

AGENDA FOR TUESDAY, NOVEMBER 25, 2008

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Rico)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 24-438, relative to mufflers and approved engine compression braking devices.
- VI. Ordinances – First Reading:
 - a) An ordinance appropriating from the Capital Projects Fund to the Chattanooga Area Regional Transit Authority (CARTA) an amount not to exceed \$984,592.00 to be used for the North Shore Garage and capital need of CARTA and authorizing the Administrator of the Department of Finance to enter into an agreement with CARTA to reimburse the City an amount not to exceed \$479,288.00 over a term of ten (10) years at an interest rate of four percent (4%).
 - b) An ordinance amending Chattanooga City Code Section 3-19 to include advertising sign requirements for signs containing light emitting diode (LEDS) within signage near streets and roadways within the City of Chattanooga. **(Added by permission of the Legal and Legislative Committee.)**
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Sections 3-6, 3-94, 3-101, 3-102, 3-131, and 3-132, relative to signs. **(Added by permission of the Legal and Legislative Committee.)**
 - d) An ordinance amending and modifying Ordinance No. 11704 (Case No. MR-2005-075) which is an ordinance closing and abandoning a portion of the 7500 block of Plymouth Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Deferred from 11/18/08.)**
 - e) An ordinance amending and modifying Ordinance No. 11705 (Case No. MR-2005-076) which closed and abandoned a portion of the dedicated right-of-way within the 7500 block of Hewitt Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Deferred from 11/18/08.)**

- f) MR-2008-137 Jacquelyn C. Smith (Close & Abandon). An ordinance closing and abandoning the right-of-way designated for building of connectivity to Hewitt Lane per conditions of prior Ordinance No. 11705 located on the west line of the 1700 block of Holly Oak Lane, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference. **(Deferred from 10-14-08 and 11/18/08. Recommended for approval by Planning, subject to approval by the City Engineer and all public utilities. Recommended for denial by Staff. Not recommended for approval by Public Works – see alternate version.)**

MR-2008-137 Jacquelyn C. Smith (Close & Abandon). An ordinance closing and abandoning the right-of-way designated for building of connectivity to Hewitt Lane per conditions of prior Ordinance No. 11705 located on the west line of the 1700 block of Holly Oak Lane, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Public Works.)**

VII. Resolutions:

- a) A resolution authorizing the award of Contract No. T-06-003-201, St. Elmo Avenue at Tennessee Avenue Intersection Improvement, to Talley Construction Company, Inc. in the amount of \$152,348.34, plus a contingency amount of \$15,234.66, for a total contract amount not to exceed \$167,583.00.
- b) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Increte Systems relative to Contract No. E-07-015-202, Installation of Stamped Concrete at Walnut Street and 1st Street, in an amount not to exceed \$10,976.50.
- c) A resolution to make certain findings relating to the Volkswagen Group of America, Inc. Project, to delegate certain authority to the Industrial Development Board of the City of Chattanooga, and to authorize the Mayor to enter into and execute an Agreement for Payment in Lieu of Ad Valorem Taxes.
- d) A resolution authorizing the Mayor to execute, on behalf of the City, a Memorandum of Understanding by and between the City, the State of Tennessee, Hamilton County, the Industrial Development Board of the City of Chattanooga, the Chattanooga Area Chamber of Commerce, Volkswagen Group of America, Inc., and/or agencies of any of the foregoing relative to the Volkswagen Group of America, Inc. Project.
- e) MR-2008-206 City of Chattanooga, c/o Dan Thornton (Declare Surplus & Convey). A resolution declaring surplus the City's interest in property owned jointly by the City and Hamilton County and known as Tracts 1 and 2 of the Proposed Mega Site of the Enterprise South Industrial Park, Tax Map Nos. 130-001.01 and 001.10, and authorizing the Mayor to execute a quitclaim deed conveying said property to the Industrial Development Board of the City of Chattanooga for development relative to the Volkswagen Group of America, Inc. Project.

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- f) A resolution urging Volkswagen Group of America, Inc. to use its best efforts to maximize diversity among its employees at all levels of the corporate structure and to further utilize its best efforts to assure a diverse workforce and ownership of those companies and entities it chooses to construct its improvements to the Enterprise South Site. **(Added by permission of the Legal and Legislative Committee.)**

VIII. Overtime Report.

IX. Departmental Reports:

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

X. Other Business.

XI. Committee Reports.

XII. Agenda Session for Tuesday, December 2, 2008

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

XIV. Adjournment.

XV. Agenda Session for Tuesday, December 2, 2008:

AGENDA FOR TUESDAY, DECEMBER 2, 2008

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Gaines)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
 - a) An ordinance appropriating from the Capital Projects Fund to the Chattanooga Area Regional Transit Authority (CARTA) an amount not to exceed \$984,592.00 to be used for the North Shore Garage and capital need of CARTA and authorizing the Administrator of the Department of Finance to enter into an agreement with CARTA to reimburse the City an amount not to exceed \$479,288.00 over a term of ten (10) years at an interest rate of four percent (4%).
 - b) An ordinance amending Chattanooga City Code Section 3-19 to include advertising sign requirements for signs containing light emitting diode (LEDS) within signage near streets and roadways within the City of Chattanooga
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 - e) An ordinance amending and modifying Ordinance No. 11705 (Case No. MR-2005-076) which closed and abandoned a portion of the dedicated right-of-way within the 7500 block of Hewitt Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
 - f) MR-2008-137 Jacquelyn C. Smith (Close & Abandon). An ordinance closing and abandoning the right-of-way designated for building of connectivity to Hewitt Lane per conditions of prior Ordinance No. 11705 located on the west line of the 1700 block of Holly Oak Lane, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference. **(Deferred from 10-14-08 and 11/18/08. Recommended for approval by Planning, subject to approval by the City Engineer and all public utilities. Recommended for denial by Staff. Not recommended for approval by Public Works – see alternate version.)**

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6. Ordinances – First Reading:

7. Resolutions:

- a) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with the Tennessee Department of Transportation (TDOT) relative to the Railroad Crossing Improvement Project at Jersey Pike and Pelican Drive (RR#736677A) with the City's participation to be ten percent (10%) of the Project cost, estimated to be \$30,000.00.
- b) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. E-06-024-201, Tunnel Boulevard Sidewalk Extension Project, with Talley Construction Company, Inc., which change order increases the contract amount by \$10,316.38, for a revised contract amount not to exceed \$268,451.23, and releasing the contingency funds in the amount of \$15,498.77.
- c) MR-2008-197 City of Chattanooga, c/o Dan Thornton (Declare Surplus). A resolution declaring as surplus property located at 400 West 45th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
- d) MR-2008-198 City of Chattanooga, c/o Dan Thornton (Lease). A resolution authorizing a Lease Agreement by and between the City and the University of Tennessee at Chattanooga for the use and management of the Warner Park Indoor Softball Complex located in the 1000 block of McCallie Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.

8. Overtime Report.

9. Departmental Reports:

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

10. Other Business.

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11. Committee Reports.
12. Agenda Session for Tuesday, December 9, 2008.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.