

AMENDED AGENDA FOR TUESDAY, NOVEMBER 7, 2006

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Gaines).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for the Fiscal Year 2006/2007 and to amend the Fiscal Year 2006/2007 Budget Ordinance No. 11848. **(Revised - Need Motion for Substitution.)**
 - b) MR-2004-240 Andre Shved (Close & Abandon). An ordinance closing and abandoning the unopened 300 block of East Manning (Lewis) Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
- VI. Ordinances – First Reading:
 - a) MR-141 Jedco, LLC (Close & Abandon). An ordinance closing and abandoning two portions of the 100 block right-of-way of West 13th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works - see alternate version.)**

MR-141 Jedco, LLC (Close & Abandon). An ordinance closing and abandoning a **portion** of the 100 block right-of-way of West 13th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**
- VII. Resolutions:
 - a) A resolution authorizing the Mayor to accept a proposal and negotiate a real estate purchase agreement for the sale and redevelopment of the former ABB Combustion, Inc. administration building and land located at 1301 Riverfront Parkway, subject to Mandatory Referral and certain conditions as outlined in the proposal summary attached hereto and made a part hereof by reference.
 - b) A resolution authorizing the Mayor to extend the contract with Barge, Waggoner, Sumner and Cannon, Inc. to perform professional management services for the Department of Parks and Recreation through December 31, 2006 at the same weekly rate.

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- c) A resolution authorizing the Department of Public Works to accept funds from Fletcher Bright Company for its portion of the cost of sanitary sewer work relative to the development known as the One North Shore Project in the amount of \$115,000.00.
- d) A resolution authorizing the Administrator of the Department of Public Works to accept a grant from the Lyndhurst Foundation in the amount of \$110,000.00 for the first phase of the Main Street Streetscape from the Market Street intersection to the corner of Wilhoite.
- e) A resolution authorizing the award of Contract No. E-06-002-201, 2006 City Sidewalk Requirements Contract - CDBG Phase 2, to Yerbey Concrete Construction, Inc. for a total amount not to exceed \$230,000.00.
- f) A resolution authorizing the award of Contract No. S-06-012-201, 601 North Moore Road Stormwater Project, to Talley Construction Company, Inc. in the amount of \$209,661.46, plus a contingency amount of \$20,338.54, for a total amount not to exceed \$230,000.00.
- g) A resolution authorizing the award of Contract No. E-06-012-201, Main Street Streetscape, to Yerbey Concrete Construction, Inc. in the amount of \$360,975.50, plus a contingency \$39,024.50 contingency amount, for a total amount not to exceed \$400,000.00.
- h) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. E-06-003-201, 2006 City Sidewalk Requirements Contract - Phase 3, with Yerbey Concrete Construction, Inc., which change order increases the contract amount by \$4,334.16, for a revised contract amount not to exceed \$125,104.16.
- i) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Volkert & Associates, Inc. relative to Contract No. E-03-028-102, Hamill Road Widening (Hixson Pike to Highway 153) Trinity Lane - Genesis Lane Connector, in an amount not to exceed \$25,000.00.
- j) A resolution authorizing the award of Contract No. S-06-013-201, Private Sanitary Sewer Service Line Repair (SEP), to Roto Rooter Plumbing Service in the amount of \$22,882.00, plus a contingency amount of \$2,118.00, for a total amount not to exceed \$25,000.00. **(Added by permission of Council Chair Pierce.)**

VIII. Overtime Report.

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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, November 14 2006.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, November 14, 2006:

AGENDA FOR TUESDAY, NOVEMBER 14, 2006

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Bennett).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Final Reading:
 - a) MR-141 Jedco, LLC (Close & Abandon). An ordinance closing and abandoning two portions of the 100 block right-of-way of West 13th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works - see alternate version.)**

MR-141 Jedco, LLC (Close & Abandon). An ordinance closing and abandoning a **portion** of the 100 block right-of-way of West 13th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**
6. Ordinances – First Reading:
 - a) An ordinance appropriating from the General Fund, Office of Faith Based Initiative, to Front Porch Alliance the amount of \$3,000.00 to be used for expenses associated with the Chattanooga Eastside Taskforce.
 - b) MR-2006-179 Yerbey Concrete Construction (Close & Abandon). An ordinance closing and abandoning a portion of the eastern right-of-way of the 3800 block of Agawela Drive, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**
 - c) MR-2006-187 Andy Schwall (Close & Abandon). An ordinance closing and abandoning the unopened 3000 block of Watauga Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**
 - d) MR-2006-192 Elder Healy & Company, LLC (Close and Abandon). An ordinance closing and abandoning an unopened alley located on the north line of the 1000 block of Appling Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works.)**

- e) 2006-201 Engstrom Services (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 600 block of North Holtzclaw Avenue, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning or Staff - see alternate versions.)**

2006-201 Engstrom Services (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 600 block of North Holtzclaw Avenue, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2006-201 Engstrom Services (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 600 block of North Holtzclaw Avenue, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- f) 2006-206 Chattanooga Neighborhood Enterprise (from R-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 1115 East 8th Street, more particularly described herein, from R-1 Residential Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning - see alternate version.)**

2006-206 Chattanooga Neighborhood Enterprise (from R-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 1115 East 8th Street, more particularly described herein, from R-1 Residential Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- g) 2006-208 Wilwat Properties, Inc. (from R-1 & O-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 5700 through 5900 blocks of Cassandra Smith Road and the 5900 block of Hixson Pike, more particularly described herein, from R-1 Residential Zone and O-1 Office Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning - see alternate version.)**

2006-208 Wilwat Properties, Inc. (from R-1 & O-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 5700 through 5900 blocks of Cassandra Smith Road and the 5900 block of Hixson Pike, more particularly described herein, from R-1 Residential Zone and O-1 Office Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- h) 2006-211 Valor, Inc. (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 7600 block of Shallowford Road, more particularly described herein, from R-1 Residential Zone to **R-4 Special Zone**. **(Not recommended for approval by Planning - see alternate version.)**

2006-211 Valor, Inc. (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 7600 block of Shallowford Road, more particularly described herein, from R-1 Residential Zone to **O-1 Office Zone**, subject to certain conditions. **(Recommended for approval by Planning.)**

- i) 2006-212 Chattanooga Valued Partners, LLC (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone part of a tract of land located at 6242 Perimeter Drive, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning - see alternate version.)**

2006-212 Chattanooga Valued Partners, LLC (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone part of a tract of land located at 6242 Perimeter Drive, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- j) 2006-214 DeFoor Brothers Development (from R-1 to MXU). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2430 Timberlane Trail, more particularly described herein, from R-1 Residential Zone to MXU Mixed Use Zone. **(Recommended for approval by Planning.)**

7. Resolutions:

- a) A resolution authorizing the Mayor to accept a grant from the Chattanooga Christian Community Foundation in the amount of \$20,000.00, which is to be used for the Chattanooga Community Resource Center/Homeless Project.
- b) A resolution adopting a Fund Balance Policy, subject to future revision, a copy of which is attached hereto and made a part hereof by reference.
- c) A resolution authorizing a Memorandum of Understanding between Chattanooga Neighborhood Enterprise, Inc. and ‘The Chattanooga Opportunity Fund (the ‘Fund’)' to manage and service funds contributed by the City and loan portfolios using such funds.
- d) A resolution authorizing the execution of Change Order No. 2 relative to Contract No. W-05-007, Warner Park-Engel Stadium Hydraulic Modeling, with Consolidated Technologies, Inc., which Change Order increases the contract amount by \$12,000.00, for a revised contract amount not to exceed \$55,500.00.
- e) A resolution authorizing the execution of Change Order No. 1 relative to Contract No. S-06-015-201, 720 Curve Street Remediation, with Affinity Environment Group, which Change Order increases the contract amount by \$1,663.10, for a revised contract amount not to exceed \$14,268.78.

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- f) A resolution authorizing Juanita Reed to use temporarily the right-of-way on Hampshire Place at the rear of the property located at 4923 Meadow Trace to install a fence that shows by survey a 5.2' encroachment, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
 - g) A resolution authorizing T-Mobile South, LLC to use temporarily a certain portion of the right-of-way at the intersection of Camden Street and Wilcox Boulevard at the western entrance to the Wilcox Tunnel to install a 40' telecommunications tower and supporting equipment, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
 - h) MR-2006-217 Paul Page, Director - General Services (Accept/Acquire Property). A resolution authorizing the acceptance of part of an unplatted tract of land located in the 900 block of the Eastgate Loop, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from Brainerd Village Shopping Center, LLC, upon the expiration of the current lease of no earlier than July 1, 2007 and no later than December 31, 2007.
 - i) MR-2006-219 Paul Page, Director - General Services (Surplus and Sale). A resolution declaring as surplus certain real property located at 38 17th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, and authorizing the Director of General Services to execute a Quitclaim Deed to sell said property to Chattanooga Neighborhood Enterprise in consideration of \$3,500.00.
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.
11. Committee Reports.
12. Agenda Session for Tuesday, November 21, 2006.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.