

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

June 9, 2014—7:00 p.m.

AGENDA

- I. INVOCATION
Steve Sherman, Pastor of First Christian Church
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPEARANCE OF CITIZENS
- V. PROCLAMATIONS AND PUBLIC RECOGNITIONS
(NONE)
- VI. SPECIAL REPORTS
(NONE)
- VII. CONSENT AGENDA
(NONE)
- VIII. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

AN ORDINANCE TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.
- IX. RESOLUTIONS
 - a. A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH THE FERGUSON GROUP, LLC, WASHINGTON, D.C., FOR THE PROVISION OF CONSULTING SERVICES TO PROVIDE GRANT SUPPORT AND TO DEVELOP A COMPREHENSIVE FEDERAL GOVERNMENT RELATIONS AGENDA AND ACTION PLAN FOR AGREED UPON PRIORITIES FOR THE CITY IN THE AMOUNT OF \$30,000.00 AT A MAXIMUM RATE OF \$425.00 PER HOUR WITH AN ALLOWANCE OF \$5,000.00 FOR EXPENSES.
 - b. A RESOLUTION TO ESTABLISH TWO ADDITIONAL MONTHLY MEETINGS IN THE MONTHS OF JULY, AUGUST, SEPTEMBER, AND OCTOBER 2014 FOR THE SPECIFIC PURPOSE OF DISCUSSING POLICY AND STRATEGIC PLANNING IN ORDER TO PROVIDE DIRECTION FOR THE CITY MANAGER WITH NO ACTION TO BE TAKEN AT THESE MEETINGS.
- X. FINAL ADOPTION OF ORDINANCES
(NONE)
- XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

- a. Elections/Appointments
- b. Announcements
- c. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

- a. CITY MANAGER'S REPORT
- b. CITY ATTORNEY'S REPORT

XIV. ADJOURNMENT

**PUBLIC HEARINGS
AND
FIRST READING OF
ORDINANCES**



June 2, 2014

Honorable Mayor and Members of City Council:

On behalf of the City of Oak Ridge organization, I am pleased to transmit the proposed Fiscal Year 2014-2015 Budget to you. In accordance with the Article 4, Section 10 of the Oak Ridge City Charter, the City Manager shall present a budget for the upcoming fiscal year that represents a complete financial plan for the City. This document is the result of numerous meetings with City Staff members, City Council members, and external agents affected by this budget. I wish to acknowledge the efforts of Ms. Janice McGinnis, Finance Director, and her staff for their hard work as part of this annual process. This transmittal is forwarded to the City Council for the completion, review and adoption of the expenditure plan for the coming year.

The proposed budget continues to pursue the path of fiscal conservatism as major transformations and economic changes continue to affect our DOE sector, while an upswing in retail re-development inspires us to a brighter future. City service levels are being maintained with an eye to future impacts. Limited capital investment is occurring in facilities, but we need to understand that further expenditures will be necessary on the utility front and throughout our building infrastructure. I believe the allocations in this budget represent good value for the services rendered by a competent and professional staff.

Council Guidance and Input:

On May 12, 2014 and during informal sessions prior to that time, the City Manager and the City Council discussed various needs and directions for this year's budget. A resolution passed by the City Council encouraged several strategic efforts including maintenance of the current property tax rate, providing for an increase for personnel, continuing City initiatives in housing, storm water and utilities, assisting the Oak Ridge schools system capital needs, and the continuation of economic development initiatives. These strategic directives provided guidance for the completion of this budget.

Economic Conditions:

The City of Oak Ridge finds itself in the strategic position of sustaining its existing services, while several "bright spots" on the economic horizon come to fruition. At present, Oak Ridge continues to see small areas of growth, but major financial gains, at present, are impacted by various financial losses. For instance, a change in environmental approach at the Y-12 complex will reduce their need for raw water and have an impact of \$500,000 annually in unpurchased water for the utility system.

Continuity in community impacts have been shaken this past year with the government shutdown and delayed selection action on a new Y-12 contractor. Adjustments in rates will be proposed for a 5-year cost recovery of Y-12's fair share of an equalization basin from the complex. However, continued investment in the overall water infrastructure will be required for our largest consumer, particularly at the water plant and pump stations. K-25 is now down and activity will slow until the next building is begun. Some sales tax is generated off these projects, where the City finds wide swings in payment amounts. We must also look ahead to reappraisals that will occur in 2015, where some values are expected to decrease in high end housing stock and we must monitor the sustainability of the current housing values.

This year, we have seen growth along Illinois Avenue with new stores, particularly the Kroger development. This has caused a new church to be built along the Oak Ridge turnpike. The New China Palace Restaurant is having more business than ever, allowing the City to improve its Riverfront with supporting restroom facilities for the rowing venue. Jackson Square is moving forward to renovate this central location for our community which includes restaurants, a reconfigured Farmer's Market, and adjacent to the historical preservation of the Alexander Inn. Of course, the community also eagerly anticipates the announcements of progress on the former Oak Ridge Mall property.

So, overall, Oak Ridge is finally seeing the change it wants to see. We shall need to continue to be strategic and thoughtful in the investments we make to ensure maximum impact on the economics of the community. The initiatives we are taking in housing and industrial recruitment will hopefully pay off in the future with efforts to stabilize values, create manufacturing jobs, and enhance retail opportunities.

Revenues:

The City of Oak Ridge revenues are primarily from four sources: Property taxes, sales taxes, business taxes and intergovernmental state-shared taxes. Of particular focus is this recommended budget with the same tax rate of \$2.39 per \$100 in assessed value. This will be the seventh year for sustaining this level of taxation. Anticipated property tax revenues are projected at \$19,992,000, up only 1.2% from \$19,741,000 in 2014.

The other important revenue is sales taxes both generated in Roane County and Anderson County. Projected revenues for FY 2015 will be \$8,950,000, up 4.8% from \$8,535,000. Primarily the growth is estimated in Anderson County, with a decrease in Roane County due to the reduction in federal activity anticipated with the completion of the K-25 project. We anticipate that receipts from the new projects at Krogers will not be realized until the late fall, so the full impact will only be for a partial year.

Business taxes, permits and fees will only slightly decrease. Building permits are limited, but will pick up dramatically when the former mall property activity and demolition begins its 18-month build. Taxes and fees are projected at \$2,468,000, down 1% from \$2,492,286.

Intergovernmental Revenues are projected at \$3,392,000, which is down from \$3,533,112. This is primarily due to a segregation of the mixed drink tax in half to incorporate a principle of using the tax for a portion of the base school education contribution.

When incorporating all revenues, the total Revenues, Operating Transfer and Fund Balance usage represents \$41,649,247 for the proposed FY 2015 year. As a side note, the interest earnings on City monies continue to be extremely low and are only \$18,000.

Staffing and Salaries and Benefits:

No new staffing is being proposed in the upcoming budget. Although the next future need for the City of Oak Ridge may be considered to be in the 911 dispatch center, but shall wait as new software is being added.

As the new fiscal year starts, the City was pleased to see no increase in cost to the City for its personnel retirement and insurance benefits. Contribution amounts would remain the same for the coming year. Given the current uncertainty in the health care industry, it was indeed a piece of welcome news. As expressed in the City Council's strategic resolution, recognition of personnel was encouraged due to the lack of wage adjustments in the past several years. The proposed budget includes a 2% adjustment for all personnel effective July 1st. In addition, the City Manager would target continuing this adjustment in the FY 2014-2015 year and FY 2015-2016 year. Depending on market conditions and economy which is predicted to improve, it will be important to maintain salaries that keep ahead of the slight inflation that we now face. In addition, the City Manager has asked the Personnel Director to develop tangible, definable

evaluation observations that will exclude employees from these adjustments such as employee-fault accidents, written counseling incidents or suspensions, or safety violations. These are impacts upon the assets and liabilities of the organization and should be a baseline level of accountability for city government employees.

The City's organization has progressed well in the management of City benefit structures offering a variety of health insurance options. Our staff also monitors workers compensation closely with the TML Risk Pool and is vigilant for abuse. Our Personnel Department also monitors the claims against the City and works closely with the TML Pool to keep premiums low and out of pocket costs to a minimum.

Capital Fund:

In the coming year, the budget includes a capital allocation to the Oak Ridge Schools in the amount of \$350,000. This amount will be used for capital needs of which the highest small project needs is an estimated \$300,000 renovation of the Robertsville Middle School restroom facilities. This amount can allow this renovation concern to be met, freeing school resources for additional needs. As agreed this past year by the City Council and Board of Education, please recall the allowance for sales taxes generated and apportioned in Anderson County as the education sales tax to be used for capital expenses as defined by resolution.

The City Manager reminds the City Council of the need for continued IT investment, including the desperate need for General Ledger, including Human Resources and Utility Billing software. Utility billing and personnel systems were developed in-house and augmented with a purchased GL package during the 1980's and are not being serviced further. Internal reviews for a recommendation and funding options are being assessed now. The City continues to look for ways of enhancing IT services and is presently examining off-site space in the Schools data center to provide back-up services to City technology systems with new servers at a cost of \$250,000.

The Waterworks Fund and in particular the Wastewater Fund will continue the implementation of the projects affiliated with response to the EPA Administrative Order, which is to be finished by September 2015. However, new this year is a requirement by the State of Tennessee to begin addressing matters of stormwater management. Repairs to the existing stormwater system has been minimal in previous years, but this year will see an allocation of \$200,000 to coordinate further planning, organization and minor repairs that can be achieved with in-house or small contractor sources. In accordance with our state approved plan, the City will begin integrating long-term capital items for stormwater management and developing revenue sources for this to be paid. Dollars for these improvements must come from the General Fund presently unless a new financing system is introduced.

The Electric Fund will continue to pursue the addition of fiber optics to significant public sites in the community. This project involves interconnectivity with all City schools and City utility infrastructure. The Electric Fund continues to make progress on this joint project with the City Schools. Capital improvements in the system will involve continual upgrades to enhance reliability and dependability.

This past year, the City Council chose not to renew a contract for red light camera services. This fund will now need to be closed out and obligated. The remaining balances will be established in this budget as amounts available for capital projects as designated by the Council. At present, it may be considered for pedestrian/bike improvements, the Blankenship Football Stadium lower parking lot and is being considered for traffic light study work at the High School entrance at Oak Ridge Turnpike.

New management at the Centennial Golf Course is yielding better results and improved play. As part of the investments this past year, repairs and improvements have been made at the Club House, irrigation system and increasing maintenance is occurring on the course. A capital need for the course that will be considered during the year depending upon economics is a gate for closure at night. Some vandalism and theft has occurred, which can be corrected with limitations to access after dark by a gate.

The City of Oak Ridge will also be allocated an amount of \$350,000 for capital in the coming year. The City staff will review the next priorities on the CIP and determine how to allocate. The City has seen a continued need for improvements to the HVAC and roof of the service center, a City General Fund asset. We also need to consider enhancements to Fire Station #4 where improvements to the building are anticipated with the DOE Historical Preservation project.

Promotion and Marketing:

For the coming budget year, the continued relationship is recommended to continue with the Chamber of Commerce. This past year due to the level of activity, the programs only used \$125,000 out of \$175,000 allocated due to activity needs. The proposed budget suggests budgeting the same \$175,000 amount, carefully allocating and planning proposed use.

The budget also includes continuation of private consulting contracts with Ray Evans and Steve Jones. These contracts have favorably put the City into a positive relationship with the State of Tennessee, TVA, the ORNL, and regional agencies. They have also provided a point of contact for the economic prospect to receive assistance from the City of Oak Ridge.

The City of Oak Ridge also has contracts with the Oak Ridge Convention and Visitors Bureau (CVB), whose purpose is to grow the economy with support for community events and recruiting visitors to our community. Current trends show a demonstrative need to improve in this arena. To maintain contractual levels that may be sustained, the budget shows a reduction of \$25,000 in the contract for the coming year. After meeting with the CVB board, the City Council has directed them to aggressively pursue new marketing techniques that improve the local and regional recognition of the Oak Ridge community. This will be vital in promoting new investment in existing hotels and recruiting new hotels as community profiles, at present, will not encourage that investment due to occupancy levels. Significant efforts are needed in promoting new events, the Secret City Festival, the Lavender Festival, the Secret City Half-Marathon, Summer Concerts and many others.

The City's contracts with regional agencies and organizations are supported through membership in the Anderson County Chamber of Commerce and the Roane Alliance. We also shall continue to participate with the Innovation Valley Consortium and regional Economic Development groups such as ACEDA.

Educational Budget:

The Oak Ridge School system continues to be an important asset to our community. Its vitality has contributed to positive recognition to our educational efforts as a community. The City is required to maintain a continuous and reliable funding effort to our schools. This contribution through the normal channels of raising revenues for the schools is known as Maintenance of Effort and was the subject of much discussion in the past year. This past year, both the Board of Education and the City Council passed a resolution clarifying a path forward on county generated sales tax for the school system. The City of Oak Ridge took action that essentially increases the annual debt service burden to the City of nearly \$300,000. This amount, along with required reserves, causes a critical need for more economic growth in the community.

All citizens recognize the need to pay our debts and such is a first priority for a city government, too. Debt must be recognized in the community's ability to pay for enhanced or basic services.

The Board of Education has strongly identified a need to strengthen the Oak Ridge School system and has recommended a major tax increase to the City Council. The major tax increase will involve staffing pay raises, maintaining educational specialty programs and technology improvements to the system. Recognizing a significant importance of schools is to attract new residents, develop a qualified workforce and create new skills for advanced technology, the Board has recommended a level of service that

retains and enhances current workers and work environments. The proposed tax rate level is \$2.76 per \$100, which will generate an additional \$3,329,393 in property taxes above the current \$2.39 rate.

Final Comments:

As City Manager, I am pleased to present the City Council with a budget that is thoroughly examined and reviewed for the FY 2014-2015 year. The proposed budget continues the same tax rate and burden upon the community. The Board of Education has proposed additional dollars that they need to stay at a high level of teaching responsiveness. I look forward to reviewing this document with you and the greater Oak Ridge community in the coming weeks.

Respectfully yours,

A handwritten signature in black ink that reads "Mark S. Watson". The signature is written in a cursive, flowing style.

Mark S. Watson
City Manager

TITLE

AN ORDINANCE TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

WHEREAS, the City Manager, in accordance with the requirements of Article V, Section 10, of the Charter of the City of Oak Ridge, has submitted to City Council a proposed budget prior to the beginning of the fiscal year upon which two (2) public hearings were held on June 9, 2014 and June 16, 2014 with the June 16, 2014 public hearing serving as the official Charter required public hearing; and

WHEREAS, in accordance with the requirements of said Charter section, meetings were held with City Council on April 3, 2014; April 10, 2014; April 17, 2014; and May 12, 2014 which served to provide guidance to the City Manager on the preparation of the proposed budget; and

WHEREAS, City Council met on June 9, 2014 and June 16, 2014 for official consideration and approval of said appropriation ordinance.

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

Section 1. The budget for the fiscal year beginning July 1, 2014 submitted to City Council by the City Manager, is hereby adopted.

Section 2. In order to provide revenue for municipal purposes, there is hereby imposed on the value of all property within the City of Oak Ridge as such value has been ascertained by the taxing authority of the City, a levy at the rate of \$2.76 upon each One Hundred Dollars' (\$100.00) worth of assessed value of all taxable property, this levy to be the tax rate for the year 2014. This levy shall also be imposed upon such assessments as may be certified for tax purposes to the City of Oak Ridge by the Public Service Commission of the State of Tennessee.

Section 3. In accordance with Article V, Section 13, of the Charter of the City of Oak Ridge, the following amounts shall be and hereby are adopted as appropriations by funds for the operation of the City of Oak Ridge, Tennessee, for Fiscal Year 2015:

General Fund, Municipal Operations	\$ 20,517,510
Debt Service (Bond and Interest Redemption Fund)	\$ 8,000,000
State Street Aid Fund	\$ 2,221,000
Streets and Public Transportation Fund	\$ 260,000
Drug Enforcement Program Fund	\$ 255,200
Grant Fund	\$ 3,553,188
General Purpose School Fund	\$ 62,839,557
Golf Course Fund	\$ 1,292,112
Capital Projects Fund	\$ 2,797,272
Solid Waste Fund	\$ 2,704,000
West End Fund	\$ 2,597,110
Special Programs Fund	\$ 830,000

Section 4. The following amounts in the proprietary-type funds are projected expenses for Fiscal Year 2015 and are provided for informational purposes:

Electric Fund	\$ 53,217,523
Waterworks Fund	\$ 21,195,931
Emergency Communications District Fund	\$ 537,518

Section 5. In order to provide funds to meet the expenditure requirements, the following transfers are projected for Fiscal Year 2015 and are provided for informational purposes:

<u>To General Fund For Tax Equivalent</u>	
From Electric Fund	\$ 1,495,875
From Waterworks Fund	\$ 1,595,000
<u>To General Purpose School Fund for Operations</u>	
From General Fund	\$ 17,923,194
<u>To Debt Service Fund</u>	
From General Fund	\$ 3,545,000
<u>To Capital Projects Fund</u>	
From General Fund	\$ 350,000
From Capital Projects Fund	\$ 350,000
<u>To State Street Aid Fund</u>	
From General Fund	\$ 700,000
<u>To Streets and Public Transportation Fund</u>	
From General Fund	\$ 60,000
<u>To Solid Waste Fund</u>	
From General Fund	\$ 1,700,000
<u>To Grant Fund</u>	
From General Fund	\$ 182,936

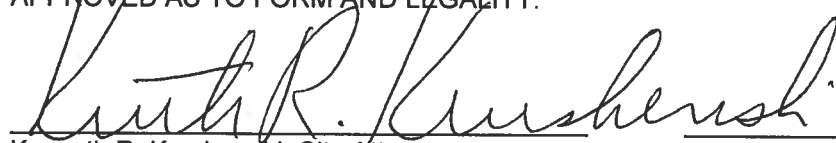
Section 6. All proceeds received through fines, forfeitures and the disposal of seized goods resulting from the City's drug enforcement program shall be used exclusively for that program. A Special Revenue Fund has been established and any funds expended will be limited to the funds collected for that program.

Section 7. The taxes levied under this Ordinance shall become due and payable, shall become delinquent and shall be subject to penalties, the execution of distress warrants and sale of property levied upon as provided by law.

Section 8. The levy provided for herein shall be imposed on all taxable property as the same has been reported to the Council as a final total assessment of each class of property by the legally constituted Boards of Equalization for property situated in either Anderson County or Roane County within the City of Oak Ridge. The written report of the Equalization Boards shall be the assessment roll of the City of Oak Ridge.

Section 9. This Ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

Publication Date:	<u>05-30-2014</u>
Public Hearing:	<u>06-09-2014</u>
First Reading:	<u>06-09-2014</u>
Publication Date:	_____
Second Reading:	_____
Public Hearing:	_____
Publication Date:	_____
Effective Date:	_____

RESOLUTIONS

**INFORMATION SERVICES MEMORANDUM
14-02**

TO: Mark Watson
City Manager

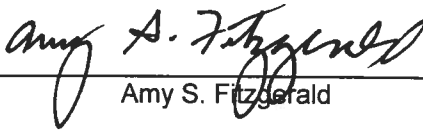
FROM: Amy Fitzgerald
Government Affairs & Information Services Director

DATE: June 3, 2014

SUBJECT: PROFESSIONAL SERVICES AGREEMENT WITH THE FERGUSON GROUP, LLC,
FOR FY 2015

At last night's meeting, City Council requested additional information regarding the Ferguson Group's FY14 activities. Contact was made today; the information is being compiled, but will not be completed in time to meet today's deadline for the agenda packet.

The requested information will be submitted to Council separately this week to facilitate Council's review prior to the June 9 meeting.



Amy S. Fitzgerald

CITY COUNCIL MEMORANDUM
14-18

DATE: May 27, 2014
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: PROFESSIONAL SERVICES AGREEMENT WITH THE FERGUSON GROUP, LLC,
FOR FY 2015

Introduction

An item for City Council's consideration is a resolution to approve a professional services agreement with The Ferguson Group, LLC, for Fiscal Year 2015.

Funding

Funding will be included in the FY 2015 budget as part of an activity in the City Manager's Budget.

Review

For several years, the City has been utilizing the services of The Ferguson Group, LLC, for consulting services to support and approve a federal government relations agenda and action plan. The professional services agreement is attached, which contains the same terms and conditions as were approved by City Council for Fiscal Year 2014. The services will be provided on an hourly basis at the rate of \$425.00 per hour with an initial amount established at \$30,000.00 plus \$5,000.00 for expenses. Any additional hours over the \$30,000.00 must be approved by the City Manager.

Recommendation

Staff recommends approval of the attached resolution.



Mark S. Watson
City Manager

Attachment

RESOLUTION

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH THE FERGUSON GROUP, LLC, WASHINGTON, D.C., FOR THE PROVISION OF CONSULTING SERVICES TO PROVIDE GRANT SUPPORT AND TO DEVELOP A COMPREHENSIVE FEDERAL GOVERNMENT RELATIONS AGENDA AND ACTION PLAN FOR AGREED UPON PRIORITIES FOR THE CITY IN THE AMOUNT OF \$30,000.00 AT A MAXIMUM RATE OF \$425.00 PER HOUR WITH AN ALLOWANCE OF \$5,000.00 FOR EXPENSES.

WHEREAS, by Resolution 6-41-2013, City Council approved a Professional Services Agreement between the City of Oak Ridge and The Ferguson Group, LLC, Washington, D.C., to provide consulting services to develop a comprehensive federal government relations agenda and action plan for agreed upon priorities for the City for Fiscal Year 2014 in the amount of \$30,000.00 at a maximum rate of \$425.00 per hour with an allowance of \$5,000.00 for expenses; and

WHEREAS, the current agreement expires on June 30, 2014; and

WHEREAS, the Ferguson Group will provide an hourly rate structure of the employees which will serve as a billing guide for their professional services; and

WHEREAS, the City Manager recommends approval of a Professional Services Agreement with The Ferguson Group, LLC, for Fiscal Year 2015 upon the same terms and conditions as the current agreement with the hourly rate schedule submitted by the Ferguson Group as an addendum to said Professional Services Agreement.

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

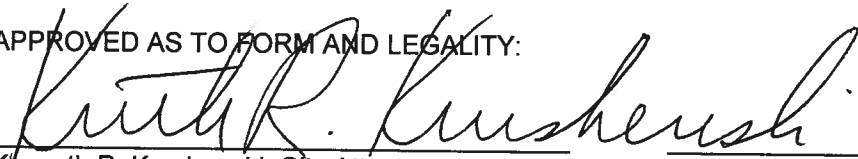
That the recommendation of the City Manager is approved and the attached Professional Services Agreement between the City of Oak Ridge and The Ferguson Group, LLC, 1130 Connecticut Avenue, Suite 300, Washington, D.C. 20036, for the provision of consulting services to provide grant support and to develop a comprehensive federal government relations agenda and action plan for agreed upon priorities for the City for Fiscal Year 2015, in the amount of \$30,000.00 at the maximum rate of \$425.00 per hour and such other hourly rates as set out in the billing guide provided by the Ferguson Group as an addendum to the Professional Services Agreement with an allowance of \$5,000.00 for expenses.

BE IT FURTHER RESOLVED that any additional hours over the \$30,000.00 cap must be approved by the City Manager.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 9th of June 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Behan, Mayor

Diana R. Stanley, City Clerk

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement is entered into as of the day of the 2nd day of June 2014 by and between the City of Oak Ridge, Tennessee, hereinafter referred to as the City, and The Ferguson Group, LLC, 1130 Connecticut Avenue, Suite 300, Washington, D.C. 20036, hereinafter referred to as TFG.

WHEREAS, the City desires to engage a professional consulting firm to develop a comprehensive federal government relations agenda and action plan for agreed upon priorities; and

WHEREAS, TFG has provided such services in the past and is willing to provide such services again on behalf of City under the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties do hereby agree as follows:

1. ENGAGEMENT OF TFG

The City hereby engages TFG to perform the services hereinafter set forth, and TFG hereby accepts such engagement.

2. SCOPE OF SERVICES

The City desires to engage TFG to develop a comprehensive federal government relations agenda and action plan for agreed upon priorities. TFG shall perform the following services for the City:

- A. Monitor in general terms developments in Washington, D.C. that may influence the City's interests and report such developments that come to the attention of TFG. Counsel with the City and recommend appropriate response to such developments.
- B. Track the introduction and movement through committees of legislation of interest to the City.
- C. Undertake specific assignments as requested by the City from time to time.
- D. Attend City Council meetings with the purpose of reporting on legislative matters.
- E. Provide grant support to the City.

TFG agrees to keep detailed records of activities conducted on behalf of the City and expenses related to the business of the City. TFG agrees to report to the City regularly on the status of the agenda and to advise the City on additional steps to be taken in order to achieve the City's goals and objectives. In addition, TFG agrees to file all required documentation according to the Lobbying Disclosure Act to represent the City before Congress and federal agencies.

3. TERM

This Agreement shall commence on July 1, 2014 and terminate of June 30, 2015, unless terminated earlier as specified in Section 6.

4. COMPENSATION AND EXPENSES

A. Compensation

For the services to be provided under this Agreement, the City shall pay TFG an amount not to exceed \$30,000.00 based upon a maximum rate of \$425.00 per hour and additional hours over the \$30,000.00 cap must be approved by the City Manager. The attached fee/rate structure of TFG employees shall be used as a billing guide for their services.

B. Reimbursable Expenses

TFG shall be entitled to reimbursement of certain expenses which shall not exceed \$5,000.00 during the full term of this Agreement. Reimbursable expenses shall be invoiced separately to the City along with a detailed list of expenses. Reimbursable expenses shall include long distance telephone calls, faxes, document production, overnight delivery, courier services, business meals, out-of-town travel that has been pre-approved by the City, and in-town taxicab transportation within D.C. Similar expenses not specified above may be reimbursable by the City upon approval of the City.

C. Invoices/Billing

Prior to receiving any compensation under this Agreement, TFG shall submit an itemized invoice/bill containing, at a minimum, what services were provided, who provided the service, the hourly rate for each person providing services, and the amount of time spent on the services by each person.

5. ASSISTANCE FROM THE CITY

To assist TFG in performing legal representation, the City shall furnish to TFG, without charge, copies of all available agreements, reports, memoranda, correspondence, ordinances, legislation, rules and regulations, technical data and other information reasonable request by TFG relevant to the services to be provided by TFG.

6. TERMINATION

Either party may terminate this Agreement at any time upon thirty (30) days' written notice to the other party without penalty.

7. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement among the parties with respect to the transactions contemplated by this Agreement, and it supersedes all prior oral or written agreements, commitments or understandings with respect to the matters provided for in this Agreement. No amendment, modification or discharge of this Agreement shall be valid or binding unless set forth in writing and duly executed by the party against whom enforcement of the amendment, modification or discharge is sought.

8. INDEPENDENT CONTRACTORS

The parties acknowledge that the relationship created under this Agreement is that of independent contracting parties and this Agreement does not create a general agency, joint venture, partnership, employment relationship or franchise between the parties. Neither party shall represent itself to be an agent of the other, nor shall it execute any documents or make any commitments to any contractual or other obligations with third parties.


9. GOVERNING LAW

This Agreement, the rights and obligations of the parties, and any claims or disputes relating thereto shall be governed and construed in accordance with the laws of the State of Tennessee.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed on their behalf, as of the day and year first written above.

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE



City Attorney

Mayor

THE FERGUSON GROUP, LLC

William Ferguson, Jr.
Chief Executive Officer

(Already on file)
Tax ID Number

Attachment: Fee/Rate Structure

Approved by Resolution _____



1130 Connecticut Avenue, NW
Suite 300
Washington, D.C. 20036
202.331.8500
202.331.1598 fax

2014 FEES FOR PROFESSIONAL SERVICES

HOURLY CONTRACTS

(Expenses not included)

Hourly Rates:	\$465	Partners
	\$395	Principals
	\$265	Senior Associates
	\$245	Director of Grant Services
	\$185	Associates
	\$125	Research Assistants

Expenses: Client billed monthly for reimbursable expenses, including out-of-town travel (pre-approved by client), in-town travel (taxicab), long-distance telephone charges, facsimiles, document reproduction, overnight delivery and in-town courier services. Contract may specify an annual limit on reimbursable expenses.

Contracts may specify an annual cap on reimbursable expenses in order to provide predictability for the client. These will be billed separately, and TFG will provide appropriate documentation for billing and payment.

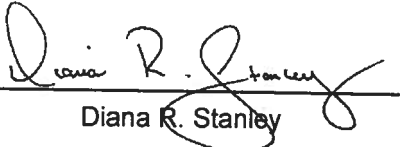
CITY CLERK MEMORANDUM
14-38

DATE: June 3, 2014
TO: Honorable Mayor and Members of City Council
FROM: Diana R. Stanley, City Clerk
SUBJECT: REQUEST FOR ADDITIONAL MEETINGS FROM COUNCILMEMBER GARCIA GARLAND

At the request of Councilmember Garcia Garland, please see the attached e-mail and resolution that will establish that City Council will hold two (2) additional meetings in the months of July, August, September, and October 2014 for the specific purpose of discussing policy and strategic planning in order to provide direction for the City Manager.

Based on the nature of the request and the legal and Charter requirements of regular voting meetings, the resolution focuses on Work Session style of meetings. This will allow for informal discussions of the City Council and will not require the additional resources and logistics, such as recording the meetings—video and audio, publication of proceedings in the *OakRidger*, quorum requirements, and single room selection of the Courtroom and staff time to run audio and projectors.

It is important to note that City Council cannot take any action at these meetings; however, if direction to the City Manager is warranted based on the discussions held, City Council can consider a Resolution at a subsequent regular, voting meeting of City Council or, if desired, a special meeting.



Diana R. Stanley

Attachments

Stanley, Diana

From: Anne Garcia Garland <agg@bellsouth.net>
Sent: Sunday, June 1, 2014 10:26 AM
To: Stanley, Diana
Cc: Watson, Mark; Krushenski, Ken
Subject: resolution for council meetings

Diana,
Would you please include a resolution for next week's (June 9) council agenda?

The motion should include scheduling of two meetings each month for July, August, September and October for two hours each for workshops, the exclusive content of which will be discussion of policy and strategic planning. These meetings are to be in addition to and separate from any other necessary workshops to support on-going action items for council.

I don't think the motion needs much in the way of justification. The design is to fulfill the expectation that council will provide leadership and will create direction for the city manager.

Thanks,
Anne

RESOLUTION

A RESOLUTION TO ESTABLISH TWO ADDITIONAL MONTHLY MEETINGS IN THE MONTHS OF JULY, AUGUST, SEPTEMBER, AND OCTOBER 2014 FOR THE SPECIFIC PURPOSE OF DISCUSSING POLICY AND STRATEGIC PLANNING IN ORDER TO PROVIDE DIRECTION FOR THE CITY MANAGER WITH NO ACTION TO BE TAKEN AT THESE MEETINGS.

WHEREAS, Article I, Section B, Item 3 of City Council's Rules and Procedures provides that City Council may hold other Work Sessions or Other Miscellaneous Meetings of the City Council; and

WHEREAS, by definition these meetings are scheduled on an as needed basis as a means to allow for discussion and interaction of the City Council on particular subjects, updates, and for the exchange of information; and

WHEREAS, City Council desires to hold two additional Work Session meetings in the months of July, August, September, and October of 2014 outside of the established 2014 Meeting Schedule for the specific purpose of discussing policy and strategic planning in order to provide direction for the City Manager; and

WHEREAS, the City Manager will coordinate the logistics—time, date, location, agenda—of these meetings on a monthly basis with each scheduled meeting lasting no longer than two hours; and

WHEREAS, in accordance with the City Council's Rules and Procedures, no official action shall be taken at these meetings, but direction of the City Council can be provided by way of a Resolution at a regular voting meeting of City Council.

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

That, in accordance with Article I, Section B, Item 3 of City Council's Rules and Procedures, City Council hereby agrees to establish two additional monthly Work Session meetings in the months of July, August, September, and October 2014 for the specific purpose of discussing policy and strategic planning in order to provide direction for the City Manager.

BE IT FURTHER RESOLVED that, in accordance with City Council's Rules and Procedures, no action shall be taken at these meetings.

BE IT FURTHER RESOLVED that said meetings will be arranged by the City Manager with an agenda to last no longer than two hours each.

This the 9th day of June 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk