



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, September 14, 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. Citizens to be Heard
7. **CONSENT**
 - a. Landscape and Mowing Services - Change Order
 - b. Contract Extension – Water Treatment Chemicals
 - c. Purchase – Tires
 - d. Competitive Sealed Proposal Authorization Use
 - e. Purchase – Ambulance
 - f. Project Development Contract No. 1198 – Thornwood PUD Phase 2 (Bob Richards Jewelry)
 - g. Project Development Contract No. 1199 – Thornwood PUD Phase 3 (Hampton Inn)
 - h. Project Development Contract No. 1208 – CAP Germantown
 - i. Change Order #2 – Purchase fo Additional Outdoor Security Cameras
 - j. Declaration of Surplus Property – GPAC Dimmers
8. Ordinance 2015-9 – Budget Amendment
9. Ordinance 2015-10 - Amendment to Education Commission Ordinance
10. Payment to Shelby County Schools
11. Germantown Athletic Center Renovation – Phase 1 – Construction Contract
12. Design Supplement No. 2 – Contract Administration - Inspection – GAC Phase 1
13. Special Presentation

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: September 14, 2015
FROM: Patrick J. Lawton, City Administrator
SUBJECT: SET AGENDA

INTRODUCTION:

The Agenda must be set before the meeting. The Board must agree on the contents of the agenda and make changes to the agenda before the meeting begins.

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

To approve the agenda (as amended).

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: September 14, 2015

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

SUBJECT: Landscape and Mowing Services - Change Order #1

INTRODUCTION:

The purpose of this agenda item is to authorize the Mayor to approve change order #1 for the service contract with Landscape Services Group, LLC in the amount of \$57,816.00.

BACKGROUND:

In 1994, the City contracted to maintain the turf areas of all municipal buildings and medians. Over the past twenty one years, parklands were added to the mowing contract along with additional medians. In 2001, it was determined to be more economical to enter into a contract arrangement consisting of landscape maintenance, seasonal flowers and irrigation maintenance than to provide this service in-house.

Change order #1 consists of:

1. Adding eight acres of mowing at Houston Middle School and eight acres of mowing at Houston High School at a cost of \$16,416.00 annually. This price was determined from a bid price received during the original bid from Landscape Services Group, LLC for additional acreage at \$38.00 per acre that was approved by the board in December of 2012.
2. The Wolf River Connector is 1.7 miles of landscaped, mulched and irrigated medians which connects Wolf River Blvd. between Kimbrough Road and Farmington Blvd. Maintenance on these medians will cost \$41,400.00 annually. Included are irrigation maintenance, one application of mulch in February at 2" deep and bi-weekly bed weeding and cleaning.

DISCUSSION:

The Board of Mayor and Alderman approved a three year contract with two one-year extensions in December of 2012 in the amount of \$414,784.91 with Landscape Services Group, LLC. Per the contract terms, Procurement Department requested a cost proposal that included these items from Landscape Services Group, LLC. This change order increases the third year of the existing contract in the amount of \$57,816.00.

Prior to the widening of South Germantown Road, there were 1.5 acres of right-of-ways maintained under the existing contract. After the completion of the widening project, there are 1.5 acres of medians and no right-of-ways to be maintained under this contract. Due to the equal transfer of acreage to be maintained in this area, the cost per service will remain the same.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: September 14, 2015
FROM: Patrick J. Lawton, City Administrator *PJL*
SUBJECT: Contract Extension – Water Treatment Chemicals

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to exercise the first year contract extension option to purchase water treatment chemicals in the amount of \$7,000.00 from Brenntag Mid South and in the amount of \$80,002.86 from Ideal Chemical. The total expenditure is \$87,002.86.

BACKGROUND:

Water treatment chemicals are purchased as needed from local vendors for the purpose of providing quality potable water to the City of Germantown customers per State of Tennessee requirements. These chemicals include Chlorine Gas, Sodium Hypochlorite, Hydrofluosilicic Acid, Sodium Hexametaphosphate and Sodium Silica Fluoride. Due to limited storage options, the chemicals required by each plant must be delivered in timely manner upon notification within 48 hours of the request for product. These products are to be the highest quality available, comply with specifications and include MSDS (Material Safety Data Sheets). This purchase will meet the department's needs for approximately one year.

DISCUSSION:

The bids were received and approved by the Board of Mayor and Alderman in August of 2014 for a one year contract with two additional option years. Staff would like to recommend exercising the first year option from Brenntag and Ideal Chemical. The vendors were contacted in advance to accept the terms of the original contract specifications. The unit price for each item will remain the same as the previous year.

VISION 2020:

This purchase supports the Community Vitality Vision 2020 objective for water treatment plants and distribution systems that are well designed and maintained, producing a quality product.

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>
Utility	040-9010-521.32-20	Public Works	Chemicals	\$101,851.08	\$87,002.86

Mike Sorensen, Water Services Superintendent, will schedule the daily delivery up of materials and distribution by water treatment plants as required.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: September 14, 2015

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

SUBJECT: FY16 TIRE PURCHASE

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to purchase new tires from Steepleton Tire Company in an estimated amount of \$40,000.00 and Goodyear Wholesale Tire Center in an estimated amount of \$15,000.00.

BACKGROUND:

As part of the Fleet Services maintenance program, tires are purchased as required to maintain a safe City fleet. The City has approximately 1200 tires on the ground and is the most expensive maintenance item required in maintaining a fleet operation. In FY15 the City spent an estimated \$55,000.00 on new tires utilizing Tennessee Statewide Contract pricing (SWC). Tire replacements fluctuate from year-to-year and these totals could be lower or slightly higher than the estimated amount.

DISCUSSION:

Both recommended vendors are on the approved vendors list for the SWC. Steepleton Tire Company can provide contract pricing for Firestone, Michelin and Bridgestone tires. Goodyear Wholesale Tire Center provides contract pricing only on the Goodyear product. Prices provided are for new tires. Estimated expenditures do not include recapped tires or specialty tire related service work required on heavy-duty trucks and construction equipment.

For this purchase, the City will utilize a cooperative purchasing agreement. Procurement staff has reviewed TN State Contract number SWC 221 to ensure that pricing, terms and contract dates are acceptable and recommends the purchase of this item. Steepleton Tire Company and Goodyear Wholesale Tire Center participates in the cooperative pricing process. Funding for this was approved as part of the FY16 Budget.

VISION 2020:

This purchase supports Goal 22 Financial Sustainability by investment in maintaining and upgrading the City's facilities and infrastructure.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: September 14, 2015

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

SUBJECT: COMPETITIVE SEALED PROPOSAL AUTHORIZATION – TPA & Stop Loss Services, Solid Waste Collection Services, Design Services and City Brand Development

INTRODUCTION:

The purpose of this agenda item is for the Board of Mayor and Aldermen to authorize the City to use of the competitive sealed proposal process for procuring TPA & Stop Loss Services, Solid Waste Collection Services, Design Services and City Brand Development.

BACKGROUND:

The City of Germantown's procurement policies and practices require the use of competitive sealed bids for the purchase of most goods and services. In some cases, the competitive sealed bid process may be either impracticable or not otherwise advantageous to the City due to the complexity of certain technological products or the unique nature of certain services. In such cases, the Board may authorize the use of the competitive sealed proposal process. These cases include purchases where qualifications, experience, or competence are considered more important than just the price in the overall process. Likewise, if there is more than one solution to meet the bid or purchase requirements, a competitive sealed proposal may be used to select the best overall solution by taking into account the variety of factors. Finally, if there is no readily identifiable (or defined) solution for a proposed purchase, the competitive sealed proposal will allow the submittal of vendor or supplier solutions that may not have been fully considered by City staff.

DISCUSSION:

The following information describes each project and meets requirements for use of the sealed proposal.

TPA & Stop Loss Services: The Third Party Administrator ("TPA") and Stop Loss Policy are important components of an overall health care cost containment program. The competitive sealed proposal process will allow staff to carefully analyze the vendor capabilities to provide the level of service and savings that will lead to a recommendation that will be in the best interests of the city. Both contracts expire on 12/31/15.

Solid Waste Collection Services: The City's solid waste collection and disposal contracts expire on June 30, 2016. (The City does have an option to extend both contracts) Staff is in the process of preparing specifications. With changes in equipment, routing and tracking technology, and various collection methods, the competitive sealed proposal process enables the City to explore various alternatives that will meet the service expectations of the residents.

Design Services: Magazine development and design - The competitive sealed proposal process will allow staff to hear from design and advertising professionals about cost effective ways to produce a magazine featuring the many events and shopping opportunities in Germantown. Initial inquires have not uncovered any cost effective plan to produce, print and distribute the publication. However, staff is confident that a solution exists as there are other



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: September 14, 2015
FROM: Patrick J. Lawton, City Administrator *PSL*
SUBJECT: PURCHASE OF AMBULANCE

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to purchase one (1) 2016 Type 1 Ambulance, in the amount of \$197,999.00, from Taylor Made Ambulance. Included within the purchase price are the cardiac monitor/defibrillator and other equipment needed for the operation of the ambulance.

BACKGROUND:

This ambulance will be used as a primary ambulance and will allow one of the current front-line ambulances to be used as a back-up ambulance. Because of the increasing EMS call volume, it is necessary for the Fire Department to be able to place a total of five (5) ambulances into service at any given time. This increases the Fire Department's ability to meet service demands while reducing reliance on a private ambulance service to provide additional back-up ambulances during times of heavy call volumes. When this happens, the city is not able to collect the transport fee when the private service ambulance transports a patient. Placing the fifth ambulance into service, like the other back-up ambulance, will require personnel who are normally assigned to fire apparatus to staff this ambulance. This will result in three ambulances staffed full-time and 2 back up ambulances. In the event an ambulance is out-of-service for maintenance or repairs, having a fifth ambulance will also reduce the impact on the available number of ambulances.

The ambulance being requested will be built very similar to the four (4) ambulances currently being used by the Fire Department. This ambulance will be equipped with a mobile data terminal with automatic vehicle location (AVL), internet Wi-Fi system for transmitting cardiac rhythms, LED lighting, snow chains, an IV cooler, on-board oxygen system, and heavy duty stretcher. Upon receipt, the ambulance will be stocked and then licensed by the State.

DISCUSSION:

The City is utilizing the SAVVIK Buying Group cooperative purchasing program to acquire the ambulance and equipment. National cooperative contracts provide considerable time and resource savings for participating member agencies and streamline the purchasing processes and maximize efficiencies. Procurement has reviewed and verified that the terms, conditions and bidding methods are acceptable to the City.

VISION 2020:

This purchase meets a Vision 2020 goal of providing effective emergency response with the right equipment and resources available to handle the emergency response and supports Financial Sustainability by investment in maintaining and upgrading the City's facilities and infrastructure.



Agenda No. 7f

CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: September 14, 2015

FROM: Patrick J. Lawton, City Administrator

SUBJECT: Project Development Contract 1198 – Thornwood PUD, Phase 2 (Bob Richards Jewelry)

INTRODUCTION: The purpose of this agenda item is to approve Project Development Contract no. 1198, for the construction of a retail jewelry store on the east side of Germantown Rd., north of Neshoba Rd., within the Thornwood Planned Unit Development. The specific Board of Mayor and Aldermen action requested is approval of the standard development agreement.

BACKGROUND: The property was rezoned from the “R” Single Family Residential District to the T-4 and T-5 districts as part of the Germantown Smart Growth Plan in 2007. The Thornwood Outline Plan was approved by the Planning Commission on April 1, 2014 and by the Board of Mayor and Aldermen on May 12, 2014. The Planning Commission approved the Phase 2 preliminary and final site plan on August 5, 2014, including 2 warrants to allow parking within the second lot layer (between the front building line and a point 20 feet behind the front line) and allow 40% of the Principal Frontage of the sidewalk-level story to be in clear glass. The BMA approved those same warrants on August 25, 2014.

DISCUSSION: Phase 2 consists of a 5,000 square foot retail jewelry store building. The building will be 28 feet (2 stories) in height and have 25 parking spaces located to the east and south of the building. The plan complies with the site and design requirements of the T-5 district with the 2 exceptions of the 2 warrants described above.

As of the Board of Mayor and Aldermen Meeting on September 14, 2015, all surety, insurance, and signed development agreements have been received by the Department of Economic and Community Development.

VISION 2020: This project meets the goal of contributing to a vibrant quality retail economy, and the objective of “retail businesses generating revenues for the City, helping to balance tax base”.

BUDGET AND STAFFING IMPACT: Approval of the Contract will permit the developer to complete construction plans for the actual development of the project. Engineering and Planning staff will spend time and resources reviewing the construction plans, and Construction Inspection staff will spend time inspecting the project during the construction phase. The amount of time required is difficult to estimate, but will be defrayed by the fees for Plan Review and Construction Inspection, which are listed in the attachments.



Agenda No. 7g

CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: September 14, 2015

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

SUBJECT: Project Development Contract 1199 – Thornwood PUD, Phase 3 (Hampton Inn)

INTRODUCTION: The purpose of this agenda item is to approve Project Development Contract no. 1199, for the construction of 106 room, 5 story hotel on the east side of Germantown Rd., north of Neshoba Rd., within the Thornwood Planned Unit Development. The specific Board of Mayor and Aldermen action requested is approval of the standard development agreement.

BACKGROUND: The property was rezoned from the “R” Single Family Residential District to the T-4 and T-5 districts as part of the Germantown Smart Growth Plan in 2007. The Thornwood Outline Plan was approved by the Planning Commission on April 1, 2014 and by the Board of Mayor and Aldermen on May 12, 2014. The Planning Commission approved the Phase 3 preliminary and final site plan on August 5, 2014, including 1 warrant to allow the building to have 60% of the Principal Frontage of the sidewalk-level story in dark tinted glass where the standard requirement is for clear glass. The BMA approved that same warrant on August 25, 2014.

DISCUSSION: Phase 3 of the project consists of a 108 room, 4 story hotel. The plan complies with the site and design requirements of the T-5 district with the one exception described above. Special provisions contained in Paragraph 31 of the contract pertain to the collection of fees.

As of the Board of Mayor and Aldermen Meeting on September 14, 2015, all surety, insurance, and signed development agreements have been received by the Department of Economic and Community Development.

VISION 2020: This project meets the goal of contributing to a vibrant quality retail economy, and the objective of “retail businesses generating revenues for the City, helping to balance tax base”.

BUDGET AND STAFFING IMPACT: Approval of the Contract will permit the developer to complete construction plans for the actual development of the project. Engineering and Planning staff will spend time and resources reviewing the construction plans, and Construction Inspection staff will spend time inspecting the project during the construction phase. The amount of time required is difficult to estimate, but will be defrayed by the fees for Plan Review and Construction Inspection, which are listed in the attachments.

ATTACHMENTS:

- Attachment 1 – Application and Disclosure of Ownership Interest
- Attachment 2 - Vicinity Map
- Attachment 3 - Site Plan
- Attachment 4 – Planning Commission Minutes

PREPARED BY: Wade Morgan

Wade Morgan, AICP, Chief Planner

REVIEWED BY: Cameron Ross

Cameron Ross, Director of Economic and Community Development

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

To approve Project Development Contract 1199 for Phase 3 (Hampton Inn) of the Thornwood PUD .

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: September 14, 2015

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

SUBJECT: Project Development Contract No. 1208 – CAP Germantown– 2130 Exeter Road, east side of Exeter Road, north of Poplar Avenue

INTRODUCTION: The purpose of this agenda item is to approve Project Development Contract Number 1208 for a 66,000 square foot of retail building area on a 5.3-acre site. The specific Board of Mayor and Alderman action requested is approval of Project Development Contract Number 1208.

BACKGROUND: The property was rezoned from the “SC-1” Shopping Center District to the T-5 districts as part of the Germantown Smart Growth Plan in 2007. The Planning Commission approved the preliminary and final site plan on August 18, 2015, with no warrants.

DISCUSSION: Contract No. 1208 is a standard Project Development Contract. The approval will permit site improvements to include: 1) a new retail out building to be constructed in the northwest corner of the site with frontage along Exeter Road in accordance to the T5 District regulations; and 2) the renovation of the existing Kroger Store to reduce the size of the building footprint from 61,332 square feet to 46,500 square feet. The plan complies with the site and design requirements of the T-5 (new construction) & SC-1 (existing building renovations) districts.

Special provisions contained in Paragraph 31 of the contract pertain to the collection of fees. As of the Board of Mayor and Aldermen Meeting on September 14, 2015, all surety, insurance and signed development agreements have been received by the Department of Economic and Community Development.

	DEVELOPMENT INFORMATION
TOTAL SITE AREA	5.3 ac.
BUILDING SQUARE FOOTAGE	66,000 sq. ft. Footprint
Out Building A	12,500 sq. ft.
Out Building B	7,000 sq. ft.
Existing Building C	16,100 sq. ft.
Existing Building D	5,700 sq. ft.
Existing Building D	24,700 sq. ft.
BUILDING HEIGHT	2 Storey
NUMBER OF PARKING SPACES	
Parking Provided	199
Parking Required	198
Maximum Permitted	330

VISION 2020: This project meets the goal of contributing to a vibrant quality retail economy, and the objective of “retail businesses generating revenues for the City, helping to balance tax base”.

BUDGET AND STAFFING IMPACT: Approval of the Contract will permit the developer to complete construction plans for the actual development of the project. Engineering and Planning staff will spend time and resources reviewing the construction plans, and Construction Inspection staff will spend time inspecting the project during the construction phase. The amount of time required is difficult to estimate, but will be defrayed by the fees for Plan Review and Construction Inspection, which are listed in the attachments.

ATTACHMENTS:

- Attachment 1 – Application and Disclosure of Ownership Interest
- Attachment 2 - Vicinity Map
- Attachment 3 - Site Plan and Elevation Drawing
- Attachment 4 – Planning Commission Minutes

PREPARED BY: Sheila Pounder

Sheila Pounder, Planner

REVIEWED BY: Cameron Ross

Cameron Ross, Director of Economic and Community Development

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

To approve Project Development Contract 1208 for CAP Germantown located in Germantown Collection Shopping Center at 2130 Exeter Road.

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: September 14, 2015

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

SUBJECT: CHANGE ORDER NO. 2 – PURCHASE OF ADDITIONAL OUTDOOR SECURITY CAMERAS

INTRODUCTION:

The purpose of this agenda item is to request approval of a change order for the purchase of 19 additional outdoor security cameras with the annual monitoring charge in the amount of \$39,033.82 from Tyco Integrated Security under the NJPA Contract 031913-TIS.

BACKGROUND:

Currently, there are no cameras that monitor outside Germantown Performing Arts Center (GPAC) and Great Hall. There are four cameras that monitor outside the Germantown Athletic Club (GAC) parking lots that were originally installed in 2001. The Board of Mayor and Aldermen approved a contract with Tyco Integrated Security on June 23, 2014 to provide installation of a CCTV system and proximity card access system throughout the Public Services Complex using the NJPA Contract #031913-TIS in the amount of \$64,813.33. The existing system included eighteen cameras and could be expanded to sixty-four if needed for other buildings/facilities in the City. The Board of Mayor and Aldermen approved Change Order No. 1 to the contract adding five cameras at City Hall to the system on March 23, 2015 in the amount of \$10,501.22.

DISCUSSION:

With expansion capabilities of the security system and contract pricing still valid with Tyco Integrated Security, staff recommends the purchase and installation of an additional 19 security cameras that will monitor outside GPAC, Great Hall and replace existing cameras outside GAC for improved security in parking lots surrounding the facilities. Outdoor cameras will help improve security at all three businesses. The cameras will be monitored through the existing system with additional space for expansion if needed.

BUDGET AND STAFFING IMPACT:

Source of Funding:

Fund	Line Item No.	Project No.	Dept.	Line Item Description	Budget Balance	Recommended Expenditure
General	010-4710-441.9490	IR1633	GPAC	Other Assets	\$16,300.00	\$16,180.14
GAC Capital	042-4620-462.9490	IR1633	GAC	Other Assets	\$13,320.00	\$9,420.49
GH Capital	044-4820-532.9490	IR1633	Great Hall	Other Assets	\$13,320.00	\$9,616.14
General	010-1510-416.2630		IT	Computer Equip. Maintenance	\$863,101.16	\$3,817.05



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: September 14, 2015

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

SUBJECT: Declaration of Surplus City Property

INTRODUCTION:

The purpose of this agenda item is to declare the original lighting dimmer system from GPAC as surplus property, to allow immediate sale and documented disposal of the system.

BACKGROUND:

The original lighting dimmer system was installed under a general contract during the completion of GPAC in 1994. As part of the CIP application process, funding was requested and approved for total replacement of the system in the FY15 Budget. The new dimmer system was successfully installed during July and August of FY16, which was scheduled downtime for GPAC.

DISCUSSION:

The City has used GovDeals since 2008. All components will be advertised on the GovDeals auction site to be sold. The City pays a 7.5% fee to GovDeals which includes the auction services, collection of monies and remittance of revenue back to the City.

VISION 2020:

Regular review of outdated and unused items allows for the efficient use of space and maintenance of City property. Effective disposal helps to ensure the maximum benefit to the City and to the environment. Where possible, green measures are taken and items are not just dumped. These steps assist in staff focusing on mission and core services, knowing and anticipating the changing needs of our customers, and clearly define the City's role versus private sector which supports the Vision 2020 goal of Service Excellence and Services Valued by our Customers.

BUDGET AND STAFFING IMPACT:

Source of Funding:

The Procurement and General Services Departments will manage the auction and fixed asset disposal process. The City pays a 7.5% fee to GovDeals which includes the auction services, collection of monies and remittance of revenue back to the City.

ATTACHMENTS:

Fixed Asset Disposal Form

PREPARED BY: Reynold Douglas
Reynold Douglas, General Services Director

REVIEWED BY: Cathryn Perdue
Cathryn Perdue, Assistant Procurement Director

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

REVIEWED BY: Ralph J. Gabb
Ralph J. Gabb, Finance Director

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

The purpose of this agenda item is to declare the GPAC Dimmer equipment as surplus property and allow for the sale and disposal of the items.

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: September 14, 2015

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

SUBJECT: Ordinance 2015-9 – An Ordinance to Amend the FY2016 Annual Budget – First Reading

INTRODUCTION:

This proposed budget amendment by the Board of Mayor and Aldermen on first reading tonight will open the approved FY16 budget to consider an increase in capital funding for the Germantown Municipal School District (GMSD).

BACKGROUND:

The FY16 budget was adopted by the Board of Mayor and Aldermen on June 22, 2015. During the budget work sessions with the Board and the Financial Advisory Commission (FAC) leading up to this adoption, the Administration presented several capital improvement projects identified by the GMSD for possible funding consideration in the FY16 budget. However, due to internal discussions by GMSD regarding funding priorities and cost estimates, it was decided that any further review of these projects would take place after the adoption of the City's budget and only with a clear presentation by the school district of its capital priorities and construction estimates.

On August 20, 2015, the FAC convened a meeting to hear a presentation by City and school administration regarding capital funding for GMSD and a plan for funding these improvements in the current fiscal year. At the end of the meeting and after considerable discussion by the FAC a motion was made to "recommend to the BMA that the approval of the FY16 budget be amended to include the issuance of debt in the amount of \$12.0 million for additional class room space at Riverdale Elementary School and for a multipurpose athletic facility at Houston High School". The vote was unanimous in support of this action.

DISCUSSION:

Based on cost estimates developed by the District's design engineering firm during the schematic design phase for these capital projects, the preliminary cost estimates breakdown as follows:

- Riverdale addition \$10 million
 - Houston High Multipurpose Athletic Facility \$ 2 million
- TOTAL \$12 million

The addition at Riverdale includes a middle school addition (7th and 8th grades) and eliminates the portable buildings behind the school. Riverdale was built in 1969 as a K-8 school and designed to hold 755 students. Today there are nearly 1,200 enrolled at the school.

The addition of the multipurpose athletic facility at Houston High will address an overcrowding issue for many of the school's athletic teams which currently have to practice off campus at remote locations. The facility will accommodate an additional gymnasium, wrestling room, gymnastics, etc. In addition, the room will be programmed for use by the City's Parks and Recreation department for after-hours use by the public.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: September 14, 2015

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

SUBJECT: FIRST READING – Ordinance No. 2015-10 - Amendment to Chapter 2, Administration; Article V; Division 16 – Education Commission

INTRODUCTION:

The purpose of this agenda item is approval of Ordinance No. 2015-10, amending the membership of the Germantown Education Commission, on first reading and to set the public hearing for the same.

BACKGROUND:

The Germantown Education Commission is established to deal with educational issues of general community interest, to study ways to enhance the quality of education and make recommendations for improvements and to encourage education responsive to the needs of the community. Membership guidelines addressed in Chapter 2, Article V, Division 1 call for a total of 12 voting members with a term length of one year.

DISCUSSION:

During the August 18, 2015, meeting of the Germantown Education Commission, members discussed the possibility of adding to the official membership, a liaison from the Germantown Board of Education (GBE) as a non-voting member.

Since before Germantown Municipal Schools District (GMSD) began operation in fall of 2014, the Education Commission membership included a member who also happened to be a member of the GBE. When she did not apply for an appointment to the Education Commission for the 2015-16 school year, it left the commission without a direct liaison to the local school board.

Current commission members feel that the addition of a non-voting Germantown School Board liaison will strengthen the commission's ability to fulfill their goals through a first-hand account of GMSD priorities and projects. The addition will also foster a cooperative and supportive relationship between the Education Commission and Board of Education. The commission voted unanimously to include a liaison from the GBE at their meeting on August 18, 2015.

The new position should be appointed by the Germantown Board of Mayor and Aldermen (BMA). After the amendment process is complete, staff and commission members will consult with GBE members to determine who is interested in serving. Recommendations would come back to the BMA for approval and appointment.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: September 14, 2015

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

SUBJECT: AGREEMENT OF COMPROMISE AND SETTLEMENT PAYMENT

INTRODUCTION:

This payment in the amount of \$355,453 represents the second of twelve yearly payments to the Shelby County Board of Education (SCBE) for the settlement of litigation over the formation of the Germantown Municipal School District (GMSD) and the conveyance by SCBE of Dogwood, Farmington and Riverdale Elementary Schools, Houston Middle School and Houston High School to the GMSD for management and operation.

BACKGROUND:

In early 2011 the Germantown Board of Mayor and Aldermen and the City administration began in earnest the work required to create the City's own municipal school district based upon legislation opening up the provision in state law dealing with the creation of municipal school districts commonly referred to as the Norris Todd bill. After thirty-six months, and numerous ordinances and public referendums, the GMSD Board of Education was seated and a superintendent was in place. In August 2014 the doors of the GMSD were opened to the delight of students and parents throughout our City.

DISCUSSION:

A vital component in moving the GMSD forward, along with meeting all the legal and regulatory requirements, was the settlement of a lawsuit filed by the County Commission alleging that the City's efforts to create its own municipal school district were illegal because they were motivated by racially-discriminatory intent and violated various constitutional provisions.

The Agreement of Compromise and Settlement executed by Mayor Goldsworthy on behalf of the City on January 6, 2014 accomplished two primary objectives.

1. Dismissed with prejudice all claims by the County Commission in the lawsuit referenced above.
2. Conveyed Dogwood, Farmington and Riverdale elementary schools along with Houston Middle and Houston High school to the GMSD Board the operation for full control, management and operation.

The settlement agreement also requires that the GMSD Board of Education pay to SCBE the amount of \$355,453.00 per calendar year for twelve years, with the first payment paid by November 1, 2014 and the remaining payments by November 1 of each year following. In our discussion with the GMSD Board of Education early in their formation the City of Germantown agreed to pay this amount on behalf of GMSD.

It is important to note that the annual payments to SCBE do not represent a negotiated sale of the five buildings in the GMSD but rather an amount agreed upon to settle the lawsuit with the County. These funds, per the agreement, will be used by the SCBE to reduce its retiree health and life insurance liabilities as of May 31, 2014.

VISION 2020:

The settlement of this lawsuit was critical in opening the doors in August 2014 for what promises to be one of the best school districts in the state.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: September 14, 2015

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

SUBJECT: GERMANTOWN ATHLETIC CLUB RENOVATION - PHASE 1 - CONSTRUCTION CONTRACT

INTRODUCTION:

The purpose of this agenda item is to consider approval of a construction contract with A and B Construction in the amount of \$1,457,729.00 for the construction of Phase I of the Germantown Athletic Club's Renovation Project.

BACKGROUND:

Built in 1990 the Germantown Athletic Club is a major focal point of the Germantown community with over 13,000 resident and non- resident members. In 2009, the locker rooms and front entrance areas were renovated. These renovations enhanced the Club, however, space utilization and social needs areas within the Club remained deficient. In February 2012, a Conceptual Master Plan was developed by Fabiano Designs that outlined improvements to the Club that would address the space and social needs deficiencies.

The Plan's recommended entry level improvements including customer service area enhancement, new administrative offices, new pro shop, new lounge and sales office. In addition, the Plan recommended relocating the running track and infilling the floor over a portion of the Gymnasium to allow for new cardio, pilates, group exercise and spinning rooms. Lower level recommended improvements include the expansion of the men's and women's locker rooms, new yoga, group exercise, spa/massage and party rooms.

On January 27, 2014 the City entered into a Professional Services Agreement with Fleming Architects/Fabiano Designs in the amount of \$256,500.00 for the design of renovations to the Germantown Athletic Club. The project was designed to be constructed in phases to coincide with available funding. The design of all three phases was approaching completion when a review of the construction documents by the Fire Marshall's Office resulted in a request that the entire fire protection system within the Athletic Club, except for the swimming pool be upgraded.

Since Fleming's original design upgraded the fire protection system only in the areas in which renovations were to occur in Phase I, and not the untouched areas of the Germantown Athletic Club, a design supplement was required for the extra work. Accordingly, on May 11, 2015 the Board of Mayor and Aldermen approved Design Supplement No.1 to Fleming Architects' Design Contract in the amount of \$2,000.00 increasing the total contract amount to \$258,500.00. The design of all three phases and the bid documents for Phase I were completed in June 2015.

DISCUSSION:

Phase I consists of improvements to both the upper & lower levels north of the check-in and east of the gym, including the staff office area, children's area spin class room and meeting rooms. In addition, significant Improvements to HVAC, plumbing, fire protection and electrical systems will be accomplished during this phase.

Phase I was advertised on the City's website on July 24, 2015, sent to the Plan Houses and an e-notification was sent to eight hundred eighty-three vendors. Nine contractors attended the Pre-Bid Meeting on July 31, 2015. Five Contractors picked up bid documents. Two contractors submitted bids with A and B Construction submitting the lowest base bid of \$1,383,247.00. Staff is also recommending the acceptance Alternate 2, renovation of the aquatics office in the amount of \$74,482.00 for a total project cost of \$1,457,729.00. The bid analysis sheet is attached

Funding is included in the FY16 CIP Budget and staff recommends approval.

VISION 2020:

This project supports the Vision 2020 Financial Sustainability Goal 22 through the implementation of the 2005-2006 City Facility and Capital Asset Strategy for maintaining and upgrading city facilities for operating effectiveness and long-term sustainability.

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 Expenditures</u>
CIP	042-4620-462.92-10 GC1501	GAC	Building Improvements	\$1,500,000.00	\$1,457,729.00

ATTACHMENTS

Bid Analysis Sheet

Prepared by: Butch Eder
Butch Eder, CIP Manager

Reviewed by: Reynold D. Douglas
Reynold Douglas, General Services Director

Reviewed by: Phil Rogers
Phil Rogers, Athletic Club Director

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

Reviewed by: Ralph J. Gabb
Ralph J. Gabb, Finance Director

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

To approve a construction contract with A and B Construction in the amount of \$1,457,729.00 for the construction of Phase I of the Germantown Athletic Club's Renovation Project.

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: September 14, 2015

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

SUBJECT: DESIGN SUPPLEMENT NO. 2 – CONTRACT ADMINISTRATION & CONSTRUCTION INSPECTION – GERMANTOWN ATHLETIC CLUB PHASE 1

INTRODUCTION:

The purpose of this agenda item is to consider approval of Supplement No. 2 in the amount of \$24,000.00 to the Professional Services Agreement with Fleming Architects for contract administration & construction inspection essential for Phase I improvements to the Germantown Athletic Club increasing the contract amount from \$258,500.00 to \$282,500.00.

BACKGROUND:

On January 27, 2014 the City entered into a Professional Services Agreement with Fleming Architects in the amount of \$256,500.00 for the design of renovations to the Germantown Athletic Club. On May 11, 2015 the Board of Mayor and Aldermen approved Design Supplement No.1 to Fleming Architects' Design Contract in the amount of \$2,000.00 for additional fire system monitoring that was required by the Fire Marshall's Office increasing the total contract amount to \$258,500.00.

On September 14, 2015, the Board of Mayor and Aldermen approved a construction contract with A & B Construction in the amount of \$1,457,729.00 for the construction of Phase I of the Germantown Athletic Club Renovation Project. A & B Construction's bid was the lower of two bids that were submitted.

DISCUSSION:

This Professional Services Supplement will provide construction administrative services to support the City's staff during the construction of Phase I of the Germantown Athletic Club Renovation Project. These activities include review of contractor's submittals and shop drawings; response to contractor's request for information; regular site visits to ensure the project is being built according to plans & specifications; biweekly progress meetings with Owner, Architect and Contractor to review progress; review of pay applications, preparation of as-built drawings and coordination with the City's staff during project closeout.

Although the project was designed to be constructed in phases to coincide with available funding, the design including the preparation of all bid documents were completed on the front end for all three proposed phases with an estimated construction cost \$5,000,000.00. The design fee to date including Supplement No. 1 is \$258,500.00 which is 5.2% of the estimated total construction cost.

DESIGN SUPPLEMENT NO. 2 – CONTRACT ADMINISTRATION & CONSTRUCTION INSPECTION -
GERMANTOWN ATHLETIC CLUB PHASE 1

September 14, 2015

Page 2

The \$24,000.00 fee for this proposed Supplement No. 2 brings the total cost of the Professional Services Contract for the project to \$282,500.00. Similar fees for contract administration and construction inspection for the other two phases would increase the total professional services cost to \$330,500.00 which is 6.6% of the \$5,000,00.00 estimated construction cost and is well within the customary fee for this size project. The funding for Supplement No. 2 is included in the FY16 CIP Budget and staff recommends approval of Supplement No. 2 in the amount of \$24,000.00.

VISION 2020:

This project supports the Vision 2020 Financial Sustainability Goal 22 through the implementation of the 2005-2006 City Facility and Capital Asset Strategy for maintaining and upgrading city facilities for operating effectiveness and long-term sustainability.

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 Expenditures</u>
CIP	042-4620-462.92-10 GC1501	GAC	Building Improvements	\$42,271.00	\$24,000.00

ATTACHMENTS

Design Supplement Proposal

Prepared by: Butch Eder
Butch Eder, CIP Manager

Reviewed by: Reynold D. Douglas
Reynold Douglas, General Services Director

Reviewed by: Phil Rogers
Phil Rogers, Athletic Club Director

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

Reviewed by: Ralph J. Gabb
Ralph J. Gabb, Finance Director

DESIGN SUPPLEMENT NO. 2 – CONTRACT ADMINISTRATION & CONSTRUCTION INSPECTION -
GERMANTOWN ATHLETIC CLUB PHASE 1

September 14, 2015

Page 3

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

To approve Supplement No. 2 in the amount of \$24,000.00 to the Professional Services Agreement with Fleming Architects for contract administration & construction inspection essential for Phase I improvements to the Germantown Athletic Club increasing the contract amount from \$258,500.00 to \$282,500.00.

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