



Board of Mayor and Aldermen
City Council Meeting
Portland City Hall
100 South Russell Street
Portland, TN 37148
September 11, 2023
5:00 PM

- A. Call To Order
- B. Prayer And Pledge
- C. Roll Call
- D. Approval Of Minutes From August 21, 2023

Documents:

[MINUTES AUGUST 21 2023.PDF](#)

- E. Approval Of Agenda
- F. Presentation Of Recognitions
 - 1. Industrial Development Board Retiring Members
 - 2. Department Of Veterans Affairs
 - 3. Declaration Of "Constitution Week"
 - 4. Declaration Of "Holiday Festival" In Sumner County

- G. Communications From Council Members

- H. Public Comment Period

In accordance with Tennessee Public Chapter No. 300, public comments are allowed when those comments are germane to actionable agenda items, except where otherwise prohibited; and the number of individuals speaking may be limited to ensure opposing viewpoints are fairly represented. Individuals wishing to comment on an actionable agenda item must sign up before the start of the meeting and are allotted 5 minutes to speak.

- I. Public Hearings

- 1. Ordinance No. 23-38

An Ordinance providing for the levy on all real property, personal property, and ad

valorem taxes for the city of Portland, Tennessee for the year 2023.

2. Ordinance No. 23-39

An Ordinance to amend the city of Portland, Tennessee zoning map by rezoning unaddressed West Longview Drive (tax map 039 parcel 47.09 and P/O 047.00) zoned from RM-1 (high density residential) to RS-20 (low density residential).

J. Mayor's Report

K. Community Development

Aldерwoman Megann Thompson

L. Finance

Aldерwoman Penny Barnes

1. Ordinance No. 23 – 38 – Second Reading

An Ordinance providing for the levy on all real property, personal property, and ad valorem taxes for the City of Portland, Tennessee for the year 2023.

Documents:

[ORD 23-38.PDF](#)

2. Ordinance No. 23 – 46 – Second Reading

An Ordinance amending Chapter 5, Sections 5-501 to 5-529, of the Municipal Code, Purchasing Policy.

Documents:

[ORD 23-46.PDF](#)

M. Fire Department

Vice Mayor Jody McDowell; Financed by: General Fund

N. Human Resources

Aldерwoman Penny Barnes

O. Legislative

Mayor Mike Callis

P. Municipal Airport

Alderman Mike Hall; Financed by: Special Revenue Fund

1. Ordinance No. 23-48 - First Reading

An Ordinance approving a contract amendment between the Portland Airport Authority and the State of Tennessee Department of Transportation Aeronautics Division for contract 83-555-0736-23, aero-23-215-00.

Documents:

[ORD 23-48.PDF](#)

Q. Parks & Recreation

Alderman Brian Woodall; Financed by: General Fund/Special Revenue Fund - Golf Course

1. Discussion Of Grant

R. Police Department

Alderman Drew Jennings; Financed by: General Fund

S. Planning & Codes

Alderwoman Megann Thompson; Financed by: General Fund

1. Ordinance No. 23 – 39 – Second Reading

An Ordinance to amend the city of Portland, Tennessee zoning map by rezoning unaddressed West Longview Drive (tax map 039 parcel 47.09 and P/O 047.00) zoned from RM-1 (high density residential) to RS-20 (low density residential).

Documents:

[ORD 23-39.PDF](#)

T. Public Works

Alderwoman LaToya Holcomb; Financed by: General Fund - Streets, City Mechanic / Special Revenue Fund - Sanitation, Stormwater

U. Utility Infrastructure

Alderman Brian Woodall; Financed by; Enterprise Fund - Water Distribution, Water Plant, Wastewater Collections, Wastewater Plant, Natural Gas Distribution, GIS, Engineering

1. Ordinance No. 23-47 - Second Reading

An Ordinance to enter an agreement with OHM Advisors to provide engineering services for the City of Portland 2023 Highway 52 Water Main Improvements Project.

Documents:

[ORD 23-47.PDF](#)

V. Adjournment

Minutes

Board of Mayor and Aldermen

City of Portland, Tennessee

August 21, 2023

A. Call to Order – Mayor Callis called the meeting to order at 5:05 P.M. at Portland City Hall.

B. Prayer/Pledge – Mayor Callis offered the Invocation and the Pledge of Allegiance.

C. Roll Call - Present:

Alderwoman Penny Barnes
Alderwoman LaToya Holcomb
Alderman Drew Jennings
Vice Mayor Jody McDowell
Alderwoman Megann Thompson
Alderman Brian Woodall
Mayor Mike Callis

Also Present:

Assistant City Recorder Tracy Kizer
Finance Director, City Recorder Rachel Slusser
City Attorney John R. Bradley

Absent:

Alderman Mike Hall

D. Approval of Minutes from August 7, 2023 Council Meeting. Motion was made by Alderwoman Thompson, seconded by Alderman Jennings to approve the minutes as presented. **Voice vote indicated approval.**

E. Approval of Agenda. Motion was made by Alderman Woodall, to defer Ordinance 23-44 and add Discussion of Golf Course sign to Parks, second by Alderman Jennings. **Voice vote indicated approval of the amended agenda.**

F. Presentation of Recognitions

1. Fire Department – Chief Thornton presented Life Saving Awards from the house fire on Demase Street where two citizens were saved. Awards presented to: Firefighter Jackson Alford, Firefighter Chris Bastin, Firefighter Tyler Bradford, Firefighter Austin Hale, Engineer Drew Thompson, Engineer Tyler Trammel, Lieutenant Derek Drilling.
Chief Thornton also advised the new Fire truck was delivered and is parked outside for everyone to see tonight.

G. Communications from Council Members – Alderwoman Thompson recognized Portland Chamber of Commerce for their recent two awards. The Chamber was awarded 2023 Event of the Year for the Middle Tennessee Strawberry Festival and Kristen Daughtry received 2023 Professional of the Year.

H. Public Comment Period–

1. Leona Rhodes thanked everyone for the help she received in traffic control on Old Westmoreland Rd.
2. John McCloud of Portland spoke against Resolution 23-83 and 23-85. He stated he will send group emails to the City Council about the process of is water tap letter.

City Attorney Bradley reminded all Council members that they should not be emailing or replying to group messages that included other Council members due to Sunshine Law violations.

I. Department Reports – Motion was made by Vice-Mayor McDowell, second by Alderman Jennings to approve. **Voice vote indicated approval of the Department Reports.**

J. Mayor's Report – Mayor Callis

- Mayor requested the ADHOC Committee to review tap, capacity, and impact fees, as well as, reviewing food truck fees.
- The City did meet the August 8th TDEC Grant deadline for application.
- The electricity upgrade is complete at Richland Gym. Next step will be upgrading the restrooms and replacement of some windows.
- The consultant for our PUD legislation has been secured. The consultant will be having meetings soon and hopes to bring all the changes together to the have updates adopted by end of the year.
- The sidewalk grant for College St is currently in NEPA. We are expected to move to the design phase before the end of the year. There has been discussion about water upgrades in conjunction with the project.
- Original concrete bleachers condemned at Memorial Football Field. School Board will be working on portable seating for remainder of the year.
- Mayor stated that he understands business is related to housing market. He stated the for years the city has been deferring fee increases and it's the reason we are in our current situation.
- Water capacity will be discussed later in meeting. Mayor reminded everyone that the City is not a utility district. Our first and primary responsibility is to provide the citizens of Portland with utilities.

K. Community Development – Alderwoman Megann Thompson – No items

L. Finance – Alderwoman Penny Barnes

1. **Ordinance No. 23-46 – First Reading** - An Ordinance amending Chapter 5, Sections 5-501 to 5-529, of the Municipal Code, Purchasing Policy. Motion to approve by Alderwoman Barnes, second by Alderman Woodall. **Voice vote indicated approval.**

M. Fire Department – Vice-Mayor McDowell

Financed by: General Fund – Distribution of documents for Building and Fire Codes.

1. **Discussion – Fire Codes** – Chief Thornton reviewed fire flow information around Hwy 52W between Searcy Rd. and Sandye Ave. Chief discussed that our Fire Code was the same version of the State Code when it was adopted by the Council. Chief also expressed that he could not deviate from the Code that was adopted by the Council.
2. **Discussion – Building Codes** – Johnny Morris reviewed the Residential Building Code. He stated that the State of Tennessee mandates that all jurisdictions be within 7 years of the most recent Code. In 2020, Portland adopted the same code as the State, which was the 2018 Building Code.

N. Human Resources – Alderwoman Penny Barnes – No items

O. Legislative – Mayor Callis – No items

P. Municipal Airport

Financed by: Special Revenue Fund

1. **Resolution No. 23-84** - A Resolution approving the re-appointments of four members to the Portland Airport Authority. Motion to approve by Vice-Mayor McDowell, second by Alderwoman Thompson. **Voice vote indicated approval.** The Members are

Member Name	Term Expiration
Douglas Hunter	May 15, 2028
Gravis Birdwell	June 23, 2028
Ken Webb Robert Culbreath	August 19, 2028

Q. Parks & Recreation – Alderman Brian Woodall

Financed by: General Fund / Special Revenue Fund – Golf Course

1. **Discussion – Golf Course Sign** – Jamie White distributed pictures of examples of four different signs. He stated that there would be a “Welcome to Portland” sign and a separate Golf Course sign. Mayor advised that the City has made a request to TDOT for the small area of land in front of the Golf Course. Council Members are urged to get with Alderman Woodall or Jamie White to voice their preferences. This sign will determine the style used for other signs at various City locations.

R. Police Department – Alderman Drew Jennings – No items

Financed by: General Fund

S. Planning & Codes – Alderwoman Megann Thompson

Financed by: General Fund

1. **Ordinance 23-40 –Second Reading-** An Ordinance to amend Article IV of the Combined Zoning Ordinance No. 387 of the City of Portland to specify minimum residential driveway widths, standards for maximum residential driveway widths, and drainage pipe material. Motion to approve by Alderwoman Holcomb, seconded by Alderwoman Thompson. **Voice vote indicated approval.**

T. Public Works – Alderwoman LaToya Holcomb – No items

Financed by: General Fund – Streets, City Mechanic / Special Revenue Fund – Sanitation, Stormwater

U. Utility Infrastructure –Financed by: Enterprise Fund – Water Distribution, Water Plant, Wastewater Collections, Wastewater Plant, Natural Gas Distribution, GIS, Engineering

1. **Ordinance 23-41 –Second Reading** - An Ordinance to rescind and replace in its entirety Ordinance 22-16, authorizing the mayor to enter into a developer’s agreement with Robert Robinson for upsizing the existing water main along Red River School Road and Highland Road for the 22- lot development, located at 6004 Red River School Road in Portland, Tennessee, with the attached developer’s agreement. Motion to approve Alderman Woodall, second by Alderwoman Barnes. After discussion, Alderman Woodall made motion to add “once all easements are recorded” to section II.A.6 of the contract as distributed by Bryan Price. Alderman Jennings second the motion. **Voice vote approved the amendment. Voice vote indicated approval.**
2. **Ordinance 23-42 –Second Reading** - An Ordinance to rescind and replace in its entirety Ordinance 22-73, the developer’s agreement with Tri-dash Local Investors, LLC for the water and sewer system improvements for the Parkside Estates Development, located at 112 Old Westmoreland Rd in Portland, Tennessee, with the attached developer’s agreement. Motion to approve Alderman Woodall, second by Alderwoman Barnes. **Voice vote indicated approval.**
3. **Ordinance 23-43 –Second Reading** - An Ordinance to approve the funding of easements for the American Rescue Plan Act (ARPA) projects: 2021 Masons tank 12-inch connector, Oak Hill water system improvements, and Oak Hill elevated tank improvements. Motion to approve by Alderman Woodall, second by Alderman Jennings. **Voice vote indicated approval.**
4. **Ordinance 23-45 –Second Reading** - An Ordinance to authorize the Mayor to enter into a developer’s agreement with Daniel Williams for the water improvements, including the installation of a new 6-inch water main through the development and a new 8-inch water main

along Briley Lane from Blue Door Road to Rolling Meadows Avenue, for the Bakers Acres Development, located at 355 Briley Lane, tax map 015, parcel 030.00 in Portland, Tennessee. Move to approve Alderman Woodall, second by Alderwoman Barnes. **Voice vote indicated approval.**

5. **Resolution No. 23- 85** - A Resolution approving design and installation of a 12-inch water line along Highway 52 for the purpose of providing increased fire protection. Move to approve Alderman Woodall, second by Alderwoman Barnes. Alderwoman Thompson questioned if this passes, will there still be requirements for businesses to install sprinkler systems. Mayor Callis believes once the water flow is achieved, there would be no requirements for sprinklers. Alderman Jennings questioned where the funding will come from. Mayor advised the 5-million-dollar loan that we have secured, and some will come from new development. **Voice vote indicated approval.**
6. **Ordinance No. 23-47 – First Reading** - An Ordinance to enter an agreement with OHM Advisors to provide engineering services for the City of Portland 2023 Highway 52 Water Main Improvements Project. Move to approve Alderman Woodall, second by Vice-Mayor McDowell. Bryan Price noted a mistake in the addition. Alderman Woodall made motion to amend fee not to exceed \$65,050, second by Vice-Mayor McDowell. **Voice vote indicated approval of the amendment. Voice vote indicated approval of amended ordinance.**
7. **Resolution No. 23- 83** - A Resolution detailing procedures for new or increased water capacity request and the issuance of capacity letters. Alderman Woodall made motion to pass, Alderwoman Barnes second. After discussion, Alderman Woodall made the motion to amend by adding a twelve-month review for the procedures for new capacity letters, and for the item to be added to the agenda by the City Recorder the first meeting in September. **Voice vote indicated approval of the amendment. Voice vote indicated approval of amended ordinance.**

Adjournment – Motion to adjourn made by Alderman Jennings. **Meeting adjourned at 6:09 pm.**

Mike Callis, Mayor

Tracy Kizer, Assistant City Recorder

Ordinance

City of Portland, Tennessee

No. 23 – 38

Second Reading

AN ORDINANCE PROVIDING FOR THE LEVY ON ALL REAL PROPERTY, PERSONAL PROPERTY, AND AD VALOREM TAXES FOR THE CITY OF PORTLAND, TENNESSEE FOR THE YEAR 2023

WHEREAS, this being a reappraisal year, the State Board of Equalization has set a final equalized value for real and person property for Sumner and Robertson Counties; and

WHEREAS, the purpose of the different rates is to take into account the relative levels of assessments for the different parts of the City, and to maintain a differential of this proportion is the only way to assure an acceptable degree of tax uniformity throughout the City; and

BE IT ORDAINED, by the Mayor and Aldermen for the City of Portland, Tennessee:

Section 1. The levy on real property, personal property, and ad valorem taxes shall be, based on the rate from the State Board of Equalization, as follows for each one-hundred dollars (\$100) or fraction thereof for the year 2023, and that the proceeds shall be divided as follows:

City of Portland (Sumner County)	\$1.16 (General Fund)
City of Portland (Robertson County)	\$0.81 (General Fund)

Section 2. This ordinance shall take effect immediately upon final passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: City Recorder, Rachel Slusser

Passed First Reading: August 7, 2023

Notice Published: Portland Sun- 8/22/23; Portland Leader: 8/23/23

Public Hearing: September 11, 2023

Passed Second Reading:

ORDINANCE

City of Portland, Tennessee

No. 23 – 46

Second Reading

**AN ORDINANCE AMENDING CHAPTER 5, SECTIONS 5-501 TO 5-529, OF THE
MUNICIPAL CODE, PURCHASING POLICY**

WHEREAS, the City of Portland has established and approved by Ordinance a Purchasing Policy for the City; and

WHEREAS, the Purchasing Policy was last amended by Ordinance No.22-28 in April 2022; and

WHEREAS, the Board of Mayor and Aldermen have determined that the Municipal Code Chapter 5, Sections 5-501 to 5-529, for the City of Portland needs to be amended; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Portland, Tennessee that Chapter 5, Sections 5-501 to 5-529 of the Municipal Code shall be deleted in its entirety and replaced with the attached amended Purchasing Policy.

BE IT FURTHER ORDAINED by the City Council of the City of Portland, Tennessee that this Ordinance shall take effect after its final passage, the public welfare requiring it.

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Passed First Reading: August 21, 2023

Passed Second Reading:

Purchasing Policy

City of Portland, TN

5-501 Definitions. For the purpose of implementing this policy, the following definitions shall apply:

Accept. To receive with approval or satisfaction.

Acknowledgment. Written confirmation from the vendor to the purchaser of an order implying obligation or incurring responsibility.

Agreement. A coming together in opinion or determination; understanding and agreement between two or more parties.

All or none. In procurement, the City reserves the right to award each item individually or to award all items on an all or none basis.

Annual. Recurring, done, or performed every year.

Appropriations. Public funds set aside for a specific purpose or purposes.

Approved. To be satisfied with; admit the propriety or excellence of; to be pleased with; to confirm or ratify.

Approved equal. Alike, uniform; on the same plane or level with respect to efficiency, worth, value, amount or rights.

Attest. To certify the verity of a public document formally by signature; to affirm to be true or genuine.

Award. The presentation of a contract to a vendor; to grant; to enter into with all required legal formalities.

Awarded bidder. Any individual, company, firm, corporation, partnership, or other organization to whom an award is made by the city.

Back order. The portion of a customer's order undelivered due to temporary unavailability of a particular product or material.

Bid. A vendor's response to an Invitation for Bids or Request for Proposal; the information concerning the price or cost of materials or services offered by a vendor.

Bidder. Any individual, company, firm, corporation, partnership or other organization or entity bidding on solicitations issued by the city and offering to enter into contracts with the city.

Bid Bond. An insurance agreement in which a third party agrees to be liable to pay a certain amount of money should a specific vendor's bid be accepted, and the vendor fails to sign the contract as bid.

Bid file. A folder containing all the documentation concerning a particular bid. This documentation includes the names of all vendors to whom the invitation to bid was mailed, the responses of the vendors, the bid tabulation forms, and any other information as may be necessary.

Bid opening. The opening and reading of the bids, conducted at the time and place specified in the invitation for bids and in the presence of anyone who wishes to attend.

Bid solicitation. Invitations for bids.

Blanket bid order. A type of bid used by buyers to purchase repetitive products. The city establishes its need for a product for a specified period. The vendor is then informed of the city's expected usage during the duration of the proposed contract. The city may then order small quantities of these items from the vendor, at the bid price, over the term of the contract.

Business. Any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or legal entity through which business is conducted.

Cancel. To revoke a contract or bid.

Capital items. Equipment which has a life expectancy of one year or longer. ~~and a value in excess of \$2,500. Additionally, real estate shall be considered a capital item.~~

Cash discount. A discount from the purchase price allowed to the purchaser if payment is made within a specified period.

Caveat emptor. Let the buyer beware; used in proposals or contracts to caution a buyer to avoid misrepresentation.

Certify. To testify in writing; to make known or establish as a fact.

City. The City of Portland, Tennessee.

Competitive Bidding. Bidding on the same undertaking or material items by more than one vendor.

Conspicuously. To be prominent or obvious; located, positioned, or designed to be noticed.

Construction. The building, alteration, demolition, or repair of public buildings, structures, highways and other improvements or additions to real property.

Contract. An agreement, grant, or order for the procurement, use, or disposal of supplies, services, construction, insurance, real property, or any other item.

Date. Recorded information, regardless of form or characteristic.

Delivery schedule. The required or agreed upon rate of delivery of goods or services.

Discount for prompt payment. A predetermined discount offered by a vendor for prompt payment.

Encumber. To reserve funds against a budgeted line item; to charge against an account.

Evaluation of bid. The process of examining a bid to determine a bidder's responsibility, responsiveness to requirements, qualifications, or other characteristics of the bid that determine the eventual selection of a winning bid.

Fiscal year. An accounting period of 12 months, July 1 through June 30.

F.O.B. destination. An abbreviation for free on board that refers to the point of delivery of goods. The seller absorbs the transportation charges and retains title to and responsibility for the goods until

the City of Portland, Tennessee has received and signed for the goods.

Goods. All materials, equipment, supplies, and printing.

Invitation for bid. All documents utilized for soliciting bids.

Invoice. A written account of merchandise and process, delivered to the purchaser, a bill.

Lead time. The period of time from the date of ordering to the date of delivery which the buyer must reasonably allow the vendor to prepare goods for shipment.

Life cycle costing. A procurement technique that considers the total cost of purchasing, maintaining, operating, and disposal of a piece of equipment when determining the low bid.

Local bidder. A bidder who has and maintains a business office located within the corporate city limits of Portland, Tennessee.

Material receiving report. A form used by the department head or supervisor to inform others of the receipt of good purchased.

Performance bond. A bond given to the purchaser by a vendor or contractor guaranteeing the performance of certain services or delivery of goods within a specified period. The purpose is to protect the purchaser against a cash loss which might result if the vendor did not deliver as promised.

Pre-bid conference. A meeting held with potential vendors a few days after an invitation for bids has been issued to promote uniform interpretation of work statements and specifications by all prospective contractors.

Procurement or purchasing. Buying, renting, leasing, or otherwise obtaining supplies, services, construction, insurance, or any other item. It also includes functions that pertain to the acquisition of such supplies, services, construction, insurance, and other items, including descriptions of requirements, selection and solicitation of sources, preparation and award of contracts, contract administration, and all phases of warehousing and disposal.

Public. Open to all.

Public purchasing unit. Means the State of Tennessee, any county, city, town, governmental entity and other subdivision of the State of Tennessee, or any public agency, or any other public authority.

Purchase requisition. A document from the department desiring items) or services to be purchased on their behalf that outlines the description, quantity, estimated cost and the account distribution for the item(s) or services being requested.

Purchasing order. A legal document used to authorize a purchase from a vendor. A purchase order, when given to a vendor, should contain statements about the quantity, description, and price of goods or services ordered, agreed terms of payment, discounts, date of performance, transportation terms, and all other agreements pertinent to the purchase and its execution by the vendor.

Reject. Refuse to accept, recognize, or make use of; repudiate, to refuse to consider or grant.

Responsive bidder. One who has submitted a bid which conforms in all materials respects to the invitation for bids.

Sealed. Secured in any manner to be closed against the inspection of contents.

Sole source procurement. An award for a commodity which can only be purchased from one supplier, usually because of its technological, specialized, or unique character.

Specifications. Any description of the physical or functional characteristics of a supply, service, or construction item. It may include a description of any requirement for inspecting, testing, or preparing a supply, service, or construction item for delivery.

Standardization. The making, causing, or adapting of items to conform to recognized qualifications.

Using Department. The City Department seeking to purchase goods and services, or which will be the ultimate user of the purchased goods and services.

Vendor. The person who transfers property, goods, or services by sale.

5-502. Purchasing Agent. The Finance Director shall be the purchasing agent for the municipality. Except as otherwise provided in this policy, all supplies, materials, equipment, and services of any nature shall be approved and acquired by the purchasing agent or his/her representative (Purchasing Administrator).

5-503. General Procedures. Our Charter requires that the Purchasing Policy be established and implemented by ordinance with the bid limits. ~~established at an upper limit of no greater than \$25,000.00 and a lower limit at 40% of the upper limit. As such, this Purchasing Policy is establishing an upper limit of \$25,000.00 and the lower limit of 40% of the upper limit, \$10,000.00.~~ This Purchasing Policy is establishing an upper limit of \$50,000.00 and the lower limit of 40% of the upper limit, \$20,000.00.

All purchases made from funds subject to the authority of this policy shall be made within the limits of the approved budget and/or the appropriations for the department, office, or agency for which the purchase is made. The following procedures shall be followed by all City employees when purchasing goods or services on behalf of the City.

The department head of the using department shall deliver to the Purchasing Administrator a written or electronic purchase requisition for the item(s) to be purchased. Such request shall include a brief description of the item(s) to be purchased, specifications for the item(s) being purchased, the estimated cost of the item(s), shall indicate whether the item(s) have been approved in the annual budget and the account distribution for the purchase. Additionally, at least three quotes should be obtained and included with the purchase requisition if practical. A minimum of two quotes are required unless a single source purchase. A Department Head can approve a purchase that is within a budgeted line item up to a limit of \$5,000.00. Amounts over \$5,000.00 must be approved by the Finance Director and Mayor. ~~unless they have been previously approved by action of the council.~~

The Purchasing Administrator shall review the purchase requisition for completeness and accuracy and proper approvals. A purchase order will be generated from the information and a purchase order package completed to be given to the Purchasing Agent (Finance Director) for review and approval. Orders will be placed from approval purchase orders.

For specific dollar limits additional procedures will be followed as follows:

- 1) *Items Expected to Cost More than ~~\$25,000.00~~ \$50,000.00.* These item(s) or service(s) should have followed the additional procedures for sealed bid requirements.

1. The person issuing the requisition should additionally include a copy of the resolution/ordinance number approving the bid. Ordinance for approval on bids/contacts for over \$50,000.00.
2. The Purchasing Administrator shall review that the respective board approved resolution or ordinance authorizing the acceptance of the bid for the respective item(s) or service(s) is attached.

- 2) *Items Expected to Cost ~~\$10,000.00 to \$25,000.00~~ \$20,000.00 to \$50,000.00*

- (1) The person issuing the requisition should additionally include the quotes, tally sheets or other quote information from at least 3 suppliers for the item(s) being purchased. The normal should be three (3) quotes for all purchases, but two (2) will be acceptable if a third is not readily available. The lowest quote information should be used to generate the purchase requisition. If the lowest quote is not used, then an explanation should be attached explaining the reasoning for the deviation. The requisition package should be presented to the Finance Director and Mayor for approval before being delivered to the Purchasing Administrator for processing.
- (2) The Purchasing Administrator shall review that the required quotes are attached and that either the lowest quote was accepted or that proper explanation for acceptance of the higher quote is included along with proper approval by the Finance Director and Mayor.

5-504. Rejection of Bids. The Purchasing Agent shall have the authority to reject any and all bids, parts of bids, or all bids for any one or more supplies or contractual services included in the proposed contract, when the public interest will be served thereby. The Purchasing Agent shall not accept the bid of a vendor or contractor who is in default on the payment of taxes, licenses, fees or other monies of whatever nature that may be due the city by said vendor or contractor.

5-505. Conflict of Interest. All employees who participate in any phase of the purchasing function are to be free of interests or relationships which are actually or potentially hostile or detrimental to the best interests of the City of Portland and shall not engage in or participate in any commercial transaction involving the city, in which they have a significant interest.

5-506. Purchasing From Employee. It shall be the policy of the city not to purchase any goods or services from any employee or close relative of any city employee without the prior approval of the Mayor for purchases under \$1,000. Amounts over \$1,000 require Board of

Alderman approval.

5-507. Sealed Bid Requirements Greater than \$25,000.00 \$50,000.00

- (1) On all purchases and contracts estimated to be more than ~~twenty-five thousand dollars (\$25,000.00)~~, **fifty-thousand dollars (\$50,000.00)**, except as otherwise provided in this policy, formal sealed bids shall be submitted at a specified time and place to the Purchasing Agent or the Purchasing Administrator. The Purchasing Agent and/or the respective department head shall submit all such bids for award by the Board of Mayor and Aldermen at the next regularly scheduled Board meeting or special-called meeting together with the recommendation as to the lowest responsive bidder.
- (2) Notice inviting bids shall be published at least once in a newspaper of general circulation in Sumner County or published electronically on City of Portland's official website, at least five days preceding the last day to receive bids. The newspaper notice or electronic notice shall contain a general description of the item(s) to be secured, and the date, time, and place for opening bids.
- (3) In addition to publication, the Purchasing Agent may take other actions deemed appropriate to notify all prospective bidders of the invitation to bid, including, but not limited to, advertisement in community bulletin boards, metropolitan newspapers, professional journals, and electronic media.

5-508. Competitive Bidding \$10,000.00 to \$25,000.00. \$20,000.00 to \$50,000.00

- 1) All purchases of supplies, equipment, services, and contracts estimated to cost between ~~ten thousand dollars (\$10,000.00) and twenty-five thousand dollars (\$25,000.00)~~, **twenty-thousand dollars (\$20,000.00) and fifty-thousand dollars (\$50,000.00)** shall be by competitive bidding and may be awarded to the lowest responsive bidder.
- 2) Bids shall be requested from at least three (3) suppliers of the goods or services to be purchased or leased; and these requests for bids shall be made by the representative department head and shall be submitted, along with the purchase requisition, for approval by the Mayor and/or Finance Director. A written record shall be required and available for public inspection showing that competitive bids were obtained by one of the following methods:
 - (1) Direct mail advertisement.
 - (2) Telephone bids.
 - (3) Public Notice.
- 3) **The Purchasing Agent shall verify account balances, prior to issuing approval to purchase. If the lowest bid is not used, a statement of reason must be provided to Purchasing Agent.**

- 4) In the Purchasing Agent's absence, the Mayor shall designate a suitable substitute to perform the Purchasing Agent's duties.

5-509. Purchases and Contracts Costing Less Than ~~\$10,000.00~~ \$20,000.00. The Purchasing Agent **or Department Head** is expected to obtain the best prices and services available for purchases and contracts estimated to be less than ~~\$10,000.00~~ **\$20,000.00** but are exempted from the formal bid requirements specified in Sections 7 and 8 of this policy. However, at least three quotes should be obtained to assure the best pricing is being obtained when practical. The quotes should be attached to the purchase requisition.

5-510. Bid Deposit. When deemed necessary, bid deposits may be prescribed and noted in the public notices inviting bids. The deposit shall be in such amount as the purchasing agent shall determine and unsuccessful bidders shall be entitled to a return of such deposits within fifteen (15) calendar days of the bid opening. A successful bidder shall forfeit any required deposit upon failure on his/her part to enter a contract within fifteen (15) days after the award.

5-511. Performance Bond. The Purchasing Agent may require a performance bond before entering into a contract, in such amount as he/she shall find reasonably necessary to protect the best interests of the city and furnishers of labor and materials in the penalty of not less than the amount provided by Tennessee Code Annotated.

5-512. Record of Bids. The Purchasing Agent shall keep a record of all open market orders and bids submitted in competition thereon, including a list of the bidders, the amount bid by each, and the method of solicitation and bidding, and such records shall be open to public inspection and maintained in the Finance Director's office. As a minimum, the bid file shall contain the following information:

- 1) Request to start bid procedures.
- 2) A copy of the bid advertisement.
- 3) A copy of the bid specifications.
- 4) A list of bidders and their responses.
- 5) A copy of the purchase order.

5-513. Considerations in Determining Bid Awards. The following criteria shall be considered in determining all bid awards:

1. The ability of the bidder to perform the contract or provide the material or service required.
2. Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference.
3. The character, integrity, reputation, judgment, experience, and efficiency of the bidder. This should be documented evidence.

4. The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service.
5. The quality of performance of previous contracts or services, including the quality of such contracts or services in other municipalities, or performed for private sector contractors.
6. The sufficiency of financial resources and the ability of the bidder to perform the contract or provide the service.
7. The ability of the bidder to provide future maintenance and service for the use of the supplies or contractual service contracted.
8. Compliance with all specifications in the solicitation for bids.
9. The ability to deliver and maintain any requisite bid bonds or performance bonds.
10. Total cost of the bid, including life expectancy of the commodity, maintenance costs, and performance.

5-514. Award Splitting. If total savings generated is less than \$1,000.00, bids awards shall not be split among two or more bidders.

5-515. Statement When Award Not Given to Low Bidder. When the award for purchases and contracts ~~more than \$10,000.00~~ is not given to the lowest bidder, a full and complete statement of the reasons for placing the order elsewhere shall be prepared by the Purchasing Agent or Department Head and filed with all the other papers relating to the transaction.

5-516. Award in Case of Tie Bids. When two or more vendors have submitted the low bid, the following criteria shall be used to award the bid:

1. If all bids received are for the same amount, quality of service being equal, the purchase contract shall be awarded to the local bidder.
2. If two or more local bidders have submitted the low bid, the criteria of Section 13 will be used to award the bid. If the criteria of Section 13 being equal, the purchase contract shall be awarded by a coin toss or drawing lots.
3. If no local bids are received and two or more out-of-town bidders have submitted the low bid, the criteria of Section 13 will be used to award the bid. If the criteria of Section 13 being equal, the purchase contract shall be awarded by a coin toss or drawing lots.
4. When the award is to be decided by coin toss or drawing lots, representatives of the bidders shall be invited to observe. In no event shall such coin toss or drawing lots

be performed with less than three witnesses.

5-517. Back Orders. All orders must be completed, whether through complete fulfillment of the purchase order or through closing the purchase order with items not received. The non-delivered items shall be cancelled from the purchase order and the check will be issued to the equal amount of the amended purchase order.

5-518. Emergency Purchases. When in the judgment of the Mayor and/or Purchasing Agent that an emergency exists, the provisions of this policy may be waived; provided, however, the Purchasing Agent shall report the purchases and/or contracts to the Board of Mayor and Aldermen at the next regular Board meeting stating the item(s) purchased, the amount(s) paid, from whom the purchase(s) was made, and the nature of the emergency.

5-519. Waiver of the Competitive Bidding Process. Upon the recommendation of the Mayor, and the subsequent approval of the Board of Mayor and Aldermen through resolution, that it is clearly to the advantage of the City not to contract by competitive bidding, the requirements of competitive bidding may be waived provided that the following criteria are met and documented in the resolution:

1. *Single Source of Supply.* The availability of only one vendor of a product or service within a reasonable distance of the city as determined after a complete and thorough search by the using department and the Purchasing Agent. A letter from the vendor stating they are single source or sole source provider must be on file with the Finance Director.
2. *State Department of General Services.* Purchase the product or service through or in conjunction with the State Department of General Services or via a state contract.
3. *Purchase from Other Governmental Entities.* Purchase of used or secondhand items from any other government. In addition, the purchase of used or secondhand items can be purchased from any private individual or entity as long as the city documents the range of value of the purchased item through a nationally recognized publication or licensed appraiser and the price paid is no more than 5% higher than the documented range.
4. *Purchase on Other Governmental Entities bid.* Purchase equipment from a vendor under the same price and terms of a legal bid initiated by any other governmental unit of the state. This authorization does not apply to the purchase of new general purpose motor vehicles or purchases related to any transportation infrastructure project. Special purpose vehicles are allowed under this provision.
5. *Cooperative Purchasing Agreements.* Purchase of any supplies, services, or joint construction with one or more local governments under a cooperative purchasing agreement. An agreement must be entered into between the participants.
6. *Joint or multi- party agreements.* Participation in a joint or multi-party master

agreement by adopting a resolution accepting the terms of the master agreement. Documentation must be acquired and maintained showing that the procuring entity complied with its own purchasing requirements. This authorization does not apply to new motor vehicles, construction engineering or architectural services or construction materials. This provision applies to in-state and out-of-state organizations.

7. *Purchases from Non-Profit Organizations.* A thorough effort was made to purchase the goods or services from any non-profit organization whose sole purpose is to provide goods and services specifically to municipalities.
8. *Purchases from Tennessee State Industries.* A thorough effort was made to purchase the goods or services from Tennessee State Industries (prison industries).

5-520. Goods and Services Exempt from Competitive Bidding. The following goods and services need not be awarded based on competitive bidding; provided, however, that the Purchasing Agent and/or the Department Head shall make a reasonable effort to assure that such purchases are made efficiently and in the best interest of the City:

1. *Certain Insurance.* The City may purchase insurance (all forms), without competitive bidding, from the Tennessee Municipal League or any other plan offered by a governmental entity representing cities and counties. All other insurance plans, however, are to be awarded based on competitive bidding or request for proposal.
2. *Certain Investments.* The City may make investments of municipal funds in, or purchases from, the pooled investment fund established pursuant to *Tennessee Code Annotated* 9-17-105.
3. *Motor Fuel, Fuel Products, or Perishable Commodities.* Such commodities may be purchased without competitive bidding.
4. *Professional Service Contracts.* Any services of a professional person or firm, including attorneys, accountants, physicians, architects, engineers, and other consultants required by the City may be hired without competitive bidding. In those instances where such professional service fees are expected to exceed \$1,000.00, a written contract shall be developed and approved by the Board of Mayor and Aldermen prior to the provision of any goods or services. Contracts for professional services shall not be awarded based on competitive bidding; rather, professional service contracts shall be awarded on the basis of recognized competence and integrity.

5-521. Procedures upon Taking Delivery of Purchased Items. Before accepting delivery of purchased equipment, supplies, materials and other tangible goods, the department head of the using department shall:

1. Inspect the goods to verify that they are in acceptable condition.

2. Verify that all operating manuals and warranty cards are included in the delivery of the goods, if applicable.
3. Verify that the number of items purchased has been delivered; making special note when part or all of a particular purchase has been back ordered.
4. Record serial numbers for all capital items, notifying the Finance Director of same.
5. Complete and return to the Purchasing Agent a Material Receiving Report form.

5-522. Property Control. A physical inventory of the City's fixed assets shall be taken at least once every three years. The goals of the inventory shall be as follows:

1. To identify unneeded and duplicate assets.
2. To provide a basis for insurance claims, if necessary.
3. To deter the incidence of theft and negligence.
4. To aid in the establishment of replacement schedules for equipment.
5. To note transfers of surplus property.

To be classified as a fixed asset, an item must be tangible, have an expected life longer than the current fiscal year, and have a value of at least \$5,000.00. Any property or equipment that meets these criteria shall be assigned an asset number (affixed with a property sticker) and have a completed property card. Such records shall be controlled and maintained by the Finance Director.

5-523. Disposal of Surplus Property. The Purchasing Agent is responsible for directing the effective disposal of surplus and obsolete property. Surplus and obsolete property may be auctioned, transferred, sold, offered as a trade-in, donated, scrapped, or destroyed. Board of Mayor and Aldermen approval, through resolution, is required before disposal of surplus property whose value is \$2,500.00 or more.

5-524. Surplus Property Procedures. The Purchasing Agent or designee shall survey the departments at least annually to determine if surplus and/or obsolete property is on hand for disposal; however, departments shall identify and report to the Purchasing Agent anytime property is determined to be obsolete or surplus to the department. Each department shall prepare a list of all surplus and scrap property on hand and submit to the Purchasing Agent. In the event that a need for immediate disposal is required, a department may notify the Purchasing Agent by written memorandum and request appropriate action. Depending on the nature of the item, the Purchasing Agent may choose one of the following methods of disposition:

- A. Transfer. Once a list of surplus and obsolete property has been developed, the Purchasing Agent will circulate an “availability list” among all departments. The Purchasing Agent may approve the inter-departmental transfer of surplus items, or if a transfer is not feasible, or there is no response to an item appearing on the availability list, then the Purchasing Agent may dispose of the property by any approved means deemed appropriate.
- B. Trade-In. When a user department needs to purchase an item to replace obsolete or worn-out equipment, it is sometimes possible to trade-in old equipment. Trade-in shall not be used as an expedient or easy method of disposal. If a trade-in is accepted on a particular piece of equipment or item, the invitation for bid shall call for bid prices with and without trade-in and indicate that award may be made on either basis. The Purchasing Agent shall compare the trade-in with the best-expected sale price for the obsolete items. This procedure requires documentation of the comparison of the approximate values for each method of disposal.
- C. Sale. All sales of surplus, obsolete, or abandoned property shall be conducted by the Purchasing Agent or designee by one or more of the following methods.
- a. Public Auction. Auctions are advertised to the general public in the newspapers, posted in the municipal building, and in some cases, notices are circulated among interested parties and organizations in an appropriate auction bulletin. The City may opt to hire an auctioneer, and/or handle the proceedings utilizing staff personnel. For all auctions, the following procedures shall be observed:
 - List general categories for sale
 - Interested parties will be allowed time to inspect the items before the auction. Property for sale shall be placed in proper condition by user departments in order to obtain maximum return of the property to be sold.
 - As items are sold, a list shall be compiled with the item description, the sales price and the inventory control tag number.
 - Items to be sold to the highest bidder. Only cash, certified checks, money orders or bank checks will be accepted.
 - b. Online or Internet Auction. Property may be auctioned utilizing the Internet either through a third-party online auction company or other Internet means as may now or later be available. The sale of property listed for disposal through the internet will comply with all the terms and conditions of sales as listed hereafter. Acceptable payment methods shall include cash, certified or cashier checks, credit card or other electronic fund transfer methods. Internet auctions may be but are not required to be advertised to the general public in

newspapers, postings or other means as maybe required for public auction sales.

- c. Sealed Bids. Sealed bidding procedures shall not apply when property is sold by either public auction or Internet Auction. Sealed bids shall be advertised in the local newspaper(s). Prospective bidders may be mailed a bid with a description of the item(s) for sale; location of item(s) for inspection and the bid opening date.
- d. Sale of Salvage Items. If none of the methods mentioned above are feasible or possible or if the item is of nominal value (less than \$200), then the Purchasing Agent, depending on the nature of the item, may, after public notice listing all items, sell to a second-hand dealer, scrap dealer, recycler, or junk dealer, or a responsible bidder.

D. Donations. Items valued at \$250.00 or more shall not be donated without remuneration unless approved by the Board of Mayor and Alderman.

E. Destroy. With the approval of the Purchasing Agent, surplus property which cannot be transferred, traded-in, sold or donated may be destroyed in an appropriate manner.

5-525 . Terms and Conditions of Sale. Depending on the nature of the items and the method of sale selected, the following terms and conditions shall be used:

- A. Inspection. Prospective buyers will be allowed time prior to the sale to inspect items.
- B. Warranty. No express warranty or guarantee of any kind is given by the City of Portland as to the description, quality, condition, or any other aspect of any item put on sale and no claim for allowance on such ground will be considered. The City of Portland disclaims all implied warranties, including the implied warranties of merchantability or fitness for a particular purpose. No City official, employee or agent of the City has the authority to make or give any warranty of any kind whatsoever. All items are offered for sale “as is” “where at” and “without recourse”.
- C. Reservation. The City of Portland reserves the right to accept or reject any or all bids if, in the opinion of the Purchasing Agent, such action would be in the best interest of the City.
- D. Removal. The successful bidder will be required to furnish all labor and equipment at their own risk and expense necessary for the removal of any items bid upon within a period of three (3) business days after notification or acceptance of bid by the City. Any item not called for or left behind for a period of more than five (5) business days after the date of acceptance of bid will be considered abandoned, and the City shall

have the right to dispose of same in any manner whatsoever.

- E. Minimum Price. In some instances, the Purchasing Agent may establish minimum prices for any item being disposed.

5-526. Employee Participation in Disposal of Surplus Property. City employees shall only be permitted to bid on surplus property in a sealed bid process or auction process; and no surplus property shall be given to a city employee by the Board of Mayor and Aldermen, the Purchasing Agent or any city department head. For the purposes of this policy, members of the Board of Mayor and Aldermen cannot bid on or receive surplus property. This provision is not applicable to items of nominal value (less than \$25.00). Additionally, no city employee is allowed to bid in any manner on items that they have been involved in the confiscation of or determination of surplus of the property.

5-527. Surplus Property: City Identification Removed Prior to Sale. No surplus city property shall be sold unless and until all decals, emblems, lettering, or coloring which identifies the item as belonging to the City of Portland have been removed or repainted.

5-528. Liability for Excess Purchases. This ordinance shall authorize only the purchase of materials and supplies and the procurement of contracts for which funds have been appropriated and are within the limits of the funds estimated for each department in the annual budget or which have been authorized and lawfully funded by the Board of Mayor and Aldermen. The City shall have no liability for any purchase made in violation of this ordinance.

5-529. Additional Forms and Procedures. The Purchasing Agent is hereby authorized and directed to develop such forms and procedures as are necessary to comply with this ordinance.

ORDINANCE

City of Portland, Tennessee

No. 23 – 48

First Reading

AN ORDINANCE APPROVING A CONTRACT AMENDMENT BETWEEN THE PORTLAND AIRPORT AUTHORITY AND THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION AERONAUTICS DIVISION FOR CONTRACT 83-555-0736-23, AERO-23-215-00.

WHEREAS the State of Tennessee Department of Transportation Aeronautics Division provided a contract as defined No. 83-555-0736-23 at the Portland Municipal Airport; and

WHEREAS funding for participation in this program has been approved by the State of Tennessee Department of Transportation Aeronautics Division for the Portland Municipal Airport and this project requires an amendment for additional environmental work and boundary surveys for land acquisition; and

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Portland, Tennessee that the contract amendment for the aforementioned project sponsored by the State of Tennessee Aeronautics Division is hereby approved so as to be an obligation of the Portland Airport Authority and the State of Tennessee; and

BE IT FURTHER ORDAINED by the City Council of the City of Portland, Tennessee that this Ordinance shall take effect after its final passage, the public welfare requiring it.

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Passed First Reading:

Passed Second Reading:

ORDINANCE

City of Portland, Tennessee

No. 23 - 39

Second Reading

AN ORDINANCE TO AMEND THE CITY OF PORTLAND, TENNESSEE ZONING MAP BY REZONING UNADDRESSED WEST LONG VIEW DRIVE (TAX MAP 039 PARCEL 47.09 AND P/O 047.00) ZONED FROM RM-1 (HIGH DENSITY RESIDENTIAL) TO RS-20 (LOW DENSITY RESIDENTIAL)

WHEREAS, the City of Portland desires to amend the official zoning atlas of the City; and

WHEREAS, the City of Portland believes that such amendment will promote, protect, and facilitate the public health, safety, and welfare of the community through coordinated and practical land use and land development for the betterment of Portland's population; and

WHEREAS, the Portland Municipal Planning Commission recommended approval of the rezoning to RS-20 (Low Density Residential) by a vote of 7-0 at their July 11, 2023 meeting.

NOW, THEREFORE, BE IT ORDAINED by the City of Portland, Tennessee, as follows:

Section 1. That the property described herein be, and the same is hereby, rezoned from RM-1 to RS-20.

Approximately 3.94 acres more or less, located at unaddressed West Longview Drive. as described by the legal description from Richard Graves (surveyor) and on the attached map.

For reference, see Record Book 6061, Pages 638-643 in the Register's Office of Sumner County, Tennessee, and being shown as Map 039 Parcel 47.09 and P/O 47.00

Section 2. That all Ordinances in conflict herewith are repealed to the extent of said conflict, and that this Ordinance shall become effect upon the annexation of the property and after its passage on final reading, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Passed First Reading: August 7, 2023

Notice Published: Portland Sun- 8/22/23; Portland Leader: 8/23/23.

Public Hearing: September 11, 2023

Passed Second Reading:

**DESCRIPTION OF JB DONOHO ACRES: 3.94 ACRES +/-
FOR RE-ZONE PURPOSES ONLY**

The property described herein is located in the 16th Civil District of Sumner County, Tennessee; situated on the south side of West Longview Drive at the intersection of Ewing Drive; being inside the city limits of Portland, Tennessee; being Job Number 23012TRE described in detail as follows:

Beginning on a concrete monument on the south right-of-way of West Longview Drive, said concrete monument being 25 feet from the center of said drive, corner of James B. Donoho, III (R.B. 6061 P. 638), being the northeast corner of a 50 foot non-exclusive reciprocal ingress, egress easement in P.B. 24 P. 343, and being the northwest corner of the herein described tract, thence running with the south right-of-way of West Longview Drive for the next three calls as follows: S 84 degrees 18 minutes 02 seconds E 237.40 feet to a half inch iron re-bar set, thence S 85 degrees 24 minutes 09 seconds E 230.00 feet to a half inch iron re-bar set, thence S 86 degrees 12 minutes 57 seconds E 115.00 feet to a half inch iron re-bar set on the south right-of-way of West Longview Drive, being set 25 feet from the center of said drive, being set in the west line of Highland Rim, LP (R.B. 6080 P. 799-Parcel B), being found 25 feet from the being further located S 06 degrees 51 minutes 24 seconds W 11.74 feet from a half inch iron re-bar found, capped BRD, northwest corner of Highland Rim, LP, thence leaving the half inch iron re-bar set and the south right-of-way of West Longview Drive, and running with the line of Highland Rim, LP for the next two calls as follows: continuing along a straight course from the tie line, S 06 degrees 51 minutes 24 seconds W 312.37 feet to a half inch iron re-bar set, thence N 81 degrees 53 minutes 19 seconds W 300.00 feet to a concrete monument found with a half inch iron re-bar found, common corner of James B. Donoho, III (R.B. 6061 P. 638) and Highland Rim, LP (R.B. 6080 P. 799-Parcel B), thence running with the lines of Donoho for the next two calls as follows: N 84 degrees 02 minutes 43 seconds W 277.54 feet to a half inch iron re-bar set, thence N 05 degrees 57 minutes 14 seconds E 290.18 feet to the point of beginning, containing
3.94 acres more or less.....

Being the same property conveyed to James B. Donoho, III from Hendersonville Hospital Corporation, a Tennessee Corporation, of record in Record Book 6061 Page 638 and also includes all of Lot 1 of Portland EMS Station West Long View Drive of record in Plat Book 28 Page 31 in the Office of the Register for Sumner County, Tennessee.

This legal description is not to be used for title transfer and is for rezone purposes.

Tax Map Reference: Map 39 All of Parcel 047.09 & Part of Parcel 047.00

Prepared By: Richard D. Graves, Tennessee Registered Land Surveyor Number 1628

ORDINANCE

City of Portland, Tennessee

No. 23 – 47

Second Reading

AN ORDINANCE TO ENTER AN AGREEMENT WITH OHM ADVISORS TO PROVIDE ENGINEERING SERVICES FOR THE CITY OF PORTLAND 2023 HIGHWAY 52 WATER MAIN IMPROVEMENTS PROJECT

WHEREAS, this project is deemed necessary to improve water system capacity and to install a new 12-inch water line to improve fire protection along Highway 52W from Searcy Lane to Sandye Avenue; and

WHEREAS, OHM Advisors fee shall not exceed \$65,050 which provides the following services; and

Task 1 – Preliminary Design	\$ 13,000
Task 2 – Final Design / Permitting	\$ 16,000
Task 3 – Bid Phase Services	\$ 9,000
Task 4 – Construction Administration Services	\$ 16,000
Task 5 – Resident Project Representative Services	\$ 7,000
Reimbursable Expenses	\$ 1,000
<u>Incidentals 5%</u>	<u>\$ 3,050</u>
Total Estimated Fee	\$ 65,050

NOW, THEREFORE BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Portland to approve the OHM Advisors agreement in the amount not to exceed \$65,050 to provide engineering services for the 2023 Highway 52 Water Main Improvements Project; and

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon its passage, the public welfare requiring it.

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Passed First Reading: August 21, 2023

Passed Second Reading: