



John P. Franklin, Sr. City Council Building  
Chattanooga, Tennessee

**COUNCIL MEETING MINUTES**

June 25, 2019  
6:00 PM

**CALL TO ORDER**

Council Chairman Erskine Oglesby called the meeting to order with Vice-Chairman Chip Henderson and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Darrin Ledford, Jerry Mitchell and Ken Smith. Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, were also present.

**PLEDGE OF ALLEGIANCE**

Councilman Ledford led the Assembly in the Pledge of Allegiance. He then welcomed everyone and spoke on the Council building renaming ceremony for the late John P. Franklin, Sr.

**APPROVAL OF LAST MINUTES**

On motion of Councilman Gilbert and seconded by Councilman Mitchell, the minutes of the last meeting (June 18, 2019) were approved as published.

**ORDINANCES – FINAL READING:**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**ORDINANCE #13473**

**AN ORDINANCE, HEREINAFTER ALSO KNOWN AS “THE FISCAL YEAR 2019-2020 OPERATIONS BUDGET”, PROVIDING REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020; APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES; AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTION 2-267, RELATIVE TO PAID LEAVE FOR ACTIVE-DUTY TRAINING AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-36, 31-37, 31-41, AND 31-43, SECTIONS 31-322 AND 31-354.**

The motion carried unanimously upon roll call vote as follows:

Berz	YES	Ledford	YES
Byrd	YES	Mitchell	YES
Coonrod	YES	Smith	YES
Gilbert	YES	Oglesby	YES
Henderson	YES		

**ACTION: APPROVED**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**ORDINANCE #13474**

**AN ORDINANCE APPROPRIATING, AUTHORIZING OR ALLOCATING FUNDS TO THE CAPITAL IMPROVEMENTS BUDGET FOR THE FISCAL YEAR 2019-2020.**

The motion carried unanimously upon roll call vote as follows:

Berz	YES	Ledford	YES
Byrd	YES	Mitchell	YES
Coonrod	YES	Smith	YES
Gilbert	YES	Oglesby	YES
Henderson	YES		

**ACTION: APPROVED**

2019-045  
Chazen Engineering Consultants % Justin Tirsun  
Alternate Version #3  
District No. 1

On motion of Vice-Chairman Henderson and seconded by Councilman Smith,

**ORDINANCE #13475**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY ADDRESSED TO FRINGE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM A-1 URBAN AGRICULTURAL ZONE AND R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, C-2 CONVENIENCE COMMERCIAL ZONE AND UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

2019-039  
Chattanooga Gas Company % Josh McCrary  
Planning Version #5  
District No. 5

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

**ORDINANCE #13476**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6421 BONNY OAKS DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-3 WAREHOUSE AND WHOLESALE ZONE AND R-3 RESIDENTIAL ZONE TO M-2 LIGHT INDUSTRIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

On motion of Vice-Chairman Henderson and seconded by Councilman Ledford,

**ORDINANCE #13477**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 24, DIVISION 8, SECTION 24-507, RELATIVE TO RESTRICTED ON-STREET PARKING AREAS.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

On motion of Councilwoman Coonrod and seconded by Councilman Mitchell,

**ORDINANCE #13478**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 11, ARTICLE XX, SHORT TERM VACATION RENTAL CERTIFICATE, SECTION 11-510, BY AMENDING THE DEFINITION OF “SHORT TERM VACATION RENTAL DISTRICT” TO ADOPT A NEW SHORT TERM VACATION RENTAL OVERLAY DISTRICT MAP FOR PROPERTY EXTENDED ON SEMINOLE TO END AT 3218 PINWOOD AVENUE.**

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**RESOLUTION #29959**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A FOURTH AMENDMENT TO LEASE AGREEMENT WITH EAST NOOGA, LLC, IN SUBSTANTIALLY THE FORM ATTACHED, FOR SENIOR ACTIVITY MEETING SPACE IN A PORTION OF EASTGATE TOWN CENTER AT 5600 BRAINERD ROAD FOR AN ADDITIONAL TERM OF ONE YEAR, FOR THE AMOUNT OF \$6,843.00 PER MONTH, FOR A TOTAL AMOUNT OF \$82,116.00 PER YEAR.**

**ACTION: ADOPTED**

On motion of Councilman Byrd and Councilman Smith,

**RESOLUTION #29960**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A SECOND AMENDMENT TO LEASE AGREEMENT AND AGREEMENT TO EXERCISE OPTION TO RENEW, IN SUBSTANTIALLY THE FORMS ATTACHED, WITH BESSIE SMITH CULTURAL CENTER, TO INCLUDE EXTENSION OF THE AGREEMENT TERM TO JULY 1, 2024.**

**ACTION: ADOPTED**

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

**RESOLUTION #29961**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO DONATE SIX (6) YOUTH MOUNTAIN BICYCLES TO THE CITY OF COLLEGEDALE POLICE DEPARTMENT INITIATIVE FOR BICYCLE AND PEDESTRIAN SAFETY PROGRAMS, FOR AN ESTIMATED TOTAL VALUE OF \$240.00.**

**ACTION: ADOPTED**

**Agenda Item VII(d):**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH CITYVIEW, A DIVISION OF N. HARRIS COMPUTER CORPORATION, FOR CLOUD HOSTING SERVICES RELATED TO THE OPERATING SYSTEM FOR ECD CODE DIVISION, FOR A ONE-YEAR PERIOD BEGINNING JULY 1, 2019, AND RENEWABLE FOR TWO (2) ADDITIONAL ONE-YEAR TERMS, FOR A TOTAL OF THREE (3) YEARS, FOR A TOTAL AMOUNT NOT TO EXCEED \$150,000.00.**

Vice-Chairman Henderson informed the Council that a resolution would not be needed on this item since the matter was included in the proposed purchasing list. Therefore, **Vice-Chairman Henderson moved** to withdraw, seconded by Councilman Ledford. The motion carried.

**ACTION: WITHDRAWN**

On motion of Councilman Byrd and seconded by Councilman Mitchell,

**RESOLUTION #29962**

**A RESOLUTION SETTING A PUBLIC HEARING TO ESTABLISH A DOWNTOWN CENTRAL BUSINESS IMPROVEMENT DISTRICT, PURSUANT TO TENNESSEE CODE ANNOTATED SECTION 7-84-511(2).**

The motion carried upon roll call vote as follows:

<b>Smith</b>	<b>NO</b>	<b>Coonrod</b>	<b>ABSTAIN</b>
<b>Mitchell</b>	<b>YES</b>	<b>Byrd</b>	<b>YES</b>
<b>Ledford</b>	<b>YES</b>	<b>Berz</b>	<b>YES</b>
<b>Henderson</b>	<b>YES</b>	<b>Oglesby</b>	<b>YES</b>
<b>Gilbert</b>	<b>NO</b>		

**YES – Six (6); NO – Two (2); Abstain – One (1)**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Smith,

**RESOLUTION #29963**

**A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO ENGAGE THE VARIOUS LAW FIRMS LISTED BELOW FOR LEGAL SERVICES IN GENERAL LITIGATION MATTERS; CORPORATE, TRANSACTIONAL, INTELLECTUAL PROPERTY & ADMINISTRATIVE MATTERS; LABOR & EMPLOYMENT MATTERS; PLANNING & ZONING MATTERS; AND GOVERNMENT RELATIONS MATTERS FOR THE PERIOD OF JULY 1, 2019 THROUGH JUNE 30, 2020.**

**ACTION: ADOPTED**

On motion of Councilman Mitchell and seconded by Vice-Chairman Henderson,

**RESOLUTION #29964**

**A RESOLUTION TO CONFIRM THE MAYOR'S RE-APPOINTMENTS OF RONALD W. SMITH AND TREVOR F. ATCHLEY TO THE BEER AND WRECKER BOARD.**

**ACTION: ADOPTED**

On motion of Councilman Smith and seconded by Councilman Ledford,

**RESOLUTION #29965**

**A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENTS OF VINCE BUTLER AND ALICIA ANNE "PAM" THOMPSON TO THE BEER AND WRECKER BOARD.**

**ACTION: ADOPTED**

On motion of Vice-Chairman Henderson and seconded by Councilman Mitchell,

**RESOLUTION #29966**

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. R-19-006-201 TO INTEGRATED PROPERTIES, LLC OF CHATTANOOGA, TN, MULTIPLE BALLFIELD AND FACILITY IMPROVEMENTS, IN THE AMOUNT OF \$160,905.04, WITH A CONTINGENCY IN THE AMOUNT OF \$20,000.00, FOR A TOTAL AMOUNT OF \$180,905.04.**

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Vice-Chairman Henderson,

**RESOLUTION #29967**

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. W-19-002-201 TO TALLEY CONSTRUCTION COMPANY, INC. OF ROSSVILLE, GA, SANITARY SEWER INSTALLATION AND REPAIR AT ISS AND RELATED FACILITIES BLANKET CONTRACT, IN THE AMOUNT OF \$1.5 MILLION.**

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Vice-Chairman Henderson,

**RESOLUTION #29968**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR BARGE DESIGN SOLUTIONS, INC. RELATIVE TO CONTRACT NO. T-15-013-101, DOWNTOWN ONE-WAY TO TWO-WAY CONVERSION, FOR AN INCREASED AMOUNT OF \$13,553.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$83,053.00.**

**ACTION: ADOPTED**

On motion of Vice-Chairman Henderson and seconded by Councilman Gilbert,

**RESOLUTION #29969**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO APPLY FOR AND, IF AWARDED, ACCEPT A SECTION 5310 ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES GRANT FROM THE FEDERAL TRANSIT ADMINISTRATION, WITH THE CITY'S CONTRIBUTION NOT TO EXCEED \$74,400.00, FOR AN AMOUNT NOT TO EXCEED \$372,000.00.**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Emergency Purchase**

Bonnie Woodward, Purchasing Director, informed the Council of the following emergency purchase.

**R186365 - Transportation Department** Total Purchase \$2,500,000.00  
Emergency Purchase - Slope Failure Stabilization –  
Transportation Department  
Lowest/Best Bidder: Rembco Geotechnical Contractors, Inc.  
P.O. Box 23009  
Knoxville, TN 37933

The emergency purchase letter was signed in this open meeting by Blythe Bailey, Transportation Administrator.

**Proposed Purchases**

Ms. Woodward also briefed the Council on the following proposed purchases:

**PO520703 - Information Technology Department** Estimated \$250,000.00  
Blanket Contract Extension - Verizon Wireless High Speed  
& Cell Voice and Data Services - Information Technology Department  
Lowest/Best Bidder: Verizon Wireless  
5959 Shallowford Road, Ste #109  
Chattanooga, TN 37421

**R185821 - Information Technology Department** Estimated \$70,000.00 Annually  
New Blanket Contract - CityView Platform Hosting –  
Information Technology Department for ECD  
Lowest/Best Bidder: Harris Computer Corporation  
1 Antares Drive, Ste 400  
Ottawa, Ontario K2E 8C4

**R183421 - Information Technology Department** Estimated \$40,000.00 Annually  
New Blanket Contract - RecTrac Software and Hosting - Information Technology Department for  
Lowest/Best Bidder: YFD  
Vermont Systems, Inc.  
12 Market Place Essex Junction, VT 05452

**R185233 - Chattanooga Police Department** Estimated \$35,000.00 Annually  
New Blanket Contract - Adams Arms AR-15 Rifles –  
Chattanooga Police Department  
Lowest/Best Bidder: Adams Arms, LLC  
1551 Gunn Hwy  
Odessa, FL 33556

**PO545232 - Chattanooga Police Department** Estimated \$62,000.00 Annually  
Blanket Contract Renewal - Janitorial Services for  
Police Service Center Complex - Chattanooga Police Department  
Lowest/Best Bidder: Metro Janitorial Service, Inc.  
8115 Snowhill Road  
Ooltewah, TN 37363

**R184321 - Human Resources Department** Estimated \$465,000.00 Annually  
New Blanket Contract - Stop Loss Insurance –  
Human Resources Department  
Lowest/Best Bidder: BlueCross BlueShield of Tennessee, dba BlueRe of Tennessee  
1 Cameron Hill Circle  
Chattanooga, TN 37402

**PO545860 - Department of Youth & Family Development** - Total Estimated \$270,000.00 Annually  
Renewal of Blanket Contract - Food and Kitchen Supplies –  
Department of Youth & Family Development  
Lowest/Best Bidder: Wholesale Company, Inc.  
P.O. Box 458  
Cleveland, TN 38503

**R184937 - Department of Youth & Family Development** - Total Estimated \$130,000.00 Annually  
Two (2) New Blanket Contracts - Bus Transportation Services –  
Department of Youth & Family Development  
Lowest/Best Bidders:

1. Chattanooga Bus Company, LLC - 2000 E. 29th Street, Chattanooga, TN, 37407
2. Sneed Transport, LLC - 1817 Crabtree Road, Hixson, TN, 37343

**R184060 - Public Works Department** Estimated \$75,000.00 Annually

New Blanket Contract - Lumber & Lumber Products –  
City Wide Services - Public Works Department  
Lowest/Best Bidder: Evans Lumber Company  
2700 8th Avenue  
Chattanooga, TN 37407

**R183023 - Public Works Department** Estimated \$80,000.00 Annually

New Blanket Contract - Petersen Knuckleboom Loader  
OEM Parts & Service - Fleet Management Division –  
Public Works Department  
Lowest/Best Bidder: CMI Equipment Sales, Inc,  
P.O. Box 1528  
Goodlettsville, TN 37070

**R184844 - Public Works Department** Total Estimated \$600,000.00 Annually

Three (3) New Blanket Contract – Tires for Small &  
Light Duty Vehicles – Fleet Management Division –  
Public Works Department  
Lowest/Best Bidders:

1. Highland Tire & Auto, Inc. - 3886 Hixson Pike, Chattanooga, TN 37415
2. Best One Tire - 2348 Rossville Blvd., Chattanooga, TN 37408
3. East Ridge Fast Lube - 3208 Ringgold Road, Chattanooga, TN 37412

**PO544980 - Public Works Department** Increase \$35,000.00 ~~~~~  
Revised Total Estimate \$135,000.00

Increase to Authorized Expenditures –  
Roof Inspection & Repair Services –  
Waste Resources Division - Public Works Department  
Lowest/Best Bidder: JDH Company  
1133 Main Street  
Chattanooga, TN 37408

**PO540618 - Public Works Department** Increase \$660,000.00 ~~~~~  
Revised Total Estimate \$1,250,000.00

Increase to Authorized Expenditures –  
Liquid Sodium Bisulfite - Waste Resources Division –  
Public Works Department  
Lowest/Best Bidder: Southern Ionics  
P.O. Box 1217  
West Point, MS 39773

**PO553426 - Public Works Department**

Estimated \$800,000.00 Annually

Renewal of Blanket Contract - Emulsion Polymer –  
Waste Resource Division - Public Works Department  
Lowest/Best Bidder: Solenis, LLC.  
3 Beaver Valley Road Ste 500  
Wilmington, DE 19803

**PO544638 - Public Works Department**

Estimated \$26,000.00 Annually

Blanket Contract Renewal - Herbicide Treatment –  
City Wide Services - Public Works Department  
Lowest/Best Bidder: Edko LLC.  
P.O. Box 1577  
Tuscaloosa, AL 35403

**PO550042 PO550043 PO550044 - Public Works**

Total Estimated \$2,100,000.00 Annually

Three (3) Blanket Contract Renewals - HVAC Service,  
Repairs, Equipment & Installation - City Wide –  
Facilities Management Division - Public Works Department  
Lowest/Best Bidders:

1. Mountain City Services, Inc. - P.O. Box 300 – 2408, Taft Highway, Signal Mountain, TN 37377
2. Metro Services, Inc. - 4470 Pinnacle Lane, Chattanooga, TN 37415
3. W.J. O'Neal Company - 500A West 26th Street, Chattanooga, TN 37408

**PO550679 PO550700 - Public Works Department**

Total Estimated \$140,000.00 Annually

Two (2) Blanket Contract Renewals - GIS Application Support –  
GIS System Database Division - Public Works Department  
Lowest/Best Bidder:

1. NuOrigin Systems, Inc. - 128 Holiday Court, Ste 126 Franklin, TN 37067
2. Wood Environmental & Infrastructure Solutions, Inc. - 736 Market Street, Ste. 1510,  
Chattanooga, TN 37402

**On motion of Councilwoman Berz** and seconded by Vice-Chairman Henderson, all purchases were approved.

**ACTION: ALL PURCHASES APPROVED**

**OTHER BUSINESS:**

**Ethics Complaint**

As required by City Code Section 2-7-61(b), Attorney Noblett reported that an ethics complaint had been filed, charging that the Council Chair’s involvement with River City Company created a fiduciary obligation during the BID vote. Attorney Noblett informed the Assembly that the complaint was sent to outside counsel, who ruled that no violation of the ethics code was found.

## **Board Appointment**

Councilman Mitchell appointed Kay Baker as District 2 representative on the *Police Advisory and Review Committee* for a 2-year term.

## **COMMITTEE REPORTS:**

### *Budget and Finance Committee*

Councilwoman Berz

- With the second and final votes on the operations and capital budgets today, the Council's work for the FY20 Budget has ended.

### *Economic and Community Development Committee*

Councilman Byrd

(No report)

### *Human Resources Committee*

Councilman Gilbert

(No report)

### *Planning and Zoning Committee*

Councilman Ledford reported:

- The committee will meet next week (July 2) after the 3:00 p.m. Agenda Session.

### *Public Safety Committee*

Councilman Smith reported:

- The committee will meet on July 9 to hear a presentation by the Hamilton County Health Department. This meeting will take place after the 3:00 p.m. Agenda Session.

### *Public Works and Transportation Committee*

Councilman Mitchell reported:

- The committee met today in open meeting. Councilman Smith introduced legislation regarding a 6-month moratorium on dockless vehicles. The legislation will be added to next week's agenda.
- Vice-Chairman Henderson brought a resolution regarding WWTa and an interlocal agreement. That resolution will be added to the agenda in two weeks (July 9).
- The committee will meet again in two weeks.

### *Youth and Family Development Committee*

Councilwoman Coonrod

(No report)

### *Legislative Committee*

Vice-Chairman Henderson

(No report)

## **RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL (Non-Agenda Items)**

Attorney Noblett read the rules of procedure for persons wishing to address the Council on non-agenda items. After which, Chairman Oglesby recognized the following persons:

- **Leah (District 9)** – She lives in District 9, but works downtown. She wanted to speak on government officials not participating in matters where there is a financial gain. She spoke on the definition of financial gain. She spoke on conflict of interest for employees and board members and divesting themselves of the conflict. She believes the conflict of interest should be applied to the proposed BID. She discussed what she called a “greater value” being placed on owners who will pay more for the BID and that one particular downtown owner will pass down the cost of the BID to his tenants.
- **Keeli Crewe (Chattanooga)** – She owns Area 61 Gallery, which is moving soon to the McClellan Building after 8-1/2 years of supporting local artists in their Broad Street location. She has negotiated three lease agreements, including downtown in the West Village, and her leases always refer to taxes being paid by tenants. She knows that leases will require tenants to share the burden of taxes. She wants to know if she can speak at the public hearing on the BID, even though she is not a property owner within the proposed district. She has worked downtown since 1986 and is affected by the district. She argued that downtown city center is already beautiful.
  - Chairman Oglesby indicated that her question could be addressed after the meeting.
- **Blake (Chattanooga)** – She wanted to speak on research showing the effects of BIDs in certain areas, but Chairman Oglesby would not allow her to speak on the BID since it was an agenda matter tonight. She offered to speak in general on BIDs and not specific to tonight’s agenda item. She wanted to clarify that the Chairman was silencing her voice.
  - Chairman Oglesby offered to speak to her after the meeting.
- **Rick Carpenter (Chattanooga)** – He feels that people have a hard time communicating with the Council. He asked the City Attorney to define the word “disparaging” that appears in the Council’s rules and identify his definition source since there are multiple definitions of the word. He feels that how the Council defines “disparaging” remarks may differ from how the public, specifically millennials and younger, may infer the word. He also wanted to ask Chief Roddy about a particular police officer, but Chief Roddy was not present at this meeting.
- **Edward Hewitt (Chattanooga)** – He asked Attorney Noblett to read the rules for non-agenda speakers again and argued that the rules do not specifically forbid speaking on agenda items. He feels the Attorney is creating arbitrary rules to hinder speech on certain topics. He described himself as a young, college-educated man who understand the rules as written. He came to hear and support someone speak on a matter that is important to him, but that person was not allowed to speak on the matter.

## **ADJOURNMENT**

**On motion of Vice-Chairman Henderson**, Chairman Oglesby adjourned the meeting of the Chattanooga City Council until Tuesday, July 2, 2019, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**

*Attachment:*  
*Emergency Purchase Letter*



# City of Chattanooga

Mayor Andy Berke

June 19, 2019

Blythe Bailey  
Administrator  
Department of Transportation  
1250 Market Street  
Chattanooga, TN 37402

**Subject: 186365 – Emergency Purchase – Slope Failure Stabilization –  
Transportation Department**

Dear Mr. Bailey:

The Transportation Department has established that it was necessary to initiate this emergency purchase for the purpose of stabilizing and repairing the slope failures that have occurred on Elder Mountain Road. The purchase order was issued to Rembeo Geotechnical Contractors in the amount of \$2,500,000.00. We have attached an emergency requisition and justification letter from the department describing the circumstances of this emergency.

In my opinion, this emergency purchase repair was justified and the City's best interest was served by the decision.

Respectfully yours,

Handwritten signature of Bonnie Woodward in black ink.

Bonnie Woodward,  
Director of Purchasing

Emergency purchase approved  
and should be entered in the  
minutes of the City Council as  
stipulated by Ordinance 5608,  
Section 3.

Handwritten signature of Blythe Bailey in blue ink.

Blythe Bailey, Administrator  
Transportation Department

BW/dt

Attachments

10K Validation Approval : Purchase Requisition 186365 for Williams, Lisa (2,500,000.00 USD)- NIGP Code: 912-16-40

Back Step 9 of 9 Approve Reject Reassign More Information Request

From	<b>Williams, Lisa</b>	Description	<b>Emergency PO_T-19-005-002 Slope Failures_ElderMtnRd_Stabilization and repair of failing slopes on Elder Mountain_Rembo</b>
To	<b>10K Excess Notification</b>	Requisition Total	<b>2,500,000.00 USD</b>
Sent	<b>13-Jun-2019 13:17:06</b>	Estimated Tax	<b>0.00 USD</b>
Due	<b>20-Jun-2019 13:17:06</b>	Attachments	
ID	<b>2220344</b>		

This Requisition will cause the total purchase of this commodity to exceed \$10,000 for the previous 12 months.

NOTE: If you want the Requestor to enter a requisition for a Blanket Agreement for this commodity, reject this requisition.

APPROVAL of this requisition will forward it to the next approver without a Blanket Agreement.

REJECTION of this requisition will return it to the requestor with a notification to create a requisition for a Blanket Agreement.

Approval Sequence



Num	Name	Action	Action Date	Note
1	Williams, Lisa W	Submitted	13-Jun-2019 13:17:05	

Related Applications

Open Document

Response

Note

Return to Worklist Back Step 9 of 9 Approve Reject Reassign More Information Request



**City of Chattanooga**  
**Mayor Andy Berke**

May 17, 2019

Bonnie Woodward, Administrator  
Purchasing Division  
101 East 11th Street  
Chattanooga, TN 37402

**Re: Emergency Purchase of Soil Nailing Services for Elder Mountain Slope Failure Stabilization**

Dear Ms. Woodward,

The City of Chattanooga Department of Transportation (CDOT) would like to enter into an emergency agreement with Rembco Geotechnical Contractors, Inc. for the purpose of stabilizing and repairing the slope failures that have occurred on Elder Mountain Road. The original slope failure has affected both lanes of the two-lane road that serves the neighborhood at the top of the mountain. A temporary lane has been constructed which currently allows vehicles to pass through the failure area one vehicle at a time. Additional slope failures along the edge of the roadway have the potential to affect remaining sections of the road, posing a potential public safety hazard, and require immediate repair.

CDOT received word and visited the site of the initial slope failure on Elder Mountain Road on February 25, 2019, and initially solicited cost estimates for soil nailing operations from Rembco Geotechnical Contractors, Inc. and GSI, Inc. (both soil nailing contractors) on March 8, 2019. After a subsequent visit to the site, additional failure areas were located and both contractors were requested to provide revised proposals reflecting the additional failure areas on April 10, 2019. As of May 17, 2019, Rembco is the only responding contractor to the request for a revised estimate.

While the original slope failure date is more than 30 days past, Elder Mountain Road is the only roadway on and off of Elder Mountain and is an essential life safety route for emergency services. Additionally, the compromised slopes present a potential public safety hazard. Due to the nature of the single access roadway and the length of time required to pursue a Request for Proposal through standard purchasing procedures, CDOT needs to immediately establish a contract with Rembco to begin slope stabilization repairs.

~~Attached is a copy of the proposal from Rembco reflecting the revisions requested on April 10, 2019.~~

Additional documentation is available for review if necessary.

Sincerely,

A handwritten signature in black ink, appearing to read "Blythe Bailey". The signature is fluid and cursive, with a prominent initial "B".

Blythe Bailey, Administrator  
Chattanooga Department of Transportation



Katie Snyder &lt;ksnyder@chattanooga.gov&gt;

## Elder Mountain Slope Repairs

Mike Bivens <mike.bivens@rembco.com>  
To: Katie Snyder <ksnyder@chattanooga.gov>  
Cc: Nick Bachand <nick.bachand@rembco.com>

Sat, May 4, 2019 at 10:21 PM

Katie,

I've attached a draft budget estimate to add on the upper 2 areas. As you can see on the screenshot below, the areas appear to extend off to the east of the Topo information we had previously. Can you dig up some topo for the section just to the east of the area you sent over previously? (see autoCAD screenshot below and this should make sense). Back in early March, Mark Heinzer sent me a google drive link with the topo information in DWG format, and I hope it is easy to extend that linework to the east to pick up the entire upper work area.

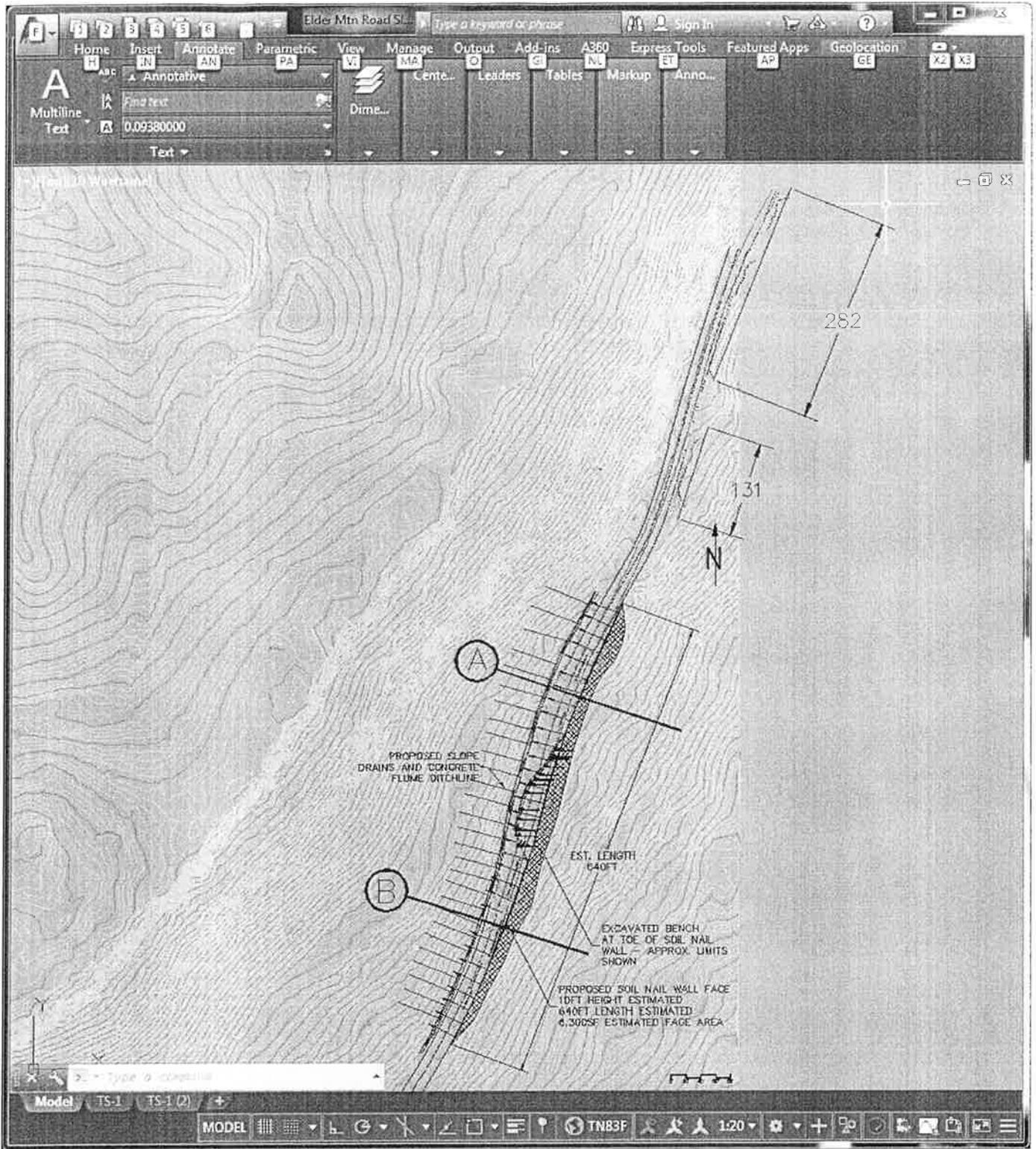
The attached budget estimate is based on "scaling" up the budget I sent over back in March for the lower section. As you can see, the upper sections increase the total length of the work area by about 410ft, but without the topo, it's difficult to tell where to stop the eastern end of the work. For now, I've chosen to add in a conservative "extension" length of 500ft, expecting to need a bit longer work area than what is dimensioned below. We can revise this once we get the rest of the topo information.

I'm tied up in an eMBA residency this week with access to email and phone only in the evenings or during a break. When I return to the office on the week of 5/13, I'll have some time to get deeper into this estimate if you are able to find us some eastern topo linework this week to extend the map east.

Once we get the topo information and some geotechnical data.....it will be easier to forecast the nail lengths. There is over \$1M of nail length budget in the estimate. As the largest line item, the overall budget can change quite a bit based on nail lengths. We need borings and the topo information to design the walls and figure out the nail lengths in order to wrap up a good budget estimate. Until we tie down those loose ends, please understand that these estimates are only as good as we can guess the end condition including wall heights and nail lengths. Notice also that I've broken out the earthwork on a daily rate with 25days included in the budget.

Let me know what you think once you've had some time to look at this....and send over the eastern topo information if you can gather up something there so I can run the "conceptual" design off to the new areas (then I'll update the 3-10-19 concept drawing PDF to include those eastern areas).

For convenience in comparison, I attached the 3/10 budget for only the lower area along with the 5/4/19 budget information.



Sincerely yours,

Mike Bivens, P.E.,

Chief Engineer

Rembco Geotechnical Contractors, Inc.

PO Box 23009

Knoxville, TN 37933

5/17/2019

City of Chattanooga Mail - Elder Mountain Slope Repairs

865-671-2925 office

865-363-4708 cell

Mike.Bivens@Rembco.com

**From:** Katie Snyder <ksnyder@chattanooga.gov>  
**Sent:** Monday, April 29, 2019 3:59 PM  
**To:** Mike Bivens <mike.bivens@rembco.com>  
**Subject:** Re: Elder Mountain Slope Repairs

Mike,

[Quoted text hidden]

[Quoted text hidden]

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**3 attachments**



**EST. QUANTITIES AND PRICING - 5-4-19.pdf**  
92K



**Elder Mtn Road Slope Failure - Preliminary Repair Concept Drawing - 3-10-19.pdf**  
1535K



**EST. QUANTITIES AND PRICING - 3-10-19.pdf**  
91K

**ELDER MOUNTAIN ROAD SLIDE REPAIR - BUDGET ESTIMATE - 5/4/2019**

ESTIMATED QUANTITIES FOR PROPOSAL - TO BE CONFIRMED FROM FINAL DESIGN

QUANTITIES MAY VARY FROM THIS ESTIMATE - PREPARE REVISED PRICING AFTER DESIGN IS APPROVED



ITEM #	DESCRIPTION	QUANTITY	UNITS	EST. UNIT PRICE	EST. TOTAL
1	GEOTECHNICAL INVESTIGATION	1	EA	\$	14,375
2	DESIGN ENGINEERING AND SUBMITTAL PREPARATION	1	EA	\$	20,000
3	RESPONSE TO REVIEW COMMENTS AND RESUBMIT - HOURLY	55	HR	\$ 150	\$ 8,250
4	SWPPP PREPARATION AND SUBMITTAL	1	EA	\$	9,500
5	MOBILIZATION	1	EA	\$	75,000
6A	EROSION CONTROL - UP TO 1,000LF ESTIMATED	1	EA		
6B	EXCAVATION AND WASTING SOIL OFF SITE UP TO 3,000CY	1	EA		
6C	80,000# EXACAVATOR, 2 DUMP TRUCKS, 1 D5 DOZER	1	EA		
6D	UP TO 25 DAYS WORK ON SITE FOR EXCAVATION CREW	1	EA		
6E	EXCAVATION CREW OF 4 PERSONS PLUS SITE LAYOUT CREW	1	EA		
6F	EXCAVATING CREW AND EQUIPMENT AND WASTE HAUL OFF	25	days	\$ 14,145	\$ 353,625
7	ASPHALT REPAIR	3,866	SY	\$ 29	\$ 111,634.45
8	GUARDRAIL REPLACEMENT USING 6FT POSTS	1200	LF	\$ 40	\$ 48,000
9	SOIL NAILS INSTALLED	24570	LF	\$ 42	\$ 1,031,940
10	SHOTCRETE FACING	11300	SF	\$ 49	\$ 553,700
11	CONCRETE LINED FLUME DITCH 4" THICK X 48" WIDE	1200	LF	\$ 44	\$ 52,800
12	SLOPE DRAINS INSTALLED EST. 60FT LENGTH AND 20FT C-C	3420	LF	\$ 40	\$ 136,800
13	TOPSOIL, SEED, AND STRAW	1	EA	\$	15,630
14	EROSION CONTROL BLANKETS INSTALLED	165	SY	\$ 15	\$ 2,468
15	DEMobilIZATION	1	EA	\$	20,000

Included in 6F

Estimated Total ----->> \$ **2,064,467**  
 % OF THE 3/10/19 BUDGET----->> 134%

**ELDER MOUNTAIN ROAD SLIDE REPAIR - BUDGET ESTIMATE - 3/10/2019**

ESTIMATED QUANTITIES FOR PROPOSAL - TO BE CONFIRMED FROM FINAL DESIGN

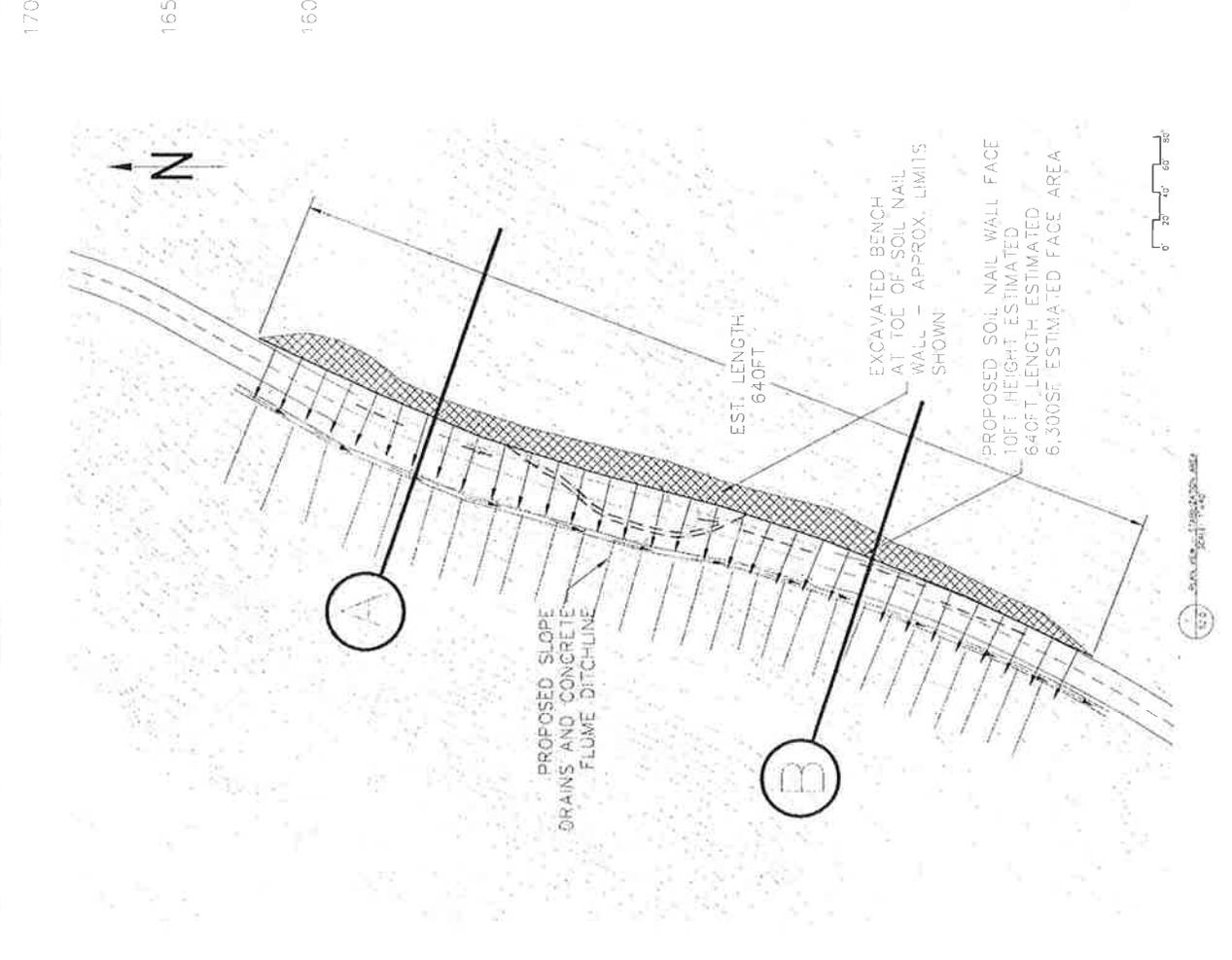
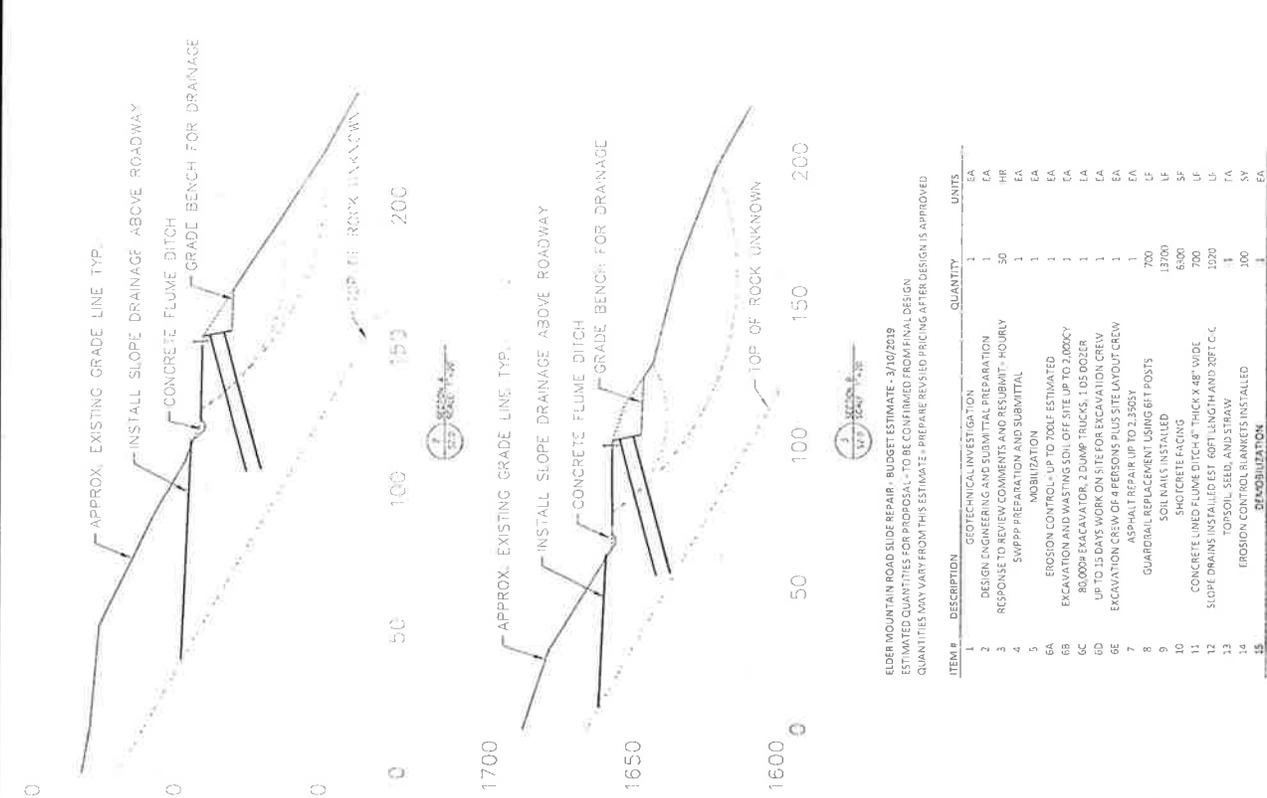
QUANTITIES MAY VARY FROM THIS ESTIMATE - PREPARE REVISED PRICING AFTER DESIGN IS APPROVED



ITEM #	DESCRIPTION	QUANTITY	UNITS	EST. UNIT PRICE	EST. TOTAL
1	GEOTECHNICAL INVESTIGATION	1	EA	\$	15,000
2	DESIGN ENGINEERING AND SUBMITTAL PREPARATION	1	EA	\$	15,000
3	RESPONSE TO REVIEW COMMENTS AND RESUBMIT - HOURLY	50	HR	\$ 150	\$ 7,500
4	SWPPP PREPARATION AND SUBMITTAL	1	EA	\$	9,500
5	MOBILIZATION	1	EA	\$	75,000
6A	EROSION CONTROL - UP TO 700LF ESTIMATED	1	EA		
6B	EXCAVATION AND WASTING SOIL OFF SITE UP TO 2,000CY	1	EA		
6C	80,000# EXCAVATOR, 2 DUMP TRUCKS, 1 D5 DOZER	1	EA	\$	369,000
6D	UP TO 15 DAYS WORK ON SITE FOR EXCAVATION CREW	1	EA		
6E	EXCAVATION CREW OF 4 PERSONS PLUS SITE LAYOUT CREW	1	EA		
7	ASPHALT REPAIR UP TO 2,350SY	1	EA	\$	88,500
8	GUARDRAIL REPLACEMENT USING 6FT POSTS	700	LF	\$ 40	\$ 28,000
9	SOIL NAILS INSTALLED	13700	LF	\$ 43	\$ 589,100
10	SHOTCRETE FACING	6300	SF	\$ 52	\$ 327,600
11	CONCRETE LINED FLUME DITCH 4" THICK X 48" WIDE	700	LF	\$ 44	\$ 30,800
12	SLOPE DRAINS INSTALLED EST. 60FT LENGTH AND 20FT C-C	1920	LF	\$ 40	\$ 76,800
13	TOPSOIL, SEED, AND STRAW	1	EA	\$	9,500
14	EROSION CONTROL BLANKETS INSTALLED	100	SY	\$ 15	\$ 1,500
15	DEMobilIZATION	1	EA	\$	20,000

Estimated Total ----->> \$ 1,544,800





ELDER MOUNTAIN ROAD SLIDE REPAIR - BUDGET ESTIMATE - 3/10/2019  
 ESTIMATED QUANTITIES FOR PROPOSAL - TO BE CONFIRMED FROM FINAL DESIGN  
 QUANTITIES MAY VARY FROM THIS ESTIMATE - PREPARE REVISED PRICING AFTER DESIGN IS APPROVED

ITEM #	DESCRIPTION	QUANTITY	UNITS
1	GEOTECHNICAL INVESTIGATION	1	EA
2	DESIGN ENGINEERING AND SUBMITTAL PREPARATION	1	EA
3	RESPONSE TO REVIEW COMMENTS AND RESUBMITTAL - HOURLY	90	HR
4	SWPPP PREPARATION AND SUBMITTAL	1	EA
5	MOBILIZATION	1	EA
6A	EROSION CONTROL - UP TO 700LF ESTIMATED	1	EA
6B	EXCAVATION AND WASTING SOIL ON SITE UP TO 2,000CY	1	EA
6C	80,000 EXCAVATOR, 2 DUMP TRUCKS, 1 D5 DOZER	1	EA
6D	UP TO 15 DAYS WORK ON SITE FOR EXCAVATION CREW	1	EA
6E	EXCAVATION CREW OF 4 PERSONS PLUS SITE LAYOUT CREW	1	EA
7	ASPHALT REPAIR UP TO 2,395CY	1	EA
8	GUARDRAIL REPLACEMENT USING 6FT POSTS	700	LF
9	SOIL NAILS INSTALLED	13700	LF
10	SHOTCRETE FACING	6500	SF
11	CONCRETE LINED FLUME DITCH 6" THICK X 48" WIDE	700	LF
12	SLOPE DRAINS INSTALLED EST 160FT LENGTH AND 28FT C/C	1020	LF
13	TOPSOIL, SEED, AND STRAW	1	EA
14	EROSION CONTROL BLANKETS INSTALLED	100	SF
15	DEVEGETATION	1	EA