



CITY OF GERMANTOWN

TENNESSEE

1930 South Germantown Road • Germantown, Tennessee 38138-2815
Phone (901)757-7200 Fax (901)757-7292 www.germantown-tn.gov

Board of Mayor and Aldermen Meeting
Monday, January 26, 2015 – 6:00 p.m.
Council Chambers – Municipal Building

1. Call To Order
2. Invocation
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes
6. Youth Excellence Award
7. Teacher of the Month Award
8. Citizens to be Heard
9. Fiscal Year 2016 Budget Calendar
10. Great Hall Courtyard
11. Farm Park Sewer Extension
12. Fiscal Impact Analysis
13. Sports Provider Agreements
14. Wolf River Blvd. - Change Order #5
15. PSA Supplement 7 – Construction Engineering and Inspection (CEI) for Wolf River Blvd.
16. Wolf River/Germantown Road PSA
17. Ordinance 2015-4 – Amend Zoning Ordinance - Swimming Pools and Utility Easements
18. Collection Agency
19. Public Hearing - Certificate of Compliance
20. Steering Committee Appointments
21. **CONSENT**
 - a. Lake Maintenance Services Extension
 - b. Herbicide and Fertilizer Treatment Services Extension and Change Order #1
 - c. Budget Acceptance Letter
 - d. Railroad Crossing Project
 - e. Software for Germantown Athletic Center
 - f. Railroad Lease Agreement
 - g. Debris Collector Purchase
 - h. Appointments to Beautification Commission
 - i. Appointment to Economic Development Commission
 - j. Appointments to Historic Commission
 - k. Appointment to Industrial Development Board
 - l. Appointment to Library Board
 - m. Appointment to Financial Advisory Commission

The City of Germantown complies with the American with Disabilities Act. Should you need accommodations for this meeting, please call 757-7200 at least 48 hours in advance of the meeting.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: Approval of Minutes

INTRODUCTION:

The purpose of this agenda item is to approve the minutes of the Board of Mayor and Aldermen Meeting held January 12, 2015.

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve the minutes of the Board of Mayor and Aldermen Meeting held January 12, 2015.

BOARD ACTION: _____ **MOTION BY:** _____ **SECONDED BY:** _____

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015
FROM: Patrick J. Lawton, City Administrator *PJL*
SUBJECT: January 2015 Youth Excellence Award

The January 2015 Youth Excellence Award winner is Mr. Samuel Naidis, a senior at Houston High School. He is the daughter of Bill and Julie Naidis.

Samuel's nominator describes him as a Renaissance man who actively participates in his classes and is a favorite with his teachers for his independent, responsible, motivated personality. He is a National Merit Semifinalist and an AP Scholar with Honor. Samuel is an accomplished musician, an environmental and health advocate and an extremely service oriented individual.

While at Houston, Samuel has taken only honors or Advanced Placement classes when offered, earning a perfect 4.0 unweighted grade point average. His strong academics have earned him membership in the HHS National Honor Society, Beta Club and Mu Alpha Theta National Mathematics Honor Society.

Samuel is a voracious reader who feels that science is the most interesting and important subject for progress in the world. He always strives to be green and one of his current ambitions is to convert a car to battery power.

Samuel has played the violin since he was four years old. As a member of the HHS orchestra and the Memphis Youth Symphony Orchestra, he devotes many hours to practicing and performing each week. He has been selected as a member of the All-West Tennessee Orchestra and the All-State Tennessee Orchestra. Playing at Carnegie Hall and being hired to play the viola for the Memphis Symphony Orchestra are high points of his musical career.

Samuel is also involved in the International Club, Junior Classical League Consul and Knowledge Bowl. He has volunteered through his synagogue's youth organization for community service projects.

In recognition of his commitment to excellence, the Germantown Education Commission is proud to present Samuel Naidis with the Germantown Youth Excellence Award.

PREPARED BY: Stacey Ewell
Stacey Ewell, Assistant to the City Administrator



Agenda No. 7

CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: January 2015 Teacher of the Month

The January 2015 Teacher of the Month is Mrs. Jessica McLaughlin, a kindergarten teacher at Our Lady of Perpetual Help Catholic School.

Mrs. McLaughlin's nomination included letters from parents, all of whom mentioned that their children look forward to going to school each day, excited to learn. They all attribute this to Mrs. McLaughlin's passion for teaching and love for her students.

Mrs. McLaughlin loves to watch her students learn and grow. She is dedicated and always goes the extra mile to make sure students truly understand the material. She is helping her students develop a love for learning by incorporating projects and experiments. Her Super Kids Reading program gets the children interested in reading as they learn about a new child each week related to the letter that they are studying. Program activities have included cooking, recycling and learning about odd animals. Mrs. McLaughlin also incorporates creative ways to teach her students about the Catholic faith.

In addition to her commitment to her students, Mrs. McLaughlin goes to great lengths to stay in touch with parents. Methods include backpack folders, email, the school website and edline. Parents receive a classroom calendar monthly so that they can prepare and plan ahead.

Mrs. McLaughlin, please accept our appreciation for your commitment to Germantown students. Your award is sponsored by Landers Ford.

PREPARED BY: Stacey Ewell

Stacey Ewell, Assistant to the City Administrator



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: GREAT HALL COURTYARD CONSTRUCTION

INTRODUCTION:

The purpose of this agenda item is to consider approval of a construction contract with Wagner General Contractors in the amount of \$128,400.00 for the construction of the Great Hall Courtyard.

BACKGROUND:

As part of the 2015 CIP Budget Process, funding was approved for the construction of a courtyard/patio area on the west end of the Great Hall. The rationale being that the addition would enhance the appearance of the venue, improve competitiveness and create additional space to sell and grow revenues from weddings, receptions, cocktail parties and other events.

In order to get this project under construction in a timely manner and limit design costs, staff contracted separately with several professional disciplines including survey, electrical and landscape/conceptual design. Once all the pertinent data was obtained, Dalhoff Thomas Design Studio, LLC was retained at a cost of \$8,500.00 to compile the data and prepare specifications and drawing details for bid.

DISCUSSION:

The Courtyard improvements include the installation of a concrete plaza with pavers, a brick seat wall, steps, rain garden construction, landscape installation, sodding, irrigation system and electrical system installation.

The project was advertised on the City's Website and the specifications were sent to the Plan Houses on December 10, 2014. Seven contractors attended the Pre-Bid Meeting on December 18, 2014 and five contractors picked up construction specifications and drawings. Three Contractors submitted bids with Wagner General Contractors submitting the lowest base bid of \$120,900.00. In addition, staff is recommending the acceptance of Alternate No.1 that consists of a metal picket fence and two gates at a cost \$7,500 for a total project cost of \$128,400.00. Funding for this project is included in the FY15 CIP Budget and the bid analysis sheet is attached.

VISION 2020:

This project supports the Financial Sustainability Goal 22 of maintaining and upgrading City facilities and the implementation of the 2005-2006 City Facility and Capital Assets Action Strategy.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: BOBBY LANIER FARM PARK SEWER CONSTRUCTION

INTRODUCTION:

The purpose of this agenda item is to consider approval of a construction contract with ENSCOR, LLC in the amount of \$300,358.00 for the construction of a sanitary sewer to provide sewer service to the Bobby Lanier Farm Park.

BACKGROUND:

On September 10, 2012, the Board of Mayor and Aldermen authorized the City to enter into a Professional Services Agreement with Dalhoff Thomas Design Studio to provide engineering and design services for the construction of Phase II of the Bobby Lanier Farm Park Master Plan in the amount of \$117,900.00. Phase II included site and infrastructure improvements and the restoration of both barn structures and the small cottage. The Budget for Phase II in the amount of \$1,400,000.00 including \$140,000.00 for design was approved by the Board of Mayor and Aldermen as part of the FY13 CIP Budget. The design work was completed but the major CIP construction project was deferred due to other city financial priorities at the time. However, the Germantown Charity Horse Show completed the renovation design for the stable building as a gift to the City valued at over \$250,000.00 in 2013.

During the design, the feasibility of providing additional sewer service to areas adjacent to the Farm Park and the addition of a new entrance road to the farm Park were evaluated. The results of the evaluation indicated that an expansion of the sewer system would eliminate two sewer lift stations resulting in a savings in energy and maintenance costs and provide additional sewer capacity for future development of the Cloyes property. In addition, the new sewer line connection to Cross Country Drive would provide a pathway for a much needed direct and easily accessible access road to the Farm Park.

On March 11, 2013, Board of Mayor and Aldermen approved a design supplement to the Professional Services Agreement with Dalhoff Thomas Design Studio in the amount of \$3,900.00 to design the expansion of the sewer system and the new entrance drive to the Farm Park that were not included in the original Professional Services Agreement.

The project was advertised in the Daily News, on the City's Website and plans & specifications were sent to Plan Houses on March 28, 2013. Twelve contractors/subcontractors attended the Pre-Bid Meeting on April 12, 2013. Civil Concepts, Inc. doing business as Magnolia Underground Construction, LLC submitted the low bid of \$375,750.000. The sewer portion of the bid was \$49,750.00 was over the Engineer's estimate and the access road portion was \$8,000.00 over the Engineer's estimate. After a comprehensive evaluation of the bids, it was determined that the sewer portion was not affordable at the time. However, funding for the construction of the access road in the amount of \$92,750.00 was approved by the Board of Mayor and Aldermen on June 10, 2013 and construction was completed in November 2013.

DISCUSSION:

In September 2014 the city hired W.H. Porter & Company Engineering in the amount of \$4,000.00 to update the sewer design plans including an alternate to serve the Cloyes property. The design was completed in November 2014. The project was advertised on the City's Website and the specifications were sent to the Plan Houses on December 10, 2014. Seven contractors attended the Pre-Bid Meeting on December 17, 2014 and six contractors picked up construction specifications and drawings. Five contractors submitted bids with ENSCOR, LLC submitting the lowest base bid of \$214,178.00. In addition, staff is recommending the acceptance of Alternate No. 1 that consists of providing sewer service to the Cloyes property and the elimination of a sewer lift station in the amount of \$86,180.00 for a total project cost of \$300,358.00. Funding for the project is included in the FY15 CIP Budget as joint funding under both the Parks & Recreation and the Public Services CIP accounts. The bid analysis sheet is attached.

VISION 2020:

This project supports the Financial Sustainability Goal 22 of maintaining and upgrading City facilities and the implementation of the 2005-2006 City Facility and Capital Assets Action Strategy.

BUDGET AND STAFFING IMPACT:

SOURCE OF FUNDING:

<u>Fund</u>	<u>Line Item No.</u>	<u>Dept.</u>	<u>Line Item Description</u>	<u>Budget Balance</u>	<u>Recommended Expenditure</u>
CIP	036-0000-400.93-01 PR1501	Parks	Other Improv.	\$195,358.00	\$195,358.00

<u>Fund</u>	<u>Line Item No.</u>	<u>Dept.</u>	<u>Line Item Description</u>	<u>Budget Balance</u>	<u>Recommended Expenditure</u>
CIP	040-9525-524.93-50 UT1502	Utilities	Mains.	\$105,000.00	\$105,000.00

Butch Eder and the Engineering Construction Inspection staff will serve as Project Managers.

ATTACHMENTS:

Bid Analysis

PREPARED BY: Butch Eder

Butch Eder, CIP Manager

REVIEWED BY: Reynold Douglas

Reynold Douglas, General Services Director

REVIEWED BY: Bo Mills

Bo Mills, Public Services Director

REVIEWED BY: Pam Beasley

Pam Beasley, Parks and Recreation

REVIEWED BY: Lisa Piefer

Lisa Piefer, Procurement Director

REVIEWED BY: Ralph Gabb

Ralph J. Gabb, Finance Director

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To authorize the Mayor to enter into a contract with ENSCOR, LLC in the amount of \$300,358.00 for the construction of a sanitary sewer to provide sewer service to the Bobby Lanier Farm Park.

BOARD ACTION: MOTION BY: SECONDED BY: _____

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PSL*

SUBJECT: FISCAL IMPACT ANALYSIS

INTRODUCTION:

The purpose of this agenda item is to recommend the use of a Cooperative Agreement with the City of Rockville, MD for a Fiscal Impact Analysis to be provided by TischlerBise, Inc. in the amount of \$85,480.00.

BACKGROUND:

The City has engaged the firm of TischlerBise to conduct two previous fiscal impact studies. The first was in 1995 as a component of a long range strategic plan and again in 2000 as the City was developing its plan of services in determining the annexation potential for the area South of Poplar Pike and generally East of Forrest Hill Irene Road. Each study provided the BMA and City Staff with critical long range planning information on the fiscal health of the City.

The purpose of the Fiscal Impact Analysis is to project the impact development activities and land use changes will have on a community, the cost associated with serving the development and the revenues generated.

DISCUSSION:

As a component of the strategic planning process to be completed in 2015 the Administration respectfully requests that a Fiscal Impact Analysis be completed as part of this effort. A key component of the strategic plan is to ensure that as we project 25 years into the future, we recognize and allocate resources based on well defined development potential and build out scenarios. To provide this level of information, TischlerBise will utilize the marginal cost approved to represent the true cash plan to the public sector and the fiscal reality associated with growth.

Pursuant to T.C.A. § 12-3-1203 and 1205, which authorizes both in-state and out-of-state cooperative purchasing agreements, a city, county, utility district, or other local government also may participate in, sponsor, conduct, or administer a cooperative purchasing agreement with one or more other governmental entities outside Tennessee for the purchase of goods, supplies, services and equipment, the City of Germantown intends to utilize the services of the firm, TischlerBise, Inc. for the City's Fiscal Impact Analysis under the arrangement detailed in the RFP#12-12 On Call Architectural, Engineering and Other Related services submitted to the City of Rockville, MD in July 1, 2012. The contract has four (1) year extensions. Per the City of Rockville, the contract was renewed through August 2015.

In reviewing the request for a Fiscal Impact Analysis for the 2030 strategic planning process, Procurement staff completed research on at least twelve other municipalities including the City's last analysis in 2000. TischlerBise, Inc. was the firm of record and completed the analysis with positive results. Because of the previous history with the vendor, specialized analysis required and overall time constraints to complete a new Request for Proposal, Procurement staff explored the use of a cooperative contract for these services. TischlerBise provided a list of clients

FISCAL IMPACT ANALYSIS

January 26, 2015

Page 2

and staff researched contracts with other municipalities. The City of Rockville, MD completed an On-Call Services for all professional services disciplines which included Fiscal Impact Analysis. These services covered all of the deliverables that the City needed for the Fiscal Impact Analysis. After a thorough review by staff and legal, the City of Rockville met all of the requirements of TN statutes as well as MD statutes for Cooperative Procurement. Those requirements are as follows:

- Requires the purchase of goods, supplies, services and equipment (excepting certain motor vehicles, architectural and engineering services, and construction services and materials).
- The master agreement must be approved by the local legislative body and the items must be purchased by a governmental entity in accordance with its purchasing procedures and made available for use by other governmental entities.

Staff notified the City of Rockville, MD of the City's intent to utilize the RFP#12-12 On Call Architectural, Engineering and Other Related services Contract with TischlerBise, Inc. and requested of all the contract documents and renewal letters. TischlerBise, Inc. was also contacted and agreed to the cooperative use of this agreement via the City's Compliance Form and a cost proposal specific to the City's requirements. This document is used to ensure that the Contract requirements including costs will be used in Accordance with TN State law and the City of Rockville, MD's contract. The total cost for these services is \$85,480. In staff's review of other municipal contracts, the overall pricing was consistent with the other contract awards throughout the United States. The Compliance Sheet and Cost proposal are included for your review. The Contract documents are available for review if needed.

VISION 2020:

Our mission states that City Government will remain financially sound and well governed. To that end, the City of Germantown will have sufficient and sustainable revenues to support defined service levels.

BUDGET AND STAFFING IMPACT:

Funding for this study was not included in the FY15 budget. The Administration recommends approval of the attached budget adjustment moving funding from an existing capital improvement project. City Administration will merge this project with assistance from Finance and ECD.

SOURCE OF FUNDING:

<u>Fund</u>	<u>Line Item No.</u>	<u>Dept.</u>	<u>Line Item Description</u>	<u>*Budget Balance</u>	<u>Recommended Expenditures</u>
General	010.1210.413.2540	Admin.	Consulting		\$85,480.00

*Year end Budget Adjustment will be made.

ATTACHMENTS

The Compliance Sheet and Cost proposal are included for your review.

Prepared by: Patrick J. Lawton
Patrick Lawton, City Administrator

Reviewed by: Ralph Gabb
Ralph Gabb, Finance Director

Reviewed by: Lisa A. Piefer
Lisa A. Piefer, Procurement Director

Reviewed by: Cameron Ross
Cameron Ross, Economic & Community Development Director

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To recommend the use of a Cooperative Agreement with the City of Rockville, MD for a Fiscal Impact Analysis to be provided by TischerBise, Inc. in the amount of \$85,480.00.

BOARD ACTION: **MOTION BY:** **SECONDED BY:**

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PSL*

SUBJECT: SPORTS PROVIDER AGREEMENTS

INTRODUCTION:

The purpose of this agenda item is to consider approval of provider agreements with the Germantown Legends to become the Youth Soccer Provider and with the Houston Lacrosse Club to become the Youth Lacrosse Provider for the City of Germantown. These agreements are for a period of one year with an option for (2) two additional one year extensions.

BACKGROUND:

Each year, the City implements contracts with local youth sport provider organizations to provide certain athletic programs for children on athletic fields located in the City in which the Parks and Recreation Department make available. These programs are organized, scheduled and operated on behalf of the Parks and Recreation Department by the City's designated Sports Providers performing as service providers in conjunction and cooperation with the City.

A primary goal of the Parks and Recreation Department is to work with volunteers and providers to provide top quality programs, facilities and sporting opportunities. The management and operation of all youth sports are guided by the Sports Operating Policies which provide standard operating policies and procedures that are fair and consistent and align with the City's mission and values. In November 2014, the Mayor and Board of Alderman approved revisions to the Sports Operating Policies. Some of the changes that were implemented this year include gaining Board and Mayor approval on all applications along with a new sports provider application that provides a more "customer friendly" selection process.

Designated city youth sport providers currently include soccer, football, baseball, and lacrosse.

The current financial arrangement provides for an impact fee to be assessed per participant to the Provider based on the direct operating expenses of the Sports programs as approved annually by the Board of Mayor and Aldermen. All non-residents are charged a non-resident fee in excess of the fee charged to the residents of the City. This fee is based upon a percentage relationship between the City's property tax revenues and the total revenues of the City which are assessed per participant, not to exceed one hundred dollars (\$100) per participant. In FY14, staff collected \$81,193.00 in total impact and non-resident fees.

Currently, the City has an agreement with the Germantown Legends and the Houston Lacrosse Club to be the City Selected Sports Providers for youth soccer and lacrosse which includes recreation and competitive leagues. These agreements are for a period of one year and reviewed and approved by the Parks and Recreation Department.

The City of Germantown received applications from qualified organizations interested in providing comprehensive athletic programs utilizing City owned, operated and maintained facilities. These include Cloyes Park, Farmington

Park, Johnson Road Park and Soccerplex. These City Selected Sport Providers will have the exclusive right to develop, implement, instruct and manage an athletic program that provides leagues, clinics, camps and intra-league tournaments for children at athletic facilities the City decides to make available. The Provider will also have the exclusive right to provide and conduct concession operations where available during the period of assigned use (season).

DISCUSSION:

In late November 2014, request for applications along with the revised application packet were sent out to current City Selected Sports Providers. On December 9, staff held a meeting with the Youth Sports Alliance to "roll-out" the new changes to the Sports Operating Policies which included a review of the new application and selection process. The due date for spring sports applications was January 5. Two applications have been received for the 2015 Spring Sports Season.

Proposals were received from reputable organizations both having extensive experience in providing quality athletic programs in the City of Germantown.

Staff reviewed the proposals and concluded that the proposals submitted by the Germantown Legends and the Houston Lacrosse Club would provide our community with high quality athletic programs and a high level of professional standards. Based on these factors, staff recommended that the Germantown Legends and the Houston Lacrosse Club be selected to provide athletic services for the City of Germantown at the Parks and Recreation Commission's January 22, 2015 meeting. The Commission also reviewed the applications and concurred with staff. Their recommendation is to approve the applications as submitted.

The Germantown Legends became the service provider for the City of Germantown in the fall of 2012 and started the season with 140 recreational players and five competitive teams. Since then, their numbers have increased to over 400 recreational players per season and nine competitive teams. They have also instituted a TOPS soccer program for youth with disabilities that is sanctioned by Tennessee Secondary School Athletic Association (TSSAA). Their goal is and has been to provide Germantown youth of all ages and skill level with the best comprehensive soccer program in Germantown and surrounding areas.

The Houston Lacrosse Club became the service provider for the City of Germantown in 2002. This is a recreational youth lacrosse club that provides a sports alternative to boys and girls of all skill levels in the areas served by Houston High School, Houston Middle School, Farmington Elementary, Dogwood Elementary and residents of Germantown. Programs are offered to boys and girls in grades 1 to 12. They are committed to providing a sports environment that encourages sportsmanship and fair play while stressing the importance of team work. Over the past nine years the club has seen considerable growth and has been the catalyst for the formation of a number of other lacrosse programs in Shelby County. Today, they are the largest lacrosse club in Tennessee.

VISION 2020:

Review of the Policy supports the Vision 2020 Plan goal of Quality of Life: "City programs and services responsive to changing leisure time and recreational activity trends and residents' needs"; and "team sports available to all residents with quality athletic fields and practice facilities for recreational leagues, competitive leagues and tournaments".

BUDGET AND STAFFING IMPACT: SOURCE OF FUNDING:

Natalie Ruffin, Recreation Superintendent, will handle the administrative duties with support from staff.

ATTACHMENTS:

Provider Agreements from Germantown Legends and Houston Lacrosse Club

PREPARED BY: Natalie Ruffin

Natalie Ruffin, Recreation Superintendent

REVIEWED BY: Pam Beasley

Pam Beasley, Parks and Recreation

REVIEWED BY: Lisa A. Piefer

Lisa A. Piefer, Procurement Director

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve provider agreements with the Germantown Legends to become the Youth Soccer Provider and with the Houston Lacrosse Club to become the Youth Lacrosse Provider. These agreements are for a period of one year with an option for (2) two additional one year extensions.

BOARD ACTION: MOTION BY: SECONDED BY:

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PSL*

SUBJECT: WOLF RIVER BOULEVARD CONSTRUCTION - CHANGE ORDER NO. 5

INTRODUCTION:

The purpose of this agenda item is to consider approval of Change Order No. 5 in the amount of \$68,175.00 to the contract with Acuff Enterprises d.b.a. Scott Contractors increasing the contract amount from \$19,668,024.38 to 19,736,199.38 for construction of the Wolf River Boulevard Project and to approve Budget Adjustment No. 15-40.

BACKGROUND:

On January 24, 2011 the City entered into a construction contract for Wolf River Boulevard (WRB) between Kimbrough Road and Farmington Boulevard. Construction began in March of 2011. The project involved construction of approximately two (2) miles of four (4) lane median divided roadway through an environmentally sensitive area. The typical roadway cross-section included two (2) twelve (12) feet wide travel lanes in each direction, a fourteen (14) feet wide raised median landscaped with native plants, and a four (4) feet wide bike lane in each direction. Two (2) signalized intersections, two (2) vehicular bridges, nine (9) major drainage culverts and a pedestrian tunnel were included in the project. By far this was the largest public project the City had ever undertaken and was substantially completed and opened to traffic on August 20, 2013. This project was funded through Local Surface Transportation Program (STP) funds. The City has been reimbursed 80% of construction expenditures. The original construction contract was in the amount of \$18,763,430.24.

Various issues during the more than 2 ½ years of construction caused the project to go over the original contract amount. The single largest item that increased project cost was fuel escalation. Other items, such as irrigation of the medians and sod, were added to the project at the City's request after construction began. Some quantities in the contract overran, some under-ran. To date accounting of the project is summarized below:

Description	Approval Date	Amount
Original Contract Amount	January 24, 2011	\$18,763,430.24
Change Order No. 1	September 9, 2013	\$160,700.00
Change Order No. 2	October 14, 2013	\$678,490.00
Change Order No. 3	April 28, 2014	\$13,047.14
Change Order No. 4	November 24, 2014	\$52,357.00
To Date Total Approved Amount and Paid \$19,668,024.38*		

*The City has received 80% reimbursement

Wolf River Boulevard Construction - Change Order No. 5

January 26, 2015

Page 2

DISCUSSION:

Change Order No. 5, the subject of this agenda item, is related to an issue with the street lighting. Memphis Light Gas and Water (MLGW) has determined that the current street lighting grounding system does not meet their standards due to recent electrical code changes that have occurred. MLGW will not maintain the lighting system until the system is modified to meet the new requirements. Staff has been in contact with TDOT to insure that these additional expenses are reimbursable. TDOT has confirmed that these expenses will be 80% reimbursable. After completion of the work, MLGW will maintain the lighting system. A copy of Change Order No. 5 is attached for your review and staff respectfully recommends it for approval.

Change Order Numbers 4 and 5 were not budgeted in the City's FY15 CIP. Another item not budgeted in FY15 related to the Wolf River Boulevard Project was the Sakaan Property Settlement in the amount of \$120,000.00 approved by the Board of Mayor and Aldermen on November 11, 2014. Change Order No. 4 and the Sakaan Property Settlement, totaling \$172,357.00, were paid from the City's FY15 CIP contingency fund. There are insufficient funds remaining in contingency to cover Change Order No. 5. Therefore, staff recommends postponing a current FY15 CIP project, The English Meadows Drainage Improvements project with a budget of \$610,000.00. The purpose of this project is to alleviate isolated neighborhood street/yard flooding areas with the addition of curb inlets and piping. There are downstream issues that need to be addressed in addition to this proposed project. This is a needed project, but not an emergency. Staff plans to re-evaluate the English Meadows project and will resubmit it for future CIP consideration.

VISION 2020:

This project supports the Vision 2020 objective of well planned, designed, constructed and maintained infrastructure as well as the safe, efficient and ease of mobility of the traveling public.

BUDGET AND STAFFING IMPACT:

Tim Gwaltney, City Engineer will serve as Project Manager, point of contact throughout the design and ROW Acquisition phase

SOURCE OF FUNDING:

Fund	Line Item No.	Dept.	Line Item Description	**Budget Balance	Recommended Expenditures
CIP	030-0000-400.93-01 MR 1405	Major Roads	Other Improvements	\$68,175.00	\$68,175.00*

**Funding provided by FY15 CIP Project No. DR 1503 – English Meadows Drainage Improvements

*80% Reimbursable. City's responsibility = \$13,635.00

ATTACHMENTS:

Change Order Form with Extra Work Roadway Lighting Cost
Budget Adjustment No. 15-40

Wolf River Boulevard Construction - Change Order No. 5

January 26, 2015

Page 3

Prepared by: Tim Gwaltney
Tim Gwaltney, P.E., City Engineer

Reviewed by: Cameron Ross
Cameron Ross, ECD Director

Reviewed by: Butch Eder
Butch Eder, CIP Manager

Reviewed by: Lisa Piefer
Lisa A. Piefer, Procurement Director

Reviewed by: Ralph Gabb
Ralph Gabb, Finance Director

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve Change Order No. 5 in the amount of \$68,175.00 to the Construction Contract with Acuff Enterprises d.b.a. Scott Contractors increasing the contract amount from 19,668,024.38 to 19,736,198.58 for the Wolf River Boulevard Project and to approve Budget Adjustment No. 15-40.

BOARD ACTION:

MOTION BY:

SECONDED BY:

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PSL*

SUBJECT: WOLF RIVER BOULEVARD - CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES SUPPLEMENT NO. 7

INTRODUCTION:

The purpose of this agenda item is to consider approval of Supplement No. 7 in the amount of \$11,732.67 to the Professional Services Agreement with Smith Seckman and Reid, Inc. (SSR) for additional CEI services related to the Wolf River Boulevard project and to approve Budget Adjustment No. 15-42.

BACKGROUND:

On January 24, 2011 the City entered into a Professional Services agreement in the amount of \$2,999,949.98 with Smith Seckman and Reid (SSR) to provide Construction Engineering and Inspection (CEI) services for the construction of Wolf River Boulevard. The original CEI services provided by SSR included project management and administration, construction inspection, shop drawings review, field surveying, contractor pay application review and submittal and reporting. Throughout the 2-1/2 years of roadway construction, additional services were added to CEI contract. Please see table below for a complete list of supplements to date:

Original Contract Amount	\$2,999,949.98	CEI
Supplement 1	\$92,661.57	Added Erosion Prevention and Sediment Control (ESPC) services
Supplement 2	\$66,550.00	Added Design Services for the Greenway Trail
Supplement 3	\$44,757.75	51 day Construction Time Extension
Supplement 4	\$33,430.33	Wetland Mitigation
Supplement 5	\$295,159.63	CEI For Greenway Trail
Supplement 6	\$13,932.48	CEI Services for Street Repair

The current ceiling for CEI services is \$3,546,441.74 (80% reimbursable).

DISCUSSION:

Supplement 7, the subject of this agenda item, pertains to the additional construction engineering and inspection services related to the MLGW Street Light Issue (Construction Change Order No. 5, Item 14 on tonight's agenda). TDOT was informed of the street light issues and agreed to cover the cost of construction and CEI services at the original contract 80/20 shared responsibility.

Wolf River Boulevard - Construction Engineering And Inspection (CEI)

Services Supplement No. 7

January 26, 2015

Page 2

SSR's fee proposal for the inspection services is attached for your review. Services include field inspections of work performed by others, measurement and recordation of quantities for payment and daily traffic control check. Construction work is anticipated to last 1 month. Inspectors will be on-site for duration of construction.

Approval of Supplement 7 in the amount of \$11,732.67 will increase the ceiling from \$3,546,441.74 to \$3,558,174.41 and is 80% reimbursable. Staff respectfully requests BMA approval of Supplement 7.

Staff recommends postponing a current FY15 CIP project, The English Meadows Drainage Improvements project with a budget of \$610,000.00. The purpose of this project is to alleviate isolated neighborhood street/yard flooding areas with the addition of curb inlets and piping. Currently, there are downstream issues that need to be addressed in addition to this proposed project. This is a needed project, but not an emergency. Staff plans to re-evaluate the English Meadows project and will resubmit it for future CIP consideration.

VISION 2020:

This project supports the Vision 2020 objective of well planned, designed, constructed and maintained infrastructure as well as the safe, efficient and ease of mobility of the traveling public.

BUDGET AND STAFFING IMPACT:

Tim Gwaltney, City Engineer, is assigned to this project.

SOURCE OF FUNDING:

<u>Fund</u>	<u>Line Item No.</u>	<u>Dept.</u>	<u>Line Item Description</u>	<u>**Budget Balance</u>	<u>Recommended Expenditures</u>
CIP	030-0000-400.25-40 MR 1405	Major Roads	Professional Services	\$11,732.67	\$11,732.67*

**Funding provided by FY15 CIP Project No. DR 1503 – English Meadows Drainage Improvements

*80% Reimbursable. City's responsibility = \$2,346.53

ATTACHMENTS:

Fee Proposal
Budget Adjustment No. 15-42

Prepared by: Tim Gwaltney
Tim Gwaltney, P.E., City Engineer

Reviewed by: Cameron Ross
Cameron Ross, ECD Director

Reviewed by: Butch Eder
Butch Eder, CIP Manager

Reviewed by: Lisa A. Piefer
Lisa A. Piefer, Procurement Director

Reviewed by: Ralph Gabb
Ralph Gabb, Finance Director

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve Supplement 7 in the amount of \$11,732.67 to the Wolf River Boulevard CEI contract with Smith Seckman Reid, Inc., increasing the contract amount from \$3,546,441.74 to \$3,558,174.41 and to approve Budget Adjustment No. 15-42.

BOARD ACTION: **MOTION BY:** **SECONDED BY:**

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PSL*SUBJECT: WOLF RIVER BOULEVARD/GERMANTOWN RD. INTERSECTION IMPROVEMENTS PROJECT
PROFESSIONAL SERVICES AGREEMENT SUPPLEMENT**INTRODUCTION:**

The purpose of this agenda item is to consider approval of Supplement No. 1 in the amount of \$90,224.00 to a Professional Services Agreement with Buchart-Horn, Inc. (BH), increasing the ceiling from \$49,785.00 to \$140,009.00, for design and preparation of construction documents related to Wolf River Boulevard & Germantown Road Intersection Improvements Project.

BACKGROUND:

The intersection of Wolf River Boulevard and Germantown Road (S.R. 177) is one of the most heavily congested intersections within the entire Memphis-MPO area. The latest available volume counts indicate an Annual Average Daily Traffic (AADT) of over 75,000 vehicles per day. Excessive delays at all times of the day prompted the City of Germantown to request federal funding for improvements to add capacity and increase efficiency of the intersection.

The City requested funding for the project utilizing Surface Transportation Program (STP) funds through the Memphis-MPO. The project ranked sufficiently high to be funded in the current (2014-2017) Transportation Improvement Program (TIP). Typically, STP projects are 80% federal/20% local responsibility. However, since the bulk of the project is on a state route, TDOT has agreed to cover the 20% local match requirement. Therefore, the City will be reimbursed 100% of project expenditures.

On June 9, 2014 (FY14 – CIP), the City entered into a professional services agreement with Buchart-Horn to provide preliminary design/environmental phase services for the project in the amount of \$49,785.00. This portion of the project was completed, submitted to TDOT and the Federal Highway Administration (FHWA) for review and approval. The City received approval from those respective agencies as evidenced by the attached Notice to Proceed to the Preliminary Engineering for Final Design Phase, dated December 16, 2014.

DISCUSSION:

The purpose of this agenda item is to proceed to the Preliminary Engineering for Final Design Phase of the project. The City budgeted \$100,000.00 in its FY15 Capital Improvement Program for this phase of the project. Please refer to BH's fee proposal, specifically the section labeled Phase B-1. Staff has thoroughly reviewed the fee proposal and respectfully recommends it for approval. The sections of the fee proposal labeled B-2A & B-2B, Preparation of Bid Documents, will be budgeted in FY16 along with right-of-way acquisition costs.

VISION 2020:

This project supports the Vision 2020 objective of well planned, designed, constructed and maintained infrastructure as well as the safe, efficient and ease of mobility of the traveling public.



Agenda No. 17

CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PL*

SUBJECT: Ordinance 2015-04 – Amendment to the Regulations on Swimming Pool Locations: First Reading and Set Public Hearing

INTRODUCTION:

The purpose of this agenda item is to approve on first reading an amendment to the zoning regulations on the separation of swimming pools from easements and lot lines. The specific action requested is the approval of the proposed ordinance on first reading. The public hearing will be held in conjunction with the second reading on February 23, 2015.

BACKGROUND:

Swimming pools in any of the residential districts are required to be located behind the front line of the building, a minimum of five feet from **all property lines and recorded easements**. (Sec. 23-237) Homeowners must obtain approval of a variance from the Board of Zoning Appeals (BZA) in order to construct a swimming pool within five feet of an easement. Most residential lots have five foot wide utility easements along all lot lines, so the effect of that setback requirement is to place the pool ten feet from the side and rear lot lines.

DISCUSSION:

The BZA's practice has been to approve variances to that setback requirement, provided the homeowner enters into a "hold harmless agreement". That agreement states that the homeowner understands that their swimming pool is within five feet of an easement, and that any damage that occurs to the pool as a result of work done within the easement is not the responsibility of the city or utility company.

ECD staff proposes the following amendment to the Zoning Code that was approved by the Germantown Planning Commission on November 4, 2014. The amendments would apply to swimming pools in all zoning districts where they are permitted.

Proposed deletions are ~~struck through~~ and proposed additions are **bold and underlined**.

Swimming pools.

- (a) Swimming pools in the XXXXX district shall be located behind the front line of the building, a minimum of five feet from all property lines and ~~recorded easements~~. **Swimming pools that are located five feet or less from a recorded easement may be permitted provided the property owner, prior to the issuance of any permit, enters into a hold harmless agreement that releases the City and any easement users from responsibility if the swimming pool is**

damaged as a result of work being performed within the easement. The hold harmless agreement shall be recorded and shall run with the land.

- (b) On double frontage lots, in-ground swimming pools may extend 20 feet into the required front yard that is located on the rear side of the principal building. This shall apply only to lots having frontages on two nonintersecting streets. Corner lots and triple-frontage lots, abutting two streets at their intersection, shall be excluded.
- (c) Swimming pools must be located a minimum of five feet from all property lines and recorded easements. **Swimming pools that are located five feet or less from a recorded easement may be permitted provided the property owner , prior to the issuance of any permit, enters into a hold harmless agreement that releases the City and any easement users from responsibility if the swimming pool is damaged as a result of work being performed within the easement. The hold harmless agreement shall be recorded and shall run with the land.**

(Code 1986, § 25-96; Ord. No. 1999-16, 12-27-99)

VISION 2020: Approval of the revisions to the swimming pool regulations is consistent with Goal 12: Enhanced Residential Neighborhoods, and its goal of "well-maintained homes and landscaping".

BUDGET AND STAFFING IMPACT: Approval of the amendment will reduce the number of variance applications that Planning staff have to process and review. The Planning staff, Administrative Assistants and City Attorney will spend time preparing the Hold Harmless Agreements, but that time will be less than what is spent on the variance application. A fee for processing the agreement will be proposed for next year's budget.

Prepared by: Wade Morgan
 Wade Morgan, Chief Planner

Reviewed by: Cameron Ross
 Cameron Ross, Director of Economic and Community Development

PROPOSED MOTION: To approve on first reading ordinance 2015-04, Amendments to the Regulations on Residential Swimming Pool Locations, and set February 23, 2015 as the public hearing date.

BOARD ACTION: MOTION BY: _____ **SECONDED BY:** _____

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain

ATTACHMENTS:

1. Proposed Amendment
2. Planning Commission minutes – November 4, 2014



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: Collection Agency

INTRODUCTION:

The purpose of this agenda item is to approve Automated Collection Services, Inc. (ACSI) as a collection agency for outstanding money owed the City for a period of thirty-six months with of two (2) additional twelve (12) month periods at the City's option. This bid excluded property taxes as the Shelby County Trustee handles delinquent property taxes

BACKGROUND:

The City attempts to collect all outstanding receivables, however, it sometimes becomes necessary to engage an outside collection agency. The City of Germantown currently uses Mendelson Law firm to collect outstanding receivable from the Utility Fund, Court and checks returned due to insufficient funds. This agreement was signed with Mendelson Law Firm on October 10, 2007.

DISCUSSION:

The Procurement Department worked with the Finance and Fire Department to develop the specifications for a Collection Agency Services bid. An invitation to bid was issued on October 29, 2014 with bid opening on November 11, 2014. Multiple collection agencies responded to the bid. The criteria used in the selection process was being the best value (most advantageous to the City) as determined by some or all of the following: fee offered, quality of product/service offered, general reputation and performance capabilities of the bidder, conformity with specifications, responses to provided references, experience and success handling governmental accounts and completion and submittal of all requested information. ACSI met the insurance requirements of the bid, bond requirement for this service and all specifications of the bid. A complete bid analysis is attached for more information

ACSI is a Tennessee based recovery agency with over twenty-five years experience collecting on government, higher education, healthcare and financial service debt and nearly fifteen years collecting government debt. They handle several cities and counties in the State of Tennessee including the City of Franklin, City of Morristown, City of Tullahoma, City of Rockwood and Metropolitan Government of Nashville and Davidson County Metro. The references provided by ACSI, Inc. were contacted and all provided positive feedback and are familiar with the Tennessee laws of collection.

Collection services will be provided for Ambulance Transportation Services, Utility Services, Court Services and Non-Sufficient Fund Checks. The vendor percentage on collection fees will be passed along to the Debtor during the collection process.

To be distributed during the Executive Session.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015
FROM: Patrick J. Lawton, City Administrator
SUBJECT: Lake Maintenance Services Extension

INTRODUCTION:

The purpose of this agenda item is to authorize the Mayor to enter into the first option year of the lake maintenance services contract with Aqua Services, Inc. for \$23,395.60.

BACKGROUND:

In February of 2012, the Board approved a three year contract with two one year options to provide a lake management program for eight treatments of nine locations. The final year of the three year agreement will end on February 28, 2015. This agenda item will exercise the first option year of the contract with no increase in the annual cost. Contract services include maintenance and repairs of all lake fountains, pumps and water features along with a quantitative aquatic weed control maintenance program performed on a monthly basis with follow up as needed. Contract services for the past three years have met all the original contract requirements.

DISCUSSION:

The contract will continue to provide any necessary chemical applications, lake colorant and any maintenance required on fountains, pumps and water features. Herbicide applications along with lake colorant applications will be applied each month starting in March and ending in October. Unwanted weeds and algae will be eliminated to maintain an aesthetically pleasing appearance. Preventative maintenance services of all lake fountains, pumps, water features and removal of any debris from the lakes where fountains exists will be performed monthly.

VISION 2020:

This contract supports the Vision 2020 objective for protecting and enhancing public and open space as a key strategy in the "Quality of Life" section of the plan. It also addresses the following sections of the Vision 2020 Plan: Beautiful Community (well designed well maintained public streetscapes, medians, public spaces and parks throughout the City).



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PSL*

SUBJECT: Herbicide & Fertilizer Treatment Services Extension and Change Order #1

INTRODUCTION:

The purpose of this agenda item is to authorize the Mayor to enter into the first option year of the herbicide and fertilizer treatment services contract and to approve change order #1 in the amount of \$8,184.00 for a total annual cost not to exceed \$69,207.40.

BACKGROUND:

In February of 2012, the Board approved a three year contract with two one year options to provide herbicide and fertilizer treatment services. The program includes three herbicide applications on thirty-six linear miles of right of ways and five herbicide applications and three fertilizer applications on selected athletic fields, medians and municipal grounds. The final year of the three year agreement will end on April 30, 2015. This agenda item will exercise the first option year of the contract with no increase in the annual cost. Change order #1 includes adding 20 acres of greenway and two acres of medians at a cost of \$8,184.00 annually. This price was determined from a bid price received during the original bid from Herbi-Systems for additional acreage that was approved by the Board in February of 2012. Contract services for the past three years have met all the original contract requirements.

DISCUSSION:

Because of the specialized license required, the City chose to begin contracting herbicide and fertilizer applications to most of the City's properties. Keeping these areas weed free and lush sets a good example and keeps the City's properties aesthetically pleasing.

VISION 2020:

This contract supports the Vision 2020 plan. Protecting and enhancing public and open space is a key strategy in the "Quality of Life" section of the plan. It also addresses the following sections of the Vision 2020 Plan: Beautiful Community (well- designed, well maintained public streetscapes, medians, public spaces and parks throughout the City).

BUDGET AND STAFFING IMPACT:

SOURCE OF FUNDING:

Fund	Line Item No.	Dept.	Line Item Description	Budget Balance	Recommended Expenditures
General	010-3010-430.26-90	Public Works	Contract Maintenance	\$228,734.00	\$69,207.40

Robert Childs, Contract Administrator, will oversee the administration of the Herbicide and Fertilizer Treatment Services Contract.

Herbicide & Fertilizer Treatment Services Extension and Change Order #1

ATTACHMENTS:

Renewal Agreement Letter

PREPARED BY: Robert Childs
Robert Childs, Contract Administrator

REVIEWED BY: Bo Mills, PWLF
Bo Mills, Director of Public Works

REVIEWED BY: Lisa A. Piefer
Lisa A. Piefer, Procurement Director

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To enter into the first option year of the herbicide and fertilizer treatment services contract and to approve change order #1 in the amount of \$8,184.00 for a total annual cost not to exceed \$69,207.40.

BOARD ACTION: _____ **MOTION BY:** _____ **SECONDED BY:** _____

VOTE/TOTAL	BARZIZZA	GIBSON	<i>Kleyan</i>	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: AT GRADE RAILROAD CROSSING IMPROVEMENT WORK AT WEST STREET AND POPLAR PIKE

INTRODUCTION:

The purpose of this agenda item is to authorize approval of a construction contract with Desoto County Electric, Inc. in the amount of \$20,417.50 for construction of improvements to the railroad crossing at West Street and Poplar Pike.

BACKGROUND:

Periodically, safety audits are performed on at-grade crossings throughout the state. The crossings within the City are inspected by representatives of the TN Department of Transportation (TDOT), the City of Germantown and Norfolk Southern Railroad. The crossing at West Street and Poplar Pike was inspected in 2007. Safety deficiencies were identified relating to backup battery cabinet and two (2) advance warning signs.

DISCUSSION:

Procurement Department originally issued a bid June of 2014 in with no bids being received from qualified TDOT contractors. The bid was re-issued in October of 2014 with One (1) construction bid received by the date of November 20, 2014 (please see attached Bid Analysis). Desoto Electric, Inc. was the low bidder at a Lump Sum amount of \$20,417.50 which is within the budgeted amount. Desoto County Electric, Inc. is qualified to perform this type of work.

This work is necessary to upgrade the signage and provide motorists with a safer crossing. Upon completion of the project, TDOT will reimburse the City of Germantown for 100% of the design and construction costs.

VISION 2020:

A Guiding Principle is Ease of Mobility. These proposed improvements will enhance mobility as well as provide motorists a safer crossing.

BUDGET AND STAFFING IMPACT:

Tim Bierdz will serve as Project Manager.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015

FROM: Patrick J. Lawton, City Administrator *PL*

SUBJECT: GERMANTOWN ATHLETIC CLUB – CLUB MANAGEMENT SOFTWARE CONTRACT

INTRODUCTION:

The purpose of the agenda item is to authorize the Mayor to enter in a contract with Jonas Fitness, Inc. in an amount not to exceed \$20,000.00 for use of their Compete version of web based fitness operations software and training.

BACKGROUND:

Germantown Athletic Club is celebrating its 25th anniversary in 2015. The Club has gone through many changes and improvements over the past 25 years, and currently serves over 12,000 members from the Germantown and surrounding areas for their health and wellness needs. Club management software is vitally important to the day to day operations of the facility, including check ins, billing, collections, program registration, reporting, etc. The management of the Club's membership base is critical to its sustainability. The main goal of this project is to bring the current software technology current with industry trends and standards.

DISCUSSION:

It is vital in the fitness industry to be on the cusp of industry trends. Germantown Athletic Club's current software no longer meets the needs of staff and its current membership. As we continuously try and improve member services, Compete will allow our members' access to their own accounts, register for programs and check availabilities online. The software will additionally allow the Club to have direct communication with members concerning announcements and changes to debits/credits to accounts. Real time reporting capabilities will allow management access and dashboards to performance in all areas of the Club. Compete will provide membership with the ability to be active users and have full ownership of their accounts. The purchase of new, updated software will improve the communications between the Club and members allow effective usage for staff and superior reporting capabilities.

A Request for Proposal was sent out on September 12, 2014 to different Club management software vendors. Only one vendor submitted a proposal which was vetted by the review team which explored every aspect of feasibility, function and costs for the Club. The RFP Report with cost information is attached for your review.

VISION 2020:

This agenda supports Vision 2020 by designing City facilities for operating effectiveness and long term sustainability. This work additionally supports the goal of making Germantown Athletic Club a comprehensive, state-of-the-art health and wellness facility for the City of Germantown.

Germantown Athletic Club – Club Management Software Contract

January 26, 2015

Page 2

ATTACHMENTS:

Athletic Club Software RFP Process Report

BUDGET AND STAFFING IMPACT:

SOURCE OF FUNDING:

Fund	Line Item No.	Dept.	Line Item Description	Budget Balance	Recommended Expenditures
Club	042.4610.460.2690	Recreation	Cont.Maint.	\$35,773.00	\$20,000.00

Prepared by: Phil Rogers

Phil Rogers, Club Director

Reviewed by: Lisa A. Piefer

Lisa A. Piefer

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To authorize the Mayor to enter in a contract with Jonas Fitness, Inc. in an amount not to exceed \$20,000.00 for use of their Compete version of web based fitness operations software and training.

BOARD ACTION:

MOTION BY:

SECONDED BY:

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: January 26, 2015
FROM: Patrick J. Lawton, City Administrator *PSL*
SUBJECT: DEBRIS COLLECTOR PURCHASE

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to purchase a 2014 ODB Trailer Mounted Vacuum Debris Collector Model SCL800TM25 from Old Dominion Brush Company in the amount of \$42,677.00.

BACKGROUND:

This is an additional debris collector being purchased under this authorization and is a self-contained twenty-five yard trailer mounted machine and used to remove leaves and debris from storm drains, city streets and other city owned properties requiring landscaping maintenance. An additional machine is required to efficiently maintain proper drainage and reduce possible flooding that can occur when storm drains do not flow properly. The City will have three Debris Collectors if this purchased is approved.

DISCUSSION:

The City utilized a cooperative purchasing agreement through National Joint Powers Alliance (NJPA) Contract #060612-ODB to procure pricing from Old Dominion Brush Company. National cooperative contracts provide considerable time and resource savings for participating member agencies and streamline the contracting processes and maximize efficiencies.

NJPA establishes a legal paper trail for the municipalities, justifying the City's contract purchasing decision. At no cost to the City, NJPA membership provides access to competitively bid national cooperative contracts, procured by a national municipal contracting agency. These contracts leverage national volume pricing and provide NJPA members with the desired vendor choices.

Every state government entity has a purchasing level at which public agencies are required to "go out to bid." NJPA has nationally solicited, evaluated and awarded contracts through a competitive bidding process on behalf of its members. These contracts can be leveraged by municipalities under the authority of NJPA's enabling legislation and your state's procurement laws and/or Joint Powers Authority. These laws allow access to NJPA's contracts and procurement process to satisfy your local/state bidding requirements, avoiding duplication of the process.

