN 37830
Country : US
Policy Number : DDCC550F0
PO Nbr : RENEWAL QUOTE

Service Type : **RENEWAL Q**
Period of Performance : **05/01/2023 - 04/30/2024**
Billed on the : 1 st Day of each period
Period is defined as : Every 12 Months
Previous Cust Code :
Previous Contract # : 612273

Total Contract Value : \$ 32,233.44

*** Totals are exclusive of sales tax. This is NOT AN INVOICE.**



Offered By Hexagon ALI

Quote: 0000113099

By : _____

Accepted By : _____
COMPANY

Name : Kelly Bergfalk

By : _____

Email : kelly.bergfalk@hexagon.com

Name/Title : _____

Address : 305 Intergraph Way
Madison, AL 35758

POC/Phone : _____

POC Email : _____

Issue Date : 04/24/2023

Date : _____

Quotes are valid for 90 days from original date of issue. Quote acceptance after 90 days is at the discretion of Hexagon ALI, a division of Intergraph Corporation.

Messages All services provided hereunder are subject to ALI's Maintenance Service Contract Terms & Conditions (T's & C's) for software (DCC550F0) unless other specific Terms & Conditions apply and are referenced in the Policy Number field. Copies of the applicable T's & C's may be obtained online at [T's & C's](#). * Totals are exclusive of sales tax - This is NOT AN INVOICE. For coverage code explanations, refer to the last page.

Hexagon ALI



Summary Of Service Quote 0000113099

<u>Item Number</u>	<u>Description</u>	<u>QTY</u>
EAM00007	HxGN EAM Alert Management DA	1
EAM00009	HxGN EAM Asset Sustainability DA	1
EAM00016	HxGN EAM Enterprise Edition Advanced Reporting Author NU	5
EAM00412	HxGN EAM Enterprise Edition Advanced Reporting Consumer - POP	55000
EAM00415	HxGN EAM Enterprise Edition Customer Service Request POP Licenses: 1,000	55
EAM00417	HxGN EAM Enterprise Edition Fleet Module (VMRS) POP	55000
EAM00418	HxGN EAM Enterprise Edition GIS Module POP	55000
EAM00420	HxGN EAM Enterprise Edition POP SQL	55000
EAM00422	HxGN EAM Enterprise Edition Web Services Connector POP	55000

Period

5/19/2023 to 4/30/2024

Ext Price Summary

\$32,233.44

Grand Total :

\$ 32,233.44



Service Quote Detail

<u>LI</u>	<u>Sts</u>	<u>Item Number</u>	<u>Description</u>	<u>Site #</u>	<u>Serial Number</u>	<u>Start Date</u>	<u>End Date</u>	<u>Coverage</u>	<u>Cancel Flag</u>
100		EAM00016	HxGN EAM Enterprise Edition Advanced Reporting Author NU	US00227638	113099A	05/19/2023	04/30/2024	PREM	
300		EAM00007	HxGN EAM Alert Management DA	US00227638	113099C	05/19/2023	04/30/2024	PREM	
400		EAM00415	HxGN EAM Enterprise Edition Customer Service Request POP Licenses: 1,000	US00227638	113099D	05/19/2023	04/30/2024	PREM	
500		EAM00417	HxGN EAM Enterprise Edition Fleet Module (VMRS) POP	US00227638	113099E	05/19/2023	04/30/2024	PREM	
600		EAM00418	HxGN EAM Enterprise Edition GIS Module POP	US00227638	113099F	05/19/2023	04/30/2024	PREM	
700		EAM00420	HxGN EAM Enterprise Edition POP SQL	US00227638	113099G	05/19/2023	04/30/2024	PREM	
800		EAM00009	HxGN EAM Asset Sustainability DA	US00227638	113099H	05/19/2023	04/30/2024	PREM	
900		EAM00422	HxGN EAM Enterprise Edition Web Services Connector POP	US00227638	113099I	05/19/2023	04/30/2024	PREM	
1000		EAM00412	HxGN EAM Enterprise Edition Advanced Reporting Consumer - POP	US00227638	113099J	05/19/2023	04/30/2024	PREM	



Quote Line Notes:

Coverage Code Definitions:

PREM: Premium Service. A monthly maintenance charge. Includes telephone support, bulletin board support and upgrades when made available by Hexagon ALI or a Third Party Software Vendor.

RESOLUTION

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO HEXAGON EAM HOLDINGS, LLC, FOR FURNISHING OF ANNUAL MAINTENANCE SERVICES FOR THE ASSET MANAGEMENT SOFTWARE SYSTEM UTILIZED BY THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2024 IN AN AMOUNT NOT TO EXCEED \$32,233.44.

WHEREAS, in 2011 the City purchased its asset management software system for the Public Works Department from Infor (US), Inc., to comply with the U.S. Environmental Protection Agency (EPA) Administrative Order No. CWA-04-2010-4772; and

WHEREAS, this software documents and tracks all service calls within the department providing detailed data of work activities conducted; and

WHEREAS, Hexagon EAM Holdings, LLC, acquired the global enterprise asset management business from Infor (US), Inc., in October 2021 and is the sole provider of software maintenance for their product; and

WHEREAS, the City is in the process of transitioning the asset management component over to Cayenta and a one-year extension of this software maintenance contract would be appropriate to allow time to transition all required data to Cayenta or to a legacy backup system; and

WHEREAS, the Interim City Manager recommends that competitive bids be waived and award be made to Hexagon EAM Holdings, LLC.

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

That the recommendation of the Interim City Manager that competitive bids be waived is approved and an award is hereby made to Hexagon EAM Holdings, LLC, for the furnishing of annual maintenance services to the Public Works Department's asset management software system for Fiscal Year 2024 (July 1, 2023 through June 30, 2024), in an amount not to exceed \$32,233.44, to allow time to transition the asset management component into the City's Cayenta system.

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

This 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

Tammy M.D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023

TO: Mark S. Watson, City Manager

FROM: Elizabeth Smith , HR Benefits Administrator

SUBJECT: Employee Basic Term Life, Employee Basic Accidental Death and Dismemberment, Basic Dependent Life, Supplemental Life, and Long-Term Disability policies Renewal with The Hartford for Fiscal Years 2023 and 2024

Introduction

An item for City Council's consideration is the approval of the attached resolution for a two (2) year renewal of Employee Basic Term Life, Employee Basic Accidental Death and Dismemberment, Basic Dependent Life, Supplemental Life, and Long-Term Disability policies with The Hartford for Fiscal Years 2024 and 2025, in an estimated amount not to exceed \$120,000.

Funding

Current projections have employer paid contributions to Employee Basic Term Life, Employee Basic Accidental Death and Dismemberment, and Long-Term Disability policies estimated at \$120,000 annually.
Funding for this will be provided for in the FY2024 budget.

Background

The City of Oak Ridge has provided Employee Basic Term Life, Employee Basic Accidental Death and Dismemberment, Basic Dependent Life, Supplemental Life, and Long-Term Disability policies as fringe benefits since at least 1990. The Basic Term Life and Accidental Death and Dismemberment policies have been unchanged at \$30,000 each. Market research of surrounding cities and nationwide conclude that the current average employer paid Basic Term Life policy is \$50,000. Accidental Death and Dismemberment typically matches the Basic Life policy. Voluntary Dependent Life typically starts at \$20,000/spouse and \$10,000/child. This renewal would increase Basic Term Life and Accidental Death and Dismemberment policy volumes from \$30,000/employee to \$50,000/employee. The rates for these policies will remain unchanged at \$0.13/\$1,000 for Basic Life, \$0.028/\$1,000 for Accidental Death and Dismemberment, and \$.372/\$100 for Long-Term Disability. This renewal would also increase the Voluntary Basic Dependent Life policy volume from \$12,000 for spouse to \$20,000 and \$7,500 for children to \$10,000.

Based on a projected benefit eligible employee count of 400 employees, a volume increase

from \$30,000/employee to \$50,000/employee will be an estimated total cost of \$40,000 annually for Basic Term Life and Accidental Death and Dismemberment. Based on a projected benefit eligible employee count of 400 employees, the Long-Term Disability volume increase will be an estimated total cost of \$80,000 annually. Projections based on current experience have employee paid contributions to voluntary Basic Dependent Life policies estimated at \$6,000 annually. There will be a rate increase with the policy volume increase from \$12,000 for spouse to \$20,000 and \$7,500 for children to \$10,000. Currently, employees electing this policy pay \$1.58/pay period, \$41.08 annually. The increase of \$0.71/pay period would increase the per-pay-period deduction to \$2.28, \$59.28 annually.

There will be no increase to rate or policy volume for employee purchased Supplemental Life. Total employee paid contributions to Supplemental Life are currently estimated at \$65,000/annually, approximately \$370/enrolled employee annually.

The City of Oak Ridge has been contracted with The Hartford since 2014 to provide Employee Basic Term Life, Employee Basic Accidental Death and Dismemberment, Basic Dependent Life, Supplemental Life, and Long-Term Disability. The most recent approval from City Council regarding the Hartford occurred in 2019. This approved funding for FY2020, as well as included a renewal option for FY2021. As a result of this, no formal approval was in place for funding FY2022 and FY2023. The City has not had a rate increase with The Hartford during subsequent renewals. Expenditures for FY2023 have totaled \$167,438.30 annually, \$97,327.40 in employer paid contributions and \$70,110.90 in employee paid contributions. In addition to approving the new agreement, City Staff are requesting retroactive approval for expenditures from FY2022 and FY2023.

Recommendation

Approval of the attached resolution is recommended. The City has been contracted with The Hartford since 2014 without issue or rate increase. The City's current Employee Basic Term Life and Accidental Death and Dismemberment policies for \$30,000 has been in place since at least 1990. Increasing these policies to \$50,000 will bring the City in line with the market for our competitors.

Attachments:

[Resolution - Hartford Insurance.docx](#)

[Hartford Rate Comparison 2023.04.28.pdf](#)

[Revised City Of Oak Ridge Renewal - Rate Update for Basic Life Reflected.doc](#)

RESOLUTION

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO THE HARTFORD FOR EMPLOYEE BASIC LIFE INSURANCE, EMPLOYEE BASIC ACCIDENTAL DEATH AND DISMEMBERMENT, BASIC DEPENDENT LIFE INSURANCE, SUPPLEMENTAL LIFE INSURANCE, AND LONG TERM DISABILITY INSURANCE FOR FISCAL YEAR 2023 AND FISCAL YEAR 2024 IN THE ESTIMATED AMOUNT OF \$120,000.00 PER YEAR.

WHEREAS, the City of Oak Ridge has a need for certain routine materials, equipment, and services during Fiscal Year 2024 (July 1, 2023 through June 30, 2024) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, The Hartford has been the City's provider for life, dependent life, accidental, supplemental life, and long-term disability insurance for City employees since 2014 providing competitive and favorable rates; and

WHEREAS, by Resolution 4-25-2019, City Council authorized an award to The Hartford for Fiscal Year 2020 and authorized the renewal for Fiscal Year 2021 if budgeted funds allowed; and

WHEREAS, during the transition of personnel directors, there was an omission in obtaining City Council approval for Fiscal Year 2022 and Fiscal Year 2023 for an estimated amount of \$97,327.40 annually; and

WHEREAS, The Hartford has offered to continue their rates for another two years without increase; and

WHEREAS, effective with Fiscal Year 2024, the City desires to increase the coverage for employee basic life and accidental death and dismemberment policies from \$30,000.00 to \$50,000.00 which brings the City in line with the market for its competitors; and

WHEREAS, effective with Fiscal Year 2024, the City desires to increase the voluntary basic dependent life insurance policy from \$12,000.00/spouse to \$20,000.00/spouse and \$7,500.00/children to \$10,000.00/children; and

WHEREAS, the Interim City Manager recommends that competitive bids be waived, award be made to The Hartford for Fiscal Year 2024 and Fiscal Year 2025, and retroactive approval be given for Fiscal Year 2022 and Fiscal Year 2023.

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

That the recommendation of the Interim City Manager that competitive bids be waived is approved and award is hereby made to The Hartford for employee basic life insurance, employee basic accidental death and dismemberment insurance, basic dependent life insurance, supplemental life insurance, and long-term disability insurance for Fiscal Year 2024 (July 1, 2023 through June 30, 2024) in the estimated amount of \$120,000.00, which amount is based upon current projections using previous experience.

BE IT FURTHER RESOLVED that the City is hereby authorized to exercise the one-year renewal option at the same rates for Fiscal Year 2025 (July 1, 2024 through June 30, 2025) should services be satisfactory and sufficient funds are budgeted.

BE IT FURTHER RESOLVED that City Council hereby retroactively authorizes the renewals with The Hartford at the same rates for Fiscal Year 2022 (July 1, 2021 through June 30, 2022) and Fiscal Year 2023 (July 1, 2022 through June 30, 2023).

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

This the 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

Tammy M.D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

Hartford Billing FY 2022 & 2023

	Policy	Policy Dollar Amount	Employee Enrollment*	Monthly Inv Rate	Policy Volume Amt*	Monthly Invoiced Cost	Annual Invoiced Cost	
Employer Paid	AD/D	per \$1,000	379	\$ 0.028	\$ 30,000.00	\$ 318.36	\$ 3,769.92	
	LONG TERM DISABILITY	per \$100 of covered salary	379	\$ 0.372	\$ 20,614,936.52	\$ 6,390.63	\$ 76,054.28	
	LIFE	per \$1,000	379	\$ 0.130	\$ 30,000.00	\$ 1,478.10	\$ 17,503.20	
Total Employer Paid:						\$ 8,187.09	\$ 97,327.40	
Employee Paid	DEPENDENT LIFE	Flat Rate	95	\$ 3.410	\$12,000/\$7,500	\$ 323.95	\$ 4,194.30	
	SUPPLEMENTAL LIFE	per \$10,000, age banded	180		\$10,000 - \$300,000	\$ 5,372.75	\$ 65,916.60	
	Total Employee Paid:						\$ 5,696.70	\$ 70,110.90
						Total Billed:	\$ 13,883.79	\$ 167,438.30

* Employees enrolled and Policy Volume are subject to fluctuations

Hartford Billing FY 2024 & 2025, Proposed Estimate

	Policy	Policy Dollar Amount	Employee Enrollment*	Monthly Inv Rate	Policy Volume Amt*	Monthly Invoiced Cost	Annual Invoiced Cost	
Employer Paid	AD/D	per \$1,000	400	\$ 0.028	\$ 50,000.00	\$ 560.00	\$ 6,720.00	
	LONG TERM DISABILITY	per \$100 of covered salary	400	\$ 0.372	\$ 21,500,000.00	\$ 6,665.00	\$ 79,980.00	
	LIFE	per \$1,000	400	\$ 0.130	\$ 50,000.00	\$ 2,600.00	\$ 31,200.00	
Total Employer Paid:						\$ 9,825.00	\$ 117,900.00	
Employee Paid	DEPENDENT LIFE	Flat Rate	95	\$ 4.950	\$20,000/\$10,000	\$ 470.25	\$ 5,643.00	
	SUPPLEMENTAL LIFE	per \$10,000, age banded	180		\$10,000 - \$300,000	\$ 5,372.75	\$ 65,916.60	
	Total Employee Paid:						\$ 5,843.00	\$ 71,559.60
						Total Billed:	\$ 15,668.00	\$ 189,459.60

* Employees enrolled and Policy Volume are subject to fluctuations



May 2, 2023

Elizabeth Smith
 City Of Oak Ridge
 P.O. Box 1
 Oak Ridge, TN 37831

Re: July 1, 2023 Renewal Information for Your Group Insurance Benefits with The Hartford¹

Dear Elizabeth Smith:

For more than 200 years, companies like yours have trusted us to help them protect and grow their businesses. We are committed to delivering an industry-leading Group Benefits experience – with solutions that meet your insurance challenges and employee benefits that help make your company an attractive and motivating place to work.

Thank you for giving The Hartford the opportunity to provide benefits to the employees of City Of Oak Ridge. We are committed to enhancing your employees' financial security and helping you provide attractive benefits. We look forward to renewing the Life and Disability at this time.

To determine the renewal rate, The Hartford analyzes a variety of factors to ensure that you receive excellent benefits and valuable service at a competitive and affordable price. A careful review is conducted of your demographic information, industry classifications, experience results, and overall benefit package.

We have completed a comprehensive review of your benefit plan in order to determine the appropriate funding level for the upcoming new policy period, beginning July 1, 2023. The chart below summarizes the detailed renewal rate information. These renewal rates require that all coverage lines are renewed as a package.

Coverage and Policy Number	Volume	Current Rate	* Current Monthly Premium	Renewal Rate as of 07/01/2023	* Renewal Monthly Premium	Monthly Premium Change	Rate Guaranteed Until
Basic Life - 874624G	18,324,000	\$ 0.13 per 1000	\$ 2,382	No Change	No Change	\$ 0	07/01/2025
Basic Dep. Life - 874624G	95	\$ 4.95 per unit	\$ 470.25	No Change	No Change	\$ 0	07/01/2025
Supp. Life - 874624G	18,620,000	No Change to Step Rates	\$ 6,115	No Change	No Change	\$ 0	07/01/2025
Basic ADD - 874624G	18,324,000	\$ 0.028 per 1000	\$ 510	No Change	No Change	\$ 0	07/01/2025
LTD - 874624G	1,689,095	\$ 0.372 per 100	\$ 6,283	No Change	No Change	\$ 0	07/01/2025

We appreciate your business and look forward to being your group benefits carrier of choice for many years to come.

Sincerely,



Mark Anthony
Account Executive, Group Benefits
The Hartford
810 Crescent Center Drive
Suite 200
Franklin, TN 37067
Phone: 1-615-778-2554

* For policies that are list-billed by The Hartford, premium and volumes are based on the most recent list bill. For policies that are self-administered, premiums and volumes are based on the most recent census information that we have on file.

With this rate structure the employer may be electing to partially support employer paid coverages with the rate for the employee paid coverages. This means that premiums paid for one coverage may cover the cost of another coverage under the Plan. When we quote rates with such partial support between the employee paid and employer paid coverages we do so with the understanding that the employer and employee coverages are part of a single ERISA plan sponsored by the employer and that the employer has determined that the rate structure is consistent with information provided to employees and with its ERISA obligations. For those cases that are not governed by ERISA, we are quoting the rates with the understanding that the employer has determined the rate structure is consistent with the information provided to employees. If our understanding is not accurate, please contact us.

Services are offered through vendors which are not affiliated with The Hartford and these services are not insurance. The Hartford is not responsible and assumes no liability for the goods and services described in this material and reserves the right to discontinue any of these services at any time. Services may vary and may not be available in all states. Visit <http://www.TheHartford.com/employee-benefits/value-added-services> for more information.

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This renewal includes one or more products, which are issued on the following forms: Accident Form Series includes GBD-2000, GBD-2300, or state equivalent. Accidental Death and Dismemberment Form Series GBD-1000 and GBD-1300, or state equivalent. Critical Illness Form Series includes GBD-2600, GBD-2700, or state equivalent. Disability Form Series includes GBD-1000, GBD-1200, or state equivalent. Life Form Series includes GBD-1000, GBD-1100, Z-PORT, or state equivalent. Hospital Indemnity Form Series includes GBD-2800, GBD-2900, or state equivalent. Group Retiree Health Form Series includes GBD-2400, GBD-2500, or state equivalent. In NY, Statutory Disability Form Series includes GBD-1850, or state equivalent and Statutory Family Leave Form Series includes GBD-1851, or state equivalent. For HI and NJ Temporary Disability Form Series includes GBD-1850, or state equivalent. Blanket Accident Form Series Includes BTA-1000, BTA-1300, BSR-1000, BSR-1200, or state equivalent.

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023

TO: Mark S. Watson, City Manager

FROM: Amy Fitzgerald , Information Services Director

SUBJECT: Approval of an Extension of the Tennessee Oversight Interlocal Agreement Between the City of Oak Ridge and the Following Counties: Anderson, Knox, Morgan, and Roane, to Cooperate on Issues Related to the U.S. Department of Energy's Environmental Management Program and Emergency Management Activities, and to be Recognized as the Oak Ridge Reservation Communities Alliance.

Introduction

An item for City Council's consideration is the adoption of the attached resolution authorizing an extension of the Tennessee Oversight Interlocal Agreement (TOIA) for a five-year term beginning July 1, 2023 and ending June 30, 2028.

Funding

No funding is associated with this item.

Background

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

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

In April 2016, City Council adopted Resolution 4-23-2016, authorizing an extension of the

TOIA through June 2021. Resolution 7-69-2019 was adopted by City Council in July 2019 to adopt modifications to the TOIA and extend the term through June 30, 2023.

Staff recommends continuation of the TOIA. The agreement has proven to be an effective mechanism for government-to-government cooperation in achieving a better understanding of issues related to the DOE environmental management and emergency response programs.

Recommendation

Staff recommends approval of the resolution.

Attachments:

[TOIA Agreement 2019-2023 Signed.pdf](#)

[Resolution - Extend TN Oversight Interlocal Agreement.docx](#)

TENNESSEE OVERSIGHT INTERLOCAL AGREEMENT (TOIA)

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

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

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

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

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

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

I. PURPOSE

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

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

II. **PARTIES TO THE AGREEMENT**

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

III. **ORGANIZATION**

A. Board of Mayors/Executives

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

B. Officers

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

IV. **OPERATION**

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

V. **ADMINISTRATION**

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

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

VI. **DURATION OF THE AGREEMENT**

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

VII. **AMENDMENT**

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

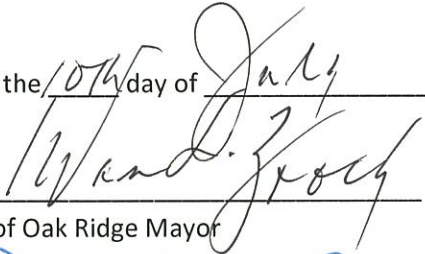
VIII. **WITHDRAWAL**

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


This Interlocal Agreement is signed by the Agreed Parties this the 10th day of July, 2019.



Anderson County Mayor



City of Oak Ridge Mayor



Knox County Mayor



Morgan County Executive



Roane County Executive

RESOLUTION

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

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

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

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

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

WHEREAS, by Resolution 4-23-2016, City Council authorized an extension of the TOIA through June 20, 2021 and by Resolution 7-69-2019, City Council adopted modifications to the TOIA and extended the term through June 30, 2023; and

WHEREAS, ORRCA members desire to extend the term of the TOIA for the period July 1, 2023 through June 30, 2028; and

WHEREAS, the Interim City Manager recommends the extension of the term of the TOIA for the period July 1, 2023 through June 30, 2028.

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

That the recommendation of the Interim City Manager is approved, and an extension of the Tennessee Oversight Interlocal Agreement between the City of Oak Ridge and the Counties of Anderson, Knox, Morgan, and Roane for the term July 1, 2023 through June 30, 2028 is approved.

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

This 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

Tammy M.D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023

TO: Mark S. Watson, City Manager

FROM: Jon Hetrick , Recreation & Parks Director

SUBJECT: Grant Application to Fund a Recreation & Parks Master Plan

SUPPORTING DEPARTMENT: Planning and Development

Introduction

An item for City Council's consideration is approval of a Resolution to apply for, and accept if awarded, a Healthy Built Environment (HBE) Grant from the Tennessee Department of Health. Funds from this grant will be used to develop a Master Plan for the Recreation & Parks Department.

Funding

Funding up to \$50,000.00 is available through this grant program. No match is required.

Background

A Master Plan for the Recreation & Parks Department will define the recreational needs and desires of the community. To be developed with substantial community input and focused on enhancing the health of the citizens of Oak Ridge, the Master Plan will provide a guide for the Recreation & Parks Department to better serve the community. Working in concert with the City Blueprint and the updated Comprehensive Plan, the Recreation & Parks Master Plan will provide direction for future budgeting and Capital Improvement Program (CIP) requests. In addition, many grant applications now require inclusion of a Recreation & Parks Master Plan to qualify for funding. If awarded, HBE grant funds will be used to secure a Professional Services Agreement with a qualified planning consultant for development of the Master Plan.

Recommendation

Approval of the attached Resolution is recommended.

Attachments:

[Resolution - Healthy Built Environment Grant.docx](#)

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR, AND ACCEPT IF AWARDED, A HEALTHY BUILT ENVIRONMENT GRANT FROM THE STATE OF TENNESSEE DEPARTMENT OF HEALTH FOR A RECREATION AND PARKS MASTER PLAN IN AN AMOUNT UP TO \$50,000.00 WITH NO LOCAL MATCH REQUIRED.

WHEREAS, the State of Tennessee Department of Health has reimbursement grant funding available for projects that advance health equity by creating or supporting a healthy built environment; and

WHEREAS, no local match is required for this grant application and applications are due by May 10, 2023; and

WHEREAS, the goal of this grant is to serve historically underserved populations, engage the target community, and work to promote inclusivity of individuals of all abilities and backgrounds; and

WHEREAS, the State of Tennessee Department of Health has pre-identified census tracts that are in the 60th percentile of the 2018 Social Vulnerability Index as defined by the Centers for Disease Control and Prevention and have identified these areas as target communities eligible for grant funds; and

WHEREAS, a portion of Oak Ridge falls within a target community area as noted above and the City desires to apply for the grant to develop a Master Plan for the Recreation and Parks Department to define recreational needs and desires of the community, to be developed with substantial community input and focused on enhancing the health of Oak Ridge citizens; and,

WHEREAS, the Interim City Manager recommends the City submit the grant application and accept the grant if awarded.

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

That the recommendation of the Interim City Manager is approved, and the City is hereby authorized to apply for, and accept if awarded, a grant from the State of Tennessee Department of Health for a Healthy Built Environment grant, in an amount up to \$50,000.00 to be used by the Recreation and Parks Department to develop a Master Plan for recreational needs and desires of the community.

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

This 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023
TO: Mark S. Watson, City Manager
FROM: Jennifer Williams , Senior Planner
SUBJECT: Zoning Ordinance Text Amendment: Food Truck Parks

Introduction

An item for City Council's consideration is an ordinance amending ordinance no. 2 (Zoning Ordinance) to establish regulations for permanent food truck parks.

Funding

There is no funding associated with this item.

Background

Over the past few years, staff has from time to time received questions about the development of permanent food truck parks. A food truck park is a dedicated site for food trucks to gather and serve customers - like a food court, but outside. There are already a number of permanent food truck parks in our region, but none in Oak Ridge.

Because the food truck park is a relatively modern invention, the City's Zoning Ordinance does not adequately address the use. Therefore, staff is proposing a zoning text amendment to do the following:

- Establish definitions for the use.
- Set use-specific regulations.
- Identify appropriate zoning districts for the use.

Notably, this amendment is not intended to address food trucks operating at existing locations on a temporary basis, nor is it intended to regulate food trucks that serve one-time events like festivals. The City's Legal Department is currently working on an ordinance to add food-truck specific regulations to the Oak Ridge City Code. Both the Legal Department and the Fire Prevention Office have reviewed and provided input for this text amendment.

At their April 20, 2023 meeting, the Planning Commission voted unanimously to recommend approval of the text amendment.

Recommendation

Approval of the attached ordinance is recommended.

Attachments:

[Food Truck Parks Text Amendment.docx](#)

[Food Truck Park Zoning Districts Exhibit.pdf](#)

[Ordinance - Creation of Food Truck Park.docx](#)

Proposed Zoning Text Amendment: Food Truck Parks

Definitions (Article II)

Food Truck: A mobile vehicle or trailer used to transport and/or prepare food for sale to the public.

Food Truck Park: The use of land designed to accommodate two or more food trucks/mobile food vendors offering food and/or beverages for sale to the public as a primary use of the property.

Use Standards (Article III – New Section 3.38)

Section 3.38: Food Truck Parks

- a. Food truck parks may be stand alone uses or be located on a property with another principal use. These properties must be designed to be able to accommodate all required development standards for all principle uses.
- b. There must be a designated manager of the park that is responsible for the organization of food truck vendors, cleanliness of the site, and compliance with all rules and regulations during business hours. This information must be clearly posted on-site.
- c. A portion of the food truck park site must be shared common area designed for customer use. This includes elements such as seating areas, restroom facilities, and landscaping.
- d. Waste receptacles and/or recycling bins must be provided on site during business hours.
- e. No temporary use permits for individual food truck vendors are required within food truck parks, but each food truck must still meet the requirements of the Fire Prevention Office.
- f. Permanent restroom facilities must be provided and available for both customers and vendors/employees. Temporary restroom facilities such as porta-potties do not meet this requirement.
- g. The minimum parking requirement for a food truck park is two spaces per food truck vendor parking space.
- h. The establishment of a new food truck park shall require site plan approval as outlined in Section 16.21 of the Zoning Ordinance.

Allowable Districts

Food Truck Parks are a Use Permitted by Right:

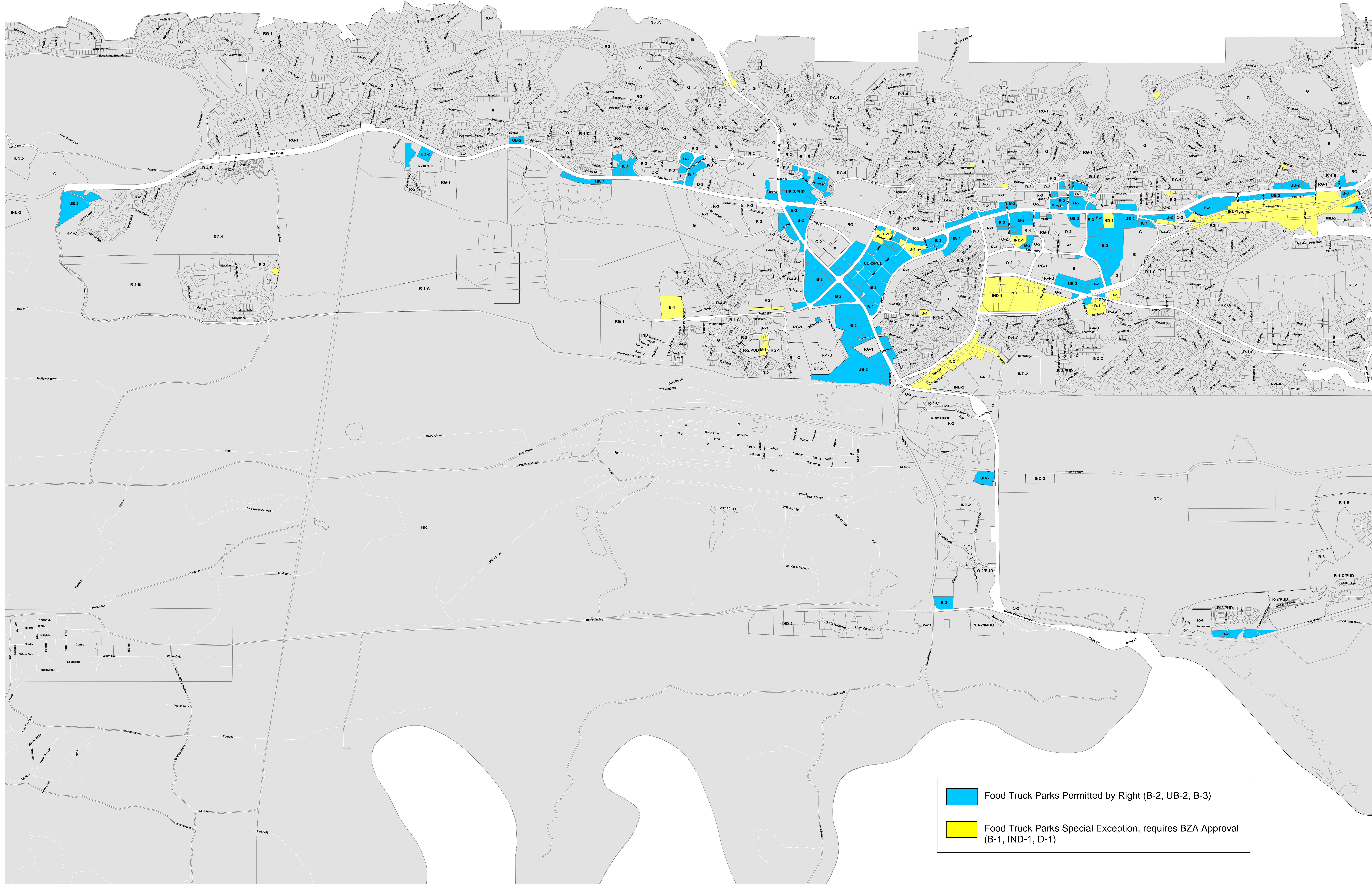
- B-2
- UB-2
- B-3

Food Truck Parks are a Special Exception (BZA Approval Required):

- B-1
- IND-1
- D-1
- Standards for BZA review:
 - o Can site meet Section 3.38?
 - o Are there any potential noise, light, or other nuisances anticipated either to surrounding property owners or to the food truck park that make the proposed site incompatible with this use?

Food Truck Park Zoning Exhibit

April, 2023



- Food Truck Parks Permitted by Right (B-2, UB-2, B-3)
- Food Truck Parks Special Exception, requires BZA Approval (B-1, IND-1, D-1)

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING ARTICLE II, TITLED "DEFINITIONS," TO ADD DEFINITIONS FOR "FOOD TRUCK" AND "FOOD TRUCK PARK"; BY CREATING A NEW SECTION 3.38, TITLED "FOOD TRUCK PARKS," TO ESTABLISH REGULATIONS FOR PERMANENT FOOD TRUCK PARKS; BY AMENDING SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," AND SECTION B-3, TITLED "ROADSIDE BUSINESS DISTRICTS," TO ADD FOOD TRUCK PARKS AS AN ALLOWED PRINCIPAL USE; AND BY AMENDING SECTION 7.02, TITLED "B-1, NEIGHBORHOOD BUSINESS DISTRICTS," AND SECTION 8.01, TITLED "IND-1, INDUSTRIAL DISTRICTS," TO ADD FOOD TRUCK PARKS AS AN ALLOWED USE WITH SPECIAL EXCEPTION GRANTED BY THE BOARD OF ZONING APPEALS.

WHEREAS, upon request of a local business owner, staff reviewed the possibility of a permanent food truck park; and

WHEREAS, after evaluation of the Zoning Ordinance, it was determined such use is not addressed within the code; and

WHEREAS, staff developed proposed modifications to the Zoning Ordinance to allow permanent food truck parks within certain zone districts and meeting certain criteria; and

WHEREAS, on April 20, 2023, the Oak Ridge Municipal Planning Commission unanimously approved the modification to the Zoning Ordinance and approved the same for City Council's consideration and adoption; and

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

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

Section 1. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article II, titled "Definitions," is hereby amended by adding the following new definitions in alphabetical order:

FOOD TRUCK: A mobile vehicle or trailer used to transport and/or prepare food for sale to the public.

FOOD TRUCK PARK: The use of land designed to accommodate two (2) or more food trucks/mobile food vendors offering food and/or beverages for sale to the public as a primary use of the property.

Section 2. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," is hereby amended by creating a new Section 3.38, titled "Food Truck Parks," which new section shall read as follows:

Section 3.38 Food Truck Parks

- (a) Food truck parks may be stand-alone uses or be located on a property with another principal use. These properties must be designed to be able to accommodate all required development standards for all principal uses.
- (b) There must be a designated manager of the park that is responsible for the organization of food truck vendors, cleanliness of the site, and compliance with all rules and regulations during business hours. This information must be clearly posted on-site.
- (c) A portion of the food truck park site must be shared common area designed for customer use. This includes elements such as seating areas, restroom facilities, and landscaping.
- (d) Waste receptacles and/or recycling bins must be provided on site during business hours.
- (e) No temporary use permits for individual food truck vendors are required within food truck parks, but each food truck must still meet the requirements of the Fire Prevention Office.
- (f) Permanent restroom facilities must be provided and available for both customers and vendors/employees. Temporary restroom facilities such as porta-potties do not meet this requirement.
- (g) The minimum parking requirement for a food truck park is two (2) spaces per food truck vendor parking space.
- (h) The establishment of a new food truck park shall require site plan approval as outlined in Section 16.21 of the Zoning Ordinance.

Section 3. Ordinance No. 2, titled “The Zoning Ordinance of the City of Oak Ridge, Tennessee,” Article VII, titled “Parking and Business Districts,” Section 7.03, titled “B-2, General Business Districts,” Subsection (a), titled “Permitted Principal Uses,” is hereby amended by creating a new subpart allowing the use of food truck parks, which new subpart shall read as follows:

Section 7.03 B-2, General Business Districts

- (a) Permitted Principal Uses:

25. Food Truck Parks

Section 4. Ordinance No. 2, titled “The Zoning Ordinance of the City of Oak Ridge, Tennessee,” Article VII, titled “Parking and Business Districts,” Section 7.04, titled “UB-2, Unified General Business Districts,” Subsection (a), titled “Permitted Principal Uses,” is hereby amended by creating a new subpart allowing the use of food truck parks, which new subpart shall read as follows:

Section 7.04 UB-2, Unified General Business Districts

(a) Permitted Principal Uses:

22. Food Truck Parks

Section 5. Ordinance No. 2, titled “The Zoning Ordinance of the City of Oak Ridge, Tennessee,” Article VII, titled “Parking and Business Districts,” Section 7.05, titled “B-3, Roadside Business Districts,” Subsection (a), titled “Permitted Principal Uses,” is hereby amended by creating a new subpart allowing the use of food truck parks, which new subpart shall read as follows:

Section 7.05 B-3, Roadside Business Districts

(a) Permitted Principal Uses:

9. Food Truck Parks

Section 6. Ordinance No. 2, titled “The Zoning Ordinance of the City of Oak Ridge, Tennessee,” Article VII, titled “Parking and Business Districts,” Section 7.02, titled “B-1, Neighborhood Business Districts,” Subsection (c), titled “Special Exception Requiring Board of Zoning Appeals Approval,” is hereby amended by creating a new subpart allowing the use of food truck parks with Board of Zoning Appeals approval, which new subpart shall read as follows:

Section 7.02 B-1, Neighborhood Business Districts

(c) Special Exception Requiring Board of Zoning Appeals Approval:

4. Food Truck Parks. The Board of Zoning Appeals shall consider whether the site can meet the requirements of Section 3.38 and evaluate any potential noise, light, or other nuisances anticipated either to surrounding property owners or to the Food Truck Park that make the proposed site incompatible with this use.

Section 7. Ordinance No. 2, titled “The Zoning Ordinance of the City of Oak Ridge, Tennessee,” Article VIII, titled “Industrial Districts,” Section 8.01, titled “IND-1, Industrial Districts,” Subsection (d), titled “Special Exception Requiring Board of Zoning Appeals Approval,” is hereby amended by creating a new subpart allowing the use of food truck parks with Board of Zoning Appeals approval, which new subpart shall read as follows:

Section 8.01 IND-1, Industrial Districts

(d) Special Exception Requiring Board of Zoning Appeals Approval:

4. Food Truck Parks. The Board of Zoning Appeals shall consider whether the site can meet the requirements of Section 3.38 and evaluate any potential noise, light, or other nuisances anticipated either to surrounding property owners or to the Food Truck Park that make the proposed site incompatible with this use.

Section 8. 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:

Tammy M.D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

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

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023
TO: Mark S. Watson, City Manager
FROM: Ardo Ba , Electric Director
SUBJECT: Renewal of Vegetation (Tree Trimming) Contract

Introduction

An item for City Council's consideration is the renewal of the vegetation (tree trimming) contract for the second and last renewal term (July 1, 2023 - June 30, 2025) in the estimated amount of \$2,529,000.54.

Funding

Funding is through the Electric Fund.

Background

On May 24, 2019, by Resolution 5-46-2019, City Council approved a contract for right of way maintenance services to be awarded to Seelbach and Company, LLC. The initial contract period was for two years with provisions for two (2) two-year renewals after the initial term. Said resolution authorized the City Manager to renew the contract if services were satisfactory and budgeted funds were available, however, the City Manager stated at the Council meeting that he would bring the renewal back to Council for approval. The contract also provided for a cost adjustment upon renewal based upon the Consumer Price Index (CPI).

The attached resolution is for the second two-year renewal. It will cover the time period from July 1, 2023, through June 30, 2025. The CPI adjustment contractually provided for in the renewal has been calculated at 5.0%.

The work performed under this contract is broken into two parts. The first is "zone work" which is our normal pruning operations. Zone work only covers pruning of trees and not the removal of trees. The City has been divided into two zones, each one being trimmed every other year. The contractor is responsible for obtaining specified clearances using approved pruning methods. The total cost for a two-year cycle as renewed the first time was \$1,279,971.94. The cost to renew the zone portion of the contract is \$1,343,970.54.

The second portion is for "hourly work". Hourly work includes application of herbicides, removal of trees and other work as directed. Please note that the removal of any tree, whether in the current zone or not, is paid under "hourly work".

The first renewal provided \$1,128,600.00 to be used over a two-year period of hourly work. After the adjustment for CPI, the total amount is \$1,185,030.00. The provided funding should be sufficient for routine or emergency tree work. It will also provide funds for expected emergency expenditures such as when the tree crews come during and after storms to assist with removing, cutting and cleaning up trees that have been in power line emergencies and other work of that nature.

The total cost of the renewal for the two-year period is \$2,529,000.54. Should all of the hourly resources not be required, they will not be used.

Recommendation

Staff recommends approval of the attached resolution.

Attachments:

[Resolution - Vegetation Mgmt Renewal.docx](#)

RESOLUTION

A RESOLUTION APPROVING THE SECOND AND FINAL TWO-YEAR RENEWAL OPTION FOR THE ELECTRIC DEPARTMENT'S VEGETATION MANAGEMENT (TREE TRIMMING AND PRUNING) CONTRACT (FY2020-002) W.A. KENDALL AND COMPANY, LLC, IN AN AMOUNT NOT TO EXCEED \$2,529,000.54.

WHEREAS, on May 24, 2019, City Council approved Resolution 5-46-2019 awarding a contract for tree pruning, tree removal, and brush control to Seelbach and Company, LLC (FY2020-002) in the amount of \$2,347,536.00, which contract is commonly referred to by the Electric Department as the vegetation management contract; and

WHEREAS, the contract and resolution provided for up to two (2) two-year renewal options with a cost adjustment based upon one hundred percent (100%) of the March Consumer Price Index (CPI); and

WHEREAS, by Resolution 5-49-2021, the City exercised its first renewal term (July 1, 2021 – June 30, 2023) in the amount of \$2,408,571.94 and assigned the contract to the parent company of W.A. Kendall and Company, LLC; and,

WHEREAS, the City desires to exercise its second and final renewal option under the contract for a two-year period (July 1, 2023 – June 30, 2025); and,

WHEREAS, the Interim City Manager recommends the City renew said contract pursuant to its terms.

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

That the recommendation of the Interim City Manager is approved and the contract (FY2020-002) with W.A. Kendall and Company, LLC, for the furnishing of all labor, tools, materials, equipment and supplies necessary for the furnishing of tree pruning, tree removal, and brush control (vegetation management) services is hereby renewed for the second and final renewal period (July 1, 2023 – June 30, 2025) in an amount not to exceed \$2,529,000.54.

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

This 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

Tammy M.D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023
TO: Mark S. Watson, City Manager
FROM: Jon Hetrick , Recreation & Parks Director
SUBJECT: Design & Engineering Services - Outdoor Pool Renovation Project

Introduction

An item for City Council's consideration is a Resolution to authorize a professional services agreement with Kimley-Horn of Nashville, TN to provide design and engineering services for the renovation of the Oak Ridge Outdoor Pool.

Funding

Funding for the first phase of the design & engineering agreement, in the amount of \$55,200.00, is included in the FY2023 Capital Improvement Program (CIP). Once a concept plan has been accepted by the City and funding is in place, the agreement will be amended to include complete construction drawings and subsequent bid phase and construction phase services.

Background

The Oak Ridge Outdoor Pool, constructed during the Manhattan Project era, is a historic facility of great importance to the community. The Outdoor Pool was last renovated in 1993. Since that time, substantial repairs have been made to the pool shell and mechanical systems but have reached a point where replacement is necessary to continue safe and efficient operation of the pool after the current season. The redesign will also provide an opportunity to address all current safety and accessibility requirements at the aquatic facility.

A Request For Qualifications (RFQ) was issued by the City for design & engineering services for the renovation of the pool and support facilities. Five submissions were received. After review by a committee of City staff and the Chair of the Recreation & Parks Advisory Board, three firms were selected for interviews. Kimley-Horn, along with their aquatic consultant Counsilman-Hunsaker, were ranked highest among the firms and are recommended by the committee to provide the design & engineering services for this project. Kimley-Horn and Counsilman-Hunsaker previously partnered to perform a study on the Oak Ridge Outdoor Pool in 2016.

Kimley-Horn will assist the City in conducting a robust public input process, as outlined in their proposal. Based on the input received, Kimley-Horn will develop three conceptual designs, considering opportunities for increased efficiency, reduced maintenance and enhanced

recreation while respecting the historical character of the pool. An opinion of probable cost will be included with each concept plan.

Following presentation of the concept plans, public and staff input will provide a basis for a final conceptual design and revised opinion of probable cost. Once a concept is selected by the City and funding is in place, the contract will be amended to include complete construction drawings and to provide bidding services and construction phase services.

Recommendation

Approval of the attached resolution is recommended.

Attachments:

[Kimley-Horn Proposed Scope Outdoor Pool.pdf](#)

[Resolution - Outdoor Pool Design - KimleyHorn.docx](#)

April 19, 2023

Mr. Jon Hetrick
Recreation & Parks Director
City of Oak Ridge
200 South Tulane Ave
Oak Ridge, Tennessee 37830

Re: Professional Services Agreement
Outdoor Pool Renovation

Dear Mr. Hetrick:

Kimley-Horn and Associates, Inc. ("Kimley-Horn" or "Consultant") is pleased to submit this letter agreement (the "Agreement") to the City of Oak Ridge ("Client") for professional consulting services for the planning and design related to the Outdoor Pool Renovation located on 172 Providence Road. A detailed description of our Scope of Services and Fee are as follows.

Project Understanding

The "Big Pool" has been a staple of the Oak Ridge community since its construction in 1944. This spring-fed city pool has gone through a few renovations in its almost 80 years and now needs improvements made that are sensitive to its history while also considering repair costs and evolving aquatic trends. The City of Oak Ridge desires to renovate the pool after gathering public input and reviewing concept options and cost estimates. Kimley-Horn will facilitate the public input, programming, and concept phase initially. Once a concept is selected by the City and funding is in place, we will provide a contract amendment to complete construction drawings and subsequent bid phase and construction phase services.

Scope of Services

Kimley-Horn will provide the services specifically set forth below.

Task 1 – Project Coordination and Meetings

This task will consist of general project management, administrative, and accounting activities for the project. Coordination activities will consist of preparing and distributing project correspondence, scheduling of meetings, and discussion of project elements with the Client throughout the process.

Task 1.1 – Kickoff Meetings and Site Visit

Kimley-Horn and its Subconsultant will attend one (1) day of in-person kickoff meetings, a public meeting, and site visit with staff and stakeholders. The goal is to understand the needs and determine objectives in order to ascertain existing levels of service and the perceived needs of various user groups in the community. A matrix of programming priorities will be developed and discussed to prioritize programming and facility features. We will use the feedback from this meeting to develop a needs profile.

Task 1.2 – Concept Review

Kimley-Horn and its Subconsultant will attend one (1) virtual meeting to participate in a review of preliminary concept designs and program features with staff.

Task 1.3 – Design Workshop

Kimley-Horn and its Subconsultant will attend one (1) day of in-person design workshop meetings that will consist of meeting with staff, stakeholders, and a public meeting. Preliminary concepts and program features will be reviewed and confirmed.

Task 2 – Existing Conditions Mapping

Kimley-Horn will compile available aerial imagery and GIS files to prepare an existing conditions base file to utilize for conceptual plans in Task 4 below.

Task 3 – Input and Programming

Task 3.1 – Project Website

Kimley-Horn will facilitate an online website to host updates throughout the project design process. The website will also be used to provide important project updates and notify users of upcoming project meetings and events.

Task 3.2 – Public Input

Kimley-Horn will facilitate an online survey that will consist of up to twenty (20) questions for citizens to provide public input for this project. This survey will be provided in an online format via Survey Monkey as well as a printed version. Kimley-Horn will provide an executive summary of the survey methodology, a description of major findings, and charts to depict highlights of the results in a memo format.

Task 3.3 – Design Program

We will prepare and submit an outline of a design program of spaces and features for the proposed aquatic facility describing the pool size, shape, and support spaces based on preliminary discussions and meetings noted above.

Task 3.4 – Design Narrative

Kimley-Horn will provide a design narrative for the swimming pool that will consist of related systems, features, and equipment.

Task 3.5 – Support Spaces

Kimley-Horn will assist the Client with design considerations for the support spaces: locker rooms/changing facilities, offices/administration, spectator areas, storage, concessions, and pool mechanical and chemical rooms.

Task 4 – Conceptual Plan

Task 4.1 – Preliminary Concept Options

Based on the agreed upon design program, we will prepare up to three (3) concepts. We will provide a conceptual plan of each option. The purpose of the plans will be to illustrate ways to organize the

spaces in a functional arrangement and to confirm that the complex footprint will contain the areas proposed in the Design Program.

Task 4.2 – Opinion of Probable Construction Cost

We will prepare an Opinion of Probable Construction Cost for each of the three (3) concept options. Kimley-Horn will base this opinion of cost on actual bid prices for recent projects which involve similar equipment and construction methods.

The Consultant has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to Consultant at the time of preparation and represent only the Consultant's judgment as a design professional familiar with the construction industry. The Consultant cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.

Task 4.3 – Concept Revision

Based on input from the Client and the public during the Design Workshop in Task 1.3 above, we will revise the selected concept for the final deliverable as well as update the cost estimate.

Additional Services

Any services not specifically provided for in the above scope will be billed as additional services and performed at our then current hourly rates. Additional services we can provide include, but are not limited to, the following:

- Geotechnical report
- Construction Documents
- Additional meetings beyond those listed above
- Design services beyond those listed above
- Bid Phase Services
- Construction Phase Services
- Others as requested by the Client

Fee and Expenses

Kimley-Horn will perform the services in Tasks 1-4 for the total lump sum fee of \$55,200. All permitting, application, and similar project fees will be paid directly by the Client.

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.

RESOLUTION

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., NASHVILLE, TENNESSEE, TO DEVELOP CONCEPTUAL DESIGNS FOR THE RENOVATION OF THE OAK RIDGE OUTDOOR POOL IN THE AMOUNT OF \$55,200.00.

WHEREAS, the Recreation and Parks Department maintains the City-owned parks and playgrounds including the Oak Ridge Outdoor Pool which was constructed during the Manhattan Project era and last renovated in 1993; and

WHEREAS, substantial repairs to the Outdoor Pool shell and mechanical systems have been made, but have reached the point where replacement is necessary to continue safe and efficient operation of the pool after this current season; and

WHEREAS, the City issued a Request for Qualifications (RFQ) for design and engineering services for the renovation of the pool and support facilities; and

WHEREAS, five submissions were received and evaluated by a staff committee with Kimley-Horn and Associates, Inc., Nashville, Tennessee, submitting the best proposal; and

WHEREAS, Kimley-Horn and Associates, Inc., will assist the City in conducting a robust public input process and will then develop three (3) conceptual designs considering opportunities for increased efficiency, reduced maintenance, and enhanced recreation while still respecting the historical character of the pool; and

WHEREAS, the Interim City Manager recommends their proposal be accepted.

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

That Interim City Manager's recommendation is approved and award is hereby made to Kimley-Horn and Associates, Inc., 10 Lea Avenue, Suite 400, Nashville, Tennessee 37210, for the development of conceptual designs for renovation of the Oak Ridge Outdoor Pool in strict accordance with the terms of the Request for Qualifications, the required specifications, and the proposal as submitted; said agreement in the amount of \$55,200.00.

BE IT FURTHER RESOLVED that once a final conceptual design is selected and funds are available to move forward, the agreement will be brought to City Council for an amendment to include complete construction drawings, bidding services, and construction phase services for this project.

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

This 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE

Tammy M. D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023
TO: Mark S. Watson, City Manager
FROM: Jon Hetrick , Recreation & Parks Director
SUBJECT: Ballfield Light Replacement - Big Turtle Park

Introduction

An item for the City Council's consideration is a Resolution to approve a contract with Musco Sports Lighting, LLC, of Oskaloosa, IA, for the replacement of poles, lights, wiring and the lighting control system for the softball field at Big Turtle Park.

Funding

Funding is not to exceed \$200,000.00. This includes a quote from Musco Sports Lighting, LLC, at \$189,997.00 and a contingency of \$10,003.00. Funding for the project is included in the FY2023 Capital Improvement Program (CIP). Pricing for the project is through the Sourcewell purchasing cooperative, contract number 071619-MSL.

Background

The ballfield lighting at Big Turtle Park was last upgraded in 1991. A number of years ago, the tops of the light poles were reduced in height due to rotting of the wooden poles, reducing the height of the light fixtures and limiting the amount of available light for safe play of softball. As a result, the softball field has not been used for City leagues for many years.

City staff wish to bring league play back to Big Turtle Park. It is the fastest-drying infield in our system, reducing the likelihood of games postponed by rain. The facility has permanent bathrooms, which are preferable to the portable restrooms at some other fields. The field is also used in the winter for soccer practice, which will benefit from the improved lighting.

Existing lighting and poles will be removed and replaced. New galvanized steel poles with concrete bases will replace the wooden poles and the metal halide lighting fixtures will be replaced with energy efficient LED lighting. New wiring from the fixtures will connect to the existing underground wiring for the lights, which has been inspected and found to be in good working order. The lighting control system will also be replaced. The product warranty covers materials and onsite labor for twenty-five (25) years.

Recommendation

Approval of the attached Resolution is recommended.

Attachments:

[MUSCO Quote Big Turtle Softball 2023.pdf](#)

[Resolution - Big Turtle Park Lighting - Musco Sports Lighting LLC.docx](#)

Turtle Park Baseball
Oak Ridge, TN
3/8/23
Sourcewell

Master Project: 199030, Contract Number: 071619-MSL, Expiration: 08/27/2023
Category: Sports lighting with related supplies and services

All purchase orders should note the following:
Sourcewell purchase – contract number: 071619-MSL

Quotation Pricing – Materials only

Softball Field- 200' Radius \$189,997.00

*Sales tax and bonding are not included.
Pricing furnished is effective for 30 days unless otherwise noted and is confidential.*

Light-Structure System™ with Total Light Control – TLC for LED™ technology

Guaranteed Lighting Performance

- Guaranteed light levels of 30 footcandles Infield and 20 footcandles Outfield.
- BallTracker® technology – targeted light, optimizing visibility of the ball in play with no glare in the players typical line-of-sight

System Description – Light-Structure System™ complete from foundation to poletop in 5 Easy Pieces™

Factory-built, wired, aimed, and tested lighting system includes:

- Pre-cast concrete bases
- Galvanized steel poles
- Factory-wired and tested remote electrical component enclosures
- Pole length factory-assembled wire harnesses
- Factory-aimed and assembled luminaires, including BallTracker® technology
- UL listed as a complete system

Control Systems and Services

- Lighting contactor cabinet to provide onsite on/off control

Operation and Warranty Services

- Product assurance and warranty program that covers materials and onsite labor, eliminating 100% of your maintenance costs for 25 years
- Support from Musco's Lighting Services Team – over 170 Team members dedicated to operating and maintaining your lighting system – plus a network of 1800+ contractors

Payment Terms

Musco's Credit Department will provide payment terms.

Email or fax a copy of the Purchase Order to Musco Sports Lighting, LLC:

Musco Sports Lighting, LLC
Attn: Amanda Hudnut



Fax: 800-374-6402

Email: musco.contracts@musco.com

All purchase orders should note the following:

Sourcewell purchase – contract number: 071619-MSL

Delivery Timing

10 - 12 weeks for delivery of materials to the job site from the time of order, submittal approval, and confirmation of order details including voltage, phase, and pole locations.

Due to the built-in custom light control per luminaire, pole locations need to be confirmed prior to production. Changes to pole locations after the product is sent to production could result in additional charges.

Notes

Quote is based on:

- Shipment of entire project together to one location.
- Voltage and phase system requirements to be confirmed.
- Structural code and wind speed = 2015 IBC, 115 mi/h, and exposure: C, Importance Factor 1.
- Owner is responsible for getting electrical power to the site, coordination with the utility, and any power company fees
- Standard soil conditions – rock, bottomless, wet, or unsuitable soil may require additional engineering, special installation methods and additional cost.
- Confirmation of pole or luminaire locations prior to production.

Thank you for considering our Team for your sports lighting needs. Please contact me with any questions.

Greg Gilley

Sales Representative

Musco Sports Lighting, LLC

Phone: 641-660-2362

E-mail: greg.gilley@musco.com



RESOLUTION

A RESOLUTION AWARDING A CONTRACT TO MUSCO SPORTS LIGHTING, LLC, OSKALOOSA, IOWA, FOR THE REPLACEMENT OF POLES, LIGHTS, WIRING, AND THE LIGHTING CONTROL SYSTEM FOR THE SOFTBALL FIELD AT BIG TURTLE PARK IN AN AMOUNT NOT TO EXCEED \$200,000.00 UTILIZING THE PURCHASING COOPERATIVE SOURCEWELL.

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

WHEREAS, by Resolution 3-21-2018, City Council approved a master agreement with National Joint Powers Alliance (NJPA), now known as Sourcewell, to allow the City to be a participating member in the purchasing cooperative; and

WHEREAS, the Recreation and Parks Department maintains the City-owned parks and playgrounds including Big Turtle Park which is in need of replacement lighting for the softball field to include poles, lights, wiring, and the lighting control system; and

WHEREAS, the softball field at Big Turtle has not been used for league play due to lighting limitations for safe play; and

WHEREAS, the City would like to bring this field back into play as it is the fastest drying field and has permanent bathrooms, and the updated lighting will allow its use for both softball season and will improve its use in the winter season for soccer practice; and

WHEREAS, the City can contract with Musco Sports Lighting, LLC, Oskaloosa, Iowa, through Sourcewell, for replacement lighting at this facility; and

WHEREAS, the Interim City Manager recommends approval of the contract through the Sourcewell purchasing cooperative.

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

That the Interim City Manager's recommendation is approved and award is hereby made to Musco Sports Lighting, LLC, 100 1st Avenue W, P.O. Box 808, Oskaloosa, Iowa 52577, for the furnishing of all labor, materials, tools, equipment, and supplies necessary for the lighting replacement project at Big Turtle Park softball field, through the purchasing cooperative Sourcewell, in an amount not to exceed \$200,000.00; said amount includes the base price of \$189,997.00 and \$10,003.00 in contingency funds for unforeseen matters that may arise.

BE IT FURTHER RESOLVED that the Interim City Manager is authorized to sign contract amendments up to the contingency amount.

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

This 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE

Tammy M. D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023
TO: Mark S. Watson, City Manager
FROM: Ardo Ba , Electric Director
SUBJECT: Purchase of Underground Cable for Horizon Center

Introduction

An item for City Council's consideration is a resolution approving the purchase of Underground Distribution Cable 500 MCM Cu not to exceed the amount of \$1,164,964.50 from Irby Utilities, Johnson City, Tennessee.

Funding

Funding for this purchase is through the Electric Fund and stakeholder(s) in the vicinity of Horizon Center.

Background

The Electric Department uses a variety and types of underground cables in its distribution system. Cables of the size indicated is used where large electric loads are expected or where the cable may serve as a primary or backup feed to a larger area of load. In the past, this type of cable has been used for circuits coming out of electric substations, and commercial areas such as Commerce Park, and Alvin Weinburg.

The cable being purchased will primarily be used in the vicinity of Horizon Center. Approximately 75% of the cable will be solely dedicated to supply power to Lot 6 at the Horizon Center once an agreement on cost sharing is reached between the City of Oak Ridge and Triso-X. The rest of the cable will be placed in stock in anticipation of future development within the park.

Bids for the cable were opened on April 18, 2023, with Irby Utilities being the low bidder and the only one who provided an approximate delivery time of 336 days.

Based on recent past, we are fortunate that we received responses from these bidders. There have been instances when other utilities haven't received any response to bids on this type of cable.

Recommendation

Staff recommends approval of the resolution.



Attachments:

[FY2023 Abtract 500 MCM UGD CU Cable.pdf](#)

[Resolution - Underground Distribution Cable - Horizon.docx](#)

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

OPENING DATE: April 18, 2023 2:00 P.M.

FOR --- Underground Distribution Cable			BIDDER: Irby Utilities 501 W Mountain View Rd Johnson City, TN 37604		BIDDER: Wesco Distribution 427 Park Village Rd Knoxville, TN 37923		BIDDER:		BIDDER:		
MANUFACTURER:			Okonite		Pysmian						
DESCRIPTION	ITEM	FEET	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
THE FURNISHING OF UNDERGROUND DISTRIBUTION CABLE 500 MCM CU PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE ELECTRIC DEPARTMENT	1	46,500	\$ 23.86	\$ 1,109,490.00	\$ 25.795	\$ 1,199,467.50					
* CONTRACT AMENDMENT BUDGET FOR OVERAGE, SHALL NOT EXCEED 5%.	2*			\$ 55,474.50							
TOTAL PRICE			\$ 1,164,964.50		\$ 1,199,467.50						
TERMS			Net 30		Net 30						
DELIVERY			Approx 336 Days ARO		TBD at ARO						
F.O.B.			Oak Ridge		Oak Ridge						
VIA			Best Way		Best Way						
Advertised on the City's website for 15 days OTHER BIDDERS CONTACTED: Utility Sales Agency - Franklin, TN Power Supply Company, LLC - Chattanooga, TN United Utility Supply - Louisville, KY Gresco Utility Supply, Inc. - Nashville, TN Border States Industries, Inc. - Fargo, ND							BIDS OPENED AND RECORDED BY---  Lyn Majeski Purchasing Manager				
REASON FOR AWARD: ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>			RECOMMEND AWARD BE MADE TO: Irby Utilities 501 W Mountain View Rd Johnson City, TN 37604				BIDS REVIEWED BY---  Dallas Dyce Accounting Manager				

NUMBER _____

RESOLUTION

A RESOLUTION AUTHORIZING THE PURCHASE OF UNDERGROUND DISTRIBUTION CABLE FROM IRBY UTILITIES, JOHNSON CITY, TENNESSEE, IN AN AMOUNT NOT TO EXCEED \$1,164,964.50 FOR USE BY THE ELECTRIC DEPARTMENT.

WHEREAS, the Electric Department is in need of underground distribution cable for primary use in the vicinity of Horizon Center Industrial Park; and,

WHEREAS, bids were received and publicly opened on April 18, 2023, with Irby Utilities, Johnson City, Tennessee, submitting and lowest and best bid, which bid the Interim City Manager recommend be accepted.

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

That the recommendation of the Interim City Manager is approved and award is hereby made as to Irby Utilities, 501 W. Mountain View Road, Johnson City, Tennessee 37604, for underground distribution cable 500 MCM CU; said award in strict accordance with the required specifications and the bid as received and publicly opened on April 18, 2023, and in an amount not to exceed \$1,164,964.50, said amount includes the base bid of \$1,109,490.00 and a five percent (5%) overage equal to \$55,474.50.

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

This 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

Tammy M. D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023
TO: Mark S. Watson, City Manager
FROM: Ardo Ba , Electric Director
SUBJECT: City of Oak Ridge Social Services (CORSS) Program FY 2023 Amendment

Introduction

An item for City Council's consideration is a resolution approving Aid To Distressed Families of Appalachian Counties (ADFAC) request to increase the authorized amount of individual assistance under the City's Social Services Policy from \$500 to \$800 during a twelve-month period.

Funding

General Fund

Background

The recent Malware Attack experienced by the City hindered Staff's ability to send utility bills in a timely manner. As staff processes the backlog of utility bills, a significant number of our customers will be receiving two (2) bills in a relatively short time. In exploring different solutions to assist our customers, including temporarily suspending late fees along with service disconnects, the City engaged in conversations with ADFAC about the possibility of an increase in requests for assistance and more specifically with bills related to utilities.

By Resolution 6-75-2022, City Council approved a contract with ADFAC to administer and implement the City's Social Services Policy. The Social Services Policy was created in 1992 and has had a few modifications since with the most recent modification occurring on July 13, 2015. The Social Services Policy limits the assistance an eligible client can receive to \$500 during a twelve-month period for rent or mortgage payments and utility bills. Due to increased costs of living, as well as the current situation of some residents receiving two (2) utility bills within the same month from the recent malware attack, ADFAC has requested the City to amend the Social Services Policy to increase the \$500 amount to \$800 for rent/mortgage payments and rent/utility bills/deposits.

Recommendation

Staff recommends approval of the attached resolution.

Attachments:

[ADFAC - Requesting Amendment to Social Services Policy - April 2023.pdf](#)

City's Social Services Policy.pdf

Resolution - Amendment to Social Services Policy.docx



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Aid to Distressed
Families of
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(ADFAC)

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Administrative Office
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Household Assistance Program
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Discrimination is prohibited by
Federal Law.*



April 17, 2023

Mr. Ardo Ba
City of Oak Ridge Electric Department
P.O. Box 1
Oak Ridge, TN 37831-0001

Dear Mr. Ba,

RE: City of Oak Ridge Social Services Program (CORSS) FY 2022/2023
Amendment

As the contract period will be ending in June and in light of current financial challenges for Oak Ridge residents including the expected utility bill delays as well as overall increase in cost of living, ADFAC is requesting the following amendments to the current Social Services Policy as follows:

COR Social Services Policy - Categories of Assistance

1. Housing Assistance in Maintaining Household. Rent (or mortgage payments) and utility bills will be paid for up to ~~\$500~~ \$800 during the twelve-month period for eligible clients needing temporary assistance in maintaining a household.
2. Assistance in Establishing Households. Rent and utility bills and deposits will be paid for up to ~~\$500~~ \$800 during the twelve-month period for eligible clients seeking to establish a household.

Basic living expenses (rent, utilities, and food) have all increased significantly in recent years and many Oak Ridgers are struggling to maintain self-sufficiency.

With this increase in per client expense allowed, ADFAC can respond more effectively to client needs.

Sincerely,

Annette Cacheiro, Executive Director
P.O. Box 5953
Oak Ridge, TN 37831
865.482.3097 ext. 114

annie@adfacs.org

cc: Joey Collins, ADFAC Director of Programs joey@adfacs.org

ADFAC is an equal opportunity employer. Agency policy prohibits discrimination based on race, gender, color, national origin, political affiliation, sexual orientation, age, disability, or any other condition on the basis of which discrimination is unlawful under federal, state or local laws. Employment is based on an applicant's qualifications for the position as related to the appropriate ADFAC job description.

CITY OF OAK RIDGE, TENNESSEE
SOCIAL SERVICES POLICY

July 1, 1992

(As amended February 7, 1994, June 3, 1996, June 2, 2003, May 3, 2010, and July 13, 2015)

Purpose

The City of Oak Ridge Social Service program has been developed to assist City residents in crisis with short-term housing needs.

Definitions

1. City refers to the City of Oak Ridge.
2. Eligible Client is an applicant for assistance who meets the eligibility requirements.
3. Authorized Provider is any private or governmental agency which provides social services to City residents.
4. Utility includes electric, water, sewer, and natural gas service.
5. Bona fide Resident is a person, eighteen years of age or older who has been living in Oak Ridge for one year prior to the request for assistance.
6. Self-sufficient is a state in which a person is able to provide a stable living environment, maintain a living wage, provide for basic survival needs (i.e. food & clothing) and to live independent of public support.

Categories of Assistance

1. Housing (benefits not to exceed \$500.00 per client per 12-month period).
 - a. Assistance in Maintaining Households. Rent (or mortgage payments) and utility bills will be paid for up to \$500.00 during the twelve-month period for eligible clients needing temporary assistance in maintaining a household. Payments will be made directly to the landlord (or mortgage) or utility offices upon certification of the amount owed and verification of eligibility.
 - b. Assistance in Establishing Households. Rent and utility bills and deposits will be paid for up to \$500.00 during the twelve-month period for eligible clients seeking to establish a household. Payments will be made directly to the landlord or utility offices upon certification of the amount owed and verification of eligibility.
2. Counseling

Authorized provider will screen and counsel each applicant to determine immediate need, provide referrals and work with each client to achieve short term goals and develop long term goals that will lead to self sufficiency.
3. Screening and Referrals
 - a. Referrals for client services will be made to appropriate agencies and area organizations (food and clothing banks, etc.). Information necessary for processing clients' cases may

be shared with such agencies in order to assist in the effective delivery of social services. All clients will be required to sign a release of information form.

- b. Lions Club Sight Conservation Committee. The Lions Club Sight Conservation Program was established by the Oak Ridge Lions Club to provide necessary eye care for children and adults who cannot obtain it through their own resources. The authorized provider will be responsible for certifying families' inability to pay the cost of care and for recommending the use of Lions Club funds as available. Referrals from school personnel should be made through the school nurse.

Eligibility

Applicants for financial assistance must meet the following requirements:

1. Bona fide resident of Oak Ridge.
2. If a client has been convicted for drug and alcohol violations they must provide proof they are currently or have received treatment for this condition. Other convictions may be considered reason for denial of assistance based on severity or chronicity.
3. For all categories of assistance, the income of the applicant must be at or below 185% of the Federal Poverty Guidelines, which is consistent with the WIC and Free and Reduced Lunch programs. Exception can be made in cases of extreme hardship especially when the financial crisis is due to medical expenses.
4. For all categories of assistance, client must provide proof of employment, job training, continuing education, disability or registration with job services. Exceptions may be made at the discretion of the social worker.
5. Assets of applicant must be limited to basic needs such as furniture and clothing; and, in addition,
 - a. Home ownership may be determined a basic need if the property value is below \$125,000.
 - b. Car or other vehicle ownership may be considered a basic need for transportation to and from work, or to receive regular medical care.

Amended 2/07/94: Resolution No. 2-1 0-94
Amended 6/03/96: Resolution No. 6-86-96
Amended 6/02/03: Resolution No. 6-71-03
Amended 5/03/10: Resolution No. 5-35-10
Amended 7/13/15: Resolution No. 7-77-2015

Social Services Program

Request for Proposals

City of Oak Ridge, Tennessee

Proposal Cover Sheet

Sealed proposals are due by June 16, 2022, at 2:00 PM, local time, as follows:

By mail:

Attn: Lyn Majeski
City of Oak Ridge
P.O. Box 1
Oak Ridge, Tennessee 37831

By courier or hand delivery:

Attn: Lyn Majeski
City of Oak Ridge
100 Woodbury Lane
Oak Ridge, Tennessee 37830

Proposal Submitted By:

Agency/Company Name: AID TO DISTRESSED FAMILIES OF APPALACHIAN COUNTIES (ADFAC)

Physical Address: 1051 OAK RIDGE TPK
OAK RIDGE, TN 37830

Mailing Address (if different): P.O. Box 5953
OAK RIDGE TN 37831

Primary Contact Name: JOEY COLLINS

Phone Number: 482-3097 EXT. 104

E-mail: joey@adfacs.org

Tax ID Number: 58-1727751

Agency acknowledges receipt of the following addenda:

Addendum No. _____ Date: _____ Addendum No. _____ Date: _____

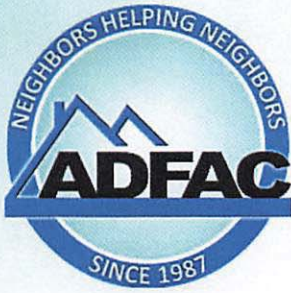
Agency attests that no officers or employees of the City of Oak Ridge are members or, or have a financial interest in, the agency submitting this proposal.



Signature of Authorized Representative

JOEY COLLINS

Printed Name



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Aid to Distressed
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Proposal Summary

The City of Oak Ridge Social Services Program, FY2023

Date: May 31, 2022

Contact Information:

Aid to Distressed Families of Appalachian Counties (ADFAC)
Joey Collins, MSSW – Director of Programming
1051 Oak Ridge Turnpike, Room 103
P.O. Box 5953
Oak Ridge, TN 37831-5953
(865) 482-3097 ext.104

Organization Mission:

Aid to Distressed Families of Appalachian Counties (ADFAC), a 501(c)(3) nonprofit founded in 1987, is a unique agency dedicated to serving the needs of the local low-income population. ADFAC exists to support and serve those in need by assisting them in becoming stable and self-sufficient.

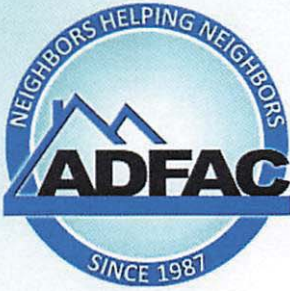
ADFAC's Household Assistance Program (HAP), formerly Social Services, promotes self-sufficiency, family stability, and strong communities by providing assistance for immediate needs, counseling, referrals, budget coaching and helps families plan for and/or prevent future hardships. HAP provides financial assistance for utilities, and rent/mortgage payments, and also provides clients with access to food, diapers, hygiene, household items, and weatherization materials.

Amount Requested:

ADFAC requests \$169,305 for the Household Assistance Program for the 12-month period of the initial agreement. ADFAC requests an initial startup of \$16,930.50 (representing 10% of the total request). This advance will allow ADFAC to begin assisting clients on July 1, 2022 without incurring any financial hardship. Each annual renewal option of the agreement will include an adjustment based on the CPI. This proposal includes four, one-year renewal options, based on 12-month performance periods, through June 30, 2027.

Purpose of Request:

Funds requested would provide housing and utilities as well as counseling services to residents of Oak Ridge that live at or below 185% of the federal poverty level (the same guideline used to determine eligibility for WIC and reduced price lunches/school fee waiver). The goal would be that 70% of the assistance provided would be for utilities and the amount used to assist each household would not exceed \$500 per fiscal year.



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Total Committed from Other Sources: \$91,000

Time Frame: July 1, 2022 – June 30, 2023 initial with yearly renewal options through 2027.

Proposal Narrative:

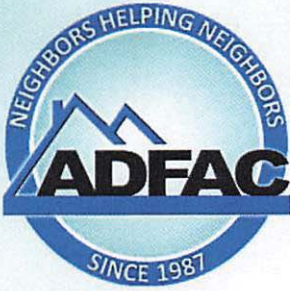
ADFAC has a 35-year history of providing necessary services to struggling families in our community; for 27 of these years, we have served as the Authorized Provider of the City of Oak Ridge Social Services Program (CORSS). Our extensive knowledge of the CORSS program and policies, coupled with our reputation in the community, enables us to continue to effectively and efficiently administer these funds.

Funds requested would serve low-income residents of the City of Oak Ridge, including the working poor, the elderly and disabled, single parents and families at risk of becoming homeless. Direct financial assistance combined with counseling would not only help stabilize these families, but continue to enable them to work towards self-sufficiency.

ADFAC's Household Assistance Program assists clients by combining direct financial aid with counseling, screening, and referrals. Specifically, the CORSS Program, as administered by ADFAC, would provide eligible clients with rent, mortgage, and utility assistance.

As mentioned above, any direct financial aid provided is supplemented by counseling; we strongly believe that this is what makes our program truly unique and effective. Through counseling provided to each client, our social workers are able to screen for eligibility, verify the level of need, choose the best course of action for assistance and determine if referrals to other agencies (such as mental health facilities, GED classes, etc.) are needed to help clients on their path to self-sufficiency. Counseling provides support and offers the clients a chance to explore other alternatives that had previously gone unnoticed. Since our social workers' primary purpose is to counsel clients, individuals may still come to ADFAC for counseling, even when avenues of monetary assistance have been exhausted.

All potential clients are screened for eligibility prior to receiving any assistance and ADFAC keeps detailed, confidential records on each client served. Client responsibility is strongly encouraged; clients must keep appointment times and bring all income and residency documentation in order to qualify for services.



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ADFAC's Household Assistance Program employs two Master's level Social Workers and a Master's level Counselor. The staff has over 40 years of experience in counseling and client assistance and know the value of helping people overcome their difficulties. Program support is provided by interns from Oak Ridge High School, local Universities, and 10 regular part-time volunteers trained to assist with scheduling and general office work. The use of volunteers as well as donated office space allows ADFAC to keep overhead costs low.

Proposed Program budget:

<i>Line Item Expense</i>	<i>CORSS: Direct Assistance</i>	<i>CORSS: Administrative</i>	<i>ADFAC Match: Direct Assistance</i>	<i>ADFAC Match: United Way</i>	<i>Total</i>
<i>Rent and Utility Assistance</i>	<i>\$137,805</i>	<i>\$20,000</i>	<i>\$65,000</i> <i>(church/individual donations, Grants & Project SAFE)</i>	<i>\$26,000</i>	<i>\$248,805</i>
<i>Counseling</i>	<i>\$11,500</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>\$11,500</i>
<i>Subtotals</i>	<i>\$149,305</i>	<i>\$20,000</i>	<i>\$65,000</i>	<i>\$26,000</i>	<i>\$260,305</i>
<i>Total request from CORSS:</i>			<i>Total ADFAC Match:</i>		
<i>\$169,305</i>			<i>\$91,000</i>		

Statement on ADFAC's compliance with all CORSS requirements:

Should ADFAC be awarded the CORSS contract by the City of Oak Ridge, ADFAC agrees to comply with all CORSS requirements. ADFAC will continue to provide monthly reports, as required by the City.

RESOLUTION

A RESOLUTION AMENDING THE CITY'S SOCIAL SERVICES POLICY TO INCREASE THE MAXIMUM AMOUNT OF ASSISTANCE FROM \$500.00 TO \$800.00 FOR AN ELIGIBLE CLIENT TO RECEIVE IN A TWELVE-MONTH PERIOD FOR MAINTAINING OR ESTABLISHING A HOUSEHOLD.

WHEREAS, the City established a Social Services Policy, effective July 1, 1992, to assist city resident in crisis with short-term housing needs; and

WHEREAS, the Social Services Policy has been amended five (5) times since its creation (February 7, 1994; June 3, 1996; June 2, 2003; May 3, 2010; and July 13, 2015); and

WHEREAS, the current policy provides for housing benefits, not to exceed \$500.00 per eligible client per twelve-month period, for rent/mortgage payments and utility bills/deposits for assistance in maintaining or establishing households; and

WHEREAS, by Resolution 6-75-2022, City Council approved a contract with Aid to Distressed Families of Appalachian Counties, Inc. (ADFAC), to administer and implement the Social Services Policy; and

WHEREAS, ADFAC has requested the City increase the level of assistance from \$500.00 to \$800.00 per eligible client in a twelve-month period for assistance in maintaining or establishing households; and

WHEREAS, the last time the level of housing assistance was increased was in 2015 when the amount was increased from \$400.00 to \$500.00; and

WHEREAS, this request is in light of continued increases in the cost of living, as well as the City's recent malware attack that resulted in delays of some customers' utility bills thereby causing those customers to receive two (2) bills in one month; and

WHEREAS, the Interim City Manager recommends approval of the request.

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

That the Interim City Manager's recommendation is approved and the City's Social Services Policy is hereby amended to increase the level of assistance from \$500.00 to \$800.00 per eligible client for assistance in maintaining or establishing households.

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

This 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE

Tammy M. D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023
TO: Mark S. Watson, City Manager
FROM: Amy Fitzgerald , Information Services Director
SUBJECT: Purchase of Two Replacement Server Systems
SUPPORTING DEPARTMENT: -None-

Introduction

An item for the City Council's consideration is a resolution authorizing the purchase of two replacement server systems, including equipment and support, from CTG Federal, LLC, Reston, VA in the total amount of \$171,270.81.

Funding

Funding for the purchase will come from the national American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds. The funds can be used to assist in modernization of cybersecurity, including hardware, software, and protection of critical infrastructure. The City has received its full \$6,000,795 allocation.

Background

As storage and information technology demands increase, the Information Services Department has been systematically updating infrastructure, which includes replacement of switches, servers, storage and backup and recovery systems. Priority systems designated for replacement are those nearing capacity or are at end of life for which support will soon no longer be provided.

Due to the recent malware incident, the City is in immediate need of two additional server systems to support critical applications and data needed to support City operations and requests the competitive bidding process be waived.

Information Services staff, along with the City's network architect, have researched and evaluated multiple solutions and recommends the purchase of two new NetApp systems from CTG Federal, LLC. The proposed purchase meets the City's system specifications, and also provides a delivery date to meet immediate timelines.

The NetApp FAS2720 systems will provide high performance storage that is needed, and the units are expandable to Petabytes of storage. The price includes configuration and setup, five-year software upgrades and support, and also four-hour parts replacement.

Recommendation

Staff recommends approval of the resolution. As a reminder, unanimous approval is required to waive the competitive bidding process.

Attachments:

[Serve Quote #1 BT2304283BC CoOR_FAS2720 24x16TB \(~179.25TiB\) - CTG.pdf](#)

[Server Quote #2 BT2304282BC CoOR_FAS2720 12x16TB \(~102.21TiB\) - CTG.pdf](#)

[Resolution - Server Replacements.docx](#)



Budgetary Price Estimate

QUOTE NUMBER	BT2304283BC
DATE ISSUED	4/28/2023
VALID THROUGH	5/28/2023
ACCOUNT EXECUTIVE	Brian Trentham (865) 233-6756 bt@ctgfederal.com
ISSUED TO:	City of Oak Ridge
PROJECT:	FAS2720 24x16TB (~179.25TiB)
POC:	

Submit PO To: operations@ctgfederal.com
Payment Terms: NET 30
FOB: Destination
Federal EIN: 82-2775723
CAGE Code: 7ZHE9
DUNS Number: 080932836
Business Size |Type: Small

CTG FEDERAL, LLC
 1818 Library Street
 Suite 500
 Reston, VA 20190

FAS2720 24x16TB (~179.25TiB)

LINE	QTY	PART NUMBER	DESCRIPTION	SUPPORT TERM	LEAD TIME (DAYS)	VENDOR	LIST UNIT PRICE	LIST EXT PRICE	CUSTOMER UNIT PRICE	CUSTOMER EXT PRICE	
10001	1	FAS2720A									
10002	2	FAS2720A-005	FAS2720 HA System,CNA		19	NetApp	\$8,790.41	\$17,580.82	\$2,495.02	\$4,990.04	
10003	2	SW-ENCRYPT-BDL-FA-C	SW,Encryption Bundle,FAS,AFF,-C		19	NetApp	Included	Included	Included	Included	
10004	8	X-SFP-H10GB-CU5M-R6-N-C	Cable,10GBase Copper SFP+ 5m,-C		19	NetApp	Included	Included	Included	Included	
10005	2	X6566B-05-N-C	Cable,Direct Attach CU SFP+ 10G,0.5M,-C		19	NetApp	Included	Included	Included	Included	
10006	4	X66032A-N-C	Cable,12Gb,Mini SAS HD,2m,-C		19	NetApp	Included	Included	Included	Included	
10007	3840	SW-DATA-PR-BDL-NLSASF01-C	SW,Data Protection Bdl,Per-0.1TB,NLSAS,F01,-C		19	NetApp	\$22.47	\$86,284.80	\$6.46	\$24,806.40	
10008	3840	SW-CORE-BNDLE-NLSAS-F01-C	SW,Core Bundle,Per-0.1TB,NLSAS,F01,-C		19	NetApp	\$20.22	\$77,644.80	\$5.81	\$22,310.40	
10009	1	DOC-2720-C	Documents,FAS2720,-C		19	NetApp	Included	Included	Included	Included	
10010	2	DATA-AT-REST-ENCRYPTION	Data at Rest Encryption Capable Operating Sys		19	NetApp	Included	Included	Included	Included	
10011	1	FAS2720-115-C	FAS2720,12x16TB,7.2K,-C		19	NetApp	\$25,641.04	\$25,641.04	\$7,277.80	\$7,277.80	
10012	2	X-02657-00-N-C	Rail Kit,Thin,Rnd/Sq-Hole,4-Post,Adj,24-32,-C		19	NetApp	Included	Included	Included	Included	
10013	4	X800E-R6-C	Power Cable,North America,-C,R6		19	NetApp	Included	Included	Included	Included	
10014	1	CS-4HR-REPLACEMENT	4hr Parts Replacement	60	19	NetApp	\$10,357.57	\$10,357.57	\$6,468.10	\$6,468.10	
10015	1	CS-G1-SE-ADVISOR	SupportEdge Advisor	60	19	NetApp	\$51,787.87	\$51,787.87	\$32,343.50	\$32,343.50	
10016	1	FAS2720A-EXP			19	NetApp	Included	Included	Included	Included	
10017	1	DS212C-B-07-16-12B-SK	Disk Shelf,12G,12x16TB,7.2K,-SK		19	NetApp	\$25,641.04	\$25,641.04	\$7,277.80	\$7,277.80	
10018	1	CS-4HR-REPLACEMENT	4hr Parts Replacement	60	19	NetApp	\$1,282.05	\$1,282.05	\$800.62	\$800.62	
10019	1	CS-G1-SE-ADVISOR	SupportEdge Advisor	60	19	NetApp	\$6,410.26	\$6,410.26	\$4,003.08	\$4,003.08	
								LIST TOTAL	\$302,630.25	TOTAL PRICE	\$110,277.74

CTG Federal LLC's budgetary estimates, quotes and pricing terms contain confidential information which are unique to the issued recipient along with necessary associated parties within recipients organization. Recipient agrees to take all reasonable measures to protect the confidentiality of and avoid disclosure of such information to third parties. If you believe you have received this pricing in error, please contact operations@ctgfederal.com.



Budgetary Price Estimate

QUOTE NUMBER	BT2304282BC
DATE ISSUED	4/28/2023
VALID THROUGH	5/28/2023
ACCOUNT EXECUTIVE	Brian Trentham (865) 233-6756 bt@ctgfederal.com
ISSUED TO:	City of Oak Ridge
PROJECT:	FAS2720 12x16TB (~102.21TiB)
POC:	

Submit PO To: operations@ctgfederal.com
Payment Terms: NET 30
FOB: Destination
Federal EIN: 82-2775723
CAGE Code: 7ZHE9
DUNS Number: 080932836
Business Size |Type: Small

CTG FEDERAL, LLC
 1818 Library Street
 Suite 500
 Reston, VA 20190

FAS2720 12x16TB (~102.21TiB)

LINE	QTY	PART NUMBER	DESCRIPTION	SUPPORT TERM	LEAD TIME (DAYS)	VENDOR	LIST UNIT PRICE	LIST EXT PRICE	CUSTOMER UNIT PRICE	CUSTOMER EXT PRICE
10001	1	FAS2720A								
10002	2	FAS2720A-005	FAS2720 HA System,CNA		19	NetApp	\$8,790.41	\$17,580.82	\$2,637.65	\$5,275.30
10003	2	SW-ENCRYPT-BDL-FA-C	SW,Encryption Bundle,FAS,AFF,-C		19	NetApp	Included	Included	Included	Included
10004	2	X66211A-05-N-C	Cable,100GbE,QSFP28-QSFP28,Cu,0.5m,-C		19	NetApp	Included	Included	Included	Included
10005	8	X-SFP-H10GB-CU5M-R6-N-C	Cable,10GBase Copper SFP+ 5m,-C		19	NetApp	Included	Included	Included	Included
10006	6	X800E-R6-C	Power Cable,North America,-C,R6		19	NetApp	Included	Included	Included	Included
10007	1920	SW-DATA-PR-BDL-NLSASF01-C	SW,Data Protection Bdl,Per-0.1TB,NLSAS,F01,-C		19	NetApp	\$22.47	\$43,142.40	\$6.74	\$12,940.80
10008	1920	SW-CORE-BNDLE-NLSAS-F01-C	SW,Core Bundle,Per-0.1TB,NLSAS,F01,-C		19	NetApp	\$20.22	\$38,822.40	\$6.06	\$11,635.20
10009	1	DOC-2720-C	Documents,FAS2720,-C		19	NetApp	Included	Included	Included	Included
10010	2	DATA-AT-REST-ENCRYPTION	Data at Rest Encryption Capable Operating Sys		19	NetApp	Included	Included	Included	Included
10011	1	FAS2720-115-C	FAS2720,12x16TB,7.2K,-C		19	NetApp	\$25,641.04	\$25,641.04	\$7,688.78	\$7,688.78
10012	1	X-02657-00-N-C	Rail Kit,Thin,Rnd/Sq-Hole,4-Post,Adj,24-32,-C		19	NetApp	Included	Included	Included	Included
10013	2	X6566B-05-N-C	Cable,Direct Attach CU SFP+ 10G,0.5M,-C		19	NetApp	Included	Included	Included	Included
10014	1	CS-4HR-REPLACEMENT	4hr Parts Replacement	60	19	NetApp	\$6,259.33	\$6,259.33	\$3,908.84	\$3,908.84
10015	1	CS-G1-SE-ADVISOR	SupportEdge Advisor	60	19	NetApp	\$31,296.67	\$31,296.67	\$19,544.15	\$19,544.15
							LIST TOTAL	\$162,742.66	TOTAL PRICE	\$60,993.07

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RESOLUTION

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO CTG FEDERAL, LLC, RESTON, VIRGINIA, FOR THE PURCHASE OF TWO (2) REPLACEMENT SERVER SYSTEMS, ASSOCIATED EQUIPMENT, AND SUPPORT IN THE TOTAL AMOUNT OF \$171,270.81 TO BE PAID FROM AMERICAN RESCUE PLAN ACT FUNDS.

WHEREAS, the City has been systematically replacing aging information technology infrastructure which has approached the end of its useful lifespan; and

WHEREAS, due to the recent malware incident, the City is in immediate need of additional high performance server systems to support critical applications and data needed to support City operations; and

WHEREAS, the City has determined what server systems are necessary to replace such equipment and identified a vendor, CTG Federal, LLC, that can provide the required systems in the needed timeframe; and

WHEREAS, funding for this item will come from American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds, which allows use for modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; and

WHEREAS, due to the critical need of this item, staff requests the competitive bidding process be waived, which request the Interim City Manager recommends be accepted.

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

That the recommendation of the Interim City Manager that competitive bids be waived is approved and award is hereby made to CTG Federal, LLC, 1818 Library Street, Suite 500, Reston, Virginia 20190, for the purchase two (2) replacement server systems, associated equipment, and support in accordance with the proposals received, dated April 28, 2023, and in the total amount of \$171,270.81.

BE IT FURTHER RESOLVED that modernization of cybersecurity, including hardware, software, and protection of critical infrastructure, is an allowable use of American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds and City Council hereby designates this purchase as a priority project for the use of ARPA funds.

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

This 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

Tammy M.D. Rackard, City Attorney

Warren L. Gooch, Mayor

Mary Beth Hickman, City Clerk

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023

TO: Mark S. Watson, City Manager

FROM: Beth Hickman , City Clerk

SUBJECT: Appointment of Council Representative to Youth Advisory Board Screening Panel

Introduction

City staff will soon begin accepting applications to elect new members to the Youth Advisory Board (YAB) for the 2023-2024 school year.

Funding

N/A

Background

Resolution No. 6-54-08, Section 2 states that "the members of the Youth Advisory Board (YAB) shall be appointed by the Oak Ridge City Council upon recommendation by a YAB Screening Panel which shall be composed of one member of City Council, one member of the faculty of the Oak Ridge Schools, and the City staff members assigned to work with the Board."

Mayor Pro Tem Jim Dodson currently serves on this panel as the Council Representative and has expressed an interest in serving again. In accordance with the abovementioned resolution, City Council will need to appoint a Council representative to this panel.

Recommendation

Appointment by City Council of a representative to serve on the Youth Advisory Board Screening Panel is recommended.

OAK RIDGE CITY COUNCIL MEMORANDUM

DATE: May 08, 2023
TO: Honorable Mayor and City Council
FROM: Jack Suggs , Deputy City Manager
SUBJECT: Update on Current Issues

Background

1. U.S. Department of Energy Public Meeting: For Information Only

The U.S. Department of Energy is holding a public meeting on **Wednesday, May 9th, 2023 from 6:00 – 8:00 p.m.** at the Towne Place Suites by Marriott in Oak Ridge. The purpose of the meeting is to provide an overview of the proposed groundwater cleanup action as described in the agency's *Proposed Plan for the Record of Decision for Groundwater in the K-31/K-33 Area at the East Tennessee Technology Park*. Staff anticipates submitting comments on the proposed plan by the deadline of June 12, 2023.

2. Update of Customer Billing Issues
3. Other Items

Recommendation

No action required. Information only.