



## **AGENDA**

### **BOARD OF MAYOR AND ALDERMEN WORK SESSION**

**Monday, August 14, 2017, 4:30 p.m.  
City Hall, 225 W. Center St., Council Room, 2<sup>nd</sup> Floor**

#### **Board of Mayor and Aldermen**

Mayor John Clark, Presiding  
Vice Mayor Mike McIntire  
Alderman Jennifer Adler  
Alderman Joe Begley

Alderman Betsy Cooper  
Alderman Colette George  
Alderman Tommy Olterman

#### **Leadership Team**

Jeff Fleming, City Manager  
Chris McCartt, Assistant City Manager for Administration  
Ryan McReynolds, Assistant City Manager for Operations  
J. Michael Billingsley, City Attorney  
Jim Demming, City Recorder/Chief Financial Officer  
David Quillin, Police Chief

Craig Dye, Fire Chief  
Lynn Tully, Development Services Director  
George DeCroes, Human Resources Director  
Heather Cook, Marketing and Public Relations Director

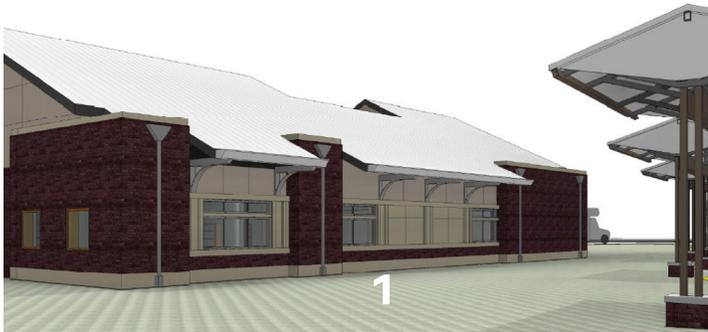
1. Call to Order
2. Roll Call
3. ONEKingsport FY18 Projects Update – Lynn Tully
4. Projects Status – Jeff Fleming
5. Review of Items on August 15, 2017 Business Meeting Agenda
6. Adjourn

**Next Work Session, Sept. 5, 4pm:** Aesthetics & Beautification and Kingsport Theatre Guild

***Citizens wishing to comment on agenda items please come to the podium and state your name and address. Please limit your comments to five minutes. Thank you.***

# City of Kingsport

## Project Status in Pictures



### 1 New KATS Transit Center

*Bid opened for the project and a groundbreaking will occur in the next couple of months.*

### 2 Pendragon Sidewalks

*A communications plan was distributed via mail to all households affected and construction will begin soon.*

### 3 Raw Water Intake

*The Raw Water Intake project is complete! Watch for the upcoming dedication date.*

### 4 Pine Trailhead, Bays Mountain

*Pine Trail is a local hikers favorite trail to complete at Bays Mountain.*

### 5 Centennial Park

*The sod was laid and benches installed this week. The grand opening will be on Saturday, August 26.*

### 6 Borden Park Improvements

*Borden Park is receiving many needed upgrades to trails, picnic shelters, disc golf course and more.*

# Status Updates on Active Projects sorted by Cost

Estimated Cost	Project Owner	Project Manager	Project Name	Project #	Completion Date	CurrentStatus
\$7,500,000.00	Ryan McReynolds	Thompson, Michael	SR 347 (Rock Springs Road) [State & MTPO funded]	No City Funds	12/31/2020	TDOT plans to have a Preliminary ROW plans for review Fall 2017.
\$6,616,000.00	Chad Austin	Chad Austin	Reedy Creek Sewer Trunk Line	SW1706	3/21/2018	Work has started at the WWTP. Greenbelt is closed between Industry Dr and Cloud Park.
\$6,600,000.00	Niki Ensor	Niki Ensor	Water & Wastewater Facilities SCADA/Telemetry Project	WA1700/ SW1700/ SW1603	4/1/2019	Kick off meeting scheduled for 8/15/17
\$4,300,000.00	Chad Austin	Hank Clabaugh	Border Regions Utility Upgrades		2/17/2020	Design to begin January 2018
\$4,186,000.00	Chris McCartt	Mason, David	New KATS Transit Center	GP1718	11/15/2018	Presenting contract for BMA approval 8/15.
\$3,750,000.00	Niki Ensor	Niki Ensor	Chemical Feed Design	WA1403	4/1/2019	30% design review meeting set for 8/16/17.
\$3,740,000.00	Niki Ensor	Niki Ensor	West Kingsport Forcemain and Pump Station Improvements	SW1708	6/1/2018	Received revised final plans 7/25/17 for comment. Will begin working with Rochelle to purchase easements.
\$3,300,000.00	Michael Thompson	Thompson, Michael	Indian Trail Drive Extension	GP1615	12/31/2017	Final bridge design underway. Utility coordination and ROW exhibit development continue.
\$2,291,714.00	Chad Austin	Mike Hickman	Colonial Heights Ph V Sewer & Water	SW1512/ WA1404	11/15/2017	Contractor working in Chesterfield Area.
\$2,236,500.00	Chad Austin	Pamela Gilmer	Pendragon Sidewalk & Water Improvement	WA1803	7/1/2018	Will go to BMA for second reading 8/15/17. Waiting on signed contract to schedule pre-con.
\$1,926,364.00	Chad Austin	Mike Hickman	Colonial Heights Ph IV Sewer & Water	SW1511	9/15/2017	Contractor working in Altamont Drive Area.
\$1,700,000.00	Michael Thompson	Thompson, Michael	Main Street Rebuild [City & MTPO Funded]	GP1516	4/1/2021	Stakeholder meetings are underway. Public Hearing is scheduled for 8-21-2017 at RCAM from 4 to 6 pm.
\$1,500,000.00	Rob Cole	Mason, David	Bays Mountain Dam Rehabilitation	GP1707	12/31/2017	Drawings anticipated mid-August for review and submission to TDEC 9/1/17.
\$1,250,000.00	Niki Ensor	Niki Ensor	Pipe Gallery Improvements	WA1505	3/31/2018	Submitted final comments to BWS&C on 8/2/17.
\$1,245,300.00	Chris McCartt	Mason, David	Centennial Park	GP1533	8/25/2017	Water feature is operational. Benches in place. Sod installation to begin 8/9.
\$977,566.00	Ronnie Hammonds	Clabaugh, Hank	Wilcox Sidewalk Phase 5 [State & MTPO funded]	MPO15D	11/17/2017	Current work includes demolition of the existing concrete parapet wall on the river bridge.
\$961,140.00	Michael Thompson	Thompson, Michael	Stone Drive - Phase 2 (SR 1, US 11W) Sidewalk Improvements from Stonebrook Place Pvt. Dr. to Lynn Garden Drive [95% State Funded 5% City]		8/31/2020	Contract documents underway for consultant contract for survey and design.

Estimated Cost	Project Owner	Project Manager	Project Name	Project #	Completion Date	CurrentStatus
\$940,000.00	Kitty Frazier	Clabaugh, Hank	Kingsport Greenbelt - Eastern Extension - Phase 1 [Fed. Grant & City funded]	GP1529	12/31/2017	Plans, specifications, DBE goal, advertisement and utility certification approved. Awaiting ROW certification. All parcel owners have signed agreements of sale, closings and partial releases remain.
\$831,797.00	Niki Ensor	Hank Clabaugh	Colonial Heights SLS	SW1511	9/15/2017	Site work is ongoing at the Lebanon Rd/Droke Farm site.
\$697,475.00	Michael Thompson	Thompson, Michael	Stone Drive - Phase 1 (SR 1, US 11W) Sidewalk Improvements from Stonebrook Place Pvt. Dr. to American Way [95% State Funded 5% City]	TBD	12/8/2018	Plans and Design Certification have been submitted to TDOT for review.
\$638,357.70		Clabaugh, Hank	2017 Contracted Paving - Colonial Heights Area		10/31/2017	Paving expected to begin in late August/early September.
\$600,000.00	Kitty Frazier	Mason, David	Riverbend Park	GP1512	1/31/2018	BWSC under contract for master planning services.
\$522,000.00	Kitty Frazier	Mason, David	Borden Park Improvements Phase 1	GP1510	9/21/2017	More unsuitable soils encountered in last parking lot area near tennis courts.
\$415,000.00	Chad Austin	Chris Alley	SR 93- Fall Branch section (TDOT)		12/31/2020	Project moved to 2019; "B Date" package due 9/26/2018; TDOT Letting Date: December 2018
\$400,000.00	Michael Thompson	Thompson, Michael	Signalization of the SR 126 (Memorial Blvd. at Island Road Intersection [State & MTPO Funded])	MPO15A	9/30/2019	Bid opening scheduled for 8/15/2017.
\$352,000.00	Chad Austin	Chris Alley	SR 93- Horse Creek/Derby Drive Section (TDOT)		12/31/2021	Project moved to 2020; "B Date" package due 9/25/2019; TDOT Letting Date: December 2019
\$350,000.00	Kitty Frazier	Clabaugh, Hank	Buffalo Grasslands Boardwalk/Greenbelt Connector		12/31/2017	The BMA has approved the contract. Contract is currently in the signature phase.
\$245,100.00	Rob Cole	Austin, Chad	Bays Mountain - Pavillion at Lily Pad Cove	GP1707	11/2/2017	Platforms have been installed to facilitate placing foundation concrete.
\$221,800.00	Tim Elsea	Elsea, Tim	Lynn Garden Signal System [MTPO & City funded]	MPO15C	1/31/2018	Working thru comments from TDOT for approval of bid documents and plans.
\$200,000.00	Kitty Frazier	Mason, David	J. Fred Johnson Park Improvements	GP1629	9/15/2017	Building demolition complete.
\$179,260.00	Tim Elsea	Elsea, Tim	Sullivan Street & Clay Street Signal	GP1740	10/10/2017	Contractor is working on installing signal pole foundations and conduit.
\$172,500.00	Lynn Tully	Mason, David	Church Circle Improvements	GP1224	11/17/2017	Executing contract with GRC. Shop drawings in progress.
\$138,500.00	Kitty Frazier	Clabaugh, Hank	Reedy Creek Terrace Bridge	ST1503	12/31/2017	Duco Construction was the low bidder.
\$50,000.00		David Edwards	Main St. & Sullivan St. System Upgrades			Design phase underway.
\$45,884.40	Kitty Frazier	Mason, David	Shade Structures at Brickyard Park	GP1729	8/31/2017	Materials ready to ship. Arranging equipment to unload. Tentative delivery 8/17 or 18.

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**BMA Report, August 14, 2017**



**Kingsport Employee Wellness, Terri Evans**

	01/01/2017 – 07/31/2017	07/01/2017 – 07/31/2017
<b>Total Utilization</b>	<b>88.7%</b>	<b>90.4%</b>
City – Active Employees	51.4%	52.1%
City – Dependents	29.0%	30.2%
City – Retirees	2.8%	2.0%
Extended-Patient Services/Other	0%	0%
Work Comp	.2%	0%
No Show	5.3%	6.1%

**Worker's Compensation, Terri Evans**

For the month of July 2017, the city had no compensable lost time workers compensation claims.



## **AGENDA**

### **BOARD OF MAYOR AND ALDERMEN**

#### **BUSINESS MEETING**

**Tuesday, August 15, 2017, 7:00 p.m.  
City Hall, 225 W. Center St., Courtroom, 2<sup>nd</sup> Floor**

#### **Board of Mayor and Aldermen**

Mayor John Clark, Presiding  
Vice Mayor Mike McIntire  
Alderman Jennifer Adler  
Alderman Joe Begley

Alderman Betsy Cooper  
Alderman Colette George  
Alderman Tommy Olterman

#### **City Administration**

Jeff Fleming, City Manager  
Chris McCartt, Assistant City Manager for Administration  
Ryan McReynolds, Assistant City Manager of Operations  
J. Michael Billingsley, City Attorney  
James Demming, City Recorder/Chief Financial Officer  
David Quillin, Police Chief  
Craig Dye, Fire Chief  
Lynn Tully, Development Services Director  
George DeCroes, Human Resources Director  
Heather Cook, Marketing and Public Relations Director

#### **I. CALL TO ORDER**

#### **II.A. PLEDGE OF ALLEGIANCE TO THE FLAG**

#### **II.B. INVOCATION – Pastor Tiger Brooks, Indian Springs Baptist Church**

#### **III. ROLL CALL**

#### **IV.A. RECOGNITIONS & PRESENTATIONS**

1. ONEKingsport FY18 Projects Update – Lynn Tully

#### **IV.B. APPOINTMENTS**

1. Appointments to the Employee Dependent Scholarship Program (AF: 193-2017)  
(Mayor Clark)
  - Appointment

**V. APPROVAL OF MINUTES**

1. Work Session – July 31, 2017
2. Business Meeting – August 1, 2017

**VI. COMMUNITY INTEREST ITEMS**

**A. PUBLIC HEARINGS**

None

**COMMENT**

Citizens may speak on agenda items. When you come to the podium, please state your name and address and sign the register that is provided. You are encouraged to keep your comments non-personal in nature, and they should be limited to five minutes. A total of thirty minutes is allocated for public comment during this part of the agenda.

**B. BUSINESS MATTERS REQUIRING FIRST READING**

1. Appropriate Funds Received from Walmart Community Grant (AF: 223-2017) (Craig Dye, Robert Sluss)
  - Ordinance – First Reading
2. Consideration of a Budget Adjustment Ordinance for FY18 (AF: 225-2017) (Jeff Fleming)
  - Ordinance – First Reading

**C. BUSINESS MATTERS REQUIRING FINAL ADOPTION**

1. Amend Ordinance No. 5540 Changing Certain Eligibility Parameters for Retiree Health Insurance (AF:209-2017) (Jeff Fleming)
  - Ordinance – **Second Reading and Final Adoption**
2. Award of Bid to Glass Machinery & Excavation, for Pendragon Sidewalk and Water Improvements (AF: 217-2017) (Ryan McReynolds)
  - Ordinance – **Second Reading and Final Adoption**
3. Consideration of a Final Budget Adjustment Ordinance for FY17 (AF: 210-2017) (Jeff Fleming)
  - Ordinance – **Second Reading and Final Adoption**

**D. OTHER BUSINESS**

1. Apply for and Receive a Grant for \$21,030 from the Department of Justice Edward Byrne Memorial Justice Assistance Program (JAG) FY 2017 Local Solicitation (AF: 220-2017) (David Quillin)
  - Resolution
2. Award Contract for the KATS Transit Center Project (AF: 221-2017) (Chris McCartt)
  - Resolution

3. Change Order No. 2 for Borden Park Phase 1 Improvements (AF: 226-2017)  
(Chris McCartt)
  - Resolution

**VII. CONSENT AGENDA**

1. Accept Deeds and Deeds of Easement (AF: 222-2017) (Mike Billingsley)
  - Resolution
2. Right-of-Way Easement with Kingsport Power Company (AF: 228-2017) (Ryan McReynolds)
  - Resolution

**VIII. COMMUNICATIONS**

- A. City Manager
- B. Mayor and Board Members
- C. Visitors

**Citizens may speak on issue-oriented items. When you come to the podium, please state your name and address and sign the register that is provided. You are encouraged to keep your comments non-personal in nature, and they should be limited to five minutes.**

**IX. ADJOURN**

Minutes of the Regular Work Session of the  
Board of Mayor and Aldermen, City of Kingsport, Tennessee  
Monday, July 31, 2017, 4:30 PM  
Council Room – City Hall

PRESENT: Board of Mayor and Aldermen

Mayor John Clark

Vice-Mayor Mike McIntire

Alderman Jennifer Adler

Alderman Joe Begley

Alderman Betsy Cooper

Alderman Colette George

Alderman Tommy Olterman

City Administration

Jeff Fleming, City Manager

J. Michael Billingsley, City Attorney

James H. Demming, City Recorder

1. **CALL TO ORDER:** 4:30 p.m. by Mayor Clark.
2. **ROLL CALL:** By City Recorder Demming.
3. **KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY UPDATE.** Ms. Maria Catron, Deputy Directory for KHRA, gave an extensive presentation on this item, providing details on the status of funding, redevelopment districts and current projects. She answered questions and there was some discussion.
4. **GENERAL SHALE UPDATE.** Assistant City Manager for Administration Chris McCartt presented this item, highlighting the history of the property in regards to economic development in Kingsport, the recommendation being presented to the board [see Item VI.D.4 on the business meeting agenda] and the future vision for the property, including the next steps. Discussion ensued. Aldermen Olterman expressed concerns with purchasing land when there is other property that is not being used. Alderman George stated she was ok with the purchase as long as there was a firm commitment to take action and move forward. James Phillips and Lafe Cook provided further details.
5. **REVIEW OF AGENDA ITEMS ON THE AUGUST 1, 2017 REGULAR BUSINESS MEETING AGENDA.** City Manager Fleming and members of staff gave a summary or presentation for each item on the proposed agenda. The following items were discussed at greater length or received specific questions or concerns.

**VI.B.1 Amend Ordinance No. 5540 Changing Certain Eligibility Parameters for Retiree Health Insurance (AF: 209-2017).** City Manager Fleming stated this item would address the discrepancy that was discovered between the mandatory retirement and the 25 year service implemented in the public safety bridge program. This will currently affect about five employees and is considered a housekeeping item by staff. Mr. Fleming also provided retirement comparison statistics with other cities. Risk Manager Terri Evans answered further questions.

**Minutes of the Regular Work Session of the Board of Mayor and Aldermen of Kingsport, Tennessee, Monday, July 31, 2017**

**VI.B.2 Bid Award to Glass Machinery & Excavation for Pendragon Sidewalk and Water Improvements** (AF: 217-2017). Vice-Mayor McIntire pointed out since Pendragon would be torn up for about a year, staff needs to be working on public relation efforts with the affected citizens. Assistant City Manager for Operations confirmed they have talked to the home owners association and Stan Pace.

**VI.B.3 Consideration of a Final Budget Adjustment Ordinance for FY17** (AF: 210-2017). City Manager Fleming provided information on this item and where the funding is being allocated and why it affects the city's bond rating. Mr. Rick Dulaney from financial advisor Raymond James in Nashville gave further details on the concept of fund balance, the rainy day fund, and answered other questions. Some discussion followed.

**VI.D.4 Authorize the Mayor to Sign All Documents Necessary and Proper to Purchase Property from General Shale** (AF: 219-2017). See Work Session Agenda Item 4.

**VI.D.5 Initial and Detailed Bond Resolutions Authorizing Issuance of General Obligation Improvement Bonds, Series 2017A, in an Amount Not to Exceed \$15,600,000** (AF: 214-2017). City Manager Fleming discussed this details of this item, noting it is a responsible debt plan that falls within the board's previously set expectations. Mr. Dulaney answered questions regarding the rates and offered further information on the process of the bond sale. There was some discussion on this item.

**VI.D.6 Initial and Detailed Bond Resolutions Authorizing Issuance of General Obligation Improvement Bonds, Series 2017B, in an Amount Not to Exceed \$11,750,000** (AF: 215-2017). See Item VI.D.5.

**6. ADJOURN.** Seeing no other matters presented for discussion at this work session, Vice-Mayor McIntire adjourned the meeting at 7:20 p.m.

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ANGELA MARSHALL  
Deputy City Recorder

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JOHN CLARK  
Mayor

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, August 1, 2017, 7:00 PM  
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor John Clark, Presiding  
Vice Mayor Mike McIntire  
Alderman Jennifer Adler  
Alderman Joe Begley

Alderman Betsy Cooper  
Alderman Colette George  
Alderman Tommy Olterman

City Administration

Jeff Fleming, City Manager  
J. Michael Billingsley, City Attorney  
James Demming, City Recorder/Chief Financial Officer

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor John Clark.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Boy Scout Troop No. 284.
- II.B. **INVOCATION:** Pastor Rick Meade, Lynn Garden Baptist Church.
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV.A. **RECOGNITIONS AND PRESENTATIONS.**
  1. Dr. Lyle Ailshie, Kingsport City Schools Superintendent (Mayor Clark)
  2. TNT Sportsplex (Alderman Begley)
- IV.B. **APPOINTMENTS/REAPPOINTMENTS.**

1. **Appointment and Reappointments to the Construction Board of Adjustments and Appeals (AF: 211-2017) (Mayor Clark).**

Motion/Second: McIntire/George, to approve:

APPOINTMENT OF MR. MARVIN EGAN TO FULFILL THE UNEXPIRED TERM OF DAVE STAUFFER ON THE **CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS** EFFECTIVE IMMEDIATELY AND EXPIRING ON FEBRUARY 28, 2019. REAPPOINTMENT OF MESSRS. BOB PRENDERGAST AND JIM WRIGHT TO SERVE A SECOND THREE-YEAR TERM EFFECTIVE IMMEDIATELY AND EXPIRING ON AUGUST 31, 2020.

Passed: All present voting "aye."

2. **Appointments to the Board of Mechanical, Plumbing and Gas (AF: 212-2017) (Mayor Clark).**

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, August 1, 2017**

Motion/Second: Adler/Cooper, to approve:  
APPOINTMENT OF MESSRS. JESSE JENNINGS, THOMAS DOUTHAT AND NORMAN COMPTON TO SERVE A TWO-YEAR TERM ON THE **BOARD OF MECHANICAL, PLUMBING AND GAS** EFFECTIVE IMMEDIATELY AND EXPIRING ON AUGUST 31, 2019.

Passed: All present voting "aye."

**V. APPROVAL OF MINUTES.**

Motion/Second: McIntire/Olterman, to approve minutes for the following meetings:

- A. July 17, 2017 Regular Work Session
- B. July 18, 2017 Regular Business Meeting

Approved: All present voting "aye."

**VI. COMMUNITY INTEREST ITEMS.**

- A. **PUBLIC HEARINGS.** None.

**PUBLIC COMMENT.** Mayor Clark invited citizens in attendance to speak about any of the remaining agenda items. Ms. Betsy Puckett, 220 Dunbar Street, made comments in support of purchasing the General Shale property.

**B. BUSINESS MATTERS REQUIRING FIRST READING.**

- 1. **Amend Ordinance No. 5540 Changing Certain Eligibility Parameters for Retiree Health Insurance** (AF: 209-2017) (Jeff Fleming).

Motion/Second: Cooper/Begley, to pass:  
AN ORDINANCE AMENDING SECTION II OF ORDINANCE NO. 5540 REGARDING CATEGORIES OF EMPLOYEES FOR THE PROVISION OF HEALTH INSURANCE UPON RETIREMENT FROM EMPLOYMENT WITH THE CITY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

- 2. **Bid Award to Glass Machinery & Excavation for Pendragon Sidewalk and Water Improvements** (AF: 217-2017) (Ryan McReynolds).

Motion/Second: McIntire/George, to pass:  
AN ORDINANCE TO AMEND THE WATER PROJECT FUND BUDGETS AND THE GENERAL PROJECT FUND BUDGETS BY TRANSFERRING FUNDS FOR THE PENDRAGON WATER AND SIDEWALKS IMPROVEMENTS PROJECT FOR THE YEAR ENDING JUNE 30, 2018; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen  
of the City of Kingsport, Tennessee, Tuesday, August 1, 2017**

Motion/Second: George/McIntire, to pass:

**Resolution No. 2018-016**, A RESOLUTION AWARDDING THE BID FOR THE PENDRAGON SIDEWALK AND WATER IMPROVEMENT PROJECT TO GLASS MACHINERY & EXCAVATION AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**3. Consideration of a Final Budget Adjustment Ordinance for FY17 (AF: 210-2017) (Jeff Fleming).**

Motion/Second: McIntire/Adler, to pass:

AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

**C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.**

**1. Amend FY18 Community Development Block Grant Budget (AF: 205-2017) (Lynn Tully).**

Motion/Second: George/Olterman, to pass:

**ORDINANCE NO. 6687**, AN ORDINANCE TO AMEND THE COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS FOR THE YEAR ENDING JUNE 30, 2018; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Adler, Begley, Cooper, George, McIntire and Olterman voting "aye."

**2. Reclassification of Three (3) Personnel Positions and Accept Two (2) Communication Specialists Positions from KECD 911 (AF: 198-2017) (David Quillin).**

Motion/Second: George/Cooper, to pass:

**ORDINANCE NO. 6688**, AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY ADDING COMMUNICATION SPECIALISTS POSITIONS FOR THE CENTRAL DISPATCH DIVISION OF THE POLICE DEPARTMENT AND BY APPROPRIATING THE FUNDS RECEIVED FROM THE KINGSFORT EMERGENCY DISTRICT FOR THE FISCAL YEAR ENDING JUNE 30, 2018; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Adler, Begley, Cooper, George, McIntire and Olterman voting "aye."

**D. OTHER BUSINESS.**

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, August 1, 2017**

**1. Agreement to Subordinate a Sewer Tap Fee Lien for Property Located Inside the City Limits at 903 Beechwood Drive (AF: 216-2017) (Jim Demming).**

Motion/Second: Cooper/Adler, to pass:

**Resolution No. 2018-017**, A RESOLUTION APPROVING A SUBORDINATION AGREEMENT WITH EASTMAN CREDIT UNION FOR TERRY A. THOMAS AND JANET D. THOMAS, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**2. Agreement Allowing Bristol Broadcasting to Lease Space on Eden's View Water Tank to Install FM Broadcasting Antenna (AF: 213-2017) (Ryan McReynolds)**

Motion/Second: George/McIntire, to pass:

**Resolution No. 2018-018**, A RESOLUTION APPROVING A LEASE AGREEMENT WITH BRISTOL BROADCASTING TO LEASE SPACE ON EDEN'S VIEW WATER TANK TO INSTALL FM BROADCASTING ANTENNA AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**3. Recreation Trails Program Grant Letter for Bid Acceptance (AF: 218-2017) (Chris McCartt).**

Motion/Second: Olterman/Cooper, to pass:

**Resolution No. 2018-019**, A RESOLUTION AWARDED THE BID FOR THE REEDY CREEK GREENBELT-BUFFALO GRASSLANDS SECTION TO BUILDING CHARACTER AND AUTHORIZING THE MAYOR TO SIGN A LETTER OF RECOMMENDATION FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE PROJECT OR THIS RESOLUTION

Passed: All present voting "aye."

**4. Authorize the Mayor to Sign All Documents Necessary and Proper to Purchase Property from General Shale (AF: 219-2017) (Chris McCartt).**

Motion/Second: McIntire/George, to pass:

**Resolution No. 2018-020**, A RESOLUTION APPROVING ACQUISITION OF APPROXIMATELY 14 ACRES OF REAL PROPERTY FROM GENERAL SHALE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS TO EFFECTUATE THE ACQUISITION OF THE PROPERTY

Passed: All present voting "aye" except Adler and Begley voting "nay."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, August 1, 2017**

**5. Initial and Detailed Bond Resolutions Authorizing Issuance of General Obligation Improvement Bonds, Series 2017A, in an Amount Not to Exceed \$15,600,000 (AF: 214-2017) (Jim Demming/Jeff Fleming).**

Motion/Second: McIntire/Adler, to pass:

**Resolution No. 2018-021**, INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$15,600,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2017A OF THE CITY OF KINGSPORT, TENNESSEE, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

Passed: All present voting "aye."

Motion/Second: McIntire/George, to pass:

**Resolution No. 2018-023**, RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$15,600,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2017A, OF THE CITY OF KINGSPORT, TENNESSEE, AND PROVIDING THE DETAILS THEREOF

Passed: All present voting "aye."

**6. Initial and Detailed Bond Resolutions Authorizing Issuance of General Obligation Improvement Bonds, Series 2017B, in an Amount Not to Exceed \$11,750,000 (AF: 215-2017) (Jim Demming/Jeff Fleming).**

Motion/Second: McIntire/Begley, to pass:

**Resolution No. 2018-022**, INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$11,750,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2017B OF THE CITY OF KINGSPORT, TENNESSEE, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

Passed: All present voting "aye."

Motion/Second: McIntire/George, to pass:

**Resolution No. 2018-024**, RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$11,750,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2017B, OF THE CITY OF KINGSPORT, TENNESSEE, AND PROVIDING THE DETAILS THEREOF

Passed: All present voting "aye."

**VII. CONSENT AGENDA.** None.

**VIII. COMMUNICATIONS.**

- A. CITY MANAGER.** Mr. Fleming stated Funfest was successful and thanked staff who were involved with the cleanup. He invited everyone to the grand opening of Centennial Park on August 26. He commented on the greenbelt

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen  
of the City of Kingsport, Tennessee, Tuesday, August 1, 2017**

ribbon cutting held on July 28<sup>th</sup>, noting the process for the greenbelt started many years with a grant. Mr. Fleming also stated the Mead Tractor groundbreaking held on July 24 marked the first business in the Crossroads development area.

**B. MAYOR AND BOARD MEMBERS.** Alderman Adler stated the renovated children's area in the library has reopened. He stated there are two downtown festivals this weekend – the Wine Festival and the State Theatre Company's Film Festival and she invited citizens to participate. Alderman Cooper expressed her appreciation for Dr. Duane Arnold for stepping in as Interim Superintendent for Kingsport City Schools for the second time in five years. She also pointed out reserve tickets for DB football are now available. Vice-Mayor McIntire stated school starts on Monday, advising everyone to be careful and wishing students and teachers a safe and great school year. Alderman Begley commented on Funfest. Alderman Olterman made comments on the acquisition of General Shale, reminding everyone how Meadowview started out. He also stated he believed the city was on the right track financially and commended Mr. Fleming and staff. Alderman George also commented on the Wine Festival, as well as the Lo Country Boil which is the major fundraiser for the Netherland Inn. She stated there were downtown maps that were now available and thanked the Downtown Kingsport Association. Lastly, she noted there were a lot of great projects in Kingsport and we need to focus on finishing them and then moving forward. Mayor Clark mentioned the many assets that separates Kingsport from other cities, one of which is the school system, commenting on a positive meeting he attended this morning to wish them a great new year.

**C. VISITORS.** Ms. Betsy Puckett made additional comments on the need for young people in Kingsport and again stated her support for the direction the BMA is taking.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 8:46 p.m.

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ANGELA MARSHALL  
Deputy City Recorder

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JOHN CLARK  
Mayor



**AGENDA ACTION FORM**

**Appointments to the Employee Dependent Scholarship Program**

To: Board of Mayor and Aldermen  
 From: Jeff Fleming, City Manager

Action Form No.: AF-193-2017  
 Work Session: August 14, 2017  
 First Reading: N/A

Final Adoption: August 15, 2017  
 Staff Work By: Lesley Phillips  
 Presentation By: Mayor Clark

**Recommendation:**

Approve reappointment and appointment.

**Executive Summary:**

It is requested that Dr. Jeff McCord be reappointed for a second three-year term to the Employee Dependent Scholarship Program. If approved by the Board of Mayor and Aldermen, Dr. McCord's term will be effective immediately and will expire August 31, 2020.

It is also requested that Melissa Sanders be appointed to the Employee Dependent Scholarship Program to fulfill the unexpired term of Sherri Mosley. If approved by the Board of Mayor and Aldermen, Mrs. Sanders' term will be effective immediately and will expire April 30, 2019.

**Attachments:**

- 1. Bio - Sanders

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—



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**Melissa A. Sanders**

Executive Director  
Downtown Kingsport Association  
229 Broad Street  
Kingsport, TN 37660  
melissa@downtownkingsport.org  
Work Phone: (423) 246-6550  
Cell Phone: (321) 626-8346

Melissa is a seasoned executive with experience rooted in non-profit management and business development. Through her 10 plus years in the Higher Ed Sector and most recently, Dale Carnegie Training of Tennessee, Melissa brings a diverse set of executive experience to effectively align and support the DKA Mission and Vision. Her skill sets reside in Executive Leadership, Business Process Improvement, Business Relations, Project Management and Financial Management.

Working in the Student Affairs Department at Eastern Florida State College, located in Melbourne Florida, Melissa served an active role in student program development, campus engagement, and enrollment management facilitating campus activities, job fairs, campus tours, and open houses for both current and prospective students, families, county educators and community business corporations.

Serving on the Strategic Planning Committee, Melissa played a large role in both the development and execution of the Quality Enhancement Plan for reaccreditation and the revision of the Student Scholar Program. Prior to her management role in Student Affairs, Melissa was the Director of the Wellness Center and Women's Softball Coach.

Melissa graduated from the University of Central Florida with a Bachelors in Sports & Exercise Science, and a Master's in Business Administration.

Melissa and her husband Chris, who is the Wellness Director at the Greater Kingsport Family YMCA, moved to the area from Melbourne, Florida, where they first met and recently got married. Melissa's greatest loves are her family, (including Molly the pup), hiking the beautiful TN mountains, baseball and college football.

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*229 Broad Street  
Kingsport, TN 37660  
(423) 246-6550 office (423)246-6551 fax*



**AGENDA ACTION FORM**

**Appropriate Funds Received from Walmart Community Grant**

To: Board of Mayor and Aldermen  
From: Jeff Fleming, City Manager *JF*

Action Form No.: AF-223-2017  
Work Session: August 14, 2017  
First Reading: August 15, 2017

Final Adoption: September 5, 2017  
Staff Work By: Barry Brickey, Robert Sluss  
Presentation By: Craig Dye, Robert Sluss

**Recommendation:**  
Approve the Ordinance.

**Executive Summary:**  
The Kingsport Fire Marshal's office applied for and received a Walmart Community Grant. Walmart awards Community Grants that will have a positive impact on the community. This Grant allows the Fire Marshal's office to purchase needed equipment for fire prevention/education, inspection, and fire investigations.

The Walmart Grant totals 1,000.00. A budget ordinance will appropriate the funds.

**Attachments:**  
1. Ordinance

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATED FUNDS RECEIVED FROM WALMART FOR THE YEAR ENDING JUNE 30, 2018; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the General Project-Special Revenue Fund budget be amended by appropriating funds received from Walmart in the amount of \$1,000 to purchase needed equipment for fire prevention/education, inspection and fire investigations.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/&lt;Decr&gt;</u>	<u>New Budget</u>
<b><u>Fund 111: General Project-Special Revenue Fund</u></b>			
<b><u>Fire Marshalls Office (NC1801)</u></b>			
<b><u>Revenues:</u></b>			
111-0000-364-2000 From Corporations	\$ 0	\$ 1,000	\$ 1,000
<b>Totals:</b>	<b>0</b>	<b>1,000</b>	<b>1,000</b>
<b><u>Expenditures:</u></b>			
111-0000-601-3020 Operating Supplies & Tools	\$ 0	\$ 1,000	\$ 1,000
<b>Totals:</b>	<b>0</b>	<b>1,000</b>	<b>1,000</b>

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law direct, the welfare of the City of Kingsport, Tennessee requiring it.

\_\_\_\_\_  
JOHN CLARK, Mayor

ATTEST:

\_\_\_\_\_  
ANGIE MARSHALL  
Deputy City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: \_\_\_\_\_

PASSED ON 2ND READING: \_\_\_\_\_



## AGENDA ACTION FORM

### Consideration of a Budget Adjustment Ordinance for FY18

To: Board of Mayor and Aldermen  
From: Jeff Fleming, City Manager

Action Form No.: AF-225-2017  
Work Session: August 14, 2017  
First Reading: August 15, 2017

Final Adoption: September 5, 2017  
Staff Work By: Judy Smith  
Presentation By: Jeff Fleming

#### Recommendation:

Approve the Ordinance.

#### Executive Summary:

The ordinance will transfer \$30,000 from the Transit Garage project to the Parks and Recreation ADA Analysis project and the ordinance will appropriate \$913,083 in grant funds from the State of Tennessee Department of Transportation to the Stone Drive Sidewalk Extension project. Matching funds are already in the project.

#### Attachments:

1. Ordinance

Funding source appropriate and funds are available: 

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND FOR THE YEAR ENDING JUNE 30, 2018; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the General Project Fund budgets be amended by transferring \$30,000 from the Transit Garage project (GP1727) to the Parks and Recreation ADA Analysis project (GP1831) and by appropriating \$913,083 from the State of Tennessee Department of Transportation to the Stone Drive Sidewalk Extension project (GP1725).

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/&lt;Decr&gt;</u>	<u>New Budget</u>
<b>Fund 311: General Project Fund</b>			
<b>Transit Garage (GP1727)</b>			
<b>Revenues:</b>	\$	\$	\$
311-0000-368-1054 Series 2016 GO (Nov 4)	83,530	(30,000)	53,530
311-0000-368-2101 Premium From Bond Sale	20,499	0	20,499
<b>Totals:</b>	<b>104,029</b>	<b>(30,000)</b>	<b>74,029</b>

<b>Expenditures:</b>	\$	\$	\$
311-0000-601-4041 Bond Sale Expense	2,814	0	2,814
311-0000-601-9003 Improvements	101,215	(30,000)	71,215
<b>Totals:</b>	<b>104,029</b>	<b>(30,000)</b>	<b>74,029</b>

<b>Fund 311: General Project Fund</b>			
<b>Parks &amp; Rec ADA Analysis (GP1831)</b>			
<b>Revenues:</b>	\$	\$	\$
311-0000-368-1054 Series 2016 GO (Nov 4)	0	30,000	30,000
<b>Totals:</b>	<b>0</b>	<b>30,000</b>	<b>30,000</b>

<b>Expenditures:</b>	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	0	30,000	30,000
<b>Totals:</b>	<b>0</b>	<b>30,000</b>	<b>30,000</b>

<b>Fund 311: General Project Fund</b>			
<b>Stone Drive Sidewalk Exten(GP1725)</b>			
<b>Revenues:</b>	\$	\$	\$
311-0000-332-9000 Dept. of Transportation	0	913,083	913,083
311-0000-368-1054 Series 2016 GO (Nov 4)	93,326	0	93,326

311-0000-368-2101 Premium From Bond Sale	7,736	0	7,736
<b>Totals:</b>	<b>101,062</b>	<b>913,083</b>	<b>1,014,145</b>
<b>Expenditures:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
311-0000-601-2023 Eng/Landscaping/Arch	0	141,748	141,748
311-0000-601-4041 Bond Sale Expense	1,062	0	1,062
311-0000-601-9003 Improvements	100,000	771,335	871,335
<b>Totals:</b>	<b>101,062</b>	<b>913,083</b>	<b>1,014,145</b>

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law direct, the welfare of the City of Kingsport, Tennessee requiring it.

\_\_\_\_\_  
JOHN CLARK, Mayor

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING:  
PASSED ON 2ND READING:



**AGENDA ACTION FORM**

**Amend Ordinance No. 5540 Changing Certain Eligibility Parameters for Retiree Health Insurance**

To: Board of Mayor and Aldermen  
From: Jeff Fleming, City Manager *JF*

Action Form No.: AF-209-2017  
Work Session: July 31, 2017  
First Reading: August 1, 2017

Final Adoption: August 15, 2017  
Staff Work By: Evans, DeCroes  
Presentation By: Fleming

**Recommendation:**

Approve the Ordinance.

**Executive Summary:**

The parameters of Retiree Health Insurance eligibility excluded some city employees who were eligible to receive the retirement bridge. The City Manager asked that the Retiree Health Insurance eligibility be adjusted to allow those employees to continue on the city's retiree health insurance plan at the point of their retirement. To accommodate this request, the Category II retiree minimum length of service was reduced from twenty-five (25) to twenty (20) years of accumulated service. In addition, the definition of retirements benefits received was expanded to include ICMA-RC or any future retirement program the city sponsors/supports. This change will be retroactive to 6/1/07, but there have been no retirees negatively impacted by the previous eligibility rules. This change will assist employees who will be retiring in the future.

**Attachments:**

1. Ordinance
2. Retiree Health Insurance Eligibility document with tracked changes

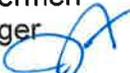
Funding source appropriate and funds are available: *js*

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Oltman	—	—	—
Clark	—	—	—



AGENDA ACTION FORM

**Amend Ordinance No. 5540 Changing Certain Eligibility Parameters for Retiree Health Insurance**

To: Board of Mayor and Aldermen  
From: Jeff Fleming, City Manager 

Action Form No.: AF-209-2017  
Work Session: July 31, 2017  
First Reading: August 1, 2017

Final Adoption: August 15, 2017  
Staff Work By: Evans, DeCroes  
Presentation By: Fleming

**Recommendation:**

Approve the Ordinance.

**Executive Summary:**

The parameters of Retiree Health Insurance eligibility excluded some city employees who were eligible to receive the retirement bridge. The City Manager asked that the Retiree Health Insurance eligibility be adjusted to allow those employees to continue on the city's retiree health insurance plan at the point of their retirement. To accommodate this request, the Category II retiree minimum length of service was reduced from twenty-five (25) to twenty (20) years of accumulated service. In addition, the definition of retirements benefits received was expanded to include ICMA-RC or any future retirement program the city sponsors/supports. This change will be retroactive to 6/1/07, but there have been no retirees negatively impacted by the previous eligibility rules. This change will assist employees who will be retiring in the future.

**Attachments:**

1. Ordinance
2. Retiree Health Insurance Eligibility document with tracked changes

Funding source appropriate and funds are available: 

	Y	N	O
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION II OF ORDINANCE NO. 5540 REGARDING CATEGORIES OF EMPLOYEES FOR THE PROVISION OF HEALTH INSURANCE UPON RETIREMENT FROM EMPLOYMENT WITH THE CITY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That Section II of Ordinance No. 5540 is amended to read as follows:

Section II. That two categories of city employees, who are not school system retirees or employees, are established for the provision of health insurance upon retirement from the city with eligibility requirements for each category as follows:

**Retiree Health Insurance Eligibility**

Any retiree, whether Category I or Category II, who fails to maintain continuous coverage of health insurance with the city is no longer eligible for health insurance from the city.

The board of mayor and aldermen will set the premiums for health insurance for retirees, including the amount paid by the retiree, subject to those eligible employees who retired under a resolution providing an early retirement incentive.

**Category I - Eligibility**

All current retirees of the city and all employees, except school system retirees and employees, employed by the city on or before June 1, 2007 are eligible for Category I for the purpose of this ordinance.

A Category I employee is eligible for continuation of health insurance at retirement only if at the time of retirement the employee meets all of the following conditions:

1. Must be a fulltime employee who works at least thirty hours a week on a regular and consistent basis;
2. Must have been enrolled in the city's offered health insurance plan as an active full time employee at the date of retirement;
3. Must not be Medicare eligible;
4. Makes payment of retiree premium contribution on a monthly basis. (Premiums must be paid within thirty (30) days of due date or insurance is subject to cancellation); and
5. The retirement benefits through the Tennessee Consolidated Retirement System must commence immediately upon separation from service with the city.
6. Once a Category I retiree is Medicare eligible he or she will no longer meet eligibility requirements for health insurance and coverage will be terminated. No Medicare supplement coverage will be made available through the city to Category I retirees, except eligible Category I retirees who retired from the city prior to July 1, 2010.

**Category I Retiree Dependent Eligibility**

In order to be eligible for coverage under the health insurance plan a dependent of a retiree of Category I must meet the following conditions:

1. The spouse/eligible dependent must have been enrolled under the health insurance plan as a spouse/eligible dependent of an active employee at the time of employee's retirement;
2. Must meet dependent eligibility criteria of the health insurance plan;
3. Must not be Medicare eligible;
4. Makes payment of the full cost of the premium on a monthly basis. (Premiums must be paid within thirty (30) days of due date or insurance is subject to cancellation).
5. Once a spouse/eligible dependent of retiree is Medicare eligible he or she will no longer meet eligibility requirements for health insurance and coverage will be terminated. No Medicare supplement coverage will be made available through the city to such dependent.

### **Category II - Eligibility**

All employees, except school system retirees and employees, employed by the city, on or after June 1, 2007 are eligible for Category II for the purpose of this ordinance.

A Category II employee is eligible for continuation of health insurance at retirement only if at the time of retirement the employee meets all of the following conditions:

1. Must be a fulltime employee who works at least thirty hours a week on a regular and consistent basis;
2. Must have a minimum of 20 years of full time service with the city, be at least 55 years old, and must have been enrolled in the health insurance provided by the city, for the three full consecutive years immediately prior to retirement, or 2) have 30 years of full time service with the city and have been enrolled in the health insurance provided by the city for one full year immediately prior to retirement, to be eligible to continue on the health insurance program. Years of service do not have to be consecutive with the city and includes full time service with the Kingsport school system, provided the employee must retire while employed by the city, not the school system;
3. Must not be Medicare eligible;
4. Must make payment of retiree premium contribution on a monthly basis. (Premiums must be paid within thirty (30) days of due date or insurance is subject to cancellation); and
5. The retirement benefits through the Tennessee Consolidated Retirement System, ICMA-RC, or any future retirement program the city sponsors or supports must commence immediately upon separation from service with the city.

Once the Category II retiree is Medicare eligible such retiree will no longer be eligible for health insurance through the city coverage will be terminated. No Medicare supplement coverage will be made available through the city to Category II retirees.

### **Category II Retiree Dependent Eligibility**

Once a Category II retiree is no longer covered or eligible for coverage under the health insurance provided by the city the dependent is no longer eligible for continued coverage under the health insurance plan except as required by federal or State of Tennessee law.

SECTION II. The benefits set out herein are "welfare benefits" and are subject to change or discontinuance in accordance with decision of the Tennessee Supreme Court in *Davis v. Wilson County, Tennessee*, 70 S.W.3d 724 (Tenn. 2002).

SECTION III. That the Summary Plan Document of the health insurance plan is hereby amended accordingly.

SECTION IV. That no part of this ordinance will be construed to violate federal or State of Tennessee law.

SECTION V. That all ordinances in conflict with this ordinance are hereby repealed

SECTION VI. That this ordinance will take effect from and after the date of its passage, as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

\_\_\_\_\_  
JOHN CLARK, MAYOR

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, CITY ATTORNEY

PASSED ON 1<sup>ST</sup> READING: \_\_\_\_\_

PASSED ON 2<sup>ND</sup> READING: \_\_\_\_\_

## **Retiree Health Insurance Eligibility**

Any retiree, whether Category I or Category II, who fails to maintain continuous coverage of health insurance with the city is no longer eligible for health insurance from the city.

The board of mayor and aldermen will set the premiums for health insurance for retirees, including the amount paid by the retiree, subject to those eligible employees who retired under a resolution providing an early retirement incentive.

### **Category I - Eligibility**

All current retirees of the city and all employees, except school system retirees and employees, employed by the city on or before June 1, 2007 are eligible for Category I for the purpose of this ordinance.

A Category I employee is eligible for continuation of health insurance at retirement only if at the time of retirement the employee meets all of the following conditions:

1. Must be a fulltime employee who works at least thirty hours a week on a regular and consistent basis;
2. Must have been enrolled in the city's offered health insurance plan as an active full time employee at the date of retirement;
3. Must not be Medicare eligible;
4. Makes payment of retiree premium contribution on a monthly basis. (Premiums must be paid within thirty (30) days of due date or insurance is subject to cancellation); and
5. The retirement benefits through the Tennessee Consolidated Retirement System must commence immediately upon separation from service with the city.
6. Once a Category I retiree is Medicare eligible he or she will no longer meet eligibility requirements for health insurance and coverage will be terminated. No Medicare supplement coverage will be made available through the city to Category I retirees, except eligible Category I retirees who retired from the city prior to July 1, 2010.

### **Category I Retiree Dependent Eligibility**

In order to be eligible for coverage under the health insurance plan a dependent of a retiree of Category I must meet the following conditions:

1. The spouse/eligible dependent must have been enrolled under the health insurance plan as a spouse/eligible dependent of an active employee at the time of employee's retirement;
2. Must meet dependent eligibility criteria of the health insurance plan;
3. Must not be Medicare eligible;
4. Makes payment of the full cost of the premium on a monthly basis. (Premiums must be paid

within thirty (30) days of due date or insurance is subject to cancellation).

5. Once a spouse/eligible dependent of retiree is Medicare eligible he or she will no longer meet eligibility requirements for health insurance and coverage will be terminated. No Medicare supplement coverage will be made available through the city to such dependent.

### **Category II - Eligibility**

All employees, except school system retirees and employees, employed by the city, on or after June 1, 2007 are eligible for Category II for the purpose of this ordinance.

A Category II employee is eligible for continuation of health insurance at retirement only if at the time of retirement the employee meets all of the following conditions:

1. Must be a fulltime employee who works at least thirty hours a week on a regular and consistent basis;
2. Must have a minimum of ~~20~~5 years of **fulltime** service with the city, be at least 55 years old, and must have been enrolled in the health insurance provided by the city for the three full consecutive years immediately prior to retirement, or 2) have 30 years of service with the city and have been enrolled in the health insurance provided by the city for one full year immediately prior to retirement, to be eligible to continue on the health insurance program (Years of service do not have to be consecutive with the city and includes full time service with the Kingsport school system, provided the employee must retire while employed by the city, not the school system);;
3. Must not be Medicare eligible;
4. Must make payment of retiree premium contribution on a monthly basis. (Premiums must be paid within thirty (30) days of due date or insurance is subject to cancellation); and
5. The retirement benefits through the Tennessee Consolidated Retirement System, ICMA-RC, or any future retirement program the city sponsors or supports must commence immediately upon separation from service with the city.

Once the Category II retiree is Medicare eligible such retiree will no longer be eligible for health insurance through the city coverage will be terminated. No Medicare supplement coverage will be made available through the city to Category II retirees.

~~The percentage of the health insurance premiums paid by Category II retirees will at a minimum be double the percentage of health insurance premiums paid by then active employees for the same coverage.~~

### **Category II Retiree Dependent Eligibility**

Once a Category II retiree is no longer covered or eligible for coverage under the health insurance provided by the city the dependent is no longer eligible for continued coverage under the health insurance plan except as required by federal or State of Tennessee law.



**AGENDA ACTION FORM**

**Award of Bid to Glass Machinery & Excavation, for Pendragon Sidewalk and Water Improvements**

To: Board of Mayor and Aldermen  
 From: Jeff Fleming, City Manager 

Action Form No.: AF-217-2017  
 Work Session: July 31, 2017  
 First Reading: August 1, 2017

Final Adoption: August 15, 2017  
 Staff Work By: P. Gilmer/C. Austin/M. Thompson  
 Presentation By: R. McReynolds

**Recommendation:**

Approve Budget Ordinance and Resolution.

**Executive Summary:**

Bids were opened on July 20, 2017 for the Pendragon Sidewalk and Water Improvements project. This project consists of construction of approximately 3,666 feet of 5 foot wide sidewalk and the replacement of existing waterline with approximately 18,925 feet of 8, 6, 4, & 2 inch waterlines, along with hydrants and other appurtenances. The allotted time for construction is 365 calendar days.

City staff reviewed the bids and recommends awarding the contract to the apparent low bidder, Glass Machinery & Excavation, in the amount of \$1,689,240.50, as follows:

Base Bid.....	\$1,689,240.50
Contingency (6%).....	\$101,354.43
<u>Engineering Fees (14%)</u>	<u>\$261,005.07</u>
Total Project Cost.....	\$2,051,600.00

Funding has been identified and allocated to various projects in the Water Fund and Sidewalk Fund. To more accurately track expenses for individual projects, new project accounts need to be opened for each specific project. This ordinance will reallocate existing funds from WA1704 to WA1803 and from GP1403, GP1520 and GP1705 to GP1830.

**Attachments:**

1. Budget Ordinance
2. Contract Award Resolution
3. Bid Opening Minutes
4. Location Map
5. Bid Tabulation

Funding source appropriate and funds are available: 

	Y	N	O
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Oltman	—	—	—
Clark	—	—	—



**AGENDA ACTION FORM**

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To: Board of Mayor and Aldermen  
 From: Jeff Fleming, City Manager *JF*

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Funding source appropriate and funds are available: *JF*

	Y	N	O
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Oiterman	—	—	—
Clark	—	—	—

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE WATER PROJECT FUND BUDGETS AND THE GENERAL PROJECT FUND BUDGETS BY TRANSFERRING FUNDS FOR THE PENDRAGON WATER AND SIDEWALKS IMPROVEMENTS PROJECT FOR THE YEAR ENDING JUNE 30, 2018; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the Water Project Fund budget be amended by transferring \$1,728,500 from the Master Plan Water Upgrade project (WA1704) to the Pendragon Water Improvements project (WA1803) and that the General Project Fund budgets be amended by transferring \$99,831 from the Local Roads Sidewalks (GP1403), by transferring \$117,075 from the Sidewalk Improvements project (GP1520) and by transferring \$106,287 from the AEP Sidewalk Improvement project (GP1705) to the Pendragon Sidewalks project (GP1830). The total transferred to the Pendragon Sidewalks project (GP1830) is \$323,193.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/&lt;Decr&gt;</u>	<u>New Budget</u>
<b>Fund 451 Water Project Fund</b>			
<b>Master Plan WA UPG (WA1704)</b>			
<b>Revenues:</b>			
451-0000-391-0529 Series 2013B GO Pub Imp	\$ 51,299	\$ (51,299)	\$ 0
451-0000-391-0531 Series 2014B GO Pub Imp	432,224	(432,224)	0
451-0000-391-4500 From Water Fund	1,730,000	(1,244,977)	485,023
<b>Totals:</b>	<b>2,213,523</b>	<b>(1,728,500)</b>	<b>485,023</b>

<b>Expenditures:</b>			
451-0000-605-2023 Arch/Eng/Landscaping	263,500	(194,470)	69,030
451-0000-605-9001 Land	20,000	(19,030)	970
451-0000-605-9003 Improvements	1,930,023	(1,515,000)	415,023
<b>Totals:</b>	<b>2,213,523</b>	<b>(1,728,500)</b>	<b>485,023</b>

<b>Fund 451 Water Project Fund</b>			
<b>Pendragon Water Improvements (WA1803)</b>			
<b>Revenues:</b>			
451-0000-391-0529 Series 2013B GO Pub Imp	\$ 0	\$ 51,299	\$ 51,299
451-0000-391-0531 Series 2014B GO Pub Imp	0	432,224	432,224
451-0000-391-45200 From Water Fund	0	1,244,977	1,244,977
<b>Totals:</b>	<b>0</b>	<b>1,728,500</b>	<b>1,728,500</b>

<b>Expenditures:</b>			
451-0000-605-2023 Arch/Eng/Landscaping	0	219,900	219,900
451-0000-605-9003 Improvements	0	1,508,600	1,508,600
<b>Totals:</b>	<b>0</b>	<b>1,728,500</b>	<b>1,728,500</b>

<b>Fund 311 General Project Fund</b>			
<b>Local Roads Sidewalks (GP1403)</b>			
<b>Revenues:</b>			
311-0000-368-1046 Series 2013 B GO Pub Imp	\$ 14,896	\$ 0	\$ 14,896
311-0000-368-1047 Series 2014 A GO Bonds	34,659	0	34,659
311-0000-368-1051 Series 2015 A (Oct) GO PI	442,234	(99,831)	342,403

311-0000-368-2101 Premium From Bond Sale	39,304	0	39,304
<b>Totals:</b>	<b>531,093</b>	<b>(99,831)</b>	<b>431,262</b>

**Expenditures:**

311-0000-601-2023 Arch/Eng/Landscaping	42,952	0	42,952
311-0000-601-4041 Bond Sale Expense	16,642	0	16,642
311-0000-601-9001 Land	10,000	0	10,000
311-0000-601-9003 Improvements	461,499	(99,831)	361,668
<b>Totals:</b>	<b>531,093</b>	<b>(99,831)</b>	<b>431,262</b>

**Fund 311 General Project Fund  
Sidewalk Improvements (GP1520)**

**Revenues:**

	\$	\$	\$
311-0000-364-2000 From Corporations	24,713	0	24,713
311-0000-368-1047 Series 2014 A GO Bonds	64,970	(17,075)	47,895
311-0000-368-1051 Series 2015 A (Oct) GO PI	98,446	(98,446)	0
311-0000-368-2101 Premium From Bond Sale	20,703	(1,554)	19,149
<b>Totals:</b>	<b>208,832</b>	<b>(117,075)</b>	<b>91,757</b>

**Expenditures:**

311-0000-601-2023 Arch/Eng/Landscaping	5,000	1,279	6,279
311-0000-601-4041 Bond Sale Expense	4,119	0	4,119
311-0000-601-9001 Land	40,000	(604)	39,396
311-0000-601-9003 Improvements	159,713	(117,750)	41,963
<b>Totals:</b>	<b>208,832</b>	<b>(117,075)</b>	<b>91,757</b>

**Fund 311 General Project Fund  
AEP Sidewalk Improvements (GP1705)**

**Revenues:**

	\$	\$	\$
311-0000-91-0100 From General Fund	129,300	(106,287)	23,013
<b>Totals:</b>	<b>129,300</b>	<b>(106,287)</b>	<b>23,013</b>

**Expenditures:**

311-0000-601-9003 Improvements	129,300	(106,287)	23,013
<b>Totals:</b>	<b>129,300</b>	<b>(106,287)</b>	<b>23,013</b>

**Fund 311 General Project Fund  
Pendragon Sidewalks (GP1830)**

**Revenues:**

	\$	\$	\$
311-0000-368-1047 Series 2014 A GO Bonds	0	17,075	17,075
311-0000-368-1051 Series 2015 A (Oct) GO PI	0	198,277	198,277
311-0000-368-2101 Premium From Bond Sale	0	1,554	1,554
311-0000-91-0100 From General Fund	0	106,287	106,287
<b>Totals:</b>	<b>0</b>	<b>323,193</b>	<b>323,193</b>

**Expenditures:**

311-0000-601-2023 Arch/Eng/Landscaping	0	55,737	55,737
311-0000-601-9003 Improvements	0	267,456	267,456
<b>Totals:</b>	<b>0</b>	<b>323,193</b>	<b>323,193</b>

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law direct, the welfare of the City of Kingsport, Tennessee requiring it.

\_\_\_\_\_  
JOHN CLARK, Mayor

ATTEST:

\_\_\_\_\_  
ANGELA L. MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: \_\_\_\_\_

PASSED ON 2ND READING: \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AWARDING THE BID FOR THE PENDRAGON SIDEWALK AND WATER IMPROVEMENT PROJECT TO GLASS MACHINERY & EXCAVATION AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, bids were opened July 20, 2017, for the Pendragon Sidewalk and Water Improvement project; and

WHEREAS, upon review of the bids, the board finds Glass Machinery & Excavation is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to enter into a contract for the construction of approximately 3,666 feet of 5 foot wide sidewalk and the replacement of existing waterline with approximately 18,925 feet of 8, 6, 4, & 2 inch waterlines, along with hydrants and other appurtenances from Glass Machinery & Excavation at an estimated construction cost of \$1,689,240.50; and

WHEREAS, funding is identified in project numbers WA1803 and GP1830.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the bid for the Pendragon Sidewalk and Water Improvement project, consisting of construction of approximately 3,666 feet of 5 foot wide sidewalk and the replacement of existing waterline with approximately 18,925 feet of 8, 6, 4, & 2 inch waterlines, along with hydrants and other appurtenances at an estimated cost of \$1,689,240.50 is awarded to Glass Machinery & Excavation, and the mayor is authorized to execute an agreement for same and all documents necessary and proper to effectuate the purpose of the agreement.

SECTION II. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the public.

SECTION III. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 1st day of August, 2017.

\_\_\_\_\_  
JOHN CLARK, MAYOR

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES  
BID OPENING  
July 20, 2017  
4:00 P.M.

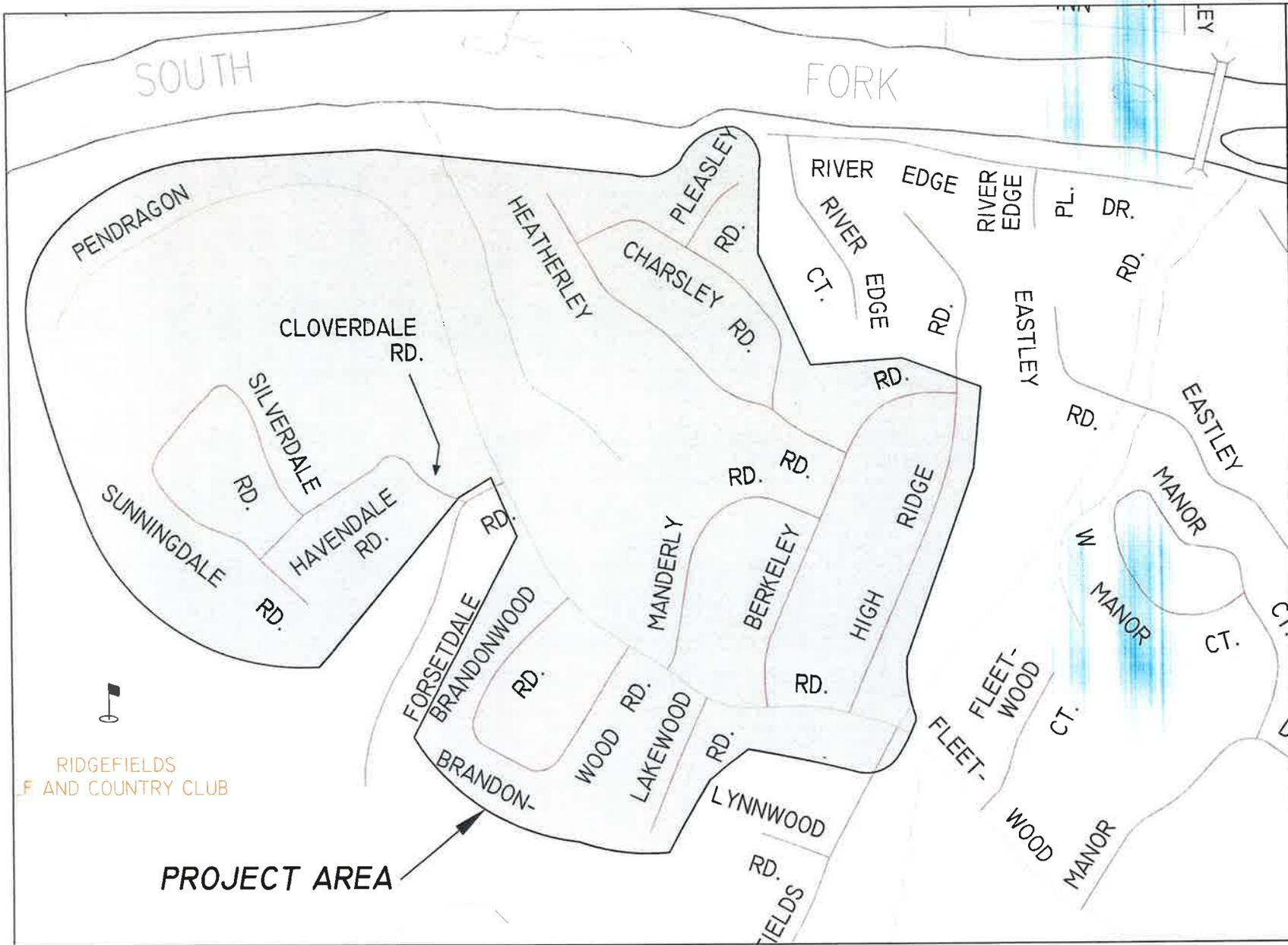
Present: Sandy Crawford, Procurement Manager; Michelle Ramey, Assistant Procurement Manager, Schools;  
Pamela Gilmer, Engineering

The Bid Opening was held in the Council Room, City Hall.

The Procurement Manager opened with the following bids:

PENDRAGON SIDEWALK AND WATER IMPROVEMENTS	
Vendor:	Total Cost:
Glass Machinery & Excavation, Inc.	\$1,688,507.50
Baker's Construction Services, Inc.	\$1,909,653.58
Thomas Construction Company, Inc.	\$1,748,122.00
Merkel Bros. Construction, Inc.	\$1,806,585.50
Mike Smith Pump Service, LLC	\$1,802,265.00

The submitted bids will be evaluated and a recommendation made at a later date.



PROPOSED WATER LINE UPGRADES  
AND  
PROPOSED SIDEWALK EXTENSIONS  
TO  
PENDRAGON ROAD AREA



SCALE - 1"=400'

**BID TABULATION FOR PENDRAGON SIDEWALK AND WATER IMPROVEMENTS**

ITEM NO.	QUAN	UNIT	DESCRIPTION	GLASS MACHINERY & EXCAVATION		THOMAS CONSTRUCTION CO		MIKE SMITH PUMP SERVICE		MERKEL BROS. CONSTRUCTION		BAKER'S CONSTRUCTION	
				UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	1	LS	MOBILIZATION (SECTION 02 41 00)	\$ 82,966.00	\$ 82,966.00	\$ 55,000.00	\$ 55,000.00	\$ 155,000.00	\$ 155,000.00	\$ 118,500.00	\$ 118,500.00	\$ 65,000.00	\$ 65,000.00
2	1	LS	CLEARING AND GRUBBING, & GRADING	\$ 73,100.00	\$ 73,100.00	\$ 145,000.00	\$ 145,000.00	\$ 2,000.00	\$ 2,000.00	\$ 77,500.00	\$ 77,500.00	\$ 115,000.00	\$ 115,000.00
3	1	LS	TOPSOIL, MULCHING, SEEDING & STRAWING	\$ 20,850.00	\$ 20,850.00	\$ 191,000.00	\$ 191,000.00	\$ 37,850.00	\$ 37,850.00	\$ 30,000.00	\$ 30,000.00	\$ 42,000.00	\$ 42,000.00
4	18,330	SF	CONCRETE SIDEWALKS (4") W/ 2" TYPE A BASE, GRADING D (TDOT 303-01)	\$ 8.45	\$ 154,888.50	\$ 5.50	\$ 100,815.00	\$ 6.90	\$ 126,477.00	\$ 6.60	\$ 120,978.00	\$ 7.21	\$ 132,159.30
5	2,103	CY	SOLID ROCK EXCAVATION IN TRENCH ALLOWANCE (SECTION 31 23 33)	\$ 35.00	\$ 73,605.00	\$ 35.00	\$ 73,605.00	\$ 35.00	\$ 73,605.00	\$ 35.00	\$ 73,605.00	\$ 35.00	\$ 73,605.00
6	4,715	TONS	BACKFILL STONE - PUG (SECTION 31 22 16)	\$ 21.87	\$ 103,117.05	\$ 18.00	\$ 84,870.00	\$ 22.00	\$ 103,730.00	\$ 10.00	\$ 47,150.00	\$ 29.42	\$ 138,715.30
7	145	TONS	ASPHALT TRENCH REPAIR (BINDER) 4-INCHES (SECTION 32 12 16)	\$ 300.00	\$ 43,500.00	\$ 180.00	\$ 26,100.00	\$ 220.00	\$ 31,900.00	\$ 150.00	\$ 21,750.00	\$ 161.61	\$ 23,433.45
8	84	TONS	ASPHALT DRIVEWAY/PARKING LOT REPAIRS (SURFACE) 3-INCHES (SECTION 32 12 16)	\$ 300.00	\$ 25,200.00	\$ 190.00	\$ 15,960.00	\$ 220.00	\$ 18,480.00	\$ 150.00	\$ 12,600.00	\$ 182.67	\$ 15,344.28
9	380	SY	CONCRETE DRIVEWAY/PARKING LOT REPAIRS 6-INCHES (SECTION 32 13 13)	\$ 70.00	\$ 26,600.00	\$ 105.00	\$ 39,900.00	\$ 46.00	\$ 17,480.00	\$ 60.00	\$ 22,800.00	\$ 85.83	\$ 32,615.40
10	50	T	MISCELLANEOUS ASPHALT SURFACE REPAIR - E MIX	\$ 300.00	\$ 15,000.00	\$ 190.00	\$ 9,500.00	\$ 220.00	\$ 11,000.00	\$ 150.00	\$ 7,500.00	\$ 182.74	\$ 9,137.00
11	50	T	MISCELLANEOUS SUBGRADE/PUG IN BASESTONE	\$ 30.00	\$ 1,500.00	\$ 30.00	\$ 1,500.00	\$ 22.00	\$ 1,100.00	\$ 25.00	\$ 1,250.00	\$ 32.23	\$ 1,611.50
12	8	LF	PAVEMENT MARKING (STOP BARS) THERMO	\$ 16.50	\$ 132.00	\$ 18.00	\$ 144.00	\$ 17.00	\$ 136.00	\$ 200.00	\$ 1,600.00	\$ 200.00	\$ 1,600.00
13	6	LF	PAVEMENT MARKING (YIELD MARKINGS) THERMO	\$ 16.50	\$ 99.00	\$ 18.00	\$ 108.00	\$ 17.00	\$ 102.00	\$ 200.00	\$ 1,200.00	\$ 200.00	\$ 1,200.00
14	55	LF	PAVEMENT MARKING (CROSSWALKS) THERMO	\$ 24.20	\$ 1,331.00	\$ 25.00	\$ 1,375.00	\$ 25.00	\$ 1,375.00	\$ 100.00	\$ 5,500.00	\$ 200.00	\$ 11,000.00
15	2	EA	HANDICAP RAMPS	\$ 880.00	\$ 1,760.00	\$ 380.00	\$ 760.00	\$ 900.00	\$ 1,800.00	\$ 800.00	\$ 1,600.00	\$ 1,552.45	\$ 3,104.90
16	7	EA	HANDICAP RAMPS WITH TRUNCATED DOMES INCLUDED	\$ 1,100.00	\$ 7,700.00	\$ 575.00	\$ 4,025.00	\$ 500.00	\$ 3,500.00	\$ 1,000.00	\$ 7,000.00	\$ 1,878.48	\$ 13,149.36
17	4,700	LF	8-INCH DUCTILE IRON PIPE (SECTION 33 11 00)	\$ 34.11	\$ 160,317.00	\$ 38.50	\$ 180,950.00	\$ 55.00	\$ 258,500.00	\$ 56.00	\$ 263,200.00	\$ 52.78	\$ 248,066.00
18	6,735	LF	6-INCH DUCTILE IRON PIPE (SECTION 33 11 00)	\$ 29.84	\$ 200,972.40	\$ 32.00	\$ 215,520.00	\$ 50.00	\$ 336,750.00	\$ 53.00	\$ 356,955.00	\$ 44.89	\$ 302,334.15
19	5,205	LF	4-INCH PVC PIPE INCLUDING FITTINGS (SECTION 33 11 00)	\$ 26.21	\$ 136,423.05	\$ 23.00	\$ 119,715.00	\$ 35.00	\$ 182,175.00	\$ 32.50	\$ 169,162.50	\$ 39.88	\$ 207,575.40
20	2,285	LF	2-INCH PVC PIPE INCLUDING FITTINGS (SECTION 33 11 00)	\$ 24.90	\$ 56,896.50	\$ 22.00	\$ 50,270.00	\$ 23.00	\$ 52,555.00	\$ 31.00	\$ 70,835.00	\$ 37.56	\$ 85,824.60
21	16	EA	8-INCH GATE VALVES & BOXES (SECTION 33 11 00)	\$ 1,414.00	\$ 22,624.00	\$ 1,400.00	\$ 22,400.00	\$ 1,700.00	\$ 27,200.00	\$ 1,600.00	\$ 25,600.00	\$ 1,393.29	\$ 22,292.64
22	21	EA	6-INCH GATE VALVES & BOXES (SECTION 33 11 00)	\$ 1,049.00	\$ 22,029.00	\$ 1,000.00	\$ 21,000.00	\$ 1,200.00	\$ 25,200.00	\$ 1,000.00	\$ 21,000.00	\$ 1,072.10	\$ 22,514.10
23	13	EA	4-INCH GATE VALVES & BOXES (SECTION 33 11 00)	\$ 815.00	\$ 10,595.00	\$ 900.00	\$ 11,700.00	\$ 1,000.00	\$ 13,000.00	\$ 900.00	\$ 11,700.00	\$ 906.04	\$ 11,778.52
24	3	EA	2-INCH GATE VALVES & BOXES (SECTION 33 11 00)	\$ 733.00	\$ 2,199.00	\$ 800.00	\$ 2,400.00	\$ 800.00	\$ 2,400.00	\$ 750.00	\$ 2,250.00	\$ 707.27	\$ 2,121.81
25	10	EA	1-INCH AIR RELEASE VALVE AND BOX (SECTION 33 11 00)	\$ 1,464.00	\$ 14,640.00	\$ 1,175.00	\$ 11,750.00	\$ 1,000.00	\$ 10,000.00	\$ 750.00	\$ 7,500.00	\$ 1,319.94	\$ 13,199.40
26	10	EA	2-INCH BLOW OFF ASSEMBLY (SECTION 33 11 00)	\$ 2,093.00	\$ 20,930.00	\$ 1,500.00	\$ 15,000.00	\$ 1,250.00	\$ 12,500.00	\$ 1,000.00	\$ 10,000.00	\$ 3,157.70	\$ 31,577.00
27	13	EA	FIRE HYDRANT ASSEMBLY - COMPLETE INCLUDES TEE, VALVE & HYDRANT (SECTION 33 11 00)	\$ 3,701.00	\$ 48,113.00	\$ 4,450.00	\$ 57,850.00	\$ 3,800.00	\$ 49,400.00	\$ 5,000.00	\$ 65,000.00	\$ 4,152.51	\$ 53,982.63
28	112	EA	SERVICE CONNECTION TO EXISTING 3/4" - SHORT WITH COPPER WITH NEW METER BOX AND SETTER (SECTION 33 11 00)	\$ 1,187.00	\$ 132,944.00	\$ 860.00	\$ 96,320.00	\$ 750.00	\$ 84,000.00	\$ 850.00	\$ 95,200.00	\$ 704.80	\$ 78,937.60
29	108	EA	SERVICE CONNECTION TO EXISTING 3/4" - LONG WITH COPPER WITH NEW METER BOX AND SETTER (SECTION 33 11 00)	\$ 1,699.00	\$ 183,492.00	\$ 1,400.00	\$ 151,200.00	\$ 1,000.00	\$ 108,000.00	\$ 1,000.00	\$ 108,000.00	\$ 1,045.14	\$ 112,875.12
30	2	EA	SERVICE CONNECTION TO EXISTING 1" - SHORT	\$ 1,210.00	\$ 2,420.00	\$ 1,000.00	\$ 2,000.00	\$ 900.00	\$ 1,800.00	\$ 1,200.00	\$ 2,400.00	\$ 856.45	\$ 1,712.90

HAS \$1486 ON BID

ITEM NO.	QUAN	UNIT	DESCRIPTION	GLASS MACHINERY & EXCAVATION		THOMAS CONSTRUCTION CO		MIKE SMITH PUMP SERVICE		MERKEL BROS. CONSTRUCTION		BAKER'S CONSTRUCTION	
				UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
			WITH COPPER WITH NEW METER BOX AND SETTER (SECTION 33 11 00)										
31	1	EA	SERVICE CONNECTION TO EXISTING 1" - LONG WITH COPPER WITH NEW METER BOX AND SETTER (SECTION 33 11 00)	\$ 1,802.00	\$ 1,802.00	\$ 1,800.00	\$ 1,800.00	\$ 1,200.00	\$ 1,200.00	\$ 1,500.00	\$ 1,500.00	\$ 1,212.15	\$ 1,212.15
32	1	EA	8-INCH X 8-INCH WET TAP WITH TAPPING VALVE AND BOX (SECTION 33 11 00)	\$ 4,654.00	\$ 4,654.00	\$ 4,300.00	\$ 4,300.00	\$ 4,200.00	\$ 4,200.00	\$ 3,500.00	\$ 3,500.00	\$ 3,524.37	\$ 3,524.37
33	3	EA	6-INCH X 6-INCH WET TAP WITH TAPPING VALVE AND BOX (SECTION 33 11 00)	\$ 3,884.00	\$ 11,652.00	\$ 2,900.00	\$ 8,700.00	\$ 3,500.00	\$ 10,500.00	\$ 3,000.00	\$ 9,000.00	\$ 2,752.47	\$ 8,257.41
34	1	EA	8-INCH CONNECTIONS (SECTION 33 11 00)	\$ 2,497.00	\$ 2,497.00	\$ 1,800.00	\$ 1,800.00	\$ 4,500.00	\$ 4,500.00	\$ 3,500.00	\$ 3,500.00	\$ 2,154.14	\$ 2,154.14
35	3	EA	6-INCH CONNECTIONS (SECTION 33 11 00)	\$ 1,966.00	\$ 5,898.00	\$ 1,700.00	\$ 5,100.00	\$ 4,000.00	\$ 12,000.00	\$ 3,250.00	\$ 9,750.00	\$ 1,568.48	\$ 4,705.44
36	3	EA	CUT-AND-PLUG EXISTING WATERLINE - 6-INCH AND SMALLER (SECTION 33 11 00)	\$ 816.00	\$ 2,448.00	\$ 385.00	\$ 1,155.00	\$ 2,000.00	\$ 6,000.00	\$ 1,000.00	\$ 3,000.00	\$ 279.20	\$ 837.60
37	1	EA	CUT-AND-PLUG EXISTING WATERLINE - 8-INCH AND LARGER (SECTION 33 11 00)	\$ 816.00	\$ 816.00	\$ 500.00	\$ 500.00	\$ 2,100.00	\$ 2,100.00	\$ 1,500.00	\$ 1,500.00	\$ 316.38	\$ 316.38
38	30	EA	REMOVE EXISTING VALVE BOXES (SECTION 33 11 00)	\$ 215.00	\$ 6,450.00	\$ 320.00	\$ 9,600.00	\$ 200.00	\$ 6,000.00	\$ 250.00	\$ 7,500.00	\$ 190.15	\$ 5,704.50
39	6	EA	REMOVE EXISTING BLOW OFFS (SECTION 33 11 00)	\$ 430.00	\$ 2,580.00	\$ 480.00	\$ 2,880.00	\$ 250.00	\$ 1,500.00	\$ 500.00	\$ 3,000.00	\$ 390.98	\$ 2,345.88
40	10	EA	12-INCH RCP (SECTION 33 40 00)	\$ 50.00	\$ 500.00	\$ 55.00	\$ 550.00	\$ 75.00	\$ 750.00	\$ 50.00	\$ 500.00	\$ 38.34	\$ 383.40
41	1	LS	LANDSCAPE ALLOWANCE	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
42	1	EA	PROJECT SIGN (SECTION 01 50 00)	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 3,744.95	\$ 3,744.95
<b>PROJECT TOTAL :</b>				\$ 1,689,240.50	\$ 1,689,240.50	\$ 1,748,122.00	\$ 1,748,122.00	\$ 1,802,265.00	\$ 1,802,265.00	\$ 1,806,585.50	\$ 1,806,585.50	\$ 1,909,653.58	\$ 1,909,653.58

HAS 1,888,507.50  
ON BID FORM



**AGENDA ACTION FORM**

**Consideration of a Final Budget Adjustment Ordinance for FY17**

To: Board of Mayor and Aldermen  
From: Jeff Fleming, City Manager *JF*

Action Form No.: AF-210-2017  
Work Session: July 31, 2017  
First Reading: August 1, 2017

Final Adoption: August 15, 2017  
Staff Work By: Judy Smith  
Presentation By: Jeff Fleming

**Recommendation:**

Approve the Ordinance.

**Executive Summary:**

This ordinance is the final year end ordinance to close out some projects and transfer funds. Funds will be transferred from the General Fund to the Aquatic Center operating budget in the amount of \$200,000, to the Solid Waste Fund operating budget in the amount of \$100,000 and to the General Project in the amount of \$340,000. The ordinance will also appropriate \$25,000 from the East Tennessee Foundation to the Centennial Park/Downtown Parks project

Several Water projects will be closed and the funds will be transferred to the Master Plan Water Upgrades in the amount of \$483,523 and to the Water Line Improvements project in the amount of \$75,000. Water projects to be closed are WA1404, WA1501, WA1601, and WA1702.

Several Sewer projects will be closed and the funds will be transferred to the Miscellaneous Sewer Line Improvement project in the amount of \$195,598, to the Sewer Line Improvement project in the amount of \$150,000 and to the Maintenance Facility Improvements project in the amount of \$100,000. Sewer projects to be closed are SW1401, SW1501, SW1701 and SW1704.

**Attachments:**

- 1. Ordinance

Funding source appropriate and funds are available: *JF*

	Y	N	O
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—



**AGENDA ACTION FORM**

**Consideration of a Final Budget Adjustment Ordinance for FY17**

To: Board of Mayor and Aldermen  
From: Jeff Fleming, City Manager 

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Several Water projects will be closed and the funds will be transferred to the Master Plan Water Upgrades in the amount of \$483,523 and to the Water Line Improvements project in the amount of \$75,000. Water projects to be closed are WA1404, WA1501, WA1601, and WA1702.

Several Sewer projects will be closed and the funds will be transferred to the Miscellaneous Sewer Line Improvement project in the amount of \$195,598, to the Sewer Line Improvement project in the amount of \$150,000 and to the Maintenance Facility Improvements project in the amount of \$100,000. Sewer projects to be closed are SW1401, SW1501, SW1701 and SW1704.

**Attachments:**

- 1. Ordinance

Funding source appropriate and funds are available: 

	Y	N	O
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Oltzman	—	—	—
Clark	—	—	—

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR  
THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE  
EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the General Fund budget be amended by transferring \$100,000 to the Solid Waste Fund operating budget, by transferring \$200,000 to the Aquatic Center operating budget, by transferring \$7,000 to the Public Art project (GP1630), by transferring \$25,000 to the Centennial Park/Downtown project (GP1627) and by appropriating \$25,000 donation funds received from the East Tennessee Foundation to the Centennial Park/Downtown project (GP1627) and by transferring \$340,000 to the General Projects project (GP1750).

Section II. That the Water Project Fund budget be amended by transferring \$180,989 from the Annexation Fire Hydrants project (WA1404), by transferring \$7,206 from the Colonial Heights PH2 Project (WA1501), by transferring \$432,224 from the Systemwide Water Upgrades project (WA1601) to the Water Line Improvement project (WA1702) in the amount of \$61,896, to the Master Plan Water Upgrades project (WA1704) in the amount of \$483,523 and to the Water Line Improvements project (WA1801) and close projects WA1404, WA1501, WA1601 and WA1702.

Section III. That the Sewer Project Fund budget be amended by transferring \$74,939 from the Miscellaneous Sewer Line Improvement project (SW1401), \$64,423 from the Colonial Heights PH2 project (SW1501), \$129,999 from the Miscellaneous Sewer Line project (SW1701) and \$176,537 from the Sewer Line Improvement project (SW1704) to the Miscellaneous Sewer Line project (SW1804) in the amount of \$195,898, to the Sewer Line Improvement project (SW1806) in the amount of \$150,000 and to the Maintenance Facility Improvements project (SW1808) in the amount of \$100,000 and close project SW1401, SW1501, SW1701 and SW1704.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/&lt;Decr&gt;</u>	<u>New Budget</u>
<b>Fund 110: General Fund</b>			
<b>Revenues:</b>	\$	\$	\$
110-0000-315-1000 Gross Receipts	1,600,800	100,000	1,700,800
110-0000-332-5200 TVA Impact Fee	85,000	176,000	261,000
<b>Totals:</b>	<b>1,685,800</b>	<b>276,000</b>	<b>1,961,800</b>
<b>Expenditures:</b>	\$	\$	\$
110-4804-481-7023 To State Street Aid Fund	1,104,000	(160,000)	944,000
110-4804-481-7022 To Solid Waste Fund Fund	2,189,900	100,000	2,289,900
110-4043-462-2020 Professional Consultant	53,062	(12,300)	40,762
110-4032-463-2075 Temporary Employees	61,974	(8,800)	53,174

110-4806-481-1010 Personal Services	204,018	(204,018)	0
110-4874-481-7425 Indian Trail TIF	20,000	(10,882)	9,118
110-4804-481-7036 To Gen Proj Fund	4,282,208	372,000	4,654,208
110-4804-481-7039 Aquatic Center Fund	300,000	200,000	500,000
<b>Totals:</b>	<b>8,100,126</b>	<b>276,000</b>	<b>8,491,162</b>

**Fund 121: State Street Aid Fund**

<b>Revenues:</b>	\$	\$	\$
121-0000-332-6000 Gasoline & Motor Fuel Tax	1,385,600	43,381	1,428,981
121-0000-391-0100 From General Fund	1,284,000	(340,000)	944,000
<b>Totals:</b>	<b>2,669,600</b>	<b>(296,619)</b>	<b>2,372,981</b>

<b>Expenditures:</b>	\$	\$	\$
121-4024-461-3038 Snow Removal	300,000	(195,535)	104,465
121-4024-461-4099 Miscellaneous	32,999	(29,747)	3,252
121-4026-461-2027 Side Walk Construction	33,043	(30,000)	3,043
121-4024-461-3027 Traffic Signal Supplies	152,988	(21,000)	131,988
121-4024-461-3028 Paint Supplies	116,010	(20,337)	95,673
<b>Totals:</b>	<b>635,040</b>	<b>(296,619)</b>	<b>338,421</b>

**Fund 419: Aquatic Center Fund**

<b>Revenues:</b>	\$	\$	\$
419-0000-391-0100 From General Fund	300,000	200,000	500,000
419-0000-378-1920 Gate Receipts	460,000	(68,526)	391,474
419-0000-378-1925 Annual Memberships	150,000	(88,693)	61,307
419-0000-378-1900 Rentals	150,000	(42,781)	107,219
<b>Totals:</b>	<b>1,060,000</b>	<b>0</b>	<b>1,060,000</b>

**Fund 415: Solid Waste Fund**

<b>Revenues:</b>	\$	\$	\$
415-0000-343-1010 Inside Resident 1 Cart	1,870,900	(100,000)	1,770,900
415-0000-391-0100 From General Fund	2,189,900	100,000	2,289,900
<b>Totals:</b>	<b>4,060,800</b>	<b>0</b>	<b>4,060,800</b>

**Fund 311: General Project Fund**

**Public Art (GP1630)**

<b>Revenues:</b>	\$	\$	\$
311-0000-391-0100 From General Fund	50,000	7,000	57,000
<b>Totals:</b>	<b>50,000</b>	<b>7,000</b>	<b>57,000</b>

<b>Expenditures:</b>	\$	\$	\$
311-0000-601-9006 Purchases Over \$5,000	50,000	7,000	57,000
<b>Totals:</b>	<b>50,000</b>	<b>7,000</b>	<b>57,000</b>

**Fund 311: General Project Fund**  
**Centennial Park/Downtown Parks (GP1627)**

**Revenues:**

	\$	\$	\$
311-0000-364-1000 Contributions/Individual	650	0	650
311-0000-364-5621 East TN Foundation	635,000	25,000	660,000
311-0000-368-1047 Series 2014 A GO Bonds	126,266	0	126,266
311-0000-368-1054 Series 2016 GO (Nov 4)	26,643	0	26,643
311-0000-368-2101 Premium From Bond Sale	27,074	0	27,074
311-0000-391-0100 From General Fund	851,200	25,000	876,200
<b>Totals:</b>	<b>1,666,833</b>	<b>50,000</b>	<b>1,716,833</b>

**Expenditures:**

	\$	\$	\$
311-0000-601-2022 Construction Contracts	20,000	0	20,000
311-0000-601-2023 Arch/Eng/Landscaping	77,315	0	77,315
311-0000-601-2095 Public Art Contracts	10,000	0	10,000
311-0000-601-4041 Bond Sale Expense	3,717	0	3,717
311-0000-601-9001 Land	31,000	0	31,000
311-0000-601-9003 Improvements	1,524,801	25,000	1,549,801
311-0000-601-9006 Purchases Over \$5,000	0	25,000	25,000
<b>Totals:</b>	<b>1,666,833</b>	<b>50,000</b>	<b>1,716,833</b>

**Fund 311: General Project Fund**  
**General Projects (GP1750)**

**Revenues:**

	\$	\$	\$
311-0000-391-0100 From General Fund	778,923	340,000	1,118,923
<b>Totals:</b>	<b>778,923</b>	<b>340,000</b>	<b>1,118,923</b>

**Expenditures:**

	\$	\$	\$
311-0000-601-9003 Improvements	778,923	340,000	1,118,923
<b>Totals:</b>	<b>778,923</b>	<b>340,000</b>	<b>1,118,923</b>

**Fund 451: Water Project Fund**  
**Annexation Fire Hydrants (WA1404)**

**Revenues:**

	\$	\$	\$
451-0000-391-0529 Series 2013 B GO Pub Imp	151,165	(102,659)	48,506
451-0000-391-4500 From Water Fund	26,047	(26,047)	0
451-0000-391-4600 Reserve Outside City Imp	56,207	(52,283)	3,924
<b>Totals:</b>	<b>233,419</b>	<b>(180,989)</b>	<b>52,430</b>

**Expenditures:**

	\$	\$	\$
451-0000-605-2022 Construction Contracts	160,605	(113,265)	47,340
451-0000-605-2023 Arch/Eng/Landscaping	72814	(67,724)	5,090
<b>Totals:</b>	<b>233,419</b>	<b>(180,989)</b>	<b>52,430</b>

**Fund 411: Water Project Fund**  
**Colonial Heights PH2 (WA1501)**

**Revenues:**

	\$	\$	\$
451-0000-391-0527 Series 2012 C GO Pub Imp	11,387	0	11,387
451-0000-391-0529 Series 2013 B GO Pub Imp	511,500	0	511,500
451-0000-391-4500 From Water Fund	169,173	(7,206)	161,967
<b>Totals:</b>	<b>692,060</b>	<b>(7,206)</b>	<b>684,854</b>

**Expenditures:**

	\$	\$	\$
451-0000-605-2023 Arch/Eng/Landscaping	88,300	(6,432)	81,868
451-0000-605-9003 Improvements	603,760	(774)	602,986
<b>Totals:</b>	<b>692,060</b>	<b>(7,206)</b>	<b>684,854</b>

**Fund 451: Water Project Fund**  
**Systemwide Water Upgrades (WA1601)**

**Revenues:**

	\$	\$	\$
451-0000-391-0529 Series 2013 B GO Pub Imp	2,099,623	0	2,099,623
451-0000-391-0531 Series 2014 B GO Bonds	510,177	(432,224)	77,953
<b>Totals:</b>	<b>2,609,800</b>	<b>(432,224)</b>	<b>2,177,576</b>

**Expenditures:**

	\$	\$	\$
451-0000-605-2023 Arch/Eng/Landscaping	331,800	(19,251)	312,549
451-0000-605-3011 Postage	200	(200)	0
451-0000-605-9003 Improvements	2,277,800	(412,773)	1,865,027
<b>Totals:</b>	<b>2,609,800</b>	<b>(432,224)</b>	<b>2,177,576</b>

**Fund 451: Water Project Fund**  
**Water Line Improvements (WA1702)**

**Revenues:**

	\$	\$	\$
451-0000-391-4500 From Water Fund	605,000	33,253	638,253
451-0000-391-4600 Reserve Outside City Imp	0	28,643	28,643
<b>Totals:</b>	<b>605,000</b>	<b>61,896</b>	<b>666,896</b>

**Expenditures:**

	\$	\$	\$
451-0000-605-9021 New Dist Lines	15,000	11,778	26,778
451-0000-605-9022 Hydrants	40,000	(13,210)	26,790
451-0000-605-9023 New Meters	150,000	(4,023)	145,977
451-0000-605-9024 Replacement Meters	50,000	467	50,467
451-0000-605-9025 Replacement Dist Lines	350,000	66,884	416,884
<b>Totals:</b>	<b>605,000</b>	<b>61,896</b>	<b>666,896</b>

**Fund 451: Water Project Fund**  
**Master Plan Water Upgrades (WA1704)**

**Revenues:**

	\$	\$	\$
451-0000-391-0529 Series 2013 B GO Pub Imp	0	51,299	51,299
451-0000-391-0531 Series 2014 B GO Bonds	0	432,224	432,224

451-0000-391-0545 Series 2016 GO (Nov 4)	1,730,000	0	1,730,000
<b>Totals:</b>	<b>1,730,000</b>	<b>483,523</b>	<b>2,213,523</b>
<b>Expenditures:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
451-0000-605-2023 Arch/Eng/Landscaping	195,000	68,500	263,500
451-0000-605-9001 Land	20,000	0	20,000
451-0000-605-9003 Improvements	1,515,000	415,023	1,930,023
<b>Totals:</b>	<b>1,730,000</b>	<b>483,523</b>	<b>2,213,523</b>

**Fund 451: Water Project Fund**  
**Water Line Improvements (WA1801)**

<b>Revenues:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
451-0000-391-0529 Series 2013 B GO Pub Imp	0	51,360	51,360
451-0000-391-4600 Reserve Outside City Imp	605,000	23,640	628,640
<b>Totals:</b>	<b>605,000</b>	<b>75,000</b>	<b>680,000</b>
<b>Expenditures:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
451-0000-605-9021 New Dist Lines	15,000	0	15,000
451-0000-605-9022 Hydrants	40,000	0	40,000
451-0000-605-9023 New Meters	150,000	23,640	173,640
451-0000-605-9024 Replacement Meters	50,000	0	50,000
451-0000-605-9025 Replacement Dist Lines	350,000	51,360	401,360
<b>Totals:</b>	<b>605,000</b>	<b>75,000</b>	<b>680,000</b>

**Fund 452: Sewer Project Fund**  
**Miscellaneous Sewer Line**  
**Improvements(SW1401)**

<b>Revenues:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
452-0000-391-0529 Series 2013 B GO Pub Imp	277,279	0	277,279
452-0000-391-0531 Series 2014 B GO Bonds	600,000	0	600,000
452-0000-391-4200 From Sewer Fund	662,402	(74,939)	587,463
<b>Totals:</b>	<b>1,539,681</b>	<b>(74,939)</b>	<b>1,464,742</b>
<b>Expenditures:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
452-0000-606-2023 Arch/Eng/Landscaping	190,342	(10,631)	179,711
452-0000-606-9001 Land	10,285	0	10,285
452-0000-606-9003 Improvements	1,339,054	(64,308)	1,274,746
<b>Totals:</b>	<b>1,539,681</b>	<b>(74,939)</b>	<b>1,464,742</b>

**Fund 452: Sewer Project Fund**  
**Colonial Heights PH 2 (SW1501)**

<b>Revenues:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
452-0000-391-0529 Series 2013 B GO Pub Imp	435,948	0	435,948
452-0000-391-0531 Series 2014 B GO Bonds	2,850,000	0	2,850,000
452-0000-391-4200 From Sewer Fund	70,323	(64,423)	5,900
<b>Totals:</b>	<b>3,356,271</b>	<b>(64,423)</b>	<b>3,291,848</b>
<b>Expenditures:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>

452-0000-606-2023 Arch/Eng/Landscaping	391,183	(15,579)	375,604
452-0000-606-9001 Land	185,187	1,000	186,187
452-0000-606-9003 Improvements	2,779,901	(49,844)	2,730,057
<b>Totals:</b>	<b>3,356,271</b>	<b>(64,423)</b>	<b>3,291,848</b>

**Fund 452: Sewer Project Fund**  
**Miscellaneous Sewer Line (SW1701)**

<b>Revenues:</b>	\$	\$	\$
452-0000-391-4200 From Sewer Fund	161,061	(129,999)	31,062
<b>Totals:</b>	<b>161,061</b>	<b>(129,999)</b>	<b>31,062</b>

<b>Expenditures:</b>	\$	\$	\$
452-0000-606-2023 Arch/Eng/Landscaping	50,000	(50,000)	0
452-0000-606-9003 Improvements	111,061	(79,999)	31,062
<b>Totals:</b>	<b>161,061</b>	<b>(129,999)</b>	<b>31,062</b>

**Fund 452: Sewer Project Fund**  
**Sewer Line Imp (SW1704)**

<b>Revenues:</b>	\$	\$	\$
452-0000-391-4200 From Sewer Fund	371,697	(176,537)	195,160
<b>Totals:</b>	<b>371,697</b>	<b>(176,537)</b>	<b>195,160</b>

<b>Expenditures:</b>	\$	\$	\$
452-0000-606-9026 Sewer Extensions	74,411	(74,411)	0
452-0000-606-9027 Sewer Taps	41,136	(29,744)	11,392
452-0000-606-9028 Sewer Improvements	256,150	(72,382)	183,768
<b>Totals:</b>	<b>371,697</b>	<b>(176,537)</b>	<b>195,160</b>

**Fund 452: Sewer Project Fund**  
**Misc. Sewer Line (SW1804)**

<b>Revenues:</b>	\$	\$	\$
452-0000-391-4200 From Sewer Fund	300,000	195,898	495,898
<b>Totals:</b>	<b>300,000</b>	<b>195,898</b>	<b>495,898</b>

<b>Expenditures:</b>	\$	\$	\$
452-0000-606-2023 Arch/Eng/Landscaping	50,000	31,000	81,000
452-0000-606-9003 Improvements	250,000	164,898	414,898
<b>Totals:</b>	<b>300,000</b>	<b>195,898</b>	<b>495,898</b>

**Fund 452: Sewer Project Fund**  
**Sewer Line Imp.(SW1806)**

<b>Revenues:</b>	\$	\$	\$
452-0000-391-4200 From Sewer Fund	250,000	150,000	400,000
<b>Totals:</b>	<b>250,000</b>	<b>150,000</b>	<b>400,000</b>

<b>Expenditures:</b>	\$	\$	\$
452-0000-606-9026 Sewer Extensions	40,000	75,000	115,000
452-0000-606-9027 Sewer Taps	20,000	75,000	95,000
452-0000-606-9028 Sewer Improvements	190,000	0	190,000
<b>Totals:</b>	<b>250,000</b>	<b>150,000</b>	<b>400,000</b>

**Fund 452: Sewer Project Fund**  
**Maintenance Facility Improvements (SW1808)**

<b>Revenues:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
452-0000-391-4200 From Sewer Fund	100,000	100,000	200,000
<b>Totals:</b>	<b>100,000</b>	<b>100,000</b>	<b>200,000</b>
<b>Expenditures:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
452-0000-606-9003 Improvements	100,000	100,000	200,000
<b>Totals:</b>	<b>100,000</b>	<b>100,000</b>	<b>200,000</b>

SECTION IV. That this Ordinance shall take effect from and after its date of passage, as the law direct, the welfare of the City of Kingsport, Tennessee requiring it.

\_\_\_\_\_  
 JOHN CLARK, Mayor

ATTEST:

\_\_\_\_\_  
 JAMES H. DEMMING, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
 J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING:  
 PASSED ON 2ND READING:



**AGENDA ACTION FORM**

**Apply for and Receive a Grant for \$21,030 from the Department of Justice Edward Byrne Memorial Justice Assistance Program (JAG) FY 2017 Local Solicitation**

To: Board of Mayor and Aldermen  
From: Jeff Fleming, City Manager 

Action Form No.: AF-220-2017  
Work Session: August 14, 2017  
First Reading: N/A

Final Adoption: August 15, 2017  
Staff Work By: Capt. Gore  
Presentation By: Chief Quillin

**Recommendation:**

Approve the Resolution.

**Executive Summary:**

The Kingsport Police Department has ongoing grant opportunities with the U.S. Department of Justice (DOJ)/Office of Justice Programs (OJP)/Bureau of Justice Assistance (BJA). We have been notified that we are eligible for \$21,030 in grant funds through the Edward Byrne Memorial Justice Assistance Grant Program (JAG) for the upcoming fiscal year. The grant will be utilized to purchase equipment and/or technology improvements.

There are no matching fund requirements.

**Attachments:**

1. Resolution
2. Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2017 Local Solicitation

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AN APPLICATION FOR AND RECEIPT OF A FISCAL YEAR 2017 LOCAL SOLICITATION GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR SUCH APPLICATION AND RECEIPT OF GRANT FUNDS

WHEREAS, the city would like to apply for the Fiscal Year 2017 Local Solicitation Grant from the United States Department of Justice Edward Byrne Memorial Justice Assistance Grant Program to purchase equipment and technology for the Kingsport Police Department; and

WHEREAS, the grant funds would be in the amount up to \$21,030.00 and there is no local match; and

WHEREAS, certain documents must be completed and executed to apply for and receive the grant funds.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That application for and receipt of a Fiscal Year 2017 Local Solicitation Grant from the United States Department of Justice Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Program in the amount of up to \$21,030.00 to purchase equipment and technology for the Kingsport Police Department is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, all documents necessary and proper to apply for and receive a Fiscal Year 2017 Local Solicitation Grant from the United States Department of Justice Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Program and any and all documents necessary and proper for such application and receipt of funds.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the public.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 15th day of August, 2017.

\_\_\_\_\_  
JOHN CLARK, MAYOR

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**U.S. Department of Justice**  
Office of Justice Programs  
Bureau of Justice Assistance



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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting State, local, and tribal efforts to prevent or reduce crime and violence.

## **Edward Byrne Memorial Justice Assistance Grant Program FY 2017 Local Solicitation Applications Due: September 5, 2017**

### **Eligibility**

Only units of local government may apply under this solicitation. By law, for purposes of the JAG Program, the term "units of local government" includes a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may also be a federally recognized Indian tribal government that performs law enforcement functions (as determined by the Secretary of the Interior). A unit of local government may be any law enforcement district or judicial enforcement district established under applicable State law with authority to independently establish a budget and impose taxes; for example, in Louisiana, a unit of local government means a district attorney or parish sheriff.

A JAG application is not complete, and a unit of local government may not receive award funds, unless the chief executive of the applicant unit of local government (e.g., a mayor) properly executes, and the unit of local government submits, the "Certifications and Assurances by Chief Executive of Applicant Government" attached to this solicitation as [Appendix I](#).

In addition, as discussed further [below](#), in order validly to accept a Fiscal Year (FY) 2017 JAG award, the chief legal officer of the applicant unit of local government must properly execute, and the unit of local government must submit, the specific certification regarding compliance with 8 U.S.C. § 1373 attached to this solicitation as [Appendix II](#). (Note: this requirement does not apply to Indian tribal governments.) (The text of 8 U.S.C. § 1373 appears in [Appendix II](#).)

Eligible allocations under JAG are posted annually on the [JAG web page](#) under "Funding."

## Deadline

Applicants must register in the [OJP Grants Management System \(GMS\)](#) prior to submitting an application under this solicitation. All applicants must register, even those that previously registered in GMS. Select the “Apply Online” button associated with the solicitation title. All registrations and applications are due by 5 p.m. eastern time on September 5, 2017.

This deadline does **not** apply to the certification regarding compliance with 8 U.S.C. § 1373. As explained [below](#), a unit of local government (other than an Indian tribal government) may not validly accept an award unless that certification is submitted to the Office of Justice Programs (OJP) on or before the day the unit of local government submits the signed award acceptance documents.

For additional information, see [How to Apply](#) in [Section D. Application and Submission Information](#).

## Contact Information

For technical assistance with submitting an application, contact the Grants Management System (GMS) Support Hotline at 888-549-9901, option 3, or via email at [GMS.HelpDesk@usdoj.gov](mailto:GMS.HelpDesk@usdoj.gov). The [GMS](#) Support Hotline operates 24 hours a day, 7 days a week, including on federal holidays.

An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline must email the National Criminal Justice Reference Service (NCJRS) Response Center at [grants@ncjrs.gov](mailto:grants@ncjrs.gov) **within 24 hours after the application deadline** in order to request approval to submit its application. Additional information on reporting technical issues appears under “Experiencing Unforeseen GMS Technical Issues” in [How to Apply](#) in [Section D. Application and Submission Information](#).

For assistance with any other requirement of this solicitation, applicants may contact the NCJRS Response Center by telephone at 1-800-851-3420; via TTY at 301-240-6310 (hearing impaired only); by email at [grants@ncjrs.gov](mailto:grants@ncjrs.gov); by fax to 301-240-5830, or by web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date. Applicants also may contact the appropriate BJA [State Policy Advisor](#).

Funding opportunity number assigned to this solicitation: BJA-2017-11301

Release date: August 3, 2017

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# Edward Byrne Memorial Justice Assistance Grant Program FY 2017 Local Solicitation CFDA #16.738

## A. Program Description

### Overview

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to States and units of local government. BJA will award JAG Program funds to eligible units of local government under this FY 2017 JAG Program Local Solicitation. (A separate solicitation will be issued for applications to BJA directly from States.)

**Statutory Authority:** The JAG Program statute is Subpart I of Part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968. Title I of the "Omnibus Act" generally is codified at Chapter 26 of Title 42 of the United States Code; the JAG Program statute is codified at 42 U.S.C. §§ 3750-3758. See also 28 U.S.C. § 530C(a).

### Program-Specific Information

#### Permissible uses of JAG Funds – In general

In general, JAG funds awarded to a unit of local government under this FY 2017 solicitation may be used to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice, including for any one or more of the following:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs (other than compensation)
- Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams

Under the JAG Program, units of local government may use award funds for broadband deployment and adoption activities as they relate to criminal justice activities.

### **Limitations on the use of JAG funds**

*Prohibited and controlled uses of funds* – JAG funds may not be used (whether directly or indirectly) for any purpose prohibited by federal statute or regulation, including those purposes specifically prohibited by the JAG Program statute as set out at 42 U.S.C. § 3751(d):

- (1) Any security enhancements or any equipment to any nongovernmental entity that is not engaged in criminal justice or public safety.
- (2) Unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of such funds to provide such matters essential to the maintenance of public safety and good order—
  - (a) Vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters)
  - (b) Luxury items
  - (c) Real estate
  - (d) Construction projects (other than penal or correctional institutions)
  - (e) Any similar matters

For additional information on expenditures prohibited under JAG, as well as expenditures that are permitted but “controlled,” along with the process for requesting approval regarding controlled items, refer to the [JAG Prohibited and Controlled Expenditures Guidance](#). Information also appears in the [JAG FAQs](#).

*Cap on use of JAG award funds for administrative costs* – A unit of local government may use up to 10 percent of a JAG award, including up to 10 percent of any earned interest, for costs associated with administering the award.

*Prohibition of supplanting; no use of JAG funds as “match”* – JAG funds may not be used to supplant State or local funds but must be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities. See the [JAG FAQs](#) on BJA’s JAG web page for examples of supplanting.

Although supplanting is prohibited, as discussed under “[What An Application Should Include](#),” the leveraging of federal funding is encouraged.

Absent specific federal statutory authority to do so, JAG award funds may not be used as “match” for the purposes of other federal awards.

*Other restrictions on use of funds* – If a unit of local government chooses to use its FY 2017 JAG funds for particular, defined types of expenditures, it must satisfy certain preconditions:

- **Body-Worn Cameras (BWC)**  
A unit of local government that proposes to use FY 2017 JAG award funds to purchase BWC equipment or to implement or enhance BWC programs, must provide to OJP a certification(s) that the unit of local government has policies and procedures in place related to BWC equipment usage, data storage and access, privacy considerations, training, etc. The certification can be found at:  
<https://www.bja.gov/Funding/BodyWornCameraCert.pdf>.

A unit of local government that proposes to use JAG funds for BWC-related expenses will have funds withheld until the required certification is submitted and approved by OJP.

**The BJA [BWC Toolkit](#) provides model BWC policies and best practices to assist departments in implementing BWC programs.**

Apart from the JAG Program, BJA provides funds under the Body-Worn Camera Policy and Implementation Program (BWC Program). The BWC Program allows jurisdictions to develop and implement policies and practices required for effective program adoption and address program factors including the purchase, deployment, and maintenance of camera systems and equipment; data storage and access; and privacy considerations. Interested units of local government may wish to refer to the [BWC web page](#) for more information. Units of local government should note, however, that JAG funds may not be used as any part of the 50 percent match required by the BWC Program.

- **Body Armor**

Ballistic-resistant and stab-resistant body armor can be funded through the JAG Program, as well as through BJA's Bulletproof Vest Partnership (BVP) Program. The BVP Program is designed to provide a critical resource to local law enforcement through the purchase of ballistic-resistant and stab-resistant body armor. For more information on the BVP Program, including eligibility and application, refer to the [BVP web page](#). Units of local government should note, however, that JAG funds may not be used as any part of the 50 percent match required by the BVP Program.

Body armor purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the body armor has been tested and found to comply with the latest applicable National Institute of Justice (NIJ) ballistic or stab standards. In addition, body armor purchased must be made in the United States.

As is the case in the BVP Program, units of local government that propose to purchase body armor with JAG funds must certify that law enforcement agencies receiving body armor have a written "mandatory wear" policy in effect. FAQs related to the mandatory wear policy and certifications can be found at:

<https://www.bja.gov/Funding/JAGFAQ.pdf>. This policy must be in place for at least all uniformed officers before any FY 2017 funding can be used by the unit of local government for body armor. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty. The certification must be signed by the Authorized Representative and must be attached to the application if proposed as part of the application. If the unit of local government proposes to change project activities to utilize JAG funds to purchase body armor after the award is accepted, the unit of local government must submit the signed certification to BJA at that time. A mandatory wear concept and issues paper and a model policy are available by contacting the BVP Customer Support Center at [vests@usdoj.gov](mailto:vests@usdoj.gov) or toll free at 1-877-758-3787. The certification form related to mandatory wear can be found at: [www.bja.gov/Funding/BodyArmorMandatoryWearCert.pdf](http://www.bja.gov/Funding/BodyArmorMandatoryWearCert.pdf).

- **DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database**

If JAG Program funds will be used for DNA testing of evidentiary materials, any resulting **eligible** DNA profiles must be uploaded to the Combined DNA Index System (CODIS, the national DNA database operated by the Federal Bureau of Investigation [FBI]) by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior express written approval from BJA.

In addition, funds may not be used for purchase of DNA equipment and supplies when the resulting DNA profiles from such technology are not accepted for entry into CODIS.

- **Interoperable Communication**

Units of local government (including subrecipients) that use FY 2017 JAG funds to support emergency communications activities (including the purchase of interoperable communications equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission [FCC] Waiver Order) should review [FY 2017 SAFECOM Guidance](#). The SAFECOM Guidance is updated annually to provide current information on emergency communications policies, eligible costs, best practices, and technical standards for State, local, tribal, and territorial grantees investing federal funds in emergency communications projects. Additionally, emergency communications projects should support the Statewide Communication Interoperability Plan (SCIP) and be coordinated with the fulltime Statewide Interoperability Coordinator (SWIC) in the State of the project. As the central coordination point for their State's interoperability effort, the SWIC plays a critical role, and can serve as a valuable resource. SWICs are responsible for the implementation of SCIP through coordination and collaboration with the emergency response community. The U.S. Department of Homeland Security Office of Emergency Communications maintains a list of SWICs for each of the States and territories. Contact [OEC@hq.dhs.gov](mailto:OEC@hq.dhs.gov). All communications equipment purchased with FY 2017 JAG Program funding should be identified during quarterly performance metrics reporting.

In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety communities, OJP requires the recipient to comply with DOJ's Global Justice Information Sharing Initiative guidelines and recommendations for this particular grant. Recipients must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: [https://www.it.ojp.gov/gsp\\_grantcondition](https://www.it.ojp.gov/gsp_grantcondition). Recipients must document planned approaches to information sharing and describe compliance to GSP and an appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

### **Required compliance with applicable federal laws**

By law, the chief executive (e.g., the mayor) of each unit of local government that applies for an FY 2017 JAG award must certify that the unit of local government will "comply with all provisions of [the JAG program statute] and all other applicable Federal laws." To satisfy this requirement, each unit of local government applicant must submit two properly executed certifications using the forms shown in Appendix I and Appendix II.

All applicants should understand that OJP awards, including certifications provided in connection with such awards, are subject to review by DOJ, including by OJP and by the DOJ

Office of the Inspector General. Applicants also should understand that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in a certification submitted to OJP in support of an application may be the subject of criminal prosecution, and also may result in civil penalties and administrative remedies for false claims or otherwise. Administrative remedies that may be available to OJP with respect to an FY 2017 award include suspension or termination of the award, placement on the DOJ high risk grantee list, disallowance of costs, and suspension or debarment of the recipient.

### **BJA areas of emphasis**

BJA recognizes that there are significant pressures on local criminal justice systems. In these challenging times, shared priorities and leveraged resources can make a significant impact. As a component of OJP, BJA intends to focus much of its work on the areas of emphasis described below, and encourages each unit of local government recipient of an FY 2017 JAG award to join us in addressing these challenges:

- *Reducing Gun Violence* – Gun violence has touched nearly every State and local government in America. While our nation has made great strides in reducing violent crime, some municipalities and regions continue to experience unacceptable levels of violent crime at rates far in excess of the national average. BJA encourages units of local government to invest JAG funds in programs to combat gun violence, enforce existing firearms laws, and improve the process for ensuring that persons prohibited from purchasing guns are prevented from doing so by enhancing reporting to the FBI's National Instant Criminal Background Check System (NICS).
- *National Incident-Based Reporting System (NIBRS)* – The FBI has formally announced its intentions to establish NIBRS as the law enforcement crime data reporting standard for the nation. The transition to NIBRS will provide a more complete and accurate picture of crime at the national, State, and local levels. Once this transition is complete, the FBI will no longer collect summary data and will accept data only in the NIBRS format. Also, once the transition is complete, JAG award amounts will be calculated on the basis of submitted NIBRS data. Transitioning all law enforcement agencies to NIBRS is the first step in gathering more comprehensive crime data. BJA encourages recipients of FY 2017 JAG awards to use JAG funds to expedite the transition to NIBRS.
- *Officer Safety and Wellness* – The issue of law enforcement safety and wellness is an important priority for the Department of Justice. Preliminary data compiled by the National Law Enforcement Officers Memorial Fund indicates that there were 135 line-of-duty law enforcement deaths in 2016—the highest level in the past 5 years and a 10 percent increase from 2015 (123 deaths).

Firearms-related deaths continued to be the leading cause of death (64), increasing 56 percent from 2015 (41). Of particular concern is that of the 64 firearms-related deaths, 21 were as a result of ambush-style attacks representing the highest total in more than two decades. Traffic-related deaths continued to rise in 2016 with 53 officers killed, a 10 percent increase from 2015 (48 deaths). Additionally, there were 11 job-related illness deaths in 2016, mostly heart attacks.

BJA sees a vital need to focus not only on tactical officer safety concerns but also on health and wellness as they affect officer performance and safety. It is important for law enforcement to have the tactical skills necessary, and also be physically and mentally well, to perform, survive, and be resilient in the face of the demanding duties of the

profession. BJA encourages units of local government to use JAG funds to address these needs by providing training, including paying for tuition and travel expenses related to attending trainings such as [VALOR training](#), as well as funding for health and wellness programs for law enforcement officers.

- *Border Security* – The security of United States borders is critically important to the reduction and prevention of transnational drug-trafficking networks and combating all forms of human trafficking within the United States (sex and labor trafficking of foreign nationals and U.S. citizens of all sexes and ages). These smuggling operations on both sides of the border contribute to a significant increase in violent crime and U.S. deaths from dangerous drugs. Additionally, illegal immigration continues to place a significant strain on federal, State, and local resources—particularly on those agencies charged with border security and immigration enforcement—as well as the local communities into which many of the illegal immigrants are placed. BJA encourages units of local government to use JAG funds to support law enforcement hiring, training, and technology enhancement in the area of border security.
- *Collaborative Prosecution* – BJA supports strong partnerships between prosecutors and police as a means to improve case outcomes and take violent offenders off the street. BJA strongly encourages State and local law enforcement to foster strong partnerships with prosecutors to adopt new collaborative strategies aimed at combating increases in crime, particularly violent crime. (BJA's "Smart Prosecution" Initiative is a related effort by OJP to promote partnerships between prosecutors and researchers to develop and deliver effective, data-driven, evidence-based strategies to solve chronic problems and fight crime.)

### **Goals, Objectives, and Deliverables**

In general, the FY 2017 JAG Program is designed to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice. The JAG Local Program is designed to assist units of local government with respect to criminal justice.

As discussed in more detail [below](#), a unit of local government that receives an FY 2017 JAG award will be required to prepare various types of reports and to submit data related to performance measures and accountability. The Goals, Objectives, and Deliverables are directly related to the [JAG Program accountability measures](#).

### **Evidence-Based Programs or Practices**

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates
- Integrating evidence into program, practice, and policy decisions within OJP and the field
- Improving the translation of evidence into practice

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention.

Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. The OJP [CrimeSolutions.gov](#) website is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

A useful matrix of evidence-based policing programs and strategies is available through the [Center for Evidence-Based Crime Policy](#) at George Mason University. BJA offers a number of program models designed to effectively implement promising and evidence-based strategies through the BJA “Smart Suite” of programs, including Smart Policing, Smart Supervision, Smart Pretrial, Smart Defense, Smart Prosecution, Smart Reentry, and others (see: <https://www.bja.gov/Programs/CRPPE/smartsuite.html>). BJA encourages units of local government to use JAG funds to support these “smart on crime” strategies, including effective partnerships with universities, research partners, and non-traditional criminal justice partners.

### **BJA Success Stories**

The [BJA Success Stories](#) web page features projects that have demonstrated success or shown promise in reducing crime and positively impacting communities. This web page will be a valuable resource for States, localities, territories, tribes, and criminal justice professionals that seek to identify and learn about JAG and other successful BJA-funded projects linked to innovation, crime reduction, and evidence-based practices. **BJA strongly encourages the recipient to submit success stories annually (or more frequently).**

If a unit of local government has a success story it would like to submit, it may be submitted through [My BJA account](#), using “add a Success Story” and the Success Story Submission form. Register for a My BJA account using this [registration](#) link.

## **B. Federal Award Information**

BJA estimates that it will make up to 1,100 local awards totaling an estimated \$83,000,000.

Awards of at least \$25,000 are 4 years in length, and award periods will be from October 1, 2016 through September 30, 2020. Extensions beyond this period may be made on a case-by-case basis at the discretion of BJA and must be requested via GMS no less than 30 days prior to the grant end date.

Awards of less than \$25,000 are 2 years in length, and award periods will be from October 1, 2016 through September 30, 2018. Extensions of up to 2 years can be requested for these awards via GMS **no less than 30 days prior to the grant end date**, and will be automatically granted upon request.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by statute.

### **Type of Award**

BJA expects that any award under this solicitation will be in the form of a grant. See [Statutory and Regulatory Requirements: Award Conditions](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

JAG awards are based on a statutory formula as described below.

Once each fiscal year's overall JAG Program funding level is determined, BJA works with the Bureau of Justice Statistics (BJS) to begin a four-step grant award calculation process, which, in general, consists of:

- (1) Computing an initial JAG allocation for each State, based on its share of violent crime and population (weighted equally).
- (2) Reviewing the initial JAG allocation amount to determine if the State allocation is less than the minimum award amount defined in the JAG legislation (0.25 percent of the total). If this is the case, the State is funded at the minimum level, and the funds required for this are deducted from the overall pool of JAG funds. Each of the remaining States receive the minimum award plus an additional amount based on its share of violent crime and population.
- (3) Dividing each State's final award amount (except for the territories and District of Columbia) between the State and its units of local governments at a rate of 60 and 40 percent, respectively.
- (4) Determining unit of local government award allocations, which are based on their proportion of the State's 3-year violent crime average. If the "eligible award amount" for a particular unit of local government as determined on this basis is \$10,000 or more, then the unit of local government is eligible to apply directly to OJP (under the JAG Local solicitation) for a JAG award. If the "eligible award amount" to a particular unit of local government as determined on this basis would be less than \$10,000, however, the funds are not made available for a direct award to that particular unit of local government, but instead are added to the amount that otherwise would have been awarded to the State.

#### **Financial Management and System of Internal Controls**

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities<sup>1</sup>) must, as described in the Part 200 Uniform Requirements<sup>2</sup> as set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States and the "Internal Control Integrated Framework", issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- (b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.

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<sup>1</sup> For purposes of this solicitation, the phrase "pass-through entity" includes any recipient or subrecipient that provides a subaward ("subgrant") to carry out part of the funded award or program.

<sup>2</sup> The "Part 200 Uniform Requirements" refers to the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

- (c) Evaluate and monitor [the recipient's (and any subrecipient's)] compliance with statutes, regulations, and the terms and conditions of Federal awards.
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- (e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or [the recipient (or any subrecipient)] considers sensitive consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality.

To help ensure that applicants understand the administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants Financial Management Online Training, available [here](#).

### **Budget and Financial Information**

*Trust Fund* – Units of local government may draw down JAG funds either in advance or on a reimbursement basis. To draw down in advance, a trust fund must be established in which to deposit the funds. The trust fund may or may not be an interest-bearing account. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit funds.

*Tracking and reporting regarding JAG funds used for State administrative costs* – As indicated earlier, a unit of local government may use up to 10 percent of a JAG award, including up to 10 percent of any earned interest, for costs associated with administering the award. Administrative costs (when utilized) must be tracked separately; a recipient must report in separate financial status reports (SF-425) those expenditures that specifically relate to each particular JAG award during any particular reporting period.

*No commingling* – Both the unit of local government recipient and all subrecipients of JAG funds are prohibited from commingling funds on a program-by-program or project-by-project basis. *For this purpose, use of the administrative JAG funds to perform work across all active awards in any one year is not considered comingling.*

*Disparate Certification* – In some cases, as defined by the legislation, a disparity may exist between the funding eligibility of a county and its associated municipalities. Three different types of disparities may exist:

- The first type is a zero-county disparity. This situation exists when one or more municipalities within a county are eligible for a direct award but the county is not; yet the county is responsible for providing criminal justice services (such as prosecution and incarceration) for the municipality. In this case, the county is entitled to part of the municipality's award because it shares the cost of criminal justice operations, although it may not report crime data to the FBI. This is the most common type of disparity.
- A second type of disparity exists when both a county and a municipality within that county qualify for a direct award, but the award amount for the municipality exceeds 150 percent of the county's award amount.

- The third type of disparity occurs when a county and multiple municipalities within that county are all eligible for direct awards, but the sum of the awards for the individual municipalities exceeds 400 percent of the county's award amount.

Jurisdictions certified as disparate must identify a fiscal agent that will submit a joint application for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant or fiscal agent for joint funds must be completed and signed by the Authorized Representative for each participating jurisdiction. The signed MOU should be attached to the application. For a sample MOU, go to: [www.bja.gov/Funding/JAGMOU.pdf](http://www.bja.gov/Funding/JAGMOU.pdf).

### **Cost Sharing or Match Requirement**

The JAG Program does not require a match.

For additional cost sharing and match information, see the [DOJ Grants Financial Guide](#).

### **Pre-Agreement Costs (also known as Pre-award Costs)**

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the grant award.

OJP does *not* typically approve pre-agreement costs. An applicant must request and obtain the prior written approval of OJP for any such costs. All such costs incurred prior to award and prior to approval of the costs are incurred *at the sole risk* of the applicant. (Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs.)

Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact listed on the title page of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent with the recipient's approved budget and applicable cost principles. See the section on "Costs Requiring Prior Approval" in the [DOJ Grants Financial Guide](#) for more information.

### **Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs**

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events, available at:

<https://www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm>.

OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients, as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

### **Costs Associated with Language Assistance (if applicable)**

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services

or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services, where appropriate.

For additional information, see the “Civil Rights Compliance” section under [“Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards”](#) in the [OJP Funding Resource Center](#).

## C. Eligibility Information

For information on eligibility, see the title page of this solicitation.

Note that, as discussed in more detail [below](#), the certification regarding compliance with 8 U.S.C. § 1373 must be executed and submitted before a unit of local government (other than an Indian tribal government) can make a valid award acceptance. Also, a unit of local government may not receive award funds (and its award will include a condition that withholds funds) until it submits a properly executed “Certifications and Assurances by Chief Executive of Applicant Government.”

## D. Application and Submission Information

### What an Application Should Include

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

An applicant may combine the Budget Narrative and the Budget Detail Worksheet in one document. If an applicant submits only one budget document, however, it must contain **both** narrative and detail information. Please review the “Note on File Names and File Types” under [How to Apply](#) to be sure applications are submitted in permitted formats.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., “Program Narrative,” “Budget Detail Worksheet and Budget Narrative,” “Timelines,” “Memoranda of Understanding,” “Résumés”) for all attachments. Also, OJP recommends that applicants include résumés in a single file.

**In general, if a unit of local government fails to submit required information or documents, OJP either will return the unit of local government’s application in the Grants Management System (GMS) for submission of the missing information or documents, or will attach a condition to the award that will withhold award funds until the necessary information and documents are submitted. (As discussed elsewhere in this solicitation, the certification regarding compliance with 8 U.S.C. § 1373—which is set out at [Appendix II](#)—will be handled differently. Unless and until that certification is submitted, the unit of local government (other than an Indian tribal government) will be unable to make a valid acceptance of the award.)**

## 1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. GMS takes information from the applicant's profile to populate the fields on this form.

To avoid processing delays, an applicant must include an accurate legal name on its SF-424. Current OJP award recipients, when completing the field for "Legal Name," should use the same legal name that appears on the prior year award document, which is also the legal name stored in OJP's financial system. On the SF-424, enter the Legal Name in box 5 and Employer Identification Number (EIN) in box 6 exactly as it appears on the prior year award document. An applicant with a current, active award(s) must ensure that its GMS profile is current. If the profile is not current, the applicant should submit a Grant Adjustment Notice updating the information on its GMS profile prior to applying under this solicitation.

A new applicant entity should enter the Official Legal Name and address of the applicant entity in box 5 and the EIN in box 6 of the SF-424.

**Intergovernmental Review:** This solicitation ("funding opportunity") is within the scope of [Executive Order 12372](#), concerning State opportunities to coordinate applications for federal financial assistance. See 28 C.F.R. Part 30. An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: [https://www.whitehouse.gov/omb/grants\\_spoc/](https://www.whitehouse.gov/omb/grants_spoc/). If the State appears on the SPOC list, the applicant must contact the State SPOC to find out about, and comply with, the State's process under E.O. 12372. In completing the SF-424, an applicant whose State appears on the SPOC list is to make the appropriate selection in response to question 19 once the applicant has complied with its State E.O. 12372 process. (An applicant whose State does not appear on the SPOC list should answer question 19 by selecting the response that the "Program is subject to E.O. 12372 but has not been selected by the State for review.")

## 2. Project Abstract

Applications should include a high-quality project abstract that summarizes the proposed project in 400 words or less. Project abstracts should be:

- Written for a general public audience.
- Submitted as a separate attachment with "Project Abstract" as part of its file name.
- Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins.
- Include applicant name, title of the project, a brief description of the problem to be addressed and the targeted area/population, project goals and objectives, a description of the project strategy, any significant partnerships, and anticipated outcomes.
- Identify up to 10 project identifiers that would be associated with proposed project activities. The list of identifiers can be found at [www.bja.gov/funding/JAGIdentifiers.pdf](http://www.bja.gov/funding/JAGIdentifiers.pdf).

## 3. Program Narrative

The following sections **should** be included as part of the program narrative<sup>3</sup>:

- a. **Statement of the Problem** – Identify the unit of local government's strategy/funding priorities for the FY 2017 JAG funds, the subgrant award process and timeline, and a

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<sup>3</sup> For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

description of the programs to be funded over the grant period. Units of local government are strongly encouraged to prioritize the funding on evidence-based projects.

- b. Project Design and Implementation – Describe the unit of local government’s strategic planning process, if any, that guides its priorities and funding strategy. This should include a description of how the local community is engaged in the planning process and the data and analysis utilized to support the plan; it should identify the stakeholders currently participating in the strategic planning process, the gaps in the needed resources for criminal justice purposes, and how JAG funds will be coordinated with State and related justice funds.
- c. Capabilities and Competencies – Describe any additional strategic planning/coordination efforts in which the units of local government participates with other criminal justice criminal/juvenile justice agencies in the State.
- d. Plan for Collecting the Data Required for this Solicitation's Performance Measures – OJP will require each successful applicant to submit specific performance measures data as part of its reporting under the award (see “[General Information about Post-Federal Award Reporting Requirements](#)” in [Section F. Federal Award Administration Information](#)). The performance measures correlate to the goals, objectives, and deliverables identified under “[Goals, Objectives, and Deliverables](#)” in [Section A. Program Description](#). Post award, recipients will be required to submit quarterly performance metrics through BJA’s Performance Measurement Tool (PMT), located at: <https://bjapmt.ojp.gov>. The application should describe the applicant’s plan for collection of all of the performance measures data listed in the JAG Program accountability measures at: <https://bjapmt.ojp.gov/help/jagdocs.html>.

BJA does not require applicants to submit performance measures data with their application. Performance measures are included as an alert that BJA will require successful applicants to submit specific data as part of their reporting requirements. For the application, applicants should indicate an understanding of these requirements and discuss how they will gather the required data, should they receive funding.

#### **Note on Project Evaluations**

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute “research” for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP’s performance measure data reporting requirements, likely do not constitute “research.” Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research that appears at 28 C.F.R. Part 46 (“Protection of Human Subjects”).

Research, for the purposes of human subjects protection for OJP-funded programs, is defined as “a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge.” 28 C.F.R. 46.102(d).

For additional information on determining whether a proposed activity would constitute research for purposes of human subjects protection, applicants should consult the decision tree in the “Research and the Protection of Human Subjects” section of the “Requirements related to Research” web page of the [“Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017”](#) available through the OJP Funding Resource Center. Every prospective applicant whose application may propose a research or statistical component also should review the “Data Privacy and Confidentiality Requirements” section on that web page.

#### **4. Budget and Associated Documentation**

##### **(a) Budget Detail Worksheet**

A sample Budget Detail Worksheet can be found at [www.ojp.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf](http://www.ojp.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf). An applicant that submits its budget in a different format should use the budget categories listed in the sample budget worksheet. The Budget Detail Worksheet should break out costs by year.

For questions pertaining to budget and examples of allowable and unallowable costs, see the [DOJ Grants Financial Guide](#).

##### **(b) Budget Narrative**

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the proposed Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). This narrative should include a full description of all costs, including administrative costs (if applicable).

An applicant should demonstrate in its Budget Narrative how it will maximize cost effectiveness of award expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The Budget Narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how those costs are necessary to the completion of the proposed project. The narrative may include tables for clarification purposes, but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should describe costs by year.

##### **(c) Information on Proposed Subawards (if any), as well as on Proposed Procurement Contracts (if any)**

Applicants for OJP awards typically may propose to make “subawards.” Applicants also may propose to enter into procurement “contracts” under the award.

Whether—for purposes of federal grants administrative requirements—a particular agreement between a recipient and a third party will be considered a “subaward” or instead considered a procurement “contract” under the award is determined by federal rules and applicable OJP guidance. It is an important distinction, in part because the

federal administrative rules and requirements that apply to “subawards” and procurement “contracts” under awards differ markedly.

In general, the central question is the relationship between what the third party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or conduct part of the research or evaluation the recipient has committed (to OJP) to conduct, OJP will consider the agreement with the third party a subaward for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other non-federal purposes, labels or treats its agreement as a procurement, a contract, or a procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a “subaward” or is instead a procurement “contract” under an award.

Additional guidance on the circumstances under which (for purposes of federal grants administrative requirements) an agreement constitutes a subaward as opposed to a procurement contract under an award is available (along with other resources) on the [OJP Part 200 Uniform Requirements](#) web page.

**(1) Information on proposed subawards and required certification regarding 8 U.S.C. § 1373 from certain subrecipients**

***General requirement for federal authorization of any subaward; statutory authorizations of subawards under the JAG Program statute.*** Generally, a recipient of an OJP award may not make subawards (“subgrants”) unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) particular subawards, a recipient must have authorization from OJP before it may make a subaward.

**JAG subawards that are required or specifically authorized by statute (see 42 U.S.C. § 3751(a) and 42 U.S.C. § 3755) do not require prior approval to authorize subawards. This includes subawards made by units of local government under the JAG Program.**

A particular subaward may be authorized by OJP because the recipient included a sufficiently detailed description and justification of the proposed subaward in the application as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation and is not sufficiently described and justified in the application as approved by OJP, the recipient will be required, post award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, and those subawards are not specifically authorized (or required) by statute or regulation, the applicant should: (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the

subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative but also in the Budget Detail Worksheet and budget narrative.

**NEW Required certification regarding 8 U.S.C. § 1373 from any proposed subrecipient that is a unit of local government or “public” institution of higher education.** Before a unit of local government may subaward FY 2017 award funds to another unit of local government or to a public institution of higher education, it will be required (by award condition) to obtain a properly executed certification regarding compliance with 8 U.S.C. § 1373 from the proposed subrecipient. (This requirement regarding 8 U.S.C. § 1373 will not apply to subawards to Indian tribes). The specific certification the unit of local government must require from another unit of local government will vary somewhat from the specific certification it must require from a public institution of higher education. The forms will be posted and available for download at: <https://ojp.gov/funding/Explore/SampleCertifications-8USC1373.htm>.

**(2) Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts over \$150,000)**

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that—for purposes of federal grants administrative requirements—is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2 C.F.R. 200.317 - 200.326). The Budget Detail Worksheet and budget narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the (DOJ) Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement “contracts” under awards will be entered into on the basis of full and open competition. If a proposed procurement contract would exceed the simplified acquisition threshold—currently, \$150,000—a recipient of an OJP award may not proceed without competition, unless and until the recipient receives specific advance authorization from OJP to use a non-competitive approach for the procurement.

An applicant that (at the time of its application) intends—without competition—to enter into a procurement contract that would exceed \$150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition. Various considerations that may be pertinent to the justification are outlined in the [DOJ Grants Financial Guide](#).

**(d) Pre-Agreement Costs**

For information on pre-agreement costs, see [Section B. Federal Award Information](#).

**5. Indirect Cost Rate Agreement (if applicable)**

Indirect costs may be charged to an award only if:

- (a) The recipient has a current (that is, unexpired), federally approved indirect cost rate; or

- (b) The recipient is eligible to use, and elects to use, the “de minimis” indirect cost rate described in the (DOJ) Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

**Note:** This rule does not eliminate or alter the JAG-specific restriction in federal law that charges for administrative costs may not exceed 10 percent of the award amount, regardless of the approved indirect cost rate.

An applicant with a current (that is, unexpired) federally approved indirect cost rate is to attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant’s accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the OCFO Customer Service Center at 1–800–458–0786 or at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov). If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at: [www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf](http://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf).

Certain OJP recipients have the option of electing to use the “de minimis” indirect cost rate. An applicant that is eligible to use the “de minimis” rate that wishes to use the “de minimis” rate should attach written documentation to the application that advises OJP of both: (1) the applicant’s eligibility to use the “de minimis” rate, and (2) its election to do so. If an eligible applicant elects the “de minimis” rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The “de minimis” rate may no longer be used once an approved federally-negotiated indirect cost rate is in place. (No entity that ever has had a federally approved negotiated indirect cost rate is eligible to use the “de minimis” rate.)

#### **6. Tribal Authorizing Resolution (if applicable)**

An applicant that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, a letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands.

OJP will not deny an application for an FY 2017 award for failure to submit such tribal authorizing resolution (or other appropriate documentation) by the application deadline, but a unit of local government will not receive award funds (and its award will include a condition that withholds funds) until it submits the appropriate documentation.

#### **7. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)**

Every unit of local government is to complete the [OJP Financial Management and System of Internal Controls Questionnaire](#) as part of its application. In accordance with the Part 200 Uniform Requirements as set out at [2 C.F.R. 200.205](#), federal agencies must have in place a framework for evaluating the risks posed by applicants before they receive a federal award.

## **8. Applicant Disclosure of High Risk Status**

Applicants that are currently designated high risk by another federal grant making agency must disclose that status. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal agency that currently designated the applicant as high risk
- Date the applicant was designated high risk
- The high risk point of contact at that federal awarding agency (name, phone number, and email address).
- Reasons for the high risk status, as set out by the federal awarding agency

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered "high risk" by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions, and may impose additional OJP oversight of any award under this solicitation (including through the conditions that accompany the award document).

## **9. Disclosure of Lobbying Activities**

An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form [Disclosure of Lobbying Activities \(SF-LLL\)](#).

## **10. Certifications and Assurances by the Chief Executive of the Applicant Government**

A JAG application is not complete, and a unit of local government may not receive award funds, unless the chief executive of the applicant unit of local government (e.g., the mayor) properly executes, and the unit of local government submits, the "Certifications and Assurances by the Chief Executive of the Applicant Government" attached to this solicitation as [Appendix I](#).

OJP will not deny an application for an FY 2017 award for failure to submit these "Certifications and Assurances by the Chief Executive of the Applicant Government" by the application deadline, but a unit of local government will not receive award funds (and its award will include a condition that withholds funds) until it submits these certifications and assurances, properly executed by the chief executive of the unit of local government (e.g., the mayor).

## **11. Certification of Compliance with 8 U.S.C. § 1373 by the Chief Legal Officer of the Applicant Government**

The chief legal officer of an applicant unit of local government (e.g., the General Counsel) is to carefully review the "State or Local Government: FY 2017 Certification of Compliance with 8 U.S.C. § 1373" that is attached as [Appendix II](#) to this solicitation. If the chief legal officer determines that he or she may execute the certification, the unit of local government is to submit the certification as part of its application. (Note: this requirement does not apply to Indian tribal governments.)

As discussed further [below](#), a unit of local government (other than an Indian tribal government) applicant will be *unable to make a valid award acceptance* of an FY 2017 JAG

award unless and until a properly executed certification by its chief legal officer is received by OJP on or before the day the unit of local government submits an executed award document.

**12. Additional Attachments**

**(a) Applicant Disclosure of Pending Applications**

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation and (2) would cover identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for subawards of federal funds (e.g., applications to State agencies that will subaward (“subgrant”) federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

- The federal or State funding agency
- The solicitation name/project name
- The point of contact information at the applicable federal or State funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Federal or State Funding Agency
DOJ/Office of Community Oriented Policing Services (COPS)	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
Health & Human Services/ Substance Abuse and Mental Health Services Administration	Drug-Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Each applicant should include the table as a separate attachment to its application. The file should be named “Disclosure of Pending Applications.” The applicant Legal Name on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: “[Applicant Name on SF-424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover identical cost items outlined in the budget submitted as part of this application.”

**(b) Research and Evaluation Independence and Integrity (if applicable)**

If an application involves research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related projects.

Each application should include an attachment that addresses **both** i. and ii. below.

- i. For purposes of this solicitation, each applicant is to document research and evaluation independence and integrity by including one of the following two items:
  - a. A specific assurance that the applicant has reviewed its application to identify any actual or potential apparent conflicts of interest (including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients), and that the applicant has identified no such conflicts of interest—whether personal or financial or organizational (including on the part of the applicant entity or on the part of staff, investigators, or subrecipients)—that could affect the independence or integrity of the research, including the design, conduct, and reporting of the research.

OR

- b. A specific description of actual or potential apparent conflicts of interest that the applicant has identified—including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients—that could affect the independence or integrity of the research, including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of investigators or other staff), financial, or organizational (related to the applicant or any subrecipient entity). Some examples of potential investigator (or other personal) conflict situations are those in which an investigator would be in a position to evaluate a spouse’s work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a project, if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization in such an

instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.

- ii. In addition, for purposes of this solicitation, each applicant is to address possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:
  - a. If an applicant reasonably believes that no actual or potential apparent conflicts of interest (personal, financial, or organizational) exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. The applicant also is to include an explanation of the specific processes and procedures that the applicant has in place, or will put in place, to identify and prevent (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OR

- b. If the applicant has identified actual or potential apparent conflicts of interest (personal, financial, or organizational) that could affect the independence and integrity of the research, including the design, conduct, or reporting of the research, the applicant is to provide a specific and robust mitigation plan to address each of those conflicts. At a minimum, the applicant is expected to explain the specific processes and procedures that the applicant has in place, or will put in place, to identify and eliminate (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OJP will assess research and evaluation independence and integrity based on considerations such as the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the applicant entity (and any subrecipients) in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

**(c) Local Governing Body Review**

Applicants must submit information via the Certification and Assurances by the Chief Executive (See [Appendix I](#)) which documents that the JAG application was made available for review by the governing body of the unit of local government, or to an organization designated by that governing body, for a period that was not less than 30

days before the application was submitted to BJA. The same Chief Executive Certification will also specify that an opportunity to comment on this application was provided to citizens prior to the application submission to the extent applicable law or established procedures make such opportunity available. In the past, this has been accomplished via submission of specific review dates; now OJP will only accept a chief executive's certification to attest to these facts. Units of local government may continue to submit actual dates of review should they wish to do so, in addition to the submission of the Chief Executive Certification.

### **How to Apply**

An applicant must submit its application through the [Grants Management System \(GMS\)](#), which provides support for the application, award, and management of awards at OJP. Each applicant entity **must register in GMS for each specific funding opportunity**. Although the registration and submission deadlines are the same, OJP urges each applicant entity to **register promptly**, especially if this is the first time the applicant is using the system. Find complete instructions on how to register and submit an application in GMS at [www.ojp.gov/gmscbt/](http://www.ojp.gov/gmscbt/). An applicant that experiences technical difficulties during this process should email [GMS.HelpDesk@usdoj.gov](mailto:GMS.HelpDesk@usdoj.gov) or call 888-549-9901 (option 3), 24 hours every day, including during federal holidays. OJP recommends that each applicant **register promptly** to prevent delays in submitting an application package by the deadline.

**Note on File Types: GMS does not accept executable file types as application attachments.** These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

Every applicant entity must comply with all applicable System for Award Management (SAM) and unique entity identifier (currently, a Data Universal Numbering System [DUNS] number) requirements. If an applicant entity has not fully complied with applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making the award to a different applicant.

All applicants should complete the following steps:

**1. Acquire a unique entity identifier (DUNS number).** In general, the Office of Management and Budget requires every applicant for a federal award (other than an individual) to include a "unique entity identifier" in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at [www.dnb.com](http://www.dnb.com). A DUNS number is usually received within 1-2 business days.

**2. Acquire registration with the SAM.** SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database.

Each applicant must **update or renew its SAM registration at least annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete.

Information about SAM registration procedures can be accessed at <https://www.sam.gov/>.

**3. Acquire a GMS username and password.** New users must create a GMS profile by selecting the “First Time User” link under the sign-in box of the [GMS](#) home page. For more information on how to register in GMS, go to [www.ojp.gov/gmscbt](http://www.ojp.gov/gmscbt). Previously registered applicants should ensure, prior to applying, that the user profile information is up-to-date in GMS (including, but not limited to, address, legal name of agency and authorized representative) as this information is populated in any new application.

**4. Verify the SAM (formerly CCR) registration in GMS.** OJP requires each applicant to verify its SAM registration in GMS. Once logged into GMS, click the “CCR Claim” link on the left side of the default screen. Click the submit button to verify the SAM (formerly CCR) registration.

**5. Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the “Funding Opportunities” link on the left side of the page. Select BJA and FY 17 Edward Byrne Memorial Local Justice Assistance Grant (JAG) Program.

**6. Register by selecting the “Apply Online” button associated with the funding opportunity title.** The search results from step 5 will display the “funding opportunity” (solicitation) title along with the registration and application deadlines for this solicitation. Select the “Apply Online” button in the “Action” column to register for this solicitation and create an application in the system.

**7. Follow the directions in GMS to submit an application consistent with this solicitation.** Once the application is submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, applicants must wait for GMS approval before submitting an application. OJP urges each applicant to submit its application at **least 72 hours prior** to the application due date.

#### **Note: Application Versions**

If an applicant submits multiple versions of the same application, OJP will review **only** the most recent system-validated version submitted.

#### **Experiencing Unforeseen GMS Technical Issues**

An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline may contact the [GMS Help Desk](#) or the [SAM Help Desk](#) (Federal Service Desk) to report the technical issue and receive a tracking number. The applicant is expected to email the NCJRS Response Center identified in the Contact Information section on the title page **within 24 hours after the application deadline** to request approval to submit its application after the deadline. The applicant’s email must describe the technical difficulties, and must include a timeline of the applicant’s submission efforts, the complete grant application, the applicant’s DUNS number, and any GMS Help Desk or SAM tracking number(s).

**Note: OJP does not automatically approve requests to submit a late application.** After OJP reviews the applicant’s request, and contacts the GMS Help Desk to verify the reported technical issues, OJP will inform the applicant whether the request to submit a late application

has been approved or denied. If OJP determines that the untimely application submission was due to the applicant's failure to follow all required procedures, OJP will deny the applicant's request to submit its application.

The following conditions generally are insufficient to justify late submissions to OJP solicitations:

- Failure to register in SAM or GMS in sufficient time (SAM registration and renewal can take as long as 10 business days to complete.)
- Failure to follow GMS instructions on how to register and apply as posted on the GMS website
- Failure to follow each instruction in the OJP solicitation
- Technical issues with the applicant's computer or information technology environment such as issues with firewalls

## E. Application Review Information

### Review Process

OJP is committed to ensuring a fair and open process for making awards. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation. BJA will also review applications to help ensure that JAG program-statute requirements have been met.

Pursuant to the (DOJ) Part 200 Uniform Requirements, before awards are made, OJP also reviews information related to the degree of risk posed by applicants. Among other things, to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award. In addition, if OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System; "FAPPIIS").

**Important note on FAPPIIS:** An applicant, at its option, may review and comment on any information about itself that currently appears in FAPPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPPIIS, in its assessment of the risk posed by the applicant.

The evaluation of risks goes beyond information in SAM, however. OJP itself has in place a framework for evaluating risks posed by applicants. OJP takes into account information pertinent to matters such as—

1. Applicant financial stability and fiscal integrity
2. Quality of the management systems of the applicant, and the applicant's ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide
3. Applicant's history of performance under OJP and other DOJ awards (including compliance with reporting requirements and award conditions), as well as awards from other federal agencies

4. Reports and findings from audits of the applicant, including audits under the (DOJ) Part 200 Uniform Requirements
5. Applicant's ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements

Absent explicit statutory authorization or written delegation of authority to the contrary, the Assistant Attorney General will make all final award decisions.

## F. Federal Award Administration Information

### Federal Award Notices

OJP expects to issue award notifications by September 30, 2017. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authorizing official. The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

**NOTE:** In order validly to accept an award under the FY 2017 JAG Program, a unit of local government (other than an Indian tribal government) must submit to GMS the certification by its chief legal officer regarding compliance with 8 U.S.C. § 1373, executed using the form that appears in [Appendix II](#). (The form also may be downloaded at <https://ojp.gov/funding/Explore/SampleCertifications-8USC1373.htm>.) Unless the executed certification either (1) is submitted to OJP together with the signed award document or (2) is uploaded in GMS no later than the day the signed award document is submitted, **OJP will reject as invalid** any submission by a unit of local government (other than an Indian tribal government) that purports to accept an award under this solicitation.

Rejection of an initial submission as an invalid award acceptance is not a denial of the award. Consistent with award requirements, once the unit of local government **does** submit the necessary certification regarding 8 U.S.C. § 1373, the unit of local government **will** be permitted to submit an award document executed by the unit of local government on or after the date of that certification.

Also, in order for a unit of local government applicant validly to accept an award under the FY 2017 JAG Program, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial point of contact; thoroughly review the award, including **all** award conditions; and sign and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning of the fully executed award document (along with the required certification regarding 8 U.S.C. § 1373, if not already uploaded in GMS) to OJP.

### Statutory and Regulatory Requirements; Award Conditions

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award requirements (including all award conditions), as well as all applicable requirements of federal statutes and regulations (including those referred to in assurances and certifications executed as part of the application or in

connection with award acceptance, and administrative and policy requirements set by statute or regulation).

OJP strongly encourages prospective applicants to review information on post-award legal requirements generally applicable to FY 2017 OJP awards and common OJP award conditions prior to submitting an application.

Applicants should consult the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#)," available in the [OJP Funding Resource Center](#). In addition, applicants should examine the following two legal documents, as each successful applicant must execute both documents in GMS before it may receive any award funds.

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
- OJP Certified Standard Assurances (attached to this solicitation as [Appendix IV](#))

The web pages accessible through the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#)" are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 2017. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute, program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

Individual FY 2017 JAG awards will include two new express conditions that, with respect to the "program or activity" that would be funded by the FY 2017 award, are designed to ensure that States and units of local government that receive funds from the FY 2017 JAG award: (1) permit personnel of the U.S. Department of Homeland Security (DHS) to access any correctional or detention facility in order to meet with an alien (or an individual believed to be an alien) and inquire as to his or her right to be or remain in the United States and (2) provide at least 48 hours' advance notice to DHS regarding the scheduled release date and time of an alien in the jurisdiction's custody when DHS requests such notice in order to take custody of the alien pursuant to the Immigration and Nationality Act.

Compliance with the requirements of the two foregoing new award conditions will be an authorized and priority purpose of the award. The reasonable costs (to the extent not reimbursed under any other federal program) of developing and putting into place statutes, rules, regulations, policies, or practices as required by these conditions, and to honor any duly authorized requests from DHS that is encompassed by these conditions, will be allowable costs under the award.

#### **General Information about Post-Federal Award Reporting Requirements**

A unit of local government recipient of an award under this solicitation will be required to submit the following reports and data:

Required reports. Recipients typically must submit quarterly financial status reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the (DOJ) Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Awards that exceed \$500,000 will include an additional condition that, under specific circumstances, will require the recipient to report (to FAPIIS) information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either the OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Additional information on this reporting requirement appears in the text of the award condition posted on the OJP website at: <https://ojp.gov/funding/FAPIIS.htm>

Data on performance measures. In addition to required reports, each recipient of an award under this solicitation also must provide data that measure the results of the work done under the award. To demonstrate program progress and success, as well as to assist DOJ with fulfilling its responsibilities under GPRA and the GPRA Modernization Act of 2010, OJP will require State recipients to provide accountability metrics data. Accountability metrics data must be submitted through BJA's Performance Measurement Tool (PMT), available at <https://bjapmt.ojp.gov>. The accountability measures are available at: <https://bjapmt.ojp.gov/help/jagdocs.html>. (Note that if a law enforcement agency receives JAG funds from a State, the State must submit quarterly accountability metrics data related to training that officers have received on use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.)

OJP may restrict access to award funds if a recipient of an OJP award fails to report required performance measures data in a timely manner.

## **G. Federal Awarding Agency Contact(s)**

For OJP contact(s), see the title page of this solicitation.

For contact information for GMS, see the title page.

## **H. Other Information**

### **Freedom of Information Act and Privacy Act (5 U.S.C. § 552 and 5 U.S.C. § 552a)**

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. By law, DOJ may withhold information that is responsive to a request pursuant to FOIA if DOJ determines that the responsive information either is protected under the Privacy Act or falls within the scope of one of nine statutory exemptions under FOIA. DOJ cannot agree in advance of a request pursuant to FOIA not to release some or all portions of an application.

In its review of records that are responsive to a FOIA request, OJP will withhold information in those records that plainly falls within the scope of the Privacy Act or one of the statutory exemptions under FOIA. (Some examples include certain types of information in budgets, and names and contact information for project staff other than certain key personnel.) In appropriate

circumstances, OJP will request the views of the applicant/recipient that submitted a responsive document.

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify—quite precisely—any particular information in the application that applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law-enforcement sensitive information.

#### **Provide Feedback to OJP**

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to [OJPSolicitationFeedback@usdoj.gov](mailto:OJPSolicitationFeedback@usdoj.gov).

**IMPORTANT:** This email is for feedback and suggestions only. OJP does **not** reply to messages it receives in this mailbox. A prospective applicant that has specific questions on any program or technical aspect of the solicitation **must** use the appropriate telephone number or email listed on the front of this solicitation document to obtain information. These contacts are provided to help ensure that prospective applicants can directly reach an individual who can address specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your résumé to [ojppeerreview@lmsolas.com](mailto:ojppeerreview@lmsolas.com). (Do not send your résumé to the OJP Solicitation Feedback email account.) **Note:** Neither you nor anyone else from your organization or entity can be a peer reviewer in a competition in which you or your organization/entity has submitted an application.

## Application Checklist

### Edward Byrne Memorial Justice Assistance Grant (JAG) Program: FY 2017 Local Solicitation

This application checklist has been created as an aid in developing an application.

#### What an Applicant Should Do:

##### *Prior to Registering in GMS:*

- \_\_\_\_\_ Acquire a DUNS Number (see page 27)
- \_\_\_\_\_ Acquire or renew registration with SAM (see page 27)

##### *To Register with GMS:*

- \_\_\_\_\_ For new users, acquire a GMS username and password\* (see page 27)
- \_\_\_\_\_ For existing users, check GMS username and password\* to ensure account access (see page 27)
- \_\_\_\_\_ Verify SAM registration in GMS (see page 27)
- \_\_\_\_\_ Search for correct funding opportunity in GMS (see page 27)
- \_\_\_\_\_ Select correct funding opportunity in GMS (see page 27)
- \_\_\_\_\_ Register by selecting the "Apply Online" button associated with the funding opportunity title (see page 27)
- \_\_\_\_\_ Read OJP policy and guidance on conference approval, planning, and reporting available at [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](http://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm) (see page 14)
- \_\_\_\_\_ If experiencing technical difficulties in GMS, contact the NCJRS Response Center (see page 2)

\*Password Reset Notice – GMS users are reminded that while password reset capabilities exist, this function is only associated with points of contact designated within GMS at the time the account was established. Neither OJP nor the GMS Help Desk will initiate a password reset unless requested by the authorized official or a designated point of contact associated with an award or application.

#### Overview of Post-Award Legal Requirements:

- \_\_\_\_\_ Review the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#)" in the OJP Funding Resource Center.

#### Scope Requirement:

- \_\_\_\_\_ The federal amount requested is within the allowable limit(s) of the FY 2017 JAG Allocations List as listed on BJA's [JAG web page](#).

**What an Application Should Include:**

_____ Application for Federal Assistance (SF-424)	(see page 16)
_____ Project Abstract	(see page 16)
_____ Program Narrative	(see page 17)
_____ Budget Detail Worksheet	(see page 18)
_____ Budget Narrative	(see page 18)
_____ Indirect Cost Rate Agreement (if applicable)	(see page 21)
_____ Tribal Authorizing Resolution (if applicable)	(see page 21)
_____ Financial Management and System of Internal Controls Questionnaire	(see page 22)
_____ Disclosure of Lobbying Activities (SF-LLL) (if applicable)	(see page 22)
_____ Certifications and Assurances by Chief Executive	(see page 22)
_____ Certification of Compliance with 8 U.S.C. § 1373 by Chief Legal Officer (Note: this requirement does not apply to Indian tribal governments.)	(see page 23)
_____ OJP Certified Standard Assurances	(see page 40)
_____ Additional Attachments	
_____ Applicant Disclosure of Pending Applications	(see page 23)
_____ Research and Evaluation Independence and Integrity (if applicable)	(see page 24)

# Appendix I

## **Certifications and Assurances by the Chief Executive of the Applicant Government**

**Template for use by *chief executive* of the “Unit of local government” (e.g., the mayor)**

**Note:** By law, for purposes of the JAG Program, the term “unit of local government ” includes a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may also be a federally recognized Indian tribal government that performs law enforcement functions (as determined by the Secretary of the Interior). A unit of local government may be any law enforcement district or judicial enforcement district established under applicable State law with authority to independently establish a budget and impose taxes; for example, in Louisiana, a unit of local government means a district attorney or parish sheriff.

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

Edward Byrne Justice Assistance Grant Program  
FY 2017 Local Solicitation

Certifications and Assurances  
by the Chief Executive of the Applicant Government

On behalf of the applicant unit of local government named below, in support of that locality's application for an award under the FY 2017 Edward Byrne Justice Assistance Grant ("JAG") Program, and further to 42 U.S.C. § 3752(a), I certify under penalty of perjury to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief executive of the applicant unit of local government named below, and I have the authority to make the following representations on my own behalf and on behalf of the applicant unit of local government. I understand that these representations will be relied upon as material in any OJP decision to make an award, under the application described above, to the applicant unit of local government.
2. I certify that no federal funds made available by the award (if any) that OJP makes based on the application described above will be used to supplant local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.
3. I assure that the application described above (and any amendment to that application) was submitted for review to the governing body of the unit of local government (e.g., city council or county commission), or to an organization designated by that governing body, not less than 30 days before the date of this certification.
4. I assure that, before the date of this certification— (a) the application described above (and any amendment to that application) was made public; and (b) an opportunity to comment on that application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure made such an opportunity available.
5. I assure that, for each fiscal year of the award (if any) that OJP makes based on the application described above, the applicant unit of local government will maintain and report such data, records, and information (programmatic and financial), as OJP may reasonably require.
6. I certify that— (a) the programs to be funded by the award (if any) that OJP makes based on the application described above meet all the requirements of the JAG Program statute (42 U.S.C. §§ 3750-3758); (b) all the information contained in that application is correct; (c) in connection with that application, there has been appropriate coordination with affected agencies; and (d) in connection with that award (if any), the applicant unit of local government will comply with all provisions of the JAG Program statute and all other applicable federal laws.
7. I have examined certification entitled "State or Local Government: FY 2017 Certification of Compliance with 8 U.S.C. § 1373" executed by the chief legal officer of the applicant government with respect to the FY 2017 JAG program and submitted in support of the application described above, and I hereby adopt that certification as my own on behalf of that government.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 42 U.S.C. § 3795a), and also may subject me and the applicant unit of local government to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by USDOJ, including by OJP and by the USDOJ Office of the Inspector General.

\_\_\_\_\_  
Signature of Chief Executive of the Applicant Unit of  
Local Government

\_\_\_\_\_  
Date of Certification

\_\_\_\_\_  
Printed Name of Chief Executive

\_\_\_\_\_  
Title of Chief Executive

\_\_\_\_\_  
Name of Applicant Unit of Local Government

# Appendix II

## **State or Local Government: Certification of Compliance with 8 U.S.C. § 1373**

**Template for use by the *chief legal officer* of the “Local Government” (e.g., the General Counsel)** (Note: this Certification is not required by Indian tribal government applicants.)

**Available for download at:**

<https://ojp.gov/funding/Explore/SampleCertifications-8USC1373.htm>

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

State or Local Government: FY 2017 Certification of Compliance with 8 U.S.C. § 1373

On behalf of the applicant government entity named below, and in support of its application, I certify under penalty of perjury to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDJ"), that all of the following are true and correct:

- (1) I am the chief legal officer of the State or local government of which the applicant entity named below is a part ("the jurisdiction"), and I have the authority to make this certification on behalf of the jurisdiction and the applicant entity (that is, the entity applying directly to OJP). I understand that OJP will rely upon this certification as a material representation in any decision to make an award to the applicant entity.
- (2) I have carefully reviewed 8 U.S.C. § 1373(a) and (b), including the prohibitions on certain actions by State and local government entities, -agencies, and -officials regarding information on citizenship and immigration status. I also have reviewed the provisions set out at (or referenced in) 8 U.S.C. § 1551 note ("Abolition ... and Transfer of Functions"), pursuant to which references to the "Immigration and Naturalization Service" in 8 U.S.C. § 1373 are to be read, as a legal matter, as references to particular components of the U.S. Department of Homeland Security.
- (3) I (and also the applicant entity) understand that the U.S. Department of Justice will require States and local governments (and agencies or other entities thereof) to comply with 8 U.S.C. § 1373, with respect to any "program or activity" funded in whole or in part with the federal financial assistance provided through the FY 2017 OJP program under which this certification is being submitted ("the FY 2017 OJP Program" identified below), specifically including any such "program or activity" of a governmental entity or -agency that is a subrecipient (at any tier) of funds under the FY 2017 OJP Program.
- (4) I (and also the applicant entity) understand that, for purposes of this certification, "program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. § 2000d-4a), and that terms used in this certification that are defined in 8 U.S.C. § 1101 mean what they mean under that section 1101, except that the term "State" also shall include American Samoa (*cf.* 42 U.S.C. § 901(a)(2)). Also, I understand that, for purposes of this certification, neither a "public" institution of higher education (*i.e.*, one that is owned, controlled, or directly funded by a State or local government) nor an Indian tribe is considered a State or local government entity or -agency.
- (5) I have conducted (or caused to be conducted for me) a diligent inquiry and review concerning both—
  - (a) the "program or activity" to be funded (in whole or in part) with the federal financial assistance sought by the applicant entity under this FY 2017 OJP Program; and
  - (b) any prohibitions or restrictions potentially applicable to the "program or activity" sought to be funded under the FY 2017 OJP Program that deal with sending to, requesting or receiving from, maintaining, or exchanging information of the types described in 8 U.S.C. § 1373(a) or (b), whether imposed by a State or local government entity, -agency, or -official.
- (6) As of the date of this certification, neither the jurisdiction nor any entity, agency, or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by, any prohibition or any restriction that would apply to the "program or activity" to be funded in whole or in part under the FY 2017 OJP Program (which, for the specific purpose of this paragraph 6, shall not be understood to include any such "program or activity" of any subrecipient at any tier), and that deals with either— (1) a government entity or -official sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. § 1373(a); or (2) a government entity or -agency sending to, requesting or receiving from, maintaining, or exchanging information of the types (and with respect to the entities) described in 8 U.S.C. § 1373(b).

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 42 U.S.C. § 3795a), and also may subject me and the applicant entity to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by USDJ, including by OJP and by the USDJ Office of the Inspector General.

\_\_\_\_\_  
Signature of Chief Legal Officer of the Jurisdiction

\_\_\_\_\_  
Printed Name of Chief Legal Officer

\_\_\_\_\_  
Date of Certification

\_\_\_\_\_  
Title of Chief Legal Officer of the Jurisdiction

\_\_\_\_\_  
Name of Applicant Government Entity (*i.e.*, the applicant to the FY 2017 OJP Program identified below)

**FY 2017 OJP Program: Byrne Justice Assistance Grant ("JAG") Program**

# Appendix III

## **8 U.S.C. § 1373** (as in effect on June 21, 2017)

### **Communication between government agencies and the Immigration and Naturalization Service**

#### **(a) In general**

Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

#### **(b) Additional authority of government entities**

Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual:

- (1) Sending such information to, or requesting or receiving such information from, the Immigration and Naturalization Service.
- (2) Maintaining such information.
- (3) Exchanging such information with any other Federal, State, or local government entity.

#### **(c) Obligation to respond to inquiries**

The Immigration and Naturalization Service shall respond to an inquiry by a Federal, State, or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by law, by providing the requested verification or status information.

See *also* provisions set out at (or referenced in) 8 U.S.C. § 1551 note (“Abolition ... and Transfer of Functions”)

# **Appendix IV**

## **OJP Certified Standard Assurances**

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

CERTIFIED STANDARD ASSURANCES

On behalf of the Applicant, and in support of this application for a grant or cooperative agreement, I certify under penalty of perjury to the Office of Justice Programs (OJP), U.S. Department of Justice ("Department"), that all of the following are true and correct:

- (1) I have the authority to make the following representations on behalf of myself and the Applicant. I understand that these representations will be relied upon as material in any OJP decision to make an award to the Applicant based on its application.
- (2) I certify that the Applicant has the legal authority to apply for the federal assistance sought by the application, and that it has the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project costs) to plan, manage, and complete the project described in the application properly.
- (3) I assure that, throughout the period of performance for the award (if any) made by OJP based on the application—
  - (a) the Applicant will comply with all award requirements and all federal statutes and regulations applicable to the award;
  - (b) the Applicant will require all subrecipients to comply with all applicable award requirements and all applicable federal statutes and regulations; and
  - (c) the Applicant will maintain safeguards to address and prevent any organizational conflict of interest, and also to prohibit employees from using their positions in any manner that poses, or appears to pose, a personal or financial conflict of interest.
- (4) The Applicant understands that the federal statutes and regulations applicable to the award (if any) made by OJP based on the application specifically include statutes and regulations pertaining to civil rights and nondiscrimination, and, in addition—
  - (a) the Applicant understands that the applicable statutes pertaining to civil rights will include section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); section 901 of the Education Amendments of 1972 (20 U.S.C. § 1681); and section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102);
  - (b) the Applicant understands that the applicable statutes pertaining to nondiscrimination may include section 815(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d(c)); section 1407(e) of the Victims of Crime Act of 1984 (42 U.S.C. § 10604(e)); section 209A(b) of the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); and that the grant condition set out at section 40002(b)(13) of the Violence Against Women Act (42 U.S.C. § 13625(b)(13)) also may apply;
  - (c) the Applicant understands that it must require any subrecipient to comply with all such applicable statutes (and associated regulations); and
  - (d) on behalf of the Applicant, I make the specific assurances set out in 28 C.F.R. §§ 42.105 and 42.204.
- (5) The Applicant also understands that (in addition to any applicable program-specific regulations and to applicable federal regulations that pertain to civil rights and nondiscrimination) the federal regulations applicable to the award (if any) made by OJP based on the application may include, but are not limited to, 2 C.F.R. Part 2800 (the DOJ "Part 200 Uniform Requirements") and 28 C.F.R. Parts 22 (confidentiality - research and statistical information), 23 (criminal intelligence systems), and 46 (human subjects protection).
- (6) I assure that the Applicant will assist OJP as necessary (and will require subrecipients and contractors to assist as necessary) with the Department's compliance with section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108), the Archeological and Historical Preservation Act of 1974 (54 U.S.C. §§ 312501-312508), and the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4335), and 28 C.F.R. Parts 61 (NEPA) and 63 (floodplains and wetlands).
- (7) I assure that the Applicant will give the Department and the Government Accountability Office, through any authorized representative, access to, and opportunity to examine, all paper or electronic records related to the award (if any) made by OJP based on the application.
- (8) I assure that, if the Applicant is a governmental entity, with respect to the award (if any) made by OJP based on the application—
  - (a) it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
  - (b) it will comply with requirements of 5 U.S.C. §§ 1501-1508 and 7324-7328, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 42 U.S.C. § 3795a), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by the Department, including by OJP and by the Department's Office of the Inspector General.



**AGENDA ACTION FORM**

**Award Contract for the KATS Transit Center Project**

To: Board of Mayor and Aldermen  
 From: Jeff Fleming, City Manager 

Action Form No.: AF-221-2017  
 Work Session: August 14, 2017  
 First Reading: N/A

Final Adoption: August 15, 2017  
 Staff Work By: D. Mason, C. Campbell  
 Presentation By: C. McCart

**Recommendation:**

Approve the Resolution.

**Executive Summary:**

A 2015 study of the Kingsport Area Transit Service (KATS) found a need for additional space, and identified the former foundry site at the intersection of Main and Sullivan streets as the ideal location for a new facility.

KATS and the City have secured \$4.1M in federal funds and \$515,500 in state funds for the construction of a new transit center. The city is providing matching funds in the amount of \$515,000. The project will include a new transit center building, bus transfer island with covered passenger waiting areas, and parking lot. A future planned phase will include a bus storage and maintenance facility.

Bids for construction of the transit center were opened on August 3, 2017 and the following bids were received:

GRC Construction, Inc.	\$4,420,000
Armstrong Construction, Inc.	\$4,186,000
J. Cumby Construction, Inc.	\$4,244,000

Staff recommends awarding the contract to the low bidder, Armstrong Construction, in the amount of \$4,186,000. Funding for the project is available in GP1718

**Attachments:**

1. Contract Award Resolution
2. Bid Tabulation
3. Project Rendering
4. Site Plan

Funding source appropriate and funds are available: 

	Y	N	O
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AWARDING A CONTRACT FOR THE CONSTRUCTION OF THE KATS TRANSIT CENTER TO ARMSTRONG CONSTRUCTION AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR SAME AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, bids were opened on August 3, 2017, for the Kingsport Area Transit Service (KATS) Transit Center project; and

WHEREAS, upon review of the bids, the board finds Armstrong Construction is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to enter into a contract for construction of the KATS Transit Center; and

WHEREAS, the project will include the construction of a transit center building, passenger transfer island, and parking lot; and

WHEREAS, the total amount of the construction contract is \$4,168,000.00; and

WHEREAS, funding is identified in project number GP1718;

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN as follows:

SECTION I. That the bid for the construction of the KATS Transit Center in the amount of \$4,168,000.00 is awarded to Armstrong Construction Company.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an agreement for the construction of the KATS Transit Center and all other documents necessary and proper to effectuate the purpose of the agreement.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 15th day of August, 2017.

\_\_\_\_\_  
JOHN CLARK, MAYOR

ATTEST:

---

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

---

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**MINUTES  
BID OPENING  
August 3, 2017  
4:00 P.M.**

**Present: Sandy Crawford, Procurement Manager; Brent Morelock, Assistant Procurement Manager;  
Chris McCartt, Assistant City Manager Administration; David Mason, Project Manager;  
Chris Campbell, Transit Coordinator; Gary Taylor, Transit Manager; Jennifer Salyer, BWSC**

The Bid Opening was held in the Council Room, City Hall.

The Procurement Manager opened with the following bids:

<b>KINGSPORT TRANSIT CENTER</b>	
<b>Vendor:</b>	<b>Total Bid:</b>
<b>Goins Rash Cain</b>	<b>\$4,420,000.00</b>
<b>Armstrong Construction</b>	<b>\$4,186,000.00</b>
<b>J. Cumby Construction</b>	<b>\$4,244,000.00</b>

The submitted bids will be evaluated and a recommendation made at a later date.



Prime Consultant



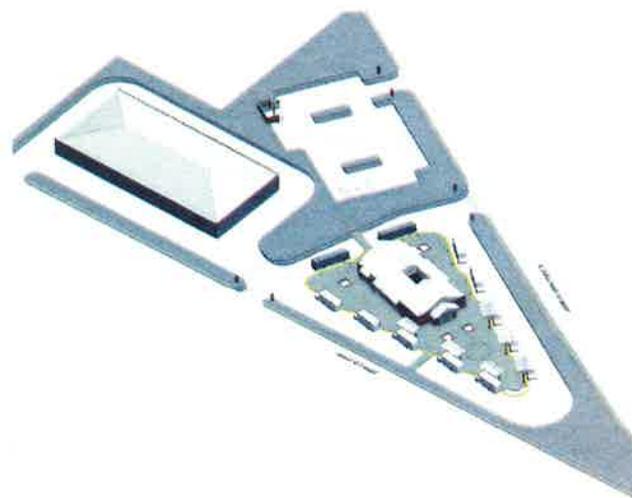
WSP USA  
2100 West End Avenue  
Ste 430  
Nashville TN 37203  
T +1 615 327 8514  
F www.wsp.com



① MAIN ST APPROACH



③ PLAZA VIEW OF WAITING ENTRY



② AERIAL VIEW

REV	DESCRIPTION	DATE

New Construction of  
**KINGSPORT  
 TRANSIT CENTER**  
 900 East Main Street  
 Kingsport, Tennessee 37660  
 CITY OF KINGSFORT AND  
 KINGSFORT AREA TRANSIT SERVICE



PROFESSIONAL SEAL

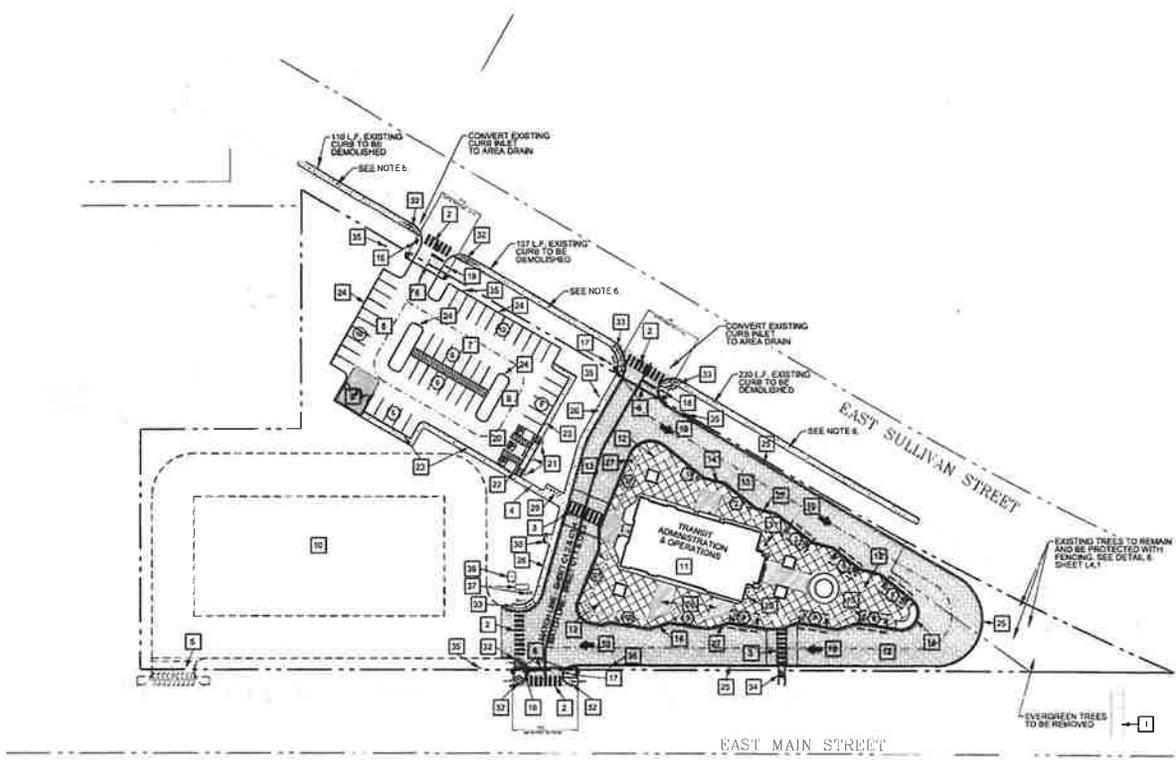
Sheet Content  
**RENDERINGS**

DATE	2017 MAY 22
SCALE	
DRAWN BY	STB
CHECKED BY	MCC
APPROVED BY	TBP

PE Project Number: 148137A

Sheet Number: **A9.2**

BID AND PERMIT



1 OVERALL SITE PLAN  
1" = 50'



**LEGEND:**

- PROPOSED BUILDING LAYOUT
- PROPOSED BUS CANOPY OVERHANG
- FUTURE STORAGE & MAINTENANCE FACILITY
- PROPOSED CONCRETE CURB
- PROPOSED HEAVY DUTY CONCRETE RAISED CROSSWALK
- PROPOSED LIGHT DUTY CONCRETE PAVING
- PROPOSED HEAVY DUTY CONCRETE PAVING
- PROPOSED HEAVY DUTY ASPHALT PAVING
- PROPOSED STAMPED CONCRETE
- PROPOSED AT GRADE CROSSWALK
- PROPOSED 2' WIDE TRUNCATED DOME STRIP
- PROPOSED BUS BOARDING LOCATION
- PARKING SPACES

**GENERAL NOTES:**

1. SEE ARCHITECTURAL PLANS FOR BUILDING LAYOUT AND DETAILS.
2. SEE SHEET C1.3 AND LANDSCAPING PLANS FOR HARDSCAPE AND PLANTING LAYOUT AND DETAILS.
3. SEE CIVIL PLANS C1.1 AND C1.2 FOR SITE LAYOUT
4. 32 VEHICLE PARKING SPACES ARE PROVIDED, INCLUDING 3 ADA SPACES
5. 12 BUS BOARDING SPACES ARE PROVIDED
6. TDOT STANDARD DETAIL RP-44C-10, TYPE 6-30 FOR CURB AND GUTTER AND WITH 3' SIDEWALK ALONG E. SULLIVAN STREET

**KEYED NOTES:**

- 1 EXISTING CROSSWALK
- 2 AT GRADE CROSSWALK (SHEET C4.1, DETAIL 7)
- 3 RAISED CROSSWALK (SHEET C4.2, DETAIL 8)
- 4 CONCRETE SIDEWALK (SHEET C4.1, DETAIL 3)
- 5 FUTURE ENTRANCE
- 6 VEHICULAR GATE (SHEET 4.3, DETAIL 3) AND BRICK COLUMNS (SEE ARCHITECTURAL PLANS)
- 7 VEHICLE AIR PARKING LOT
- 8 HEAVY DUTY ASPHALT PAVING (SHEET C4.1, DETAIL 4)
- 9 DUMPSTER AREA WITH CONCRETE PAD (SHEET C4.2, DETAIL 6) (SEE ARCHITECTURAL PLANS FOR ENCLOSURE DETAILS AS 2)
- 10 FUTURE STORAGE & MAINTENANCE FACILITY (SHOWN DASHED)
- 11 TRANSIT ADMINISTRATION & OPERATIONS (SEE ARCHITECTURAL PLANS FOR CONSTRUCTION INFORMATION)
- 12 CONCRETE PLAZA (SHEETS C1.3 & C4.4)
- 13 HEAVY DUTY CONCRETE PAVING (SHEET C4.1, DETAIL 2)
- 14 2' WIDE TRUNCATED DOME STRIP (SHEET C4.2, DETAIL 5)
- 15 SEE ENLARGED DETAIL FOR LOCATION OF BENCH & TRASH RECEPTICAL (TYP. AT CANOPY) (SHEET C1.3)
- 16 TRANSIT CENTER PARKING LOT SIGN (SHEET C4.3, DETAIL 1)
- 17 BUSES ONLY - DO NOT ENTER SIGN (SHEET C4.1, DETAIL 5)
- 18 STOP SIGN AND STOP BAR (SHEET C4.1, DETAIL 5)
- 19 PAINTED DIRECTIONAL ARROW (SHEET C4.1, DETAIL 4)
- 20 ACCESSIBLE PARKING (SHEET C4.1, DETAIL 8)
- 21 ACCESSIBLE PARKING SIGN (SHEET C4.1, DETAIL 10)
- 22 CONCRETE WHEEL STOP (SHEET C4.1, DETAIL 9)
- 23 SIDEWALK W/ CURB (SHEET C4.2, DETAIL 1)
- 24 EXTRUDED CURB (SHEET C4.2, DETAIL 2)
- 25 CURB & GUTTER (SHEET C4.2, DETAIL 3)
- 26 SIDEWALK W/ CURB & CUTTER (SHEET C4.2, DETAIL 4)
- 27 INTEGRAL CURB & SIDEWALK (SHEET C4.2, DETAIL 5)
- 28 STAMPED CONCRETE (SHEET C4.4, DETAIL 3)
- 29 BICYCLE RACK (SHEET C4.4, DETAIL 4)
- 30 DESIGNATED SMOKING AREA WITH BENCH AND ASH URN
- 31 BIKER (BY OWNER)
- 32 TDOT STANDARD DRAWING RP-44-7
- 33 TDOT STANDARD DRAWING RP-44-8
- 34 CONCRETE STARWAY (SHEET C4.3, DETAIL 2)
- 35 GATE THE POST (SHEET 4.3, DETAIL 3)
- 36 SEC ELECTRICAL PLANS FOR TRANSFORMER PAD DETAIL.
- 37 SEE UTILITY PLAN FOR BACH/LOW PREVENTERS (SHEET C3.2)



REV	DESCRIPTION	DATE

New Construction of  
**KINGSPORT  
 TRANSIT CENTER**  
 900 East Main Street  
 Kingsport, Tennessee 37660  
 City of Kingsport and  
 Kingsport Area Transit Service



PROFESSIONAL SEAL  
 Sheet Content  
**OVERALL SITE PLAN**

DATE: 05/17/2017  
 SCALE: 1" = 50'-0"  
 DRAWN BY: JKH  
 CHECKED BY: MCH  
 APPROVED BY: JAS

P/E Project Number: 18857A  
 Sheet Number: **C1.0**

**BID AND PERMIT**



**AGENDA ACTION FORM**

**Change Order No. 2 for Borden Park Phase 1 Improvements**

To: Board of Mayor and Aldermen  
From: Jeff Fleming, City Manager

Action Form No.: AF-226-2017  
Work Session: August 14, 2017  
First Reading: N/A

Final Adoption: August 15, 2017  
Staff Work By: D. Mason  
Presentation By: C. McCart

**Recommendation:**

Approve the Resolution.

**Executive Summary:**

On April 18, 2017 the Board approved entering a contract with Duco Construction for the construction of Borden Park – Phase I Improvements.

The contract consists of a base bid for the expansion of the trail system, which is partially funded by grant money, and two parking lot expansions that were bid as alternates in order to administratively separate them from the grant funded portion of the project. The project also included a 6% contingency fund which has been fully utilized.

On June 20, 2017 the Board approved change order no. 1 to the project for removing and replacing unsuitable soils in the parking lot areas that were beyond the available contingency amount. Work has continued on the parking lot expansions and additional areas of unsuitable soil have been encountered. This change order is to increase the contract amount by \$10,402.00 for removing and replacing unsuitable soils from the Willow St. parking lot near the tennis courts.

The full extent of the parking areas has now been exposed and proof-rolled and the full scope of the project is nearing completion. This change order will represent the final revision to the contract before completion.

Funds for this change order are available in project GP1713.

**Attachments:**

- 1. Resolution
- 2. Change Order

Funding source appropriate and funds are available:

	Y	N	O
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING CHANGE ORDER #2 TO THE CONTRACT WITH DUCO CONSTRUCTION LLC FOR BORDEN PARK – PHASE I IMPROVEMENTS AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE CHANGE ORDER

WHEREAS, the City of Kingsport entered a contract with Duco Construction, LLC on April 19, 2017, for the construction of Borden Park – Phase I Improvements; and

WHEREAS, the project consists of expanding the trail system as a base bid, and two parking lot expansions as alternate bids; and

WHEREAS, change order #1 to the project was approved by the board on June 20, 2017, in the amount of \$14, 610.00; and

WHEREAS, continuing work on the parking lot expansions has identified additional areas of unsuitable soils that that require removal and replacement; and

WHEREAS, a change order to the contract is necessary to provide for the cost of removing and replacing unsuitable soils in the amount of \$10,402.00 to complete the project; and

WHEREAS, funding is available in Project GP1713.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN as follows:

SECTION I. That change order #2 to the contract with Duco Construction for Borden Park – Phase I Improvements to provide for removing and replacing unsuitable soils in the amount of \$10,402.00 is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, change order #2 to the contract for Borden Park – Phase I Improvements and all other documents necessary and proper to effectuate the purpose of the contract as shown below:

**CHANGE ORDER**

Date 8/15/2017

OWNER'S Project No.	GP1510/1700/1713	ENGINEER'S Project No.
Project	Borden Park – Phase I Improvements	
CONTRACTOR	Duco Construction	
Contract For	Park Improvements	Contract Date 4/19/2017
To:	Duco Construction, Contractor	

You are directed to make the changes noted below in the subject Contract:

Nature of the Changes:

Remove and replace unsuitable soils in the parking lot areas

2 areas in the Willow St. parking lot near tennis courts

Enclosures

These changes result in the following adjustment of Contract Price and Time:

Contract price prior to this change order:	\$567,930
Net Increase Resulting from this Change Order:	\$10,402.00
Current Contract Price Including This Change Order:	\$578,332
Contract Time Prior to this Change Order:	150 Days
Days Net Increase Resulting from this Change Order:	0 Days
Current Contract Date Including this Change Order:	9/21/2017 Days or Date

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 15<sup>th</sup> day of August, 2017.

\_\_\_\_\_  
JOHN CLARK, MAYOR

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**CHANGE ORDER**

Date 6/20/2017

OWNER'S Project No. GP1510/1700/1713 ENGINEER'S Project No. \_\_\_\_\_  
Project Borden Park - Phase I Improvements

CONTRACTOR Duco Construction

Contract For Park Improvements Contract Date 4/19/2017

To: Duco Construction  
Contractor

You are directed to make the changes noted below in the subject Contract:

ATTEST:

\_\_\_\_\_  
CITY RECORDER CITY OF KINGSPORT  
OWNER

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY By: \_\_\_\_\_  
MAYOR OF KINGSPORT

Dated: \_\_\_\_\_

Nature of the Changes

Remove and replace unsuitable soils in the parking lot areas  
2 areas in the Willow St. parking lot near tennis courts.

Enclosures

These changes result in the following adjustment of Contract Price and Time:

Contract Price Prior to This Change Order	\$	<u>\$567,930.00</u>
Net <u>Increase</u> Resulting from this Change Order	\$	<u>\$10,402.00</u>
Current Contract Price Including This Change Order	\$	<u>\$578,332.00</u>

Contract Time Prior to This Change Order	<u>150</u>	Days
Net <u>Increase</u> Resulting from this Change Order	<u>0</u>	Days
Current Contract Date Including This Change Order	<u>9/21/2017</u>	Days or Date

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The Above Changes Are Approved

\_\_\_\_\_

Project Manager

By: David Mason

Date: \_\_\_\_\_

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The Above Changes Are Accepted

\_\_\_\_\_

Contractor

By: \_\_\_\_\_

Date: \_\_\_\_\_

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Routing

1. Board of Mayor and Aldermen for approval and authorization for the Mayor to sign on behalf of the City
2. Project Manager
3. Contractor
4. City Attorney
5. Mayor
6. City Recorder

Distribution by City Recorder

1. Original executed change order to contract file
2. Copy to Contractor
3. Copy to Project Manager
4. Copy to Purchasing Director



**AGENDA ACTION FORM**

**Accept Deeds and Deeds of Easement**

To: Board of Mayor and Aldermen  
From: Jeff Fleming, City Manager

Action Form No.: AF-222-2017  
Work Session: August 14, 2017  
First Reading: N/A

Final Adoption: August 15, 2017  
Staff Work By: R. Trent  
Presentation By: M. Billingsley

**Recommendation:**

Approve the Resolution.

**Executive Summary:**

An annual listing of the deeds and deeds of easements required for various city projects located in the 7<sup>th</sup>, 11<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> Civil Districts of Sullivan County, Tennessee as well as the 7<sup>th</sup> Civil District of Hawkins County, Tennessee are included in this Resolution which provides for the formal acceptance of the property and property rights conveyed. The attached supplemental information provides the various projects, deeds and deeds of easement obtained for the fiscal year 2016 - 2017.

**Attachment:**

1. Supplemental Information
2. 2017 Acceptance Resolution

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

SUPPLEMENTAL INFORMATION

AF: 222-2017

<u>Project Name</u>	<u>Project Number</u>
Kingsport City Schools Acquisition	GP1612
Miscellaneous Water Line Extension Projects	411-5004-501-9001
Miscellaneous Sewer Maintenance Projects	412-5004-501-9001
Colonial Heights Sewer Extension Project – Phase 3	SW1502
Colonial Heights Sewer Extension Project – Phase 4	SW1511
Colonial Heights Sewer Extension Project – Phase 5	SW1512
State Route 126/Island Road Intersection Project	MPO15A
Greenbelt Rotherwood Project	GP1013
Greenbelt Eastern End Extension Project	GP1529
Melrose Place Waterline Upgrades Project	WA1601

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO ACCEPT DEEDS, DEEDS OF EASEMENT, AND OTHER MUNIMENT OF TITLE FROM THE VARIOUS PROPERTY OWNERS AND OTHERS HAVING AN INTEREST IN PROPERTY AS HEREINAFTER SET OUT, CONVEYING TO THE CITY OF KINGSPORT, A MUNICIPAL CORPORATION OF THE STATE OF TENNESSEE, TITLE TO THE PROPERTY DESCRIBED IN SUCH DEEDS, DEEDS OF EASEMENT, AND OTHER MUNIMENT OF TITLE, LOCATED IN THE 7<sup>TH</sup>, 11<sup>TH</sup>, 13<sup>TH</sup> AND 14<sup>TH</sup> CIVIL DISTRICTS OF SULLIVAN COUNTY, TENNESSEE AND THE 7<sup>TH</sup> CIVIL DISTRICT OF HAWKINS COUNTY, TENNESSEE.

WHEREAS, the City of Kingsport, a municipal corporation of the State of Tennessee, accepts Deeds and Deeds of Easement from the various property owners conveying to the City of Kingsport title to the property.

WHEREAS, the City of Kingsport desires to accept from various property owners Deeds and Deeds of Easements located in the 7<sup>th</sup>, 11<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> Civil Districts of Sullivan County, Tennessee and the 7<sup>th</sup> Civil District of Hawkins County described in Exhibit "A", the descriptions of such property being more specifically set out in said instruments hereinafter referred to, and which have been made a part of this Resolution by reference, as fully as though copied verbatim herein.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN as follows:

SECTION I. That the Board of Mayor and Aldermen accept the Deeds and Deeds of Easement from the various property owners which convey to the City of Kingsport titles to the property located in the 7<sup>th</sup>, 11<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> Civil Districts of Sullivan County, Tennessee and the 7<sup>th</sup> Civil District of Hawkins County, Tennessee and described in Exhibit "A", the descriptions of such property being more specifically set out in said instruments hereinafter referred to, and which have been made a part of this Resolution by reference, as fully as though copied verbatim herein.

SECTION II. That this Resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 15<sup>th</sup> day of August, 2017.

ATTEST:

\_\_\_\_\_  
JOHN CLARK  
Mayor

\_\_\_\_\_  
JAMES H. DEMMING  
City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY  
City Attorney

## Exhibit "A"

Temporary Deed of Easement across the George D. Helton and wife, Earleen W. Helton property dated July 7, 2016 from George D. Helton and wife, Earleen W. Helton to the City of Kingsport, Tennessee, for the amount of \$1,846.00.

Temporary Deed of Easement across the Philip G. Tipton and wife, Brittney Tipton property dated July 1, 2016 from Philip G. Tipton and wife, Brittney Tipton to the City of Kingsport, Tennessee, for the amount of \$378.00.

Temporary Deed of Easement across the Katherine Leigh Priester and husband, Joseph Priester property dated July 8, 2016 from Katherine Leigh Priester and husband, Joseph Priester to the City of Kingsport, Tennessee, for the amount of \$436.00.

Warranty Deed for a portion of the Kingsport Indian Springs, LLC property dated July 21, 2016 from Kingsport Indian Springs, LC to the City of Kingsport, Tennessee, for the amount of \$1.00 and recorded July 21, 2016 in Deed Book 3208 at page 385 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the Lenita H. Thibault property dated July 29, 2016 from Lenita H. Thibault to the City of Kingsport, Tennessee, for the amount of \$1,650.00 and recorded August 1, 2016 in Deed Book 1206 at page 319 in the Register's Office for Hawkins County at Rogersville, Tennessee.

Warranty Deed for the Michael L. Goins, Larry H. Goins, Brenda G. Colley and Rhonda M. Boling, sole heirs at law of Phyllis K. Goins property dated August 8, 2016 from Michael L. Goins, Larry H. Goins, Brenda G. Colley and Rhonda M. Boling to the City of Kingsport, Tennessee, for the amount of \$1.00 and recorded August 8, 2016 in Deed Book 3210 at page 1323 in the Register's Office for Sullivan County at Blountville, Tennessee.

Temporary Deed of Easement across the Mitchell L. Cox and wife, Stephanie A. Cox property dated August 17, 2016 from Mitchell L. Cox and wife, Stephanie A. Cox to the City of Kingsport, Tennessee, for the amount of \$1,715.00.

Temporary Deed of Easement across the Travis Leming property dated August 3, 2016 from Travis Leming to the City of Kingsport, Tennessee, for the amount of \$2,400.00 and recorded August 5, 2016 in Deed Book 3210 at page 497 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for the Marvin Clarence Speer, as Executor of the estate of Ronald Kelly Speer, Sr. property dated June 29, 2016 from Marvin Clarence Speer to the City of Kingsport, Tennessee, for the amount of \$35,000.00 and recorded July 5, 2016 in Deed Book 3206 at page 42 in the Register's Office for Sullivan County at Blountville, Tennessee.

Notice of Lien on the Anna Louise Jessee, heir of Edgar & Annie Jessee, property dated August 30, 2016 and recorded September 14, 2016 in Deed Book 3214 at page 2494 in the Register's Office for Sullivan County at Blountville, Tennessee.

Notice of Lien on the Jimmy McInturff, heir of Burkett McInturff, property dated August 30, 2016 and recorded September 14, 2016 in Deed Book 3214 at page 2495 in the Register's Office for Sullivan County at Blountville, Tennessee.

Notice of Lien on the Judy Powers, heir of Roshell & Pansy Frost, property dated August 30, 2016 and recorded September 14, 2016 in Deed Book 3214 at page 2496 in the Register's Office for Sullivan County at Blountville, Tennessee.

Notice of Lien on the Harding White property dated August 30, 2016 and recorded September 14, 2016 in Deed Book 3214 at page 2497 in the Register's Office for Sullivan County at Blountville, Tennessee.

Notice of Lien on the Laurie A. Powell, Trustee of the Laurie A. Powell Trust, property dated August 30, 2016 and recorded September 14, 2016 in Deed Book 3214 at page 2498 in the Register's Office for Sullivan County at Blountville, Tennessee.

Notice of Lien on the Milton Development Corporation property dated August 30, 2016 and recorded September 14, 2016 in Deed Book 3214 at page 2499 in the Register's Office for Sullivan County at Blountville, Tennessee.

Temporary Deed of Easement across the Douglas Eugene Loudy and wife, Peggy Jean Loudy property dated September 16, 2016 from Douglas Eugene Loudy and wife, Peggy Jean Loudy to the City of Kingsport, Tennessee, for the amount of \$355.00.

Deed of Easement across the Christopher D. Roberts and wife, Ladonna J. Roberts property dated June 27, 2016 from Christopher D. Roberts and wife, Ladonna J. Roberts to the City of Kingsport, Tennessee, for the amount of \$2,342.00 and recorded September 14, 2016 in Deed Book 3215 at page 1 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Stuart M. Sigrest and wife, Janina M. Sigrest property dated July 1, 2016 from Stuart M. Sigrest and wife, Janina M. Sigrest to the City of Kingsport, Tennessee, for the amount of \$2,769.00 and recorded September 14, 2016 in Deed Book 3215 at page 4 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Charles M. Amerson and wife, Diane T. Amerson property dated July 1, 2016 from Charles M. Amerson and wife, Diane T. Amerson to the City of Kingsport, Tennessee, for the amount of \$937.00 and recorded September 14, 2016 in Deed Book 3215 at page 7 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Samuel D. Jones and wife, Linda W. Jones property dated July 14, 2016 from Samuel D. Jones and wife, Linda W. Jones to the City of Kingsport, Tennessee, for the amount of \$1,131.00 and recorded September 14, 2016 in Deed Book 3215 at page 10 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Max F. Meyer property dated July 18, 2016 from Max F. Meyer to the City of Kingsport, Tennessee, for the amount of \$2,300.00 and recorded September 14, 2016 in Deed Book 3215 at page 13 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Helen D. Doty property dated July 25, 2016 from Helen D. Doty to the City of Kingsport, Tennessee, for the amount of \$934.00 and recorded September 14, 2016 in Deed Book 3215 at page 16 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Brenda D. Carver, Trustee of the Brenda D. Carver Living Trust property dated July 28, 2016 from Brenda D. Carver to the City of Kingsport, Tennessee, for the amount of \$1,190.00 and recorded September 14, 2016 in Deed Book 3215 at page 19 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Harold L. Hansen and wife, Phyllis J. Hansen property dated August 18, 2016 from Harold L. Hansen and wife, Phyllis J. Hansen to the City of Kingsport, Tennessee, for the amount of \$648.00 and recorded September 14, 2016 in Deed Book 3215 at page 22 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Allen K. Clark and wife, Nancy A. Clark property dated July 26, 2016 from Allen K. Clark and wife, Nancy A. Clark to the City of Kingsport, Tennessee, for the amount of \$1,210.00 and recorded September 14, 2016 in Deed Book 3215 at page 25 in the Register's Office for Sullivan County at Blountville, Tennessee.

Temporary Deed of Easement across the Colonial Heights United Methodist Church property dated September 20, 2016 from Colonial Heights United Methodist Church to the City of Kingsport, Tennessee, for the amount of \$293.00.

Temporary Deed of Easement across the Holston Conference of the United Methodist Church property dated September 20, 2016 from Colonial Heights United Methodist Church to the City of Kingsport, Tennessee, for the amount of \$397.00.

Temporary Deed of Easement across the John Michael Ballard property dated September 29, 2016 from John Michael Ballard to the City of Kingsport, Tennessee, for the amount of \$435.00.

Temporary Deed of Easement across the Connie S. Reed, Trustee of the Connie S. Reed Revocable Living Trust property dated October 10, 2016 from Connie S. Reed to the City of Kingsport, Tennessee, for the amount of \$68.00.

Temporary Deed of Easement across the Edna R. Greene property dated October 20, 2016 from Edna R. Greene to the City of Kingsport, Tennessee, for the amount of \$1,282.00.

Temporary Deed of Easement across the Denver Powell Houser and wife, Mildred Charlene Houser property dated October 17, 2016 from Denver Powell Houser and wife, Mildred Charlene Houser to the City of Kingsport, Tennessee, for the amount of \$415.00.

Temporary Deed of Easement across the Michael T. Way and wife, Cathy E. Way property dated October 28, 2016 from Michael T. Way and wife, Cathy E. Way to the City of Kingsport, Tennessee, for the amount of \$647.00.

Temporary Deed of Easement across the Alan K. Boyes and wife, Patricia L. Boyes property dated November 7, 2016 from Alan K. Boyes and wife, Patricia L. Boyes to the City of Kingsport, Tennessee, for the amount of \$460.00.

Temporary Deed of Easement across the HT Properties, LLC property dated October 26, 2016 from HT Properties, LLC to the City of Kingsport, Tennessee, for the amount of \$259.00.

Temporary Deed of Easement across the Shelton P. Hagar and wife, Melissa C. Hagar property dated November 14, 2016 from Shelton P. Hagar and wife, Melissa C. Hagar to the City of Kingsport, Tennessee, for the amount of \$616.00.

Temporary Deed of Easement across the Timothy Jenkins and wife, Nicole Jenkins property dated November 17, 2016 from Timothy Jenkins and wife, Nicole Jenkins to the City of Kingsport, Tennessee, for the amount of \$1,000.00.

Temporary Deed of Easement across the Christopher Thomas Bowen and wife, Dawn F. Bowen property dated November 21, 2016 from Christopher Thomas Bowen and wife, Dawn F. Bowen to the City of Kingsport, Tennessee, for the amount of \$31,000.00.

Warranty Deed for the Industrial Development Board of the City of Kingsport Tennessee property dated November 22, 2016 from the Industrial Development Board of the City of Kingsport Tennessee to the City of Kingsport, Tennessee, for the amount of \$509,000.00 and recorded November 22, 2016 in Deed Book 3223 at page 1738 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the Robert W. Monday property dated December 1, 2016 from Robert W. Monday to the City of Kingsport, Tennessee, for the amount of \$2,400.00 and recorded December 14, 2016 in Deed Book 3226 at page 316 in the Register's Office for Sullivan County at Blountville, Tennessee.

Consent Judgment for easements across the Danny Edwards and wife, Crystal Edwards, III J. Layne and wife, Margaret Layne, Melissa Layne and Robert Payne Cave, Trustee property dated September 13, 2016 from Danny Edwards, etal to the City of Kingsport, Tennessee, for the amount of \$2,602.00 and recorded December 14, 2016 in Deed Book 3226 at page 319 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the St. Christopher's Episcopal Church property dated September 1, 2016 from St. Christopher's Episcopal Church to the City of Kingsport, Tennessee, for the amount of \$1,728.00 and recorded December 14, 2016 in Deed Book 3226 at page 324 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Edward A. Dezarn property dated September 16, 2016 from Edward A. Dezarn to the City of Kingsport, Tennessee, for the amount of \$722.00 and recorded December 14, 2016 in Deed Book 3226 at page 327 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Jeffrey Alan Johnson and wife, Stephanie L. Johnson property dated October 14, 2016 from Jeffrey Alan Johnson and wife, Stephanie L. Johnson to the City of Kingsport, Tennessee, for the amount of \$164.00 and recorded December 14, 2016 in Deed Book 3226 at page 330 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Leonard Baxter Hood and wife, Mary Margaret Hood property dated November 2, 2016 from Leonard Baxter Hood and wife, Mary Margaret Hood to the City of Kingsport, Tennessee, for the amount of \$620.00 and recorded December 14, 2016 in Deed Book 3226 at page 333 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Robert B. Miller, II and Nancy J. Miller, Trustees of the Robert B. Miller and Nancy J. Miller Revocable Living Trust property dated November 22, 2016 from Robert B. Miller, II and Nancy J. Miller to the City of Kingsport, Tennessee, for the amount of \$1,495.00 and recorded December 14, 2016 in Deed Book 3226 at page 336 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the W. Alan Henderson and wife, Martha G. Henderson property dated November 28, 2016 from W. Alan Henderson and wife, Martha G. Henderson to the City of Kingsport, Tennessee, for the amount of \$217.00 and recorded December 14, 2016 in Deed Book 3226 at page 339 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Heinrich Joseph Reyes and wife, Laura Ann Pittman property dated November 21, 2016 from Heinrich Joseph Reyes and wife, Laura Ann Pittman to the City of Kingsport, Tennessee, for the amount of \$538.00 and recorded December 14, 2016 in Deed Book 3226 at page 342 in the Register's Office for Sullivan County at Blountville, Tennessee.

Temporary Deed of Easement across the Todd Anthony Brase and wife, Monica L. Brase property dated December 7, 2016 from Todd Anthony Brase and wife, Monica L. Brase to the City of Kingsport, Tennessee, for the amount of \$37.00.

Warranty Deed for a portion of the Max F. Meyer property dated December 29, 2016 from Max F. Meyer to the City of Kingsport, Tennessee, for the amount of \$46,000.00 and recorded December 29, 2016 in Deed Book 3227 at page 2329 in the Register's Office for Sullivan County at Blountville, Tennessee.

Temporary Deed of Easement across the John E. Leeson, Jr. and wife, Carol G. Leeson property dated January 17, 2017 from John E. Leeson, Jr. and wife, Carol G. Leeson to the City of Kingsport, Tennessee, for the amount of \$51.00.

Deed of Easement across the Diocese of East Tennessee property dated January 20, 2017 from the Diocese of East Tennessee to the City of Kingsport, Tennessee, for the amount of \$2,713.00 and recorded February 15, 2017 in Deed Book 3233 at page 322 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Mark L. Peal and wife, Mary Ann Peal, Trustees of the Mark L. and Mary Ann Peal Revocable Living Trust property dated January 10, 2017 from Mark L. Peal and wife, Mary Ann Peal to the City of Kingsport, Tennessee, for the amount of \$2,004.00 and recorded February 15, 2017 in Deed Book 3233 at page 325 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Gail Marie Hollandsworth property dated December 14, 2016 from Gail Marie Hollandsworth to the City of Kingsport, Tennessee, for the amount of \$1,036.00 and recorded February 15, 2017 in Deed Book 3233 at page 328 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the James C. Thetford and wife, Beverly M. Thetford property dated December 19, 2016 from James C. Thetford and wife, Beverly M. Thetford to the City of Kingsport, Tennessee, for the amount of \$2,041.00 and recorded February 15, 2017 in Deed Book 3233 at page 331 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Barbara C. Tunnell, Trustee of the Norman R. Tunnell and Barbara C. Tunnell Revocable Living Trust property dated December 27, 2016 from Barbara C. Tunnell to the City of Kingsport, Tennessee, for the amount of \$1,560.00 and recorded February 15, 2017 in Deed Book 3233 at page 334 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Barbara C. Tunnell, Trustee of the Norman R. Tunnell and Barbara C. Tunnell Revocable Living Trust property dated December 27, 2016 from Barbara C. Tunnell to the City of Kingsport, Tennessee, for the amount of \$3,413.00 and recorded February 15, 2017 in Deed Book 3233 at page 337 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Gregory A. Wellman, Jr. and wife, Kimberly A. Wellman property dated January 20, 2017 from Gregory A. Wellman, Jr. and wife, Kimberly A. Wellman to the City of Kingsport, Tennessee, for the amount of \$2,560.00 and recorded February 15, 2017 in Deed Book 3233 at page 340 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Bowen Living Trust, Paul K. Bowen and Glenna B. Bowen, Trustees property dated January 24, 2017 from Paul K. Bowen and Glenna B. Bowen to the City of Kingsport, Tennessee, for the amount of \$2,090.00 and recorded February 15, 2017 in Deed Book 3233 at page 343 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Renee T. Greene property dated January 27, 2017 from Renee T. Greene to the City of Kingsport, Tennessee, for the amount of \$1,410.00 and recorded February 15, 2017 in Deed Book 3233 at page 346 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the D. Lynn Stump and wife, Sherry D. Stump property dated January 27, 2017 from D. Lynn Stump and wife, Sherry D. Stump to the City of Kingsport, Tennessee, for the amount of \$374.00 and recorded February 15, 2017 in Deed Book 3233 at page 355 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Todd Carpenter and wife, Carrie Carpenter property dated December 29, 2016 from Todd Carpenter and wife, Carrie Carpenter to the City of Kingsport, Tennessee, for the amount of \$3,330.00 and recorded February 15, 2017 in Deed Book 3233 at page 358 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Lisa Hobbs Nottingham property dated September 9, 2010 from Lisa Hobbs Nottingham to the City of Kingsport, Tennessee, for the amount of \$3,170.00 and recorded February 15, 2017 in Deed Book 3233 at page 352 in the Register's Office for Sullivan County at Blountville, Tennessee.

Temporary Deed of Easement across the Melvin Michael Morrison, II and wife, Sarah Nicole Morrison property dated February 24, 2017 from Melvin Michael Morrison, II and wife, Sarah Nicole Morrison to the City of Kingsport, Tennessee, for the amount of \$599.00.

Temporary Deed of Easement across the John L. Cameron and wife, Carolyn Rice Cameron property dated March 6, 2017 from John L. Cameron and wife, Carolyn Rice Cameron to the City of Kingsport, Tennessee, for the amount of \$239.00.

Temporary Deed of Easement across the Danny R. Vermillion and wife, Heather M. Vermillion property dated March 6, 2017 from Danny R. Vermillion and wife, Heather M. Vermillion to the City of Kingsport, Tennessee, for the amount of \$847.00.

Deed of Easement across the Randy A. Barnes and wife, Kimberly G. Barnes property dated March 9, 2017 from Randy A. Barnes and wife, Kimberly G. Barnes to the City of Kingsport, Tennessee, for the amount of \$1,325.00 and recorded March 22, 2017 in Deed Book 3236 at page 2487 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Charles G. Sexton, Trustee of the Charles G. Sexton Living Trust, and wife, Jean D. Sexton, Trustee of the Jean D. Sexton Living Trust property dated February 3, 2017 from Charles G. Sexton and wife, Jean D. Sexton to the City of Kingsport, Tennessee, for the amount of \$2,241.00 and recorded March 22, 2017 in Deed Book 3236 at page 2491 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Stanley W. Polichnowski, Trustee of the Stanley W. Polichnowski Living Trust property dated February 13, 2017 from Stanley W. Polichnowski to the City of Kingsport, Tennessee, for the amount of \$236.00 and recorded March 22, 2017 in Deed Book 3236 at page 2494 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the John R. Stevens and wife, Carolyn K. Stevens property dated February 23, 2017 from John R. Stevens and wife, Carolyn K. Stevens to the City of Kingsport, Tennessee, for the amount of \$1,742.00 and recorded March 22, 2017 in Deed Book 3236 at page 2497 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Jane E. Hines property dated February 21, 2017 from Jane E. Hines to the City of Kingsport, Tennessee, for the amount of \$1,845.00 and recorded March 22, 2017 in Deed Book 3237 at page 1 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Mary Christine Terry property dated February 14, 2017 from Mary Christine Terry to the City of Kingsport, Tennessee, for the amount of \$3,000.00 and recorded March 22, 2017 in Deed Book 3237 at page 4 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Dennis K. McCoy and wife, Debra K. McCoy property dated March 2, 2017 from Dennis K. McCoy and wife, Debra K. McCoy to the City of Kingsport, Tennessee, for the amount of \$2,670.00 and recorded March 22, 2017 in Deed Book 3237 at page 7 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Daniel L. Ball and wife, Diana T. Ball property dated March 7, 2017 from Daniel L. Ball and wife, Diana T. Ball to the City of Kingsport, Tennessee, for the amount of \$2,143.00 and recorded March 22, 2017 in Deed Book 3237 at page 10 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the W. Alan Henderson and wife, Martha G. Henderson property dated March 7, 2017 from W. Alan Henderson and wife, Martha G. Henderson to the City of Kingsport, Tennessee, for the amount of \$3,211.00 and recorded March 22, 2017 in Deed Book 3237 at page 13 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the James M. Postell, III, wife, Sheila W. Postell, Trustees of the Postell Joint Living Trust property dated March 3, 2017 from James M. Postell, III, wife, Sheila W. Postell to the City of Kingsport, Tennessee, for the amount of \$100.00 and recorded March 22, 2017 in Deed Book 3237 at page 16 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Lyle E. Campbell and wife, Stephanie W. Campbell property dated March 10, 2017 from Lyle E. Campbell and wife, Stephanie W. Campbell to the City of Kingsport, Tennessee, for the amount of \$125.00 and recorded March 22, 2017 in Deed Book 3237 at page 19 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Mark E. Harrison and wife, Marian E. Harrison property dated March 7, 2017 from Mark E. Harrison and wife, Marian E. Harrison to the City of Kingsport, Tennessee, for the amount of \$1,061.00 and recorded March 22, 2017 in Deed Book 3237 at page 19 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the David E. Harris and wife, Lisa R. Harris property dated March 10, 2017 from David E. Harris and wife, Lisa R. Harris to the City of Kingsport, Tennessee, for the amount of \$3,586.00 and recorded March 22, 2017 in Deed Book 3237 at page 25 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Erritte C. Osborne and wife, Joyce M. Osborne property dated March 13, 2017 from Erritte C. Osborne and wife, Joyce M. Osborne to the City of Kingsport, Tennessee, for the amount of \$1,616.00 and recorded March 22, 2017 in Deed Book 3237 at page 28 in the Register's Office for Sullivan County at Blountville, Tennessee.

Temporary Deed of Easement across the David Holden property dated March 16, 2017 from David Holden to the City of Kingsport, Tennessee, for the amount of \$371.00.

Temporary Deed of Easement across the Cephas H. Sloan, III property dated March 27, 2017 from Cephas H. Sloan, III to the City of Kingsport, Tennessee, for the amount of \$727.00.

Temporary Deed of Easement across the H. Wade Dykes and wife, Patricia B. Dykes property dated April 13, 2017 from H. Wade Dykes and wife, Patricia B. Dykes to the City of Kingsport, Tennessee, for the amount of \$476.00.

Warranty Deed for the Pierce Ditching Company property dated April 4, 2017 from Pierce Ditching Company to the City of Kingsport, Tennessee, for the amount of \$28,000.00 and recorded April 12, 2017 in Deed Book 3239 at page 1590 in the Register's Office for Sullivan County at Blountville, Tennessee.

Temporary Deed of Easement across the Gene W. Phillips and wife, Betty J. Phillips property dated May 3, 2017 from Gene W. Phillips and wife, Betty J. Phillips to the City of Kingsport, Tennessee, for the amount of \$589.00.

Deed of Easement across the Erritte C. Osborne and wife, Joyce M. Osborne property dated March 13, 2017 from Erritte C. Osborne and wife, Joyce M. Osborne to the City of Kingsport, Tennessee, for the amount of \$1,616.00 and recorded March 22, 2017 in Deed Book 3237 at page 28 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Caleb A. Hickman and wife, Bobbie N. Hickman property dated May 4, 2017 from Caleb A. Hickman and wife, Bobbie N. Hickman to the City of Kingsport, Tennessee, for the amount of \$900.00 and recorded May 17, 2017 in Deed Book 3243 at page 1776 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Double T, LLC property dated March 31, 2017 from Double T, LLC to the City of Kingsport, Tennessee, for the amount of \$16,967.00 and recorded May 17, 2017 in Deed Book 3243 at page 1779 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Brian Scott Crawford and wife, Kelly Elizabeth Crawford property dated May 4, 2017 from Brian Scott Crawford and wife, Kelly Elizabeth Crawford to the City of Kingsport, Tennessee, for the amount of \$161.00 and recorded May 17, 2017 in Deed Book 3243 at page 1785 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Jacob E. Godsey and wife, Brandi Nichole Godsey property dated April 20, 2017 from Jacob E. Godsey and wife, Brandi Nichole Godsey to the City of Kingsport, Tennessee, for the amount of \$1,700.00 and recorded May 17, 2017 in Deed Book 3243 at page 1791 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Billy Joe Johnson property dated April 14, 2017 from Billy Joe Johnson to the City of Kingsport, Tennessee, for the amount of \$4,823.00 and recorded May 17, 2017 in Deed Book 3243 at page 1794 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Steven A. Terry and Jessica D. Quillen property dated April 28, 2017 from Steven A. Terry and Jessica D. Quillen to the City of Kingsport, Tennessee, for the amount of \$4,255.00 and recorded May 17, 2017 in Deed Book 3243 at page 1798 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Melissa C. Martinez and husband Kris Ray Martinez property dated April 27, 2017 from Melissa C. Martinez and husband Kris Ray Martinez to the City of Kingsport, Tennessee, for the amount of \$1,950.00 and recorded May 17, 2017 in Deed Book 3243 at page 1802 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Daniel P. Street and wife, Laurie A. Street property dated April 20, 2017 from Daniel P. Street and wife, Laurie A. Street to the City of Kingsport, Tennessee, for the amount of \$1,682.00 and recorded May 17, 2017 in Deed Book 3243 at page 1805 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Eric D. Beach and wife, Rebecca Beach property dated April 12, 2017 from Eric D. Beach and wife, Rebecca Beach to the City of Kingsport, Tennessee, for the amount of \$1,549.00 and recorded May 17, 2017 in Deed Book 3243 at page 1808 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Donald E. Delung and wife, Pam F. Delung property dated April 21, 2017 from Donald E. Delung and wife, Pam F. Delung to the City of Kingsport, Tennessee, for the amount of \$2,615.00 and recorded May 17, 2017 in Deed Book 3243 at page 1811 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the James W. Hagie and wife, Tina R. Hagie property dated April 20, 2017 from James W. Hagie and wife, Tina R. Hagie to the City of Kingsport, Tennessee, for the amount of \$1,934.00 and recorded May 17, 2017 in Deed Book 3243 at page 1814 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Thomas Q. Anderson and wife, Julie D. Anderson property dated April 14, 2017 from Thomas Q. Anderson and wife, Julie D. Anderson to the City of Kingsport, Tennessee, for the amount of \$1,021.00 and recorded May 17, 2017 in Deed Book 3243 at page 1817 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Steven A. Janulis and wife, Gwendolyn K. Janulis property dated April 12, 2017 from Steven A. Janulis and wife, Gwendolyn K. Janulis to the City of Kingsport, Tennessee, for the amount of \$222.00 and recorded May 17, 2017 in Deed Book 3243 at page 1820 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Marcus P. Hopkins and wife, Lillian C. Hopkins property dated April 19, 2017 from Marcus P. Hopkins and wife, Lillian C. Hopkins to the City of Kingsport, Tennessee, for the amount of \$1,989.00 and recorded May 17, 2017 in Deed Book 3243 at page 1823 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Buddy C. Young and wife, Lizabeth M. Young property dated April 18, 2017 from Buddy C. Young and wife, Lizabeth M. Young to the City of Kingsport, Tennessee, for the amount of \$2,518.00 and recorded May 17, 2017 in Deed Book 3243 at page 1826 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Robert A. Siguenza and wife, Suzanne R. Siguenza property dated April 11, 2017 from Robert A. Siguenza and wife, Suzanne R. Siguenza to the City of Kingsport, Tennessee, for the amount of \$1,954.00 and recorded May 17, 2017 in Deed Book 3243 at page 1830 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Randy R. Casey and wife, Betsy C. Casey property dated April 3, 2017 from Randy R. Casey and wife, Betsy C. Casey to the City of Kingsport, Tennessee, for the amount of \$290.00 and recorded May 17, 2017 in Deed Book 3243 at page 1833 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Derek Smith and wife, Tina M. Smith property dated April 3, 2017 from Randy R. Casey and wife, Betsy C. Casey to the City of Kingsport, Tennessee, for the amount of \$1,296.00 and recorded May 17, 2017 in Deed Book 3243 at page 1836 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Charles Lynn Shaffer and wife, Anne Elizabeth Shaffer property dated April 5, 2017 from Charles Lynn Shaffer and wife, Anne Elizabeth Shaffer to the City of Kingsport, Tennessee, for the amount of \$195.00 and recorded May 17, 2017 in Deed Book 3243 at page 1839 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the William C. Desatta and wife, Peggy Desatta property dated March 28, 2017 from William C. Desatta and wife, Peggy Desatta to the City of Kingsport, Tennessee, for the amount of \$3,100.00 and recorded May 17, 2017 in Deed Book 3243 at page 1842 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Michael F. Russell and wife, Carolyn L. Russell property dated March 27, 2017 from Michael F. Russell and wife, Carolyn L. Russell to the City of Kingsport, Tennessee, for the amount of \$192.00 and recorded May 17, 2017 in Deed Book 3243 at page 1846 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Carolyn J. Neal property dated March 23, 2017 from Carolyn J. Neal to the City of Kingsport, Tennessee, for the amount of \$1,510.00 and recorded May 17, 2017 in Deed Book 3243 at page 1849 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Gary D. Frazier and wife, Sherry S. Frazier property dated March 23, 2017 from Gary D. Frazier and wife, Sherry S. Frazier to the City of Kingsport, Tennessee, for the amount of \$2,247.00 and recorded May 17, 2017 in Deed Book 3243 at page 1852 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Patricia K. Whitfield property dated March 23, 2017 from Patricia K. Whitfield to the City of Kingsport, Tennessee, for the amount of \$1,530.00 and recorded May 17, 2017 in Deed Book 3243 at page 1855 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Rustin W. Henry and wife, Julie Henry property dated March 17, 2017 from Rustin W. Henry and wife, Julie Henry to the City of Kingsport, Tennessee, for the amount of \$3,070.00 and recorded May 17, 2017 in Deed Book 3243 at page 1858 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the James R. McClellan, Jr. and wife, Christina C. McClellan property dated March 17, 2017 from James R. McClellan, Jr. and wife, Christina C. McClellan to the City of Kingsport, Tennessee, for the amount of \$1,528.00 and recorded May 17, 2017 in Deed Book 3243 at page 1862 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for the Staralee Morris property dated May 17, 2017 from Staralee Morris to the City of Kingsport, Tennessee, for the amount of \$12,692.31 and recorded May 25, 2017 in Deed Book 3244 at page 1495 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for the Jack Pierce, Sr. and wife, Betsy Ann Pierce property dated May 19, 2017 from Jack Pierce, Sr. and wife, Betsy Ann Pierce to the City of Kingsport, Tennessee, for the amount of \$30,650.35 and recorded May 25, 2017 in Deed Book 3244 at page 1491 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for the Sherry Kincheloe property dated May 18, 2017 from Sherry Kincheloe to the City of Kingsport, Tennessee, for the amount of \$6,923.08 and recorded May 25, 2017 in Deed Book 3244 at page 1478 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for the Jerome Pierce, Jr., Sherry Kincheloe, Staralee Morris, and Aleea Tarplin property dated May 17, 2017 from Jerome Pierce, Jr., Sherry Kincheloe, Staralee Morris, and Aleea Tarplin to the City of Kingsport, Tennessee, for the amount of \$36,734.26 and recorded May 25, 2017 in Deed Book 3244 at page 1484 in the Register's Office for Sullivan County at Blountville, Tennessee.

Temporary Deed of Easement across the Robert W. Meade and wife, Beverly L. Meade property dated June 30, 2017 from Robert W. Meade and wife, Beverly L. Meade to the City of Kingsport, Tennessee, for the amount of \$599.00.

Deed of Easement across the Life Estate of Verlin Droke and wife, Vivian R. Droke and Remainder Estate of Paulette Droke and Riky Droke property dated June 29, 2017 from Verlin Droke and wife, Vivian R. Droke, Paulette Droke and Riky Droke to the City of Kingsport, Tennessee, for the amount of \$9,543.00 and recorded July 19, 2017 in Deed Book 3251 at page 2001 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Patsy Bentley Brown property dated May 15, 2017 from Patsy Bentley Brown to the City of Kingsport, Tennessee, for the amount of \$1,730.00 and recorded July 19, 2017 in Deed Book 3251 at page 2011 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the Three S'S, LLC property dated June 5, 2017 from Three S'S, LLC to the City of Kingsport, Tennessee, for the amount of \$181.00 and recorded July 19, 2017 in Deed Book 3251 at page 2014 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the First Baptist Church of Kingsport, Inc. property dated May 15, 2017 from First Baptist Church of Kingsport, Inc. to the City of Kingsport, Tennessee, for the amount of \$1.00 and recorded July 19, 2017 in Deed Book 3251 at page 2017 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Nicholas A. Lewakowski property dated June 6, 2017 from Nicholas A. Lewakowski to the City of Kingsport, Tennessee, for the amount of \$540.00 and recorded July 19, 2017 in Deed Book 3251 at page 2020 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Billy Jack Wilson and wife, Deborah Joy Wilson property dated June 22, 2017 from Billy Jack Wilson and wife, Deborah Joy Wilson to the City of Kingsport, Tennessee, for the amount of \$452.00 and recorded July 19, 2017 in Deed Book 3251 at page 2023 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Randy R. Casey and wife, Betsy C. Casey property dated June 12, 2017 from Randy R. Casey and wife, Betsy C. Casey to the City of Kingsport, Tennessee, for the amount of \$800.00 and recorded July 19, 2017 in Deed Book 3251 at page 2026 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Randy R. Casey and wife, Betsy C. Casey property dated June 12, 2017 from Randy R. Casey and wife, Betsy C. Casey to the City of Kingsport, Tennessee, for the amount of \$800.00 and recorded July 19, 2017 in Deed Book 3251 at page 2026 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Steven Lynn Carter property dated May 11, 2017 from Steven Lynn Carter to the City of Kingsport, Tennessee, for the amount of \$1,900.00 and recorded July 19, 2017 in Deed Book 3251 at page 2032 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Bruce Treleaven and wife Anne D. Treleaven property dated May 15, 2017 from Bruce Treleaven and wife Anne D. Treleaven to the City of Kingsport, Tennessee, for the amount of \$1,950.00 and recorded July 19, 2017 in Deed Book 3251 at page 2035 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Thomas R. Vest and Alice M. Grizzell property dated March 17, 2017 from Thomas R. Vest and Alice M. Grizzell to the City of Kingsport, Tennessee, for the amount of \$639.00 and recorded July 19, 2017 in Deed Book 3251 at page 2038 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the David Kern and wife, Marilyn R. Kern property dated May 19, 2017 from David Kern and wife, Marilyn R. Kern to the City of Kingsport, Tennessee, for the amount of \$1,500.00 and recorded July 19, 2017 in Deed Book 3251 at page 2041 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Mark Larkins and wife, Melissa A. Larkins property dated May 18, 2017 from Mark Larkins and wife, Melissa A. Larkins to the City of Kingsport, Tennessee, for the amount of \$2,050.00 and recorded July 19, 2017 in Deed Book 3251 at page 2044 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Ronnie L. Hall property dated June 6, 2017 from Ronnie L. Hall to the City of Kingsport, Tennessee, for the amount of \$1,419.00 and recorded July 19, 2017 in Deed Book 3251 at page 2047 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Eric T. Queen and wife, Lesia G. Queen property dated June 9, 2017 from Eric T. Queen and wife, Lesia G. Queen to the City of Kingsport, Tennessee, for the amount of \$1,500.00 and recorded July 19, 2017 in Deed Book 3251 at page 2050 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Mary Christine Terry property dated June 19, 2017 from Mary Christine Terry to the City of Kingsport, Tennessee, for the amount of \$1,000.00 and recorded July 19, 2017 in Deed Book 3251 at page 2053 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Melinda A. Lashley property dated May 23, 2017 from Melinda A. Lashley to the City of Kingsport, Tennessee, for the amount of \$2,025.00 and recorded July 19, 2017 in Deed Book 3251 at page 2056 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Frank D. Tatum and wife, Leslie R. Tatum property dated June 22, 2017 from Frank D. Tatum and wife, Leslie R. Tatum to the City of Kingsport, Tennessee, for the amount of \$424.00 and recorded July 19, 2017 in Deed Book 3251 at page 2059 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Joshua R. Tidwell property dated June 27, 2017 from Joshua R. Tidwell to the City of Kingsport, Tennessee, for the amount of \$2,513.00 and recorded July 19, 2017 in Deed Book 3251 at page 2062 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the David Clinton Keister and Jean Craig Keister property dated June 22, 2017 from David Clinton Keister and Jean Craig Keister to the City of Kingsport, Tennessee, for the amount of \$137.00 and recorded July 19, 2017 in Deed Book 3251 at page 2065 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the H. Virgil Stephens and wife, Clara B. Stephens property dated June 29, 2017 from H. Virgil Stephens and wife, Clara B. Stephens to the City of Kingsport, Tennessee, for the amount of \$2,750.00 and recorded June 30, 2017 in Deed Book 3249 at page 971 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the H. Virgil Stephens and wife, Clara B. Stephens property dated June 29, 2017 from H. Virgil Stephens and wife, Clara B. Stephens to the City of Kingsport, Tennessee, for the amount of \$5,000.00 and recorded June 30, 2017 in Deed Book 3249 at page 974 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the Bumpers Living Trust property dated June 29, 2017 from Ronald Vayton Bumpers and Myra Dean Bumpers, Trustees to the City of Kingsport, Tennessee, for the amount of \$6,400.00 and recorded June 30, 2017 in Deed Book 3249 at page 978 in the Register's Office for Sullivan County at Blountville, Tennessee.



**AGENDA ACTION FORM**

**Right-of-Way Easement with Kingsport Power Company**

To: Board of Mayor and Aldermen  
 From: Jeff Fleming, City Manager *JF*

Action Form No.: AF-228-2017  
 Work Session: August 14, 2017  
 First Reading: N/A

Final Adoption: August 15, 2017  
 Staff Work By: R. Trent  
 Presentation By: R. McReynolds

**Recommendation:**  
 Approve the Resolution.

**Executive Summary:**  
 American Electric Power has requested a right-of-way easement from the city in order to relocate an existing guy wire that was going to be located in the area of the former Engineering building (old Highway Patrol) that will be a paved parking area. While the easement is for American Electric Power, it is in the name of its subsidiary, Kingsport Power Company.

- Attachment:**
1. Resolution
  2. Project Location Map and Easement

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A  
RIGHT-OF-WAY EASEMENT WITH KINGSPORT POWER  
COMPANY**

WHEREAS, the city has requested American Electric Power relocate an existing guy wire that would have been located in the area of the former Engineering building (old Highway Patrol) that will be a paved parking area; and

WHEREAS, in order to relocate the existing guy wire, American Electric Power has requested that the city execute a Right-of-Way Easement to Kingsport Power Company, a subsidiary of American Electric Power; and

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN, as follows:

SECTION I. That the Mayor, or in his absence, incapacity, or failure to act, the Vice Mayor, is authorized to execute, in a form approved by the city attorney, a Right-of-Way Easement with Kingsport Power Company.

SECTION II. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 15<sup>th</sup> day of August, 2017.

\_\_\_\_\_  
JOHN CLARK, MAYOR

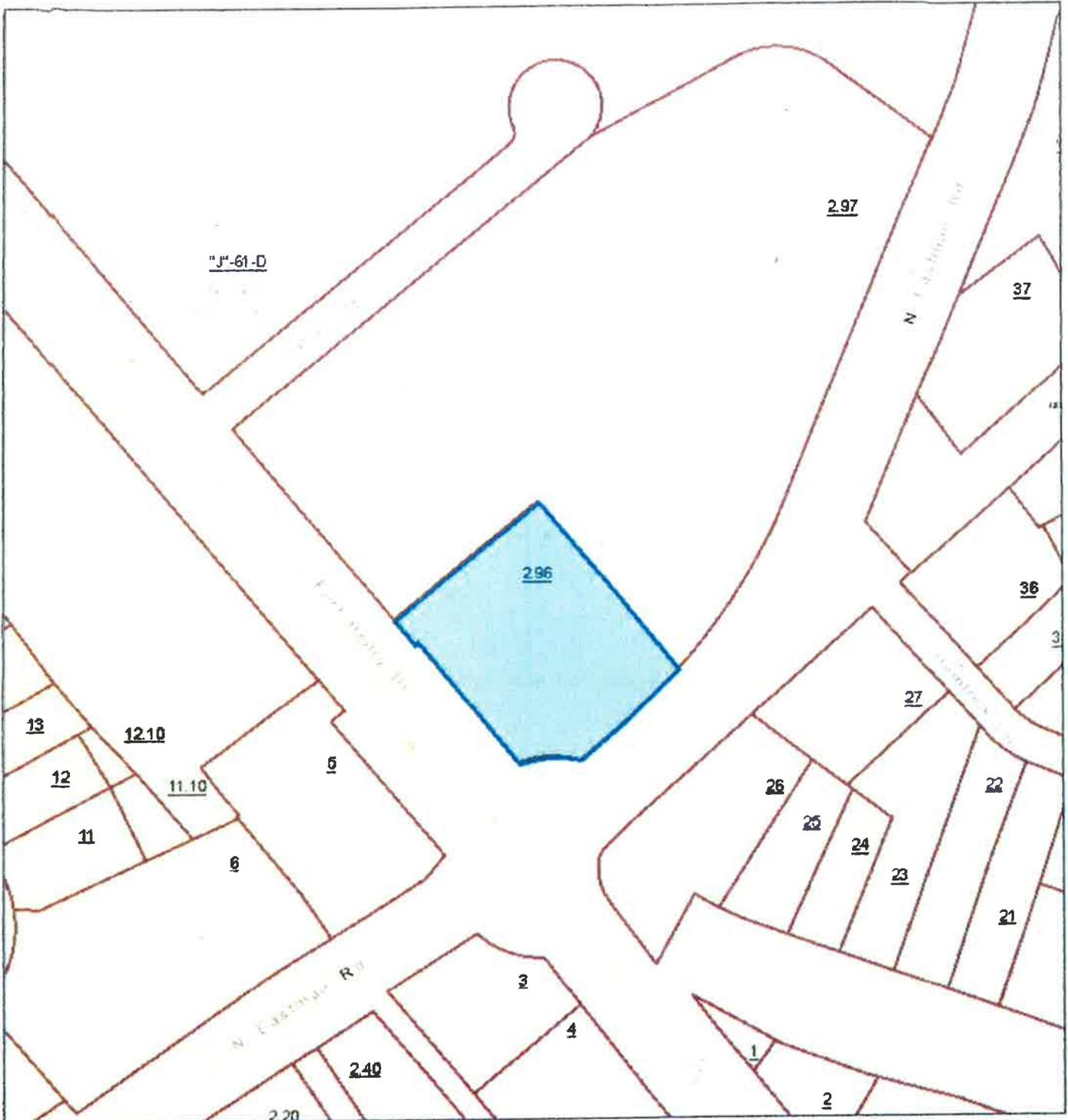
ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

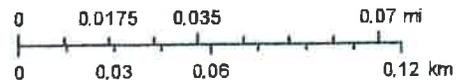
\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, CITY ATTORNEY

# Sullivan County - Parcel: 061D J 002.96



August 8, 2017

1:2,257



TN Comptroller - OLG  
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.

GRW 32 (UGOHD - CORP) KP

City of Kingsport Eas No. \_\_\_\_\_ R/W Map No. 3783-1128-A4  
1324 Midland Drive W. O. No. W002851101 Job No. 17560035 Prop No. 1  
Kingsport, TN 37664 Line City of Kingsport

THIS AGREEMENT, made this 20th day of Jul . 20 17 , by and between CITY OF KINGSPORT, a municipal corporation organized and existing under the laws of the State of TENNESSEE, herein called "Grantor", and KINGSPOINT POWER COMPANY, a Virginia corporation, herein called "Kingsport",

**WITNESSETH:**

That for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid to Grantor by Kingsport, the receipt whereof is hereby acknowledged, Grantor hereby grants, conveys and warrants to Kingsport, its successors, assigns, lessees and tenants, a right of way and easement for an electric power line or lines, and communication lines, in, on, along, through, over, across or under the following described lands of the Grantor situated in 11th Civil District, County of Sullivan, State of Tennessee.

On the North by the lands of City of Kingsport  
On the East by the lands of N Eastman Road  
On the South by the lands of Fort Henry Drive  
On the West by the lands of City of Kingsport

This line extends in a Northwesterly direction from Kingsport's existing Pole numbered 1128-A4-159 to and including existing Pole in line numbered 1128-A4-3726 to and including existing underground facilities numbered 1128-A4-5507.

In the event Kingsport should remove all of said Kingsport's facilities from the lands of the Grantor, then all of the rights, title and interest of the party of Kingsport in the right of way and easement herein above granted, shall revert to the Grantor, its successors and assigns.

Being a right of way easement over the same property conveyed to Grantors herein by State of Tennessee, by deed dated 6/27/1961, and recorded in Sullivan County, Deed Book No. 215A, Page 258.

Map 061D, Group J, CTL Map 061D, Parcel 002.96.

TOGETHER with the right, privilege and authority to Kingsport, its successors, assigns, lessees and tenants, to construct, erect, install, place, operate, maintain, inspect, repair, renew, remove, add to the number of, and relocate at will, poles, with wires, cables, crossarms, guys, anchors, grounding systems and all other appurtenant equipment and fixtures, underground conduits, ducts, vaults, cables, wires, transformers, pedestals, risers, pads, fixtures and appurtenances (hereinafter called "Kingsport's Facilities"), and string wires and cables, adding thereto from time to time, in, on, along, over, through, across and under the above referred to premises; the right to cut down, trim, clear and/or otherwise control, and at Kingsport's option, remove from said premises, any trees, shrubs, roots, brush, undergrowth, overhanging branches, buildings or other obstructions which may endanger the safety of, or interfere with the use of Kingsport's Facilities; the right to disturb the surface of said premises and to excavate thereon; and the right of ingress and egress to and over said above referred to premises, and any of the adjoining lands of the Grantor at any and all times, for the purpose of exercising and enjoying the rights herein granted, and for doing anything necessary or useful or convenient in connection therewith.

It is understood and agreed between the parties hereto, that the Grantor reserves the right to use said lands in any way not inconsistent with the rights herein granted.

TO HAVE AND TO HOLD the same unto Kingsport Power Company, its successors, assigns, lessees and tenants.

It is agreed that the foregoing is the entire contract between the parties hereto, and that this written agreement is complete in all its terms and provisions.

IN WITNESS WHEREOF, Grantor has caused its corporate name and seal to be hereunto affixed the day and year first above written.

CITY OF KINGSPORT

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Recorder

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } To-wit:

Before me \_\_\_\_\_ of the State and County aforesaid, personally appeared \_\_\_\_\_, with whom I am personally acquainted and who, upon oath, acknowledge himself/herself to be Mayor of City of Kingsport, the within named bargainor, a municipal corporation, and that he/she as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation by himself/herself as Mayor.

Witness my hand and official seal in \_\_\_\_\_ County, State of \_\_\_\_\_, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires:

I, or we, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$ 1.00, which amount is equal to or greater than the amount which the property transferred commanded at a fair and voluntary sale.

KINGSPORT POWER COMPANY

By: \_\_\_\_\_

STATE OF TENNESSEE )  
COUNTY OF SULLIVAN ) To-wit:

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: