

SECOND AMENDED AGENDA FOR TUESDAY, MARCH 15, 2011

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Ladd)
- III. Minute Approval.
- IV. Special Presentations.

**Girls' Summit - Councilwoman Berz
Summit sponsored by Delta Sigma Theta Sorority, Inc.
Chattanooga Alumnae Chapter**

- V. Ordinances – Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 18, Article VII, Section 18-2 relative to nonresidential and residential service and Section 18-86 relative to residential bulky trash and residential yard trash. **(Revised. Need Motion to Substitute.) (Two versions.) (Deferred from 3/8/2011.) (Recommended for Deferral.)**
 - b) An ordinance to amend Ordinance No. 12410, entitled “An ordinance, hereinafter also known as “the Fiscal Year 2010-2011 Budget Ordinance”, to provide revenue for the Fiscal Year beginning July 1, 2010, and ending June 30, 2011; appropriating same to the payment of expenses of the Municipal Government; fixing the rate of taxation on all taxable property in the City, and the time taxes and privileges are due, how they shall be paid, when they shall become delinquent; providing for interest and penalty on delinquent taxes and privileges; and to amend Chattanooga City Code, Part II, Chapter 2, Section 2-267, relative to paid leave for active-duty training and to amend Chattanooga City Code, Part II, Chapter 31, Sections 31-36, 31-37, 31-41, 31-43, 31-39, and 31-40,” to amend Section 31-36(a) pertaining to sewer rates.
 - c) 2011-007 Terry W. Barker (M-1 Manufacturing Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1511 and 1517 Mitchell Avenue, more particularly described herein, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone, subject to certain conditions. **(Planning Version, District No. 7.)**
 - d) 2011-010 Elemi Architects, LLC for RiverCity Company (M-1 Manufacturing Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1624 Rossville Avenue, more particularly described herein, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone. **(District No. 7.)**

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- e) 2011-011 Eugene H. Schimpf, III/Cameron Harbor, LLC (Lift Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to Lift Condition No. 2, Sections a), b), c) and Condition No. 3 Section a); and to amend Condition No. 3, Section b) of Ordinance No. 11736, on property located at 495 Riverfront Parkway, being more particularly described herein, subject to certain conditions. **(District No. 8.)**
- f) 2011-013 Frank Goodwin/Fassnacht Properties (M-1 Manufacturing Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 625 East Main Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Planning Version, District No. 8.)**
- g) 2011-014 City of Chattanooga/Regional Planning Agency (Temporary R-1 Residential Zone and RT-1 Residential Townhouse Zone to Permanent Zones). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in part of the 200 block of West Hills Drive, more particularly described herein, from temporary R-1 Residential Zone and RT-1 Residential Townhouse Zone to Permanent Zones. **(District No. 1.)**
- h) 2011-022 Roberto Reyes (O-1 Office Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 509 Airport Road, more particularly described herein, from O-1 Office Zone to R-4 Special Zone, subject to certain conditions. **(Planning Version, District No. 6.)**
- i) 2011-025 City of Chattanooga/RPA (Annexed Area 10A) (Temporary R-2 Residential Zone, C-2 Commercial Zone, and M-1 Manufacturing Zone to Permanent R-2 Residential Zone, C-2 Commercial Zone, and M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in Annexed Area 10A of Ordinance No. 12300 and amended by Ordinance No. 12451, from temporary R-2 Residential Zone, C-2 Commercial Zone, and M-1 Manufacturing Zone to permanent R-2 Residential Zone, C-2 Commercial Zone, and M-1 Manufacturing Zone. **(Planning version, District No. 4.) (Revised.)**
- j) 2011-026 City of Chattanooga/RPA (Annexed Area 10B) (Temporary R-1 Residential Zone, R-2 Residential Zone, R-5 Residential Zone, C-2 Commercial Zone, and M-1 Manufacturing Zone to Permanent R-2 Residential Zone, C-2 Commercial Zone, and M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in Annexed Area 10B of Ordinance No. 12301 and amended by Ordinance No. 12452, from temporary R-1 Residential Zone, R-2 Residential Zone, R-5 Residential Zone, C-2 Commercial Zone, and M-1 Manufacturing Zone to permanent R-2 Residential Zone, **R-5 Residential Zone**, C-2 Commercial Zone, and M-1 Manufacturing Zone. **(Planning version, District No. 4.) (Revised.)**

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VI. Ordinances – First Reading:

- a) MR-2011-018 Memorial Health Care System c/o Williams H. Wilkerson (Abandonment). An ordinance closing and abandoning a right-of-way through a portion of the 2400 block of Citico Avenue near its intersection with the 800 block of North Chamberlain Avenue, more particularly described herein and as shown on the drawings and map attached hereto, to install underground piping relative to Memorial Health Care System's proposed Central Utilities Plant, subject to certain conditions. **(Public Works Version, District Nos. 8 and 9.) (Recommended for approval by Planning.) (Revised.)**

VII. Resolutions:

- a) A resolution authorizing the Chief of the Chattanooga Fire Department to apply for and, if awarded, accept a Fire Prevention and Safety Grant from the Federal Emergency Management Agency (FEMA) in the amount of \$47,980.00, and authorizing a City match of twenty percent (20%), or \$9,578.00.
- b) A resolution authorizing the Administrator of the Department of Public Works on behalf of Public Works and the **Chattanooga Downtown Redevelopment Corporation** to enter into a Professional Services Agreement with HDR, Inc. relative to Contract No. E-10-012-101, 21st Century Waterfront Ross's Landing Riverfront Parkway Phase 1 - Evaluation-Investigation, in the amount of \$610,000.00. **(District No. 8.) (Revised.)**
- c) A resolution authorizing the Administrator of the Department of Public Works to award a contract to Cranston Engineering Group, P.C. for the Brainerd Levee FEMA Compliance Determination in an amount not to exceed \$511,520.00. **(District Nos. 5 and 6.)**
- d) A resolution authorizing the execution of Change Order No. 1 (Final) with Thomas Brothers Construction Company, Inc., relative to Contract No. W-05-007-203, North Warner Park Storm Water Detention Basin, for an increased amount of \$60,708.60, for a revised contract amount not to exceed \$1,764,707.60, and to release the remaining contingency amount of \$109,291.40. **(District No. 9.)**
- e) A resolution authorizing the execution of Change Order No. 1 with Volkert and Associates, Inc., for professional services relative to Contract No. E-09-020-101, Intersection Improvements at Discovery Drive at Hickory Valley Road and Discovery Drive at Enterprise South Boulevard (Volkswagen Drive), to increase the contract amount by \$24,800.00, for a revised contract amount not to exceed \$199,200.00. **(District No. 4.)**
- f) A resolution authorizing the execution of Change Order No. 1 with Volkert and Associates, Inc., for Construction Engineering Inspection (CEI) Services relative to Contract No. E-04-036-401, Enterprise South Roadway Projects, to increase the contract amount by \$36,866.19, for a revised contract amount not to exceed \$712,877.82. **(District No. 4.)**

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- g) A resolution authorizing the execution of Change Order No. 3 (Final) with Arcadis U.S., Inc. for professional services relative to Contract No. W-05-007-203, Warner Park Stormwater Detention Basin, to increase the contract amount by \$26,868.00, for a revised contract amount not to exceed \$261,093.00. **(District No. 9.)**
- h) **A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to execute a Change Order No. 1 (Final) relative to World Changers (Roof Repair Program), relative to Resolution No. 26506, Sprout Construction, Inc. d/b/a Sprout Roofing, which change order increases the contract amount by \$1,327.00, for a revised contract amount not to exceed \$11,770.00. (This resolution was inadvertently left off of last week's agenda.)**
- i) **A resolution authorizing the Chattanooga-Hamilton County Regional Planning Agency to award a contract to Roadmaster Drivers School of Chattanooga, Inc. for commercial driving training for three (3) students in the total amount of \$12,771.00, using remaining grant funds from the Brownfield Job Training Project. (Added by permission of Council Chairman Rico.) (Revised.)**
- j) **A resolution authorizing Larry Crane to use temporarily the 806 Browns Ferry Road Pump Station Property for access across City easement during high water, subject to certain conditions. (Added by permission of Council Chairman Rico.) (Recommended for Deferral.)**

VIII. Overtime Report.

IX. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks and Recreation.
- c) Department of Public Works.
- d) Department of Neighborhood Services.
- e) Department of Education, Arts & Culture.
- f) Fire Department.
- g) Police Department.
- h) Department of Personnel.
- i) Department of Finance and Administration
- j) City Attorney.

X. Other Business.

XI. Committee Reports.

XII. Agenda Session on March 22, 2011

XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.

XIV. Adjournment.

AGENDA FOR TUESDAY, MARCH 22, 2011

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Benson).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
 - a) MR-2011-018 Memorial Health Care System c/o Williams H. Wilkerson (Abandonment). An ordinance closing and abandoning a right-of-way through a portion of the 2400 block of Citico Avenue near its intersection with the 800 block of North Chamberlain Avenue, more particularly described herein and as shown on the drawings and map attached hereto, to install underground piping relative to Memorial Health Care System's proposed Central Utilities Plant, subject to certain conditions.
6. Ordinances – First Reading:
7. Resolutions:
 - a) **A resolution authorizing the Administrator of the Department of Public Works to award Contract No. E-03-007-201, Wilcox Boulevard Tunnel Modifications, to Tower Construction Company, in the amount of \$414,332.93, with a contingency amount of \$41,500.00, for an amount not to exceed \$455,832.93. (District Nos. 5 and 9.) (Added.)**
 - b) A resolution authorizing the Administrator of the Department of Public Works to enter into a Professional Services Agreement with Halcrow, Inc. relative to Contract No. E-10-013-101, Construction Feasibility and Conceptual Designs for Improvements to the Wilcox Tunnel, in the amount of \$808,971.00. **(District Nos. 5 & 9.) (Deferred from 3/8/11.)**
 - c) A resolution authorizing the City Attorney to retain experts in the case of James L. Marine, et al versus the City of Chattanooga to pay the hourly rates of Kelly Fite (Forensic Firearms Examiner) \$150.00 per hour and David Dustin (Computer Animation) \$100.00 per hour for modeling, texturing, and positioning in a police shooting case in litigation in federal court.
 - d) A resolution authorizing an amendment and assignment of all terms and obligations of Chattanooga Riverboat Company under the remaining term of this agreement to **Reinhart** Group, LLC with all other terms and obligations of the extended Berthing Agreement to remain the same until the end of its current term on December 31, 2018. **(Revised.)**

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- e) A resolution authorizing the City Attorney's office to retain the law firm of Gearhiser, Peters, Cavett, Elliott & Cannon, PLLC for the case of *City of Chattanooga, Tennessee and Chattanooga Downtown Redevelopment Corporation v. Hargreaves Associates, Inc., et al.*
 - f) A resolution authorizing the City Attorney's office to retain the law firm of Chambliss, Bahner & Stophel, P.C. to assist in the defense of certain lawsuits against the City as set forth herein.
 - g) A resolution authorizing the Director of General Services to enter into a Change Order with Thomas Brothers Construction for the Ohls Avenue and Anchor Glass Brownsfield Clean-Up Projects that shall increase the contract amount of \$377,017.50 in Resolution No. 26457, for an additional amount of \$29,338.09, for a total amount of \$406,355.59.
8. Overtime Report.
9. Departmental Reports:
- a) Department of Human Services.
 - b) Department of Parks and Recreation.
 - c) Department of Public Works.
 - d) Department of Neighborhood Services.
 - e) Department of Education, Arts & Culture.
 - f) Fire Department.
 - g) Police Department.
 - h) Department of Personnel.
 - i) Department of Finance and Administration
 - j) City Attorney.
10. Other Business.
11. Committee Reports.
12. Agenda Session on March 29, 2011.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.