

CITY OF PORTLAND
BOARD OF MAYOR AND ALDERMEN
AGENDA
November 6, 2023

1. Call to Order

2. Prayer and Pledge

3. Roll Call

4. Approval of Minutes

A. Minutes 10-16-23

5. Approval of Agenda

6. Public Presentation

A. History Museum Update

7. 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.

8. Communications from Council Members

9. Department Reports:

A. Department Reports

10. Mayor's Report

11. Community Development – Alderwoman Megann Thompson

A. Resolution No. 23-95 - A Resolution authorizing an agreement with Sumner County in support of the submission of a Broadband Ready Grant application.

12. Finance – Alderwoman Penny Barnes

13. Fire Department – Vice Mayor Jody McDowell

14. Human Resources – Alderwoman Penny Barnes

- A. Ordinance No. 23-58 - First Reading - An Ordinance to amend certain sections of the City of Portland Personnel Manual.

15. Legislative – Mayor Mike Callis

- A. Resolution No. 23-94 - A Resolution to Appoint One Member to the Portland Housing Authority Board.
- B. Ordinance No. 23-59 – First Reading - An Ordinance to amend Title 9 of the Portland Municipal Code by repealing and replacing Chapter 10, a provision for Mobile Food Vendors.

16. Municipal Airport – Alderman Mike Hall

17. Parks & Recreation – Alderman Brian Woodall

- A. Discussion - New benches

18. Planning & Codes – Alderwoman Megann Thompson

- A. Ordinance No. 23-60 – First Reading – An Ordinance to amend title 20 of the Portland Municipal Code, by repealing and replacing Chapter 2, impact fees, to revise the impact fee schedule for Parks, Police, and Fire.

19. Police Department – Alderman Drew Jennings

20. Public Works – Alderwoman LaToya Holcomb

- A. Ordinance No. 23-55 – Second Reading - An Ordinance to enter into an agreement with Jetton Property Group and the City of Portland to construct a 50x80x22 salt building.
- B. Ordinance No. 23-56 – Second Reading - An Ordinance to enter an agreement with Campbell Partners to construct a concrete wall and concrete floor for a 50x80x22 salt building.
- C. Ordinance No. 23-66 – First Reading - An Ordinance to authorize new collection fee rates for Sanitation Service in the City of Portland.

21. Utility Infrastructure – Alderman Brian Woodall

- A. Ordinance No. 23-57 – Second Reading - An Ordinance to enter an agreement with EnSafe, Inc. for the underground storage tank closure project at the Water Treatment Plant.

- B.** Ordinance No. 23-61 – First Reading - An Ordinance requiring all existing fire lines within the City of Portland water distribution system to be metered by January 31, 2025.
- C.** Ordinance No. 23-62 – First Reading – An Ordinance to authorize the Mayor to enter into a developer’s agreement with Anita West Eade for upsizing the existing four (4) inch waterline along Highway 259 to a six (6) inch, located at 2098 Highway 259, tax map 013, parcels 24.00, 24.01, 24.02, and 24.03 in Portland, Tennessee.
- D.** Ordinance No. 23-63 – First Reading - An Ordinance to authorize the Mayor to enter into a developer’s agreement with Kristen South for upsizing the existing four (4) inch waterline along South Church St to a six (6) inch and extending the waterline west along Oak St, then north to connect to the existing six (6) inch along West Main St, located at 1005 West Main St, tax map 016c, group a, parcels 16.00, 17.00, 18.00, 19.00, and 20.00 in Portland, Tennessee.
- E.** Ordinance No. 23-64 – First Reading - An Ordinance to authorize the Mayor to enter into a developer’s agreement with Lesa G. Fleming of Fleming Acres (Graves n Leath Rd) for upsizing the existing 4-inch waterline along Highway 259 to a 6-inch and the existing 2-inch waterline along North Leath Road to a 6-inch, located at 0 North Leath Road, tax map 014, parcels 35.02 in Portland, Tennessee.
- F.** Resolution No. 23-96 – A Resolution to approve change order #2 in the increase amount of \$31,437.34 for the contract with Cumberland Valley Constructors, Inc for the Wastewater Treatment Plant expansion.
- G.** Resolution No. 23-97 - A Resolution to authorize the City of Portland to allow seventy-five additional sewer taps for the City of Mitchellville for the John McCloud and Brandon West development on Main Street.
- H.** Resolution No. 23-98 – A Resolution authorizing the approval of water improvements for twenty (20) water taps for Steven Graves, located on Billy Brown Rd, tax map 041, parcel 016.00 in Portland, Tennessee in the Oak Grove moratorium zone.
- I.** Resolution No. 23-99 - A Resolution authorizing the release of a water tap for 3420 Highway 259 to connect to the City of Portland’s water distribution system due to the hardship of a failing well system in the Oak Grove moratorium zone.
- J.** Resolution No. 23-100 - A Resolution approving a natural gas tap from the City of Portland that will be placed at the right of way for 150 B Trivett Drive, which will then be a customer-owned gas service line due to the terrain of the property.

Adjournment

**CITY OF PORTLAND
BOARD OF MAYOR AND ALDERMEN
MINUTES**

**October 16, 2023
5:00 PM**

1. Call to Order

Mayor Mike Callis called the meeting to order at 05:32 PM.

2. Prayer and Pledge

City Attorney John Bradley led the prayer and pledge.

3. Roll Call

Present

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

Also Present

Mayor Mike Callis
Attorney John Bradley
City Recorder Rachel Slusser
Assistant City Recorder Tracy Kizer

Absent

Alderman Mike Hall

4. Approval of Minutes

Motion to: Approve

By: Alderman Woodall

Second: Alderwoman Barnes

Yes: Alderwoman Barnes
Alderwoman Holcomb
Alderman Jennings
Vice-Mayor McDowell
Alderwoman Thompson
Alderman Woodall

No: None
Abstain: None
Absent: Alderman Hall

Motion Passed(voice vote)

5. Approval of Agenda

Motion to: Approve

By: Alderman Jennings

Second: Alderwoman Holcomb

Yes: Alderwoman Barnes
Alderwoman Holcomb
Alderman Jennings
Vice-Mayor McDowell
Alderwoman Thompson
Alderman Woodall

No: None
Abstain: None
Absent: Alderman Hall

Motion Passed(voice vote)

6. Communications from Council Members

- Alderwoman Thompson announced Haven support group meetings for families who have loved ones with dementia. They meet monthly on the 1st Sunday at Seventh Day Adventist Church & Third Thursday at First Baptist Church. All are invited to attend.
- Alderman Woodall Reminded everyone of the Fall Festival this Saturday.
- Sherry from Portland Chamber of Commerce spoke about Fall Festival events, 50 vendors, food trucks, and activities from 10-2 on Saturday. Special thanks to the sponsors and all those helping.

Mayor Callis:

- Invited everyone to attend to watch live on Facebook tomorrow while Alderman Woodall will get his head and beard shaved off in support of raising money to purchase Thanksgiving Turkeys for the food pantry.
- Next Saturday there will be a movie in the park.
- Trick or treat will be Tuesday, October 31st.
- The strawberries in town have been decorated, creating lots of photo opportunities.

7. Public Recognition

No one spoke.

8. Mayor's Report

Mayor Callis advised everyone is waiting for the announcement of the grant awards, that should be this Friday.

9. Community Development – Alderwoman Megann Thompson

No Items

10. Finance – Alderwoman Penny Barnes

No Items

11. Fire Department – Vice Mayor Jody McDowell

No Items

12. Human Resources – Alderwoman Penny Barnes

No Items

13. Legislative – Mayor Mike Callis

No Items

14. Municipal Airport – Alderman Mike Hall

- A.** Ordinance No. 23-49 - Second Reading - An Ordinance approving a contract between the Portland Airport Authority and the State of Tennessee Department of Transportation Aeronautics Division for maintenance costs for the fiscal year 7-1-2023 through 6-30-2024.

Motion to: Approve

By: Vice-Mayor McDowell

Second: Alderwoman Thompson

Yes:Alderwoman Barnes
Alderwoman Holcomb
Alderman Jennings
Vice-Mayor McDowell
Alderwoman Thompson
Alderman Woodall

No:None
Abstain: None
Absent: Alderman Hall

Motion Passed(voice vote)

15. Parks & Recreation – Alderman Brian Woodall

Woodall mentioned Jamie White is working on a contract to replace window replacement at the gym.
Mayor discussed other improvements in the Parks department.
No Items

16. Planning & Codes – Alderwoman Megann Thompson

- A.** Ordinance No. 23-54 – First Reading - An Ordinance to amend Article IV of the Combined Zoning Ordinance No. 387 of the City of Portland to specify requirements for Residential Accessory Buildings and/or structures to include side-yard carports.

Motion to: Approve

By: Alderwoman Thompson

Second: Alderwoman Barnes

Yes:Alderwoman Barnes
Alderwoman Holcomb
Alderman Jennings
Vice-Mayor McDowell
Alderwoman Thompson
Alderman Woodall

No:None
Abstain: None
Absent: Alderman Hall

Motion Passed(voice vote)

B. Discussion - PUD Regulations

- Nate Heisler reported that he hoped to submit the draft to council in December, so the final draft can be presented in January.
- Alderwoman Thompson spoke about the draft's simple and straightforward wording.

17. Police Department – Alderman Drew Jennings

- A.** Ordinance No. 23-92 - A Resolution by the city of Portland, Tennessee to declare certain property owned by the city to become surplus.

Motion to: Approve

By: Alderman Jennings

Second: Vice-Mayor McDowell

Yes:Alderwoman Barnes
Alderwoman Holcomb
Alderman Jennings
Vice-Mayor McDowell
Alderwoman Thompson
Alderman Woodall

No:None
Abstain: None
Absent: Alderman Hall

Motion Passed(voice vote)

18. Public Works – Alderwoman LaToya Holcomb

- A.** Ordinance No. 23-55 – First Reading - An Ordinance to enter into an agreement with Jetton Property Group and the City of Portland to construct a 50x80x22 salt building.

Motion to: Approve

By: Alderwoman Holcomb

Second: Alderman Woodall

Yes: Alderwoman Barnes
Alderwoman Holcomb
Alderman Jennings
Vice-Mayor McDowell
Alderwoman Thompson
Alderman Woodall

No: None
Abstain: None
Absent: Alderman Hall

Motion Passed(voice vote)

- B.** Ordinance No. 23-56 – First Reading - An Ordinance to enter an agreement with Campbell Partners to construct a concrete wall and concrete floor for a 50x80x22 salt building.

Motion to: Approve

By: Alderwoman Holcomb

Second: Alderman Woodall

Yes: Alderwoman Barnes
Alderwoman Holcomb
Alderman Jennings
Vice-Mayor McDowell
Alderwoman Thompson
Alderman Woodall

No: None
Abstain: None
Absent: Alderman Hall

Motion Passed(voice vote)

19. Utility Infrastructure – Alderman Brian Woodall

- A.** Ordinance No. 23-51 - Second Reading - An Ordinance to amend Ordinance 22-58, the contract agreement between the City of Portland and the Tennessee Department of Transportation (TDOT), for the relocation of gas utilities within the proposed State Industrial Access Project Commodore (Dorman products).

Motion to: Approve

By: Alderman Woodall

Second: Alderwoman Barnes

Yes: Alderwoman Barnes
Alderwoman Holcomb
Alderman Jennings
Vice-Mayor McDowell
Alderwoman Thompson
Alderman Woodall

No: None
Abstain: None
Absent: Alderman Hall

Motion Passed(voice vote)

- B.** Ordinance No. 23-52- Second Reading - An Ordinance to amend Ordinance 22-59, the contract agreement between the City of Portland and the Tennessee Department of Transportation (TDOT), for the relocation of sewer utilities within the Proposed State Industrial Access Project Commodore (Dorman products).

Motion to: Approve

By: Alderman Woodall

Second: Alderwoman Barnes

Yes:Alderwoman Barnes
Alderwoman Holcomb
Alderman Jennings
Vice-Mayor McDowell
Alderwoman Thompson
Alderman Woodall

No:None
Abstain: None
Absent: Alderman Hall

Motion Passed(voice vote)

- C.** Ordinance No. 23-53 – Second Reading - An Ordinance to amend ordinance 22-60, the contract agreement between the city of Portland and the Tennessee department of transportation (TDOT), for the relocation of water utilities within the proposed state industrial access project commodore (Dorman products).

Motion to: Approve

By: Alderman Woodall

Second: Alderwoman Barnes

Yes:Alderwoman Barnes
Alderwoman Holcomb
Alderman Jennings
Vice-Mayor McDowell
Alderwoman Thompson
Alderman Woodall

No:None
Abstain: None
Absent: Alderman Hall

Motion Passed(voice vote)

- D.** Ordinance No. 23-57 - First Reading - An Ordinance to enter an agreement with Ensaf, Inc. for the underground storage tank closure project at the Water Treatment Plant.

Motion to: Approve

By: Alderman Woodall

Second: Alderwoman Holcomb

Yes:Alderwoman Barnes
Alderwoman Holcomb
Alderman Jennings
Vice-Mayor McDowell
Alderwoman Thompson
Alderman Woodall

No:None
Abstain: None
Absent: Alderman Hall

Motion Passed(voice vote)

- E.** Resolution No. 23-93 - A Resolution authorizing L & W Properties GP to pay-in-lieu of installing approximately 1,100 linear feet of 12-inch water main for the entire length of their road frontage from West Market St to Sandya Avenue, along Hwy 52W.

Motion to: Approve

By: Alderman Woodall

Second: Alderwoman Holcomb

Yes:Alderwoman Barnes
Alderwoman Holcomb
Alderman Jennings
Vice-Mayor McDowell
Alderman Woodall

No:None
Abstain: Megann Thompson
Absent: Alderman Hall

Motion Passed(voice vote)

- F.** Discussion - Mitchellville sewer tap request

- Mr. McCloud spoke about his development in the Mitichiville area and the water taps in Mitchiville that were just approved.
- He is concerned that there may need to be a one-time extension for the taps.
- Alderman Woodall requested that the developers' agreement include installation of gas as a requirement.
- Mayor Callis requested that an Ordinance be brought to the next Council meeting to cover Mr. McCloud's development.
- Bryan Price requested that an ordinance be brought to the committee first to cover the water taps and gas request. Once more specifics are confirmed, the Developer's Agreement will be submitted.

G. Discussion - Fire line meters and fire line

- Mayor Callis spoke about the good job the water distribution employees have been doing fixing leaks and servicing lines, which have made a huge difference in the water tanks in the system. He then turned the discussion over to Warren Garret.
- Mr. Garrett distributed information to the Council about fire hydrants in the water system.
- Mr. Garrett shared the estimated water loss from the unmetered fire lines.
- City Attorney Bradley will check to see if the cost of the meters could be passed on to existing customers.
- After discussion, the Council requested that the Utilities department do more flow test samples before the next meeting and submit an ordinance covering the implementation of meters.

20. Ad Hoc Committee Discussion

- Carlton Cobb presented information about stormwater and sanitation fees, convenience center and Public Works equipment costs. A discussion was held about fee increases.
- Alderman Woodall gave information about the Mobile Food Truck ordinance, fee schedule and issues that should be addressed.
- Alderwoman Thompson requested that City Attorney Braddley review the Mobile Food Truck ordinance and advise if the current wording would allow for changes to go into effect on January 1 for all Food Trucks.

Adjournment

Motion to: Adjourn

By: Alderwoman Thompson

Yes: Alderwoman Barnes

Alderman Jennings

Vice-Mayor McDowell

Alderwoman Thompson

Alderman Woodall

Second: Alderman Woodall

No: None

Abstain: None

Absent: Alderman Hall

Alderwoman Holcomb

Meeting adjourned at 7:28.

Portland Building Codes Department
September 2023 Monthly Report

<u>PERMIT TYPE</u>	<u>No. of Permits</u>	<u>Amount</u>
Use & Occupancy Permits	-NA-	\$ -NA-
Swimming Pool	2	\$ 220.00
Plumbing	14	\$ 10,691.50
Mechanical	5	\$ 424.45
Stand Alone Building	10	\$ 4,304.14
Residential Building	3	\$ 3,110.63
Fire Alarm / Fire Suppression	-NA-	\$ -NA-
Commercial/Industrial	4	\$ 5,203.12
Plan Review	13	\$ 7,558.79
Demolition	2	\$ 195.00
Fire Works	-NA-	\$ -NA-
Moving	-NA-	\$ -NA-
TOTAL ALL PERMIT FEES	53	\$ 31,707.63
PORTLAND IMPACT FEE – PARKS		\$ 1,632.00
PORTLAND IMPACT FEE – POLICE		\$ 858.00
PORTLAND IMPACT FEE – FIRE		\$ 1,968.00
TOTAL – PORTLAND IMPACT FEES		\$ 4,458.00
SUMNER COUNTY IMPACT FEE		\$ 3,719.80
GRAND TOTAL		\$ 39,885.43

**City of Portland
Office of Recorder
100 South Russell Street
Portland, Tennessee 37148**

Phone 615/325-6776 Ext. 245

September 2023 Monthly Report

Number of Council Meetings	1	September 11 th
		5 Council Members present
		2 Council Members absent
Number of Work Study Meetings	0	
Number of Liability Claims	0	
Number of Property Claims	2	
Number of Records Requested	2	

Attended Tennessee Association of Municipal Clerks And Recorders (TAMCAR)
Training Conference for Certification.

Continued training for new Recorder software.



CITY OF PORTLAND, TENNESSEE

OFFICE OF ECONOMIC & COMMUNITY DEVELOPMENT

DENISE GEMINDEN, DIRECTOR

SEPTEMBER, 2023

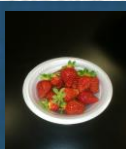


TCAT Portland now provides day and night classes for Welding, Nursing, Cosmetology and Construction Classes have also been added to IT, Advanced Manufacturing and Tool and Die Classes.
For More Information Call: 615/325-5575



We welcome Arrowhead
Engineered Products to
the Vaughn Drive
industrial community.

- Pictured left, Robertson County representatives, Ray Render representing Congressman John Rose's office and Jennifer Brown (Cumberland Connect) and Heather Steele (CEMC Key Account Executive) attend the ribbon cutting for Arrowhead Engineered Products.
- Participated in Agenda training on September 26th.
- Submitted the minutes of the Health & Educational Facilities Board meeting held in August to the members for their review.



100 South Russell Street
Portland, Tennessee 37148
Phone 615.325.6776 X246 Cell 615.881.3404
geminden@cityofportlandtn.gov



September, 2023

Commemorative Engraved Bricks are available from the Preservation Foundation.

Please help us pave the Way!

**For more information visit our website
templetheatretn.com**



Denise Wilson poses with two of her piano students who took advantage of the first of the Theatre's "Classical Series" performed by Davis and Davidson on the piano & violin.



DOWNTOWN, DOWNTOWN, DOWNTOWN



The Portland Preservation Foundation and the Certified Downtown Committee did not meet in September.



Help Pave the Way



Thank you to the Portland Community for supporting the Temple Theatre Restoration Efforts.

**Event Bookings for the Temple Theatre are managed through
Barry Young
615/745-5327.
barrv@templetheatretn.com**

Event tickets are now available for purchase online at:

www.templetheatretn.com

Or at the door while seats are available.

- Photos of theatre events left – bottom left Ms. Grace Morris and her sister pose with Director Barry Young. The theatre restoration was a dream of Grace's husband Buck. See the back page for more photos of downtown, the car show, and American Graffiti.
- Reached out to two prospective retailers this month. Received a response from last month's outreach to Maple Street Biscuits.
- Provided some background information to Cumberland Connect regarding our Broadband Ready status downtown.
- Provided information regarding the Economic Opportunity Zone to a developer proposing improvements to Downtown Census Tract 203.
- Participated in the Security Awareness Proficiency Assessment for Internet security training.
- Submitted the Title VI No Change Affidavit for the city on September 8th.



Retiring members of the IDB were recognized at this month's council meeting –
Philip Brown – 9 years of service
Tommy Whittaker – 10 years of service
John Wilkinson – 12 years of service
~ Below: Toby Ellis – 10 years of service
Mayor Callis, Denise Geminden & Kathy Dixon (current board member) offer recognition.



SUSTAINING EXISTING ECONOMIC DEVELOPMENT

- The Portland Industrial Development Board welcomes new members: Mark Rice, Mark Evans and Keith Kizer.
- Attended TVA "Electricity 101" session on September 13th. Interesting information was provided about capacity and measurements.
- Met with an industry to offer options regarding a potential growth need this month.
- Attended developer's pre-application meetings this month.
- Work continues to provide TDOT the documents they require to make improvements to Eubanks Road through the State Industrial Access Road Program.
- Met with Public Works representative to discuss a future event showcasing storm drainage requirements.
- Submitted the updated IDB report of abatements to the TN Comptroller's website.
- Met with Portland High School Career Counselor Leanne Utley on September 14th to discuss strategies aligned with outreach goals. Offered industry information to Westmoreland's career coach as well. Forwarded the project scope to industries as well as the Labor Shed Analysis.
- Conversations continue with the Robertson County ECD representative about prospective industries for the TN Business Park.
- Communicated with Robertson County & TVA with questions regarding the utility usage at the Puritan plant on Barry Drive.
- Answered industry realtor questions about incentives.

Deepest Sympathy to Sean and Lara Stevison at the loss of their father, Mike.
Stevison Ham is the most veteran industry in Portland (1971).



Spending money in Portland, Tennessee brings my money back to me ~
Half of our sales tax dollars support our Sumner County Schools.

September, 2023

Portland Municipal Airport

- There was no meeting of the Airport Authority in September.
- Provided the ordinance and the unexecuted contract for the first reading of the Airport Maintenance Reimbursement to the Recorder's office for the October agenda.
- Provided project initiation to finance and matching grant funding to TDOT Finance downtown for the Airport Layout Plan Project with evidence of payment provided to Aeronautics in September.
- Received payment for the Airport Maintenance Reimbursement requested for Fiscal Year ending June 30, 2023.

In accordance with Tennessee Aeronautics Regulations, ground and aerial surveys will start for the Portland Municipal Airport on September 28, 2023. This work is required for the new Portland Airport Layout Plan. A drone will be used and may be evident flying over your property. This work is being performed for everyone's safety and thank you for your patience.

Douglas Hunter, Airport Director



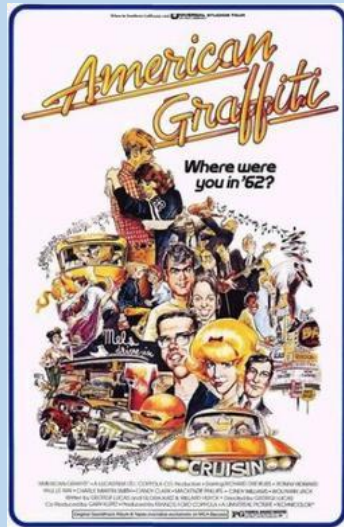
TSU Check Rides at Douglas Hunter Field left to right Instructor-Trey Welch, Jonathan Gum- Commercial Pilot Check-ride, DPE- Susan Wright, Christian Maleah-CFII check-ride.



www.cityofportlandtn.gov



**Downtown Hustle & Bustle
Temple Theatre
Presents:
American Graffiti
September 2023**





Office of the Finance Director
100 S. Russell Street Portland, TN 37148
615-325-6776

*As of September 30, 2023
Fiscal Year has elapsed - 25%*

	Amount	Unspent Committed Funds
GO Bond 2020	\$3,921,537	\$2,599,492
W/S Bond 2020	\$18,238,174	\$10,788,487

	9/30/2023	Board Passed Budget	% of Budget
GENERAL FUND			
Revenue			
Taxes & Licenses	681,543	9,052,000	7.5%
Planning & Codes	322,299	675,750	47.7%
Intergovernmental	342,526	2,354,000	14.6%
Miscellaneous	6,802	29,600	23.0%
Court	44,837	152,500	29.4%
Other Revenues	101,885	157,300	64.8%
Loan Proceeds - Other Fin Source	874,383	900,000	97.2%
Grants & Special Projects	297,766	0	0.0%
TOTAL	2,672,043	13,321,150	20.1%
Expense			
General Government	372,183	1,975,061	18.8%
Administrative & Mayor	84,300	383,083	22.0%
Human Resources	27,629	120,726	22.9%
Planning & Zoning	57,196	324,945	17.6%
Codes	33,373	151,955	22.0%
Court	19,123	93,160	20.5%
Police	1,088,547	4,429,397	24.6%
Fire	1,489,349	3,468,260	42.9%
Streets & Highways	275,008	1,284,002	21.4%
City Garage	50,880	150,637	33.8%
State Street Aid	10,704	650,000	1.6%
Animal Control	23,688	69,600	34.0%
Grants & Special Projects	22,132	1,820,000	1.2%
Swimming Pool	481	0	0.0%
Parks & Recreation	295,668	949,920	31.1%
Community Development	31,868	125,402	25.4%
TOTAL	\$3,882,129	\$15,996,148	24.3%

WATER & SEWER		Board Passed	
		9/30/2023	Budget % of Budget
Revenue			
	Revenue	3,133,783	9,792,000 32.0%
	TOTAL	3,133,783	9,792,000 32.0%
Expense			
	Water Plant	385,143	1,756,238 21.9%
	Water Distribution System	579,250	2,819,389 20.5%
	Grants & Projects	825,211	8,787,000 9.4%
	Sewer Collection	373,541	2,108,296 17.7%
	Sewer Plant	617,742	2,759,151 22.4%
	Business Office	100,284	476,334 21.1%
	Utility Administration	146,882	702,941 20.9%
	TOTAL w/ Bond	3,028,052	19,409,349 15.6%

		Board Passed	
		9/30/2023	Budget % of Budget
AIRPORT FUND			
Revenue		\$133,150	\$368,000 36.2%
Expense		\$164,803	\$367,839 44.8%

DRUG FUND			
Revenue		\$3,688	\$4,000 92.2%
Expense		\$21,170	\$43,000 49.2%

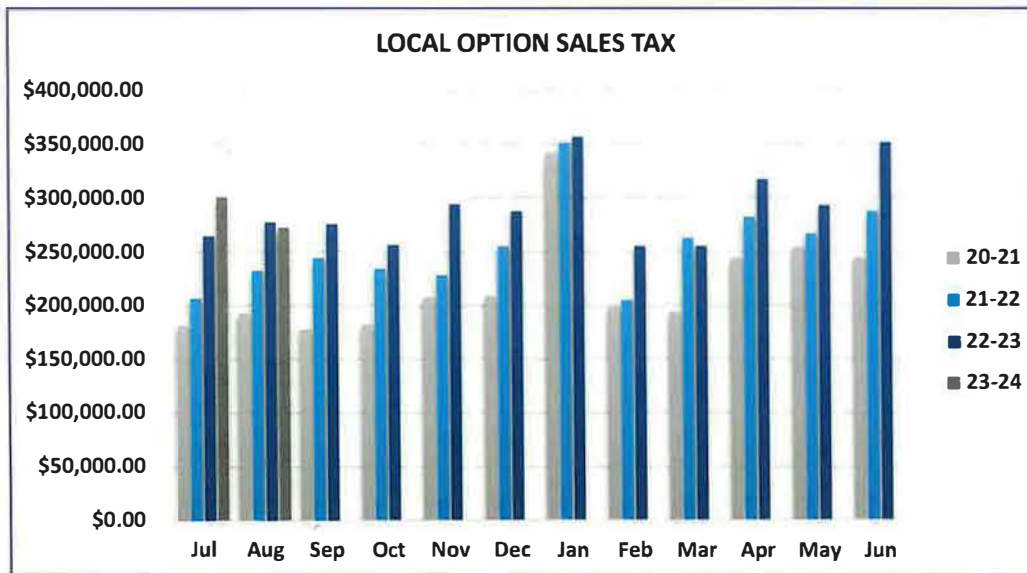
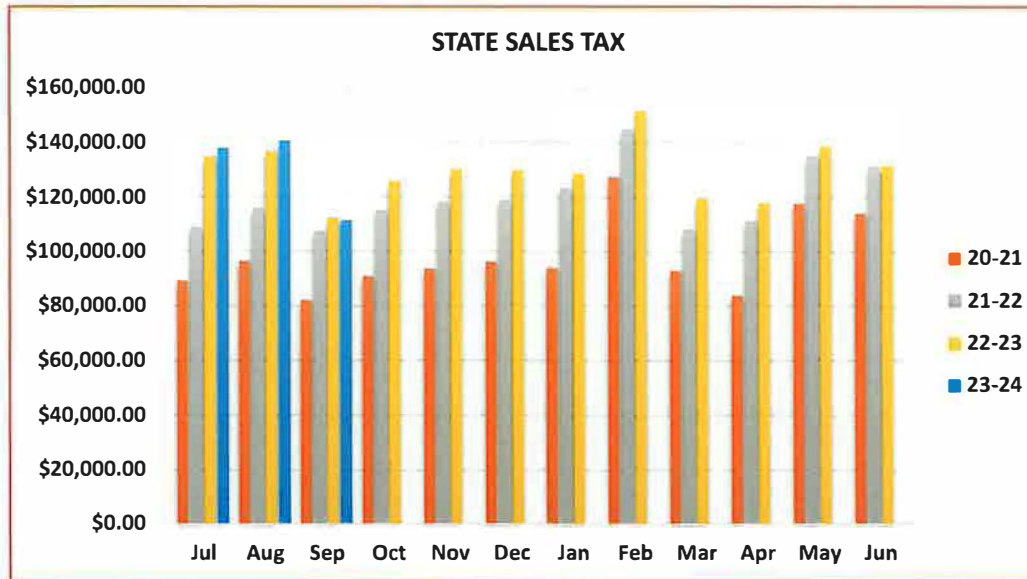
STORMWATER			
Revenue		\$259,842	\$815,000 31.9%
Expense		\$275,088	\$1,201,659 22.9%

SOLID WASTE			
Revenue		\$356,246	\$1,355,603 26.3%
Expense		\$262,014	\$1,312,620 20.0%

GOLF COURSE			
Revenue		\$248,887	\$569,400 43.7%
Expense		\$190,923	\$563,713 33.9%

		Board Passed		
		9/30/2023	Budget	% of Budget
IMPACT FEES				
Revenue				
	Parks	21,944	20,000	109.7%
	Police	12,794	15,000	85.3%
	Fire	27,460	7,500	366.1%
	TOTAL	\$62,198	\$42,500	146.3%
Expense				
	Parks	0	65,000	0.0%
	Police	21,170	0	0.0%
	Fire	100,654	76,000	132.4%
	TOTAL	\$121,824	\$141,000	86.4%
DEBT SERVICE - GENERAL FUND				
Revenue	Transfer from General Fund	\$37	\$719,229	0.0%
Expense		\$161,150	\$719,229	22.4%
GAS				
Revenue		848,661	5,881,000	14.4%
Expense		732,298	6,770,369	10.8%

Rachel Slusser, CMFO



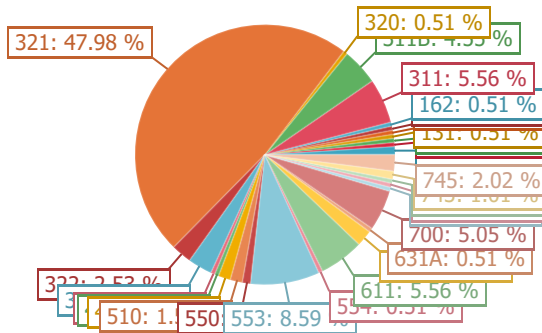


Portland Fire Department

111 Woods Road
Portland, Tennessee 37148
(615) 325-5649



Incident Reports By Incident Type, Summary



111: 1.01 %	322: 2.53 %	631A: 0.51 %
112: 0.51 %	324: 3.03 %	700: 5.05 %
118: 0.51 %	410: 0.51 %	735: 0.51 %
131: 0.51 %	441: 0.51 %	740: 0.51 %
142: 0.51 %	444: 1.52 %	741: 0.51 %
151: 0.51 %	510: 1.52 %	743: 1.01 %
162: 0.51 %	550: 1.01 %	745: 2.02 %
311: 5.56 %	553: 8.59 %	
311B: 4.55 %	554: 0.51 %	
320: 0.51 %	611: 5.56 %	
321: 47.98 %	622: 2.02 %	

Incident Type	Total Incidents	Percent
111 - Building fire	2	1.01%
112 - Fires in structure other than in a building	1	0.51%
118 - Trash or rubbish fire, contained	1	0.51%
131 - Passenger vehicle fire	1	0.51%
142 - Brush or brush-and-grass mixture fire	1	0.51%
151 - Outside rubbish, trash or waste fire	1	0.51%
162 - Outside equipment fire	1	0.51%
311 - Medical assist, assist EMS crew	11	5.56%
311B - Public Assist	9	4.55%
320 - Emergency medical service incident, other	1	0.51%
321 - EMS call, excluding vehicle accident with injury	95	47.98%
322 - Motor vehicle accident with injuries	5	2.53%
324 - Motor vehicle accident with no injuries.	6	3.03%
410 - Combustible/flammable gas/liquid condition, other	1	0.51%
441 - Heat from short circuit (wiring), defective/worn	1	0.51%
444 - Power line down	3	1.52%
510 - Person in distress, other	3	1.52%

Incident Type	Total Incidents	Percent
550 - Public service assistance, other	2	1.01%
553 - Public service	17	8.59%
554 - Assist invalid	1	0.51%
611 - Dispatched & canceled en route	11	5.56%
622 - No incident found on arrival at dispatch address	4	2.02%
631A - Unauthorized controlled burning	1	0.51%
700 - False alarm or false call, other	10	5.05%
735 - Alarm system sounded due to malfunction	1	0.51%
740 - Unintentional transmission of alarm, other	1	0.51%
741 - Sprinkler activation, no fire - unintentional	1	0.51%
743 - Smoke detector activation, no fire - unintentional	2	1.01%
745 - Alarm system activation, no fire - unintentional	4	2.02%
Total Number of Incidents:		198
Total Number of Incident Types:		29

Incident Type

Total Incidents

Percent

Report Filter Settings

Report File Name: Incident Reports by Incident Type, Summary

Filter Name: Last Calendar Month

Filter Expression: [AlarmDateTime] is between '7/1/2023 12:00:00 AM' and '7/31/2023 11:59:59 PM'

Human Resources Monthly Report September 2023

New Hire Orientations	September	YTD
Full-Time	3	27
Re-Hires	0	1
Part-Time	0	6
Retirements	0	1
Severances		
• Voluntary	6	19
• Involuntary	2	2
Workers Comp Claims	1	23
Current posted positions	6	



Monthly Report / September 2023
Jamie White, Parks Director
Tammy Groves, Assistant Parks Director
Trent Stephens, Park Maintenance Supervisor
Marty Bullington, Golf Course Manager

Civic Clubs

Portland Youth Football League	In Season
Portland Soccer Club	In Season
Dixie Youth Baseball	Fall Ball

Parks and Recreation Programs and Events

The Chamber Golf Tournament is set for Thursday October 12th.

Movie in the Gym is set for Saturday October 28th. Doors will open at 6pm and the movie will begin at 6:30 pm.

Trick in the Park is set for Tuesday October 31st, at Richland Park from 5pm to 7pm.

The 50th Annual Harvest Craft Show will be on Saturday November 11th at Richland Gym from 9am to 4pm. We have 40 inside and 35 outside booths for this year.

Visit with Santa is set for Saturday December 9th at Richland Gym from 10 am to 12 noon.

Christmas for Kids wrestling event is set for Saturday December 16th at Richland Gym.

Aerified the greens at the golf course.

Overseeded the soccer fields with Rye Grass.

Friday Night Bites at Meadowbrook Park will run through Friday September 29th.

Geotechnical Soil Sampling Test was conducted at the swimming pool. Results will be back in October.

The lights have been installed on the flag poles at the Memorial and Roundabout. Next, the electrical panels on the restroom side of the gym need to be grounded.



**Dogwood Hills Sales
September 2023**

Daily Rounds	829	\$21,970.00
Pro Shop	223	\$4,411.14
Concessions	652	\$1,194.00
Cart Rentals	164	\$820.00

PORTLAND POLICE DEPARTMENT MONTHLY REPORT

9/1/2023 TO 9/30/2023

CID ACTIVITY					
Cases Assigned	20	Interviews Conducted	87	Asset Forfeitures	1
Cases Closed	7	Monitored Interviews	0	DCS/AOA	42
Cases Cleared	41	Search Warrants	17	Knock and Talk	8
Call outs	1	Judicial Subpoenas	13	Assist Patrol Units	14
Grand Jury Cases	2	General Sessions Cases	2	Forensic Interviews	0
Grand Jury Hours	2	General Sessions Hours	8	Fire Investigations	0
Juv Court Cases	0	Criminal Court Cases	0		
Juv Court Hours	0	Criminal Court Hours	0		

Records Activity			
Copies Distributed		Background Checks	
Walk-Ins	11	Government	2
E-mails	48	Public Housing	0
Grand Jury & DA Copies	2	Local	0
Arrest Reports	60	Incident Reports	117
Written Warnings	151	City Citations	58

ANIMAL CONTROL ACTIVITY					
CALLS ANSWERED	66	WILDLIFE	0	DECLARED VICIOUS	0
ANIMALS PICKED UP	33	RETURNED TO OWNER OR RESCUE	17	BARKING COMPLAINT	1
SENT TO S.C.S.C.	0	TRAPPED ANIMALS	1	CRUELTY & WELFARE COMPLAINTS	2
DOGS	26	ANIMAL BITE ON ANIMAL	1	WILDLIFE/LIVESTOCK COMPLAINTS	1
CATS	6	ANIMAL BITE ON HUMANS	2	TICKETS/WARRANTS/ARRESTS	2
LIVESTOCK	1	EUTHANASIA	1	WARNINGS	4
		ADOPTIONS	2	REPORTS	3
SPECIAL ASSIGNMENTS	0	INTAKE	17		

PROPERTY MAINTENANCE / CODES			
CASE NUMBERS	18	RESOLVED BY CONTACT/PHONE	1
NON-COMPLIANCE LETTERS	18	CITY COURTS DATES	2
NEW GRASS/RUBISH COMP	18	CITY HALL BANK ESCORTS	19
RE-INSPECTIONS	10	MAIL DELIVERY	19
PARKING COMPLAINTS	0	ASSIST ANIMAL CONTROL	5
FOLLOW-UP PARKING COMP	0	ARRESTS	CIVIL WARRANT
VEHICLES (NON-COMP)	3	REPORTS	0
WORK ORDERS	5	CITATIONS	1
PROPERTY LIENS	1	WRITTEN WARNINGS	0
RELEASE OF LIENS	0		

CALLS FOR SERVICE					
911 HANG UP	27	EVADING	0	SCHOOL ZONE	52
911 MISDIAL	26	EXPARTE SERVICE	0	SEX OFFENDER REGISTRY	0
911 MISDIRECT	1	EXTRA PATROL	169	SEXUAL ASSAULT	0
911 OPEN LINE	29	FIELD INTERVIEW	0	SHOOTING	0
ABANDONED VEH	3	FIGHT	1	SHOPLIFTING	2
ABUSE INVESTIGATION	0	FIREARM DENIAL	0	SHOTS FIRED/HEARD	2
ACCIDENT INJURY	9	FIREWORKS	0	SOLICITOR	2
ACC. INJURY HIT/RUN	0	FOLLOW UP	41	SPECIAL ASSIGNMENT	6
ACCIDENT PROPERTY	42	FORGERY	0	SPC. ASSIGNMENT-COMMUNITY	0
ACC. PROPERTY HIT/RUN	10	FRAUD	5	STABBING	0
ACC. SERIOUS INJURY	1	GANG ACTIVITY	0	STALKING	0
ACTIVE SHOOTER	0	GAS DRIVE OFF	0	STOLEN VEHICLE	1
ADMIN INVESTIGATION	0	HANGING	0	SUBDIVISION CHECK	7
AIRCRAFT EMERGENCY	0	HARASSMENT	1	SUBJECT CHECK	25
ALARM	36	HOSTAGE SITUATION	0	SUICIDAL SUBJECT	13
ALARM HOLD UP/PANIC	3	HOTEL CHECK	0	SUS. INCIDENT	35
ALARM TEST	0	ILLEGAL DUMPING	0	SUS. PERSON	15
ANIMAL CALL	49	INDECENT EXPOSURE	0	SUS. VEHICLE	8
APARTMENT CHECK	4	INVESTIGATION	5	TALK TO OFFICER	182
ARMED SUBJECT	0	JUVENILE	12	THEFT	9
ARSON	0	JUVENILE TRANSPORT	0	THREATS	3
ASSAULT	3	KIDNAPPING	0	TRAFFIC ENFORCEMENT	5
ASSIST CITIZEN	27	KNOCK AND TALK	4	TRAFFIC HAZARD	7
ASSIST EMS	17	LAKE CHECK	0	TRAFFIC STOP	495
ASSIST FIRE	8	LOCKOUT	4	TRESPASS	1
ASSIST OTHER AGENCY	26	LOCKOUT URGENT	3	UNAUTHORIZED USE OF VEH	1
ATTEMPT TO LOCATE	9	LOST/FOUND PROPERTY	8	UNK SITUATION	2
BARRICADED SUBJECT	0	LPR HIT	4	VANDALISM	2
BOLO	7	MENTAL TRANSPORT	0	VEH. BURGLARY	0
BOMB THREAT	0	MISC/MATTER OF RECORD	10	VEHICLE CHECK	33
BURGLARY	1	MISSING ADULT	0	VIOLATION CORRECTION VERIFY	11
BUSINESS CHECK	277	MISSING JUVENILE	0	VIO. ORDER OF PROTECTION	0
CAR SEAT CHECK	0	NOISE COMPLAINT	6	WARRANT	4
CHECKPOINT	0	OPEN DOOR	4	WEATHER RELATED ISSUES	0
CITY CALL OUT	1	OVERDOSE	3	WELFARE CHECK	16
CIVIL MATTER	7	PARK CHECK	72		
CODE 99	0	PARKING COMPLAINT	2		
CODES	22	PROSTITUTION	0		
DAMAGE TO PROPERTY	2	PROWLER	0		
DEATH INVESTIGATION	0	PUBLIC INTOX	1		
DELIVER MESSAGE	0	RECKLESS DRIVER	39		
DISORDERLY CONDUCT	1	REFERRAL	3		
DISTURBANCE	14	REPO	2		
DOMESTIC	10	RIOT	0		
DRILL	0	ROBBERY	0		
DUI	1	RUNAWAY	0		
DRUG INVESTIGATION	8	SCAM	1		
ESCORT	9	SCHOOL CHECK	38		
PHONE MESSAGE	0	TEST CALL	0		
PRIVATE PROPERTY TOW	0	PRISONER TRANSPORT	0		

Total Calls for Service	2067
Total Written Warnings	151
Total Speeding Citations	54
Total all other city citations	58
Commercial vehicle enforcements	5
Total Arrest	45

FLEX UNIT INFORMATION					
TRAFFIC STOPS	84	DRUGS CASES	12	WEAPONS SEIZED	4
WARNINGS	64	Misdemeanor	9	RIFLE	1
CITATION	13	Felony	3	SHOTGUN	0
ARRESTS	21	Paraphernalia	11	PISTOL	3
		ASSET FORFEITURES	1	OTHER	0
		Vehicles	0		
		Currency	\$873.00	KNOCK AND TALKS	6
		Other	0		

WARRANTS SERVED	4	ASSIST PATROL	5	CONSENSUAL ENCOUNTERS	1
K-9 ALERTS	6	ASSIST OTHER AGENCY	2	ASSIST CID	21

FLEX UNIT COURT INFORMATION					
GRAND JURY	# OF CASES	1	# OF HOURS	2	
GENERAL SESSIONS	# OF CASES	8	# OF HOURS	22.5	
JUVENILE COURT	# OF CASES	0	# OF HOURS	0	
CRIMINAL COURT	# OF CASES	0	# OF HOURS	0	



CITY OF PORTLAND
STORMWATER MANAGEMENT PROGRAM
100 SOUTH RUSSELL STREET
PORTLAND, TENNESSEE 37148
Telephone 615/325-6776

Date: 10/5/2023

Stormwater Management Monthly Report- September 2023

Annual Report

The City is required to submit to TDEC an annual report by September 30th every year summarizing how the Stormwater Department met all the required minimum control measures throughout the last reporting period (July 1, 2022-June 30, 2023). The report was completed on September 28th and submitted to TDEC through the myTDEC forms portal. A copy of the Annual Report will be made available when approved by TDEC.

Annual Program Review

An annual program review is a requirement of the Annual Report. The review was performed by Corbin Keen, Jacob Robertson, David Harris and Carlton Cobb on September 13th. The review went through each MCM to discuss things currently being done and items to improve on. A copy of the summary is attached to this monthly report. Policies and procedures for all MCMs will be updated in accordance with the annual review.

TNSA Conference

Stormwater Department staff will be attending the annual TNSA (Tennessee Stormwater Association) Conference next month. The conference runs from October 23-26 at Montgomery Bell State Park in Burns, TN. The theme of the conference is "Back to Basics". Registration and reservations for attendees were finalized in September.

Middle TN Stormwater Group

Staff attended the initial reboot meeting for the Middle TN Stormwater Group. The group fell apart after the pandemic, so this meeting was organized to restart it. Stormwater professionals from all over Middle TN were also in attendance including Gallatin, Sumner County, Mt. Juliet, Lebanon, White House and several private companies. The goal for this group is to network with likeminded professionals in the same area to better serve each community. The group is planning to meet quarterly with the next meeting in December.

Illicit Discharge Detection and Elimination

There was one complaint during this reporting period of an illicit discharge involving an oil spill that occurred on September 29th. A hazmat team was called for cleanup the same day. Staff is still following up on this illicit discharge at the time of this report.



CITY OF PORTLAND
STORMWATER MANAGEMENT PROGRAM
100 SOUTH RUSSELL STREET
PORTLAND, TENNESSEE 37148
Telephone 615/325-6776

Construction Site Runoff Control

Pre-Con/Pre-App Meetings: 5

LDPs issued: 0

CGP Inspections: 29

CGP inspections are required once monthly per TDEC. Most sites are inspected more than once a month through pre-con inspections, re-inspections, and illicit discharge complaints. Residential sites that are not under TDEC coverage are inspected on a weekly basis.

Permanent Stormwater Management

New LTMAAs received: 2

LTMA Inspections Received: 0

Good Housekeeping

Staff met with one property owner regarding flooding concerns. The concern was deemed to be out of jurisdiction and referred to Sumner County and NRCS. Stormwater staff met with the new GIS Administrator to go over functions of and additions to the newly constructed storm sewer map. This will be followed up on in the new year when time allows. Stormwater staff also met with the ECD Director to discuss potential stormwater/ECD outreach events. The new MS4 Permit requires the Department to directly target the engineering/development community with stormwater education. Future events were discussed and will be planned for next year.

PORTLAND ANNUAL PROGRAM REVIEW OF MCM'S

BMP (Event) & Responsible Party	Measurable Goal	Theme or Message	Target Audience or (50% of area population = 6,500)	% of Target Audience Reached & Total # of People Reached	Summary of Results	Effective (1-100%) (5=100%)
1) PUBLIC EDUCATION & OUTREACH -- Estimated Population: 13,000; 1 event per year for Public, 2 events per Permit term for Engineering/Development Community						
Classroom Education- Public						
Portland Stormwater Department	Public Education and Outreach for local children Keep Water Clean message geared toward school aged children		200 Children ages 5 through 16	0%	Have not developed. Create our own or outsource to Cumberland River Compact? Event in 2022 cost \$275. Could implement reading days at schools.	N/A
Middle TN Strawberry Festival- Public						
Portland Stormwater Department	Hand out educational information to the public at our event booth.	Water Quality, Information, & Education	1,000+	100%	Distributed over 1,000 stormwater educational materials such as coloring books, reusable grocery bags, and pamphlets. Gives us the opportunity to talk with the Public about what we do and why it is important. Will continue annually.	5
TNSA Urban 5K Runoff- Public						
Portland Stormwater Department	Water quality and sustainability forum combined with a fundraiser 5K through TNSA. Opportunity to provide educational supplies to community at display booths.	Water quality sponsorship	Families ages 5 to 70	100%	Provide \$500 sponsorship to promote Water Quality. Had booth in previous years. Not sure of effectiveness since most people at the event are not Portland citizens.	3
Event for Engineering/Development Community						
Portland Stormwater Department	To promote water quality before, during and after construction.	Awareness of ordinance, regulations and long term water quality impacts.	10000%	0%	Have not developed. Need ideas for events.	N/A
2) PUBLIC INVOLVEMENT & PARTICIPATION; 1 event per year for Public, 2 events per Permit term for Engineering/Development Community						
BMP (Event) & Responsible Party	Measurable Goal	Theme or Message	Target Audience	Estimate of People Participated	Summary of Results	Effective (1-100%) (5=100%)
Event for Engineering/Development Community						
Portland Stormwater Department	To promote water quality before, during and after construction.	Construction pollution prevention and impacts on water quality or local stormwater management issues.	100	TBD	Have not developed. Need ideas for events.	N/A
Summer County Cleanup Day						
Portland Stormwater Department	Solicit at least 70 local volunteers to provide litter removal in Portland.	County-wide Community Cleanup Event	Local volunteers, church groups, scouts and business leaders	60	The event was another success this year with around 10 volunteers and approx. 3,000 lbs of litter picked up in Portland. Need to promote earlier next year. Will continue annually.	5
Adopt a Street						
Portland Stormwater Department	To provide litter removal from city streets through business volunteers.	Adopt a Street Program	Citizens and Businesses	7	We provide a permanent sign for the organization in the adopted area. We require the organization to clean up their street twice a year. Need to assess interest and continue to develop.	N/A
Citizens Stormwater Committee					The focus of this group would be more about	

Portland Stormwater Department	To provide overall Stormwater Education Program to the Stormwater Committee	6 MCM's	Citizens from different walks of life	TBD	what goes into the stormwater management program rather than a complaint group for flooding. Meetings would occur once per month during business hours with updates on construction, illicit discharge, etc. Would it be worth it?			N/A
				SCORE	5	of	5	100%
4) CONSTRUCTION SITE RUNOFF CONTROL								
BMP (Event) & Responsible Party	Measurable Goal	Completed (Yes or No)	City Ordinance Used or Website	Summary of Results				Effective (1=0%) (5=100%)
Ordinance	Stormwater Ordinance	Yes	City of Portland Ordinance No. 16-02	Existing Ordinance is currently being revised to model the new Permit. Will continue to update once MTAS model comes out. Revised Ordinance will be passed through Council by the end of 2023.				5
Portland Stormwater Department								
Inventory of Active Construction Sites	Create and maintain the current permitted construction sites within the city for each fiscal year.	Yes	Not publicized. Kept in internal files.	Existing list of permits, inspection data, NOV's issued, etc.				5
Portland Stormwater Department								
Site Plan/Precon	Pre-cons are required to inform the developer and contractor what is expected from the Stormwater department. These precons include other departments as well. Implement distribution of checklist in precon stage.	Yes	City of Portland Ordinance No. 16-02	Precons are very effective at letting the developer know what is expected from the beginning. Each one is modified to the project and potential stormwater violations are brought up. Need to document better.				4
Portland Stormwater Department, Engineering, Planning, Public Works, Codes, Utilities								
Site Inspections	Continue construction site inspections, preparation of active site inventory list and evaluation plan. Ensure developer is conducting routine inspections, updating the SWPPP they prepared, etc.	Yes	Not publicized. Kept in internal files.	Number of inspections performed, NOV's issued, Land Disturbance Permits issued, and meetings held.				5
Portland Stormwater Department								
				SCORE	19	of	20	95%
5) PERMANENT STORMWATER MANAGEMENT								
BMP (Event) & Responsible Party	Measurable Goal	Completed (Yes or No)	City Ordinance Used or Website	Summary of Results				Effective (1=0%) (5=100%)
Post-Construction Standards- Site Plan Reviews	Review and approval of post-construction runoff controls as part of site plan review with Post-Construction checklist.	Yes	https://cityofportlandtn.gov/public-works/stormwater-management/	All projects with permanent stormwater features are reviewed and approved once all comments are satisfied.				5
Portland Stormwater Department								
Long-Term Maintenance Agreement	Require submittal of recorded document stating long-term maintenance plans for each project requiring permanent stormwater control measures.	Yes	https://cityofportlandtn.gov/public-works/stormwater-management/	LTMA's are reviewed with construction plan submittals. A Long-Term Water Quality Maintenance Plan is required to be submitted and reviewed describing maintenance and inspection for the life of the SCM. All LTMA's must be recorded at the county by the owner within 30 days of approval or a stop work order is issued for the site if construction has begun.				5
Portland Stormwater Department								
Reporting	Receipt of annual reports from post-construction sites.	Yes	https://cityofportlandtn.gov/public-works/stormwater-management/	Letters were sent out this year to current property owners with identified LTMA's. Response was decent. All responders were brought into compliance. Enforcement actions may take place on non-respondents.				4
Portland Stormwater Department								

Permanent SCM Asset Inventory and Tracking	Beginning with the 2025 Annual Report, an inventory of all permanent SCMs must be submitted to IDEC.	In Progress	Not publicized. Kept in internal files.	The inventory must include a basic description of each SCM, contact info, and location. We currently have a list of SCMs but do not have all the other info. Will be updating and ready to submit with 2025 annual report. The inventory must also be made available to the public on request.	3
Portland Stormwater Department					
3) ILLICIT DISCHARGE DETECTION & ELIMINATION					
BMP (Event) & Responsible Party	Measurable Goal	Completed (Yes or No)	City Ordinance Used or Website	Summary of Results	Effective (1-4%) (5=100%)
DDC Plan/LEP Portland Stormwater Department	The DDC Plan and LEP outlines procedures for investigation of potential illicit discharges.	Yes	https://www.cityofportland.or.us/documents/center/view/348/Enforcement-Response-Plan-3.22.pdf	The plan is followed well by Stormwater staff upon illicit discharge complaints. Initial inspections, NOVs and follow-up inspections are documented in internal files. There were 19 ID investigations this year with 10 NOVs issued. Fines were enforced on 4 of the NOVs totaling \$6,650. The goal of ID investigations is always protecting water quality, not just giving fines. However, on repeat offenders or egregious threats to water quality, fines are given.	5
Hot Spots Portland Stormwater Department	Log, assessment, and compliance plan of action of outstanding Hot Spots and status, until area cleared of issue this information is tracked and documented by the stormwater department per the SWMP.	Yes	Not publicized. Need to add to Stormwater GIS map.	Hot spots are known by staff, but are not documented. Need to update GIS map to identify Hot Spot areas then begin inspection procedures.	2
6) GOOD HOUSEKEEPING					
BMP (Event) & Responsible Party	Measurable Goal	Completed (Yes or No)	% of Employees Trained	Summary of Results	Effective (1-4%) (5=100%)
Employee Training/Conferences Portland Stormwater Department	To provide once every permit cycle employee trainings regarding good housekeeping. New employees must be trained within 6 months of hire. Stormwater employees attend conferences and classes when possible.	Yes	100%	John Chlarson with MTAS came and provided employee training for all employees on June 28th. The training went great and we will continue to utilize John once a permit cycle. New hire training still needs to be developed.	3
SUP - Facility Inspection Portland Stormwater Department	The City Stormwater Technician is to perform bi-annual facility inspections to ensure compliance per SOP. Inspections enforced and tracked by Stormwater Department. These inspections are done in the summer and winter.	Yes	N/A	All facilities were inspected twice this year and inspection results were provided to respective responsible parties for that facility. Need better assistance from other departments on correcting issues.	5
SOP - Standards Operating Procedures Portland Stormwater Department	Review and update at least every permit cycle, or when administration changes occur.	Yes	N/A	Reviewed and updated in 2022. Will need to do again during this permit cycle.	5
SWMP - Storm Water Management Plan Portland Stormwater Department	Review and update at least every permit cycle, or when administration changes occur.	Yes	N/A	Reviewed and updated in 2022. Will need to do again during this permit cycle.	5
SLUR Removal					

Portland Stormwater Department	Employees assisting with litter removal in addition to Stream cleanup Events and Adopt-a-Street	Yes	N/A	One part-time employee is dedicated to litter removal. Other employees help when time allows and before, during and after festivals.	5
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SCORE	23	of	25	92%	23
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TOTAL PROGRAM EFFECTIVENESS

SCORE	80.0	of	90	89%	74
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CITY OF PORTLAND

GRANT PROGRAMS

SUE KIM – ADMIN. CLERK II

100 SOUTH RUSSELL STREET

PORTLAND, TENNESSEE 37148

Telephone 615-325-6776

Grant Programs Monthly Report –Sept. 2023

Active Projects

Safe Routes to School Grant <Portland West Middle School (PWMS)>

Railroad Crossing <Downtown Intersections - E Market, Main, E McGlothlin Street (CSX/TDOT)>

CMAQ (Congestion Mitigation and Air Quality) <Hwy 109 from College St. to Hwy 52>

Surface Transportation Block Grant (STBG)<Scattersville Rd. & New Deal Potts Rd>

Surface Transportation Block Grant (STBG) <Kirby Dr. & S Russell St.>

Surface Transportation Block Grant (STBG)<Pedestrian Connector Project - College Street>

Project Status

PWMS - Closing phase, Construction has been increased to \$195,083.00. No need to use TAP fund. Waiting on TDOT invoice office to update of increase. Once the update is done TDOT will notify us to request reimbursement.

Scattersville Road – City received payment confirmation on 8/11/2023, Prepping final reimbursement.

Railroad Crossing –Updating bid documents by engineering firm for concrete work and signing/stripping work and the City is contracted with Stansell Electric Company for Signal Light.

CMAQ – Waiting on TDOT to confirm budget amendment to include mast arms.

Kirby Road & S. Russell Street Resurface –Design Phase and requested reimbursements NEPA FY 22-23 #2.

College Street Sidewalks – NEPA phase; additional surveys work is needed due to one property being on historic registry. TDOT approved additional funds for survey work. Once TDOT updates system to allow.



CITY OF PORTLAND
 GRANT PROGRAMS
 SUE KIM – ADMIN. CLERK II
 100 SOUTH RUSSELL STREET
 PORTLAND, TENNESSEE 37148
 Telephone 615-325-6776

Reimbursement Status

Ready to request final reimbursement for the Portland West Middle School amount of \$27,209.27.

Received STBG Scattersville Road & New Deal Potts Road project Construction phase reimbursement amount of \$ 297,765.64.

Ready to Request final reimbursement for STBG Scattersville Rd & New Deal Potts Rd project amount of \$3,082.00.

Requested 2nd reimbursement for STBG Kirby Rd & S. Russell St. FY 22-23 \$7,924.50.

Approved reimbursement by TDOT- STBG College St. sidewalks FY 22-23 #3 amount of \$27,507.65.

Name	Funding Type	Description	Total Contract Amount	Total City Expenditures	Current FY22-23 Reimbursement	Total Reimb. Amount
PWMS	SRTS&TAP	Sidewalks	\$ 261,987.00	\$ 199,108.25	\$ 142,936.94	\$ 169,701.00
Scattersville	STBG	Resurfacing	\$ 454,240.20	\$ 408,193.78	\$ 297,765.64	\$ 322,965.64
CMAQ	ITS	Traffic Signals	\$ 762,662.50	\$ 39,478.85	\$ 3,818.77	\$ 39,478.85
College	STBG	Sidewalks	\$1,139,215.00	\$98,258.53	\$ 36,499.58	\$ 36,499.58
Kirby & S. Russell	STBG	Resurfacing	\$446,295.00	\$57,635.24	\$ 9,685.50	\$ 9,685.50
Volkswagen Diesel	TDEC	Large Truck	\$98,437.50	\$148,950.00	\$ 98,437.50	\$ 98,437.50
Volkswagen Diesel	TDEC	Midum Trucks	\$113,328.75	\$157,900.00	\$118,425.00	\$118,425.00
			\$76,233.48	\$91,818.00	\$68,863.50	\$68,863.50

Sanitation Dept Council Report

Monthly Report for Sept 2023

Meeting Date: Nov. 6, 2023

Sanitation Dept is responsible for picking up, disposing of household trash and bulk items.

Pick up bulk items - Furniture, appliances, etc.....

Pick up brush (Claw truck, and chipper)

Pick up trash carts at curb repair or replace damaged carts

Keep trucks and equipment in working condition.

Travel to Sumner Co. Resource Authority to empty

2 claw trucks picking up bulk items and brush at curbside

Burn Box @ dump – burning brush to clean up site

Sumner Co. Resource

Authority	# of loads	Tonage	Per Ton	Dumping fee
City of Portland	48	466.83	55.00	25,675.65
Volunteer Recycling	12	40.62	55.00	2,255.75
		507.45		\$27,931.40

Volunteer Recycling

Center	# of loads	Haul cost	Hauling Total
City of Portland	11	275.00	\$3,025.00
Portland Cares	1	137.50	\$137.50
			\$3,162.50

Monthly Dump Fee	\$27,931.40		
Monthly Haul Fee	\$3,162.50		
	\$31,093.90	Sept	2023

Street Dept Council Report

Submitted by: Martin Weekley
Data for the month of September
Meeting Date: Nov 6, 2023

Maintain the downtown area - pick up trash, empty cans, water flowers, etc...
Maintain sidewalks and roadways - pick up trash, weedeat and spray
Maintain all the intersection islands and curbs.
Maintenance of traffic signals, school zone lighting and decorative street lights.
Trimmed low hanging branches and tree's that fell over the roadway
Signage - Replaced stop signs, brackets, replace post, install new signage & post.
Potholes: checked, graveled and/or patched with hot mix.
Road Cuts: gravel filled until patched with hot mix
Repaired edge of multiple roadways
Brush & Bulk (Chipper truck, 2 claw trucks, truck with trailer) numerous loads

Mowing - Right of ways, City owned lots, Canels, High Crossing, City Shops and Codes lots
Mow, Weed eat and spray various streets, sidewalks, and city and codes lots.
Equipment used: Bushhog, batwing, zero turn mowers, tractors etc.....

Office paperwork - Time sheets, po request, review work orders and route sheets
Training / Meetings - Insurance and TCRS

Clean, Check and Maintenance trucks and equipment
Clean at the Shop / put away tools - Daily
Repair equipment and tools (Tires, batteries, hoses, etc...)

Helped check storm drains -city wide
Set up and take down Stage for event at Airport hanger
Welcome to Portland Signage - mulch and added solar lights
Change out banners
Took UTV's to High School and picked them up when finished.
Removed concrete pad and covered with dirt
Installed a concrete pad for bench across from City Hall
Assembled bench and placed it when pad was completed.
Repaired garage doors
Cleaned up the shop and straightened up and organize signage areas.
Put up fall festival signs, placed mums and fall decorations at various location
Picked up Mulch, mums, pumpkins, hay bales

Street Dept Council Report

Convenience Center

Attendant on site on Wednesday's & Saturday's

Push brush piles & burn it in the burn pit and/or fire pit

Smash down the dumpsters to be hauled to Gallatin

Call and schedule dumpster hauls with Volunteer Recycling Center

Note: started building new deck at Hot box, train new staff members at this site.

Cleaned the burn pit when needed.

Took various trucks and equipment to city shop or outside shops for repairs

Traveled to pick up parts, equipment and various supplies.

Econo Signs to pick up sign order

Rogers Group - pick up multiple loads of hot mix

Parman Tractor - picked up new tractor

Stormwater Field Crew Council Report

Submitted by: David Harris
Data for the month of Sept.
Meeting Date: Nov.6, 2023

Checked and cleaned tiles and storm drains throughout the city
Beaver Dams - broke loose and reset traps / Various locations

Called in Tn One Call tickets
Met with homeowners about drainage issues or upcoming jobs

Placed order for supplies needed for upcoming jobs. Unload deliveries.
Prep and move supplies, trucks and equipment for upcoming jobs.
Cleaned and service equipment

Attended insurance meeting and pipepine class
Sprayed various city properties

Cut- Davist St to Kirby, William Mack, Golf Course, McCloud St, Academy Rd, WB Dye and behind Collins Bldg.

Jaska Ann Cir.- Installed tile, ditch clean out, seed and straw.

Old Fountain Head Cemetary Rd. - Fixed driveway washout with 2 loads of 57 rock

Heritage Dr. - Ditch clean out, cut swell in backyard, installed 60' pipe, hauled 2 loads of 57 rock, seed, fertilize job site.

Peyton's: hauled equipment to site, cut entrance, set up orange fencing, trench work, hauled several loads of rock, installed 6 tiles, backfill, clean up and used roller.

Poplar St - Removed fence, installed 10 sticks of 24" pipe, hauled dirt, 6 loads of rock, 23 loads of topsoil, dirtwork. Will continue working on this project.

Picked up auction items: Georgia to pick up message boards and Lebanon to pick up equipment attachments

RESOLUTION

City of Portland, Tennessee

No. 23 - 95

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH SUMNER COUNTY
IN SUPPORT OF THE SUBMISSION OF A BROADBAND READY GRANT
APPLICATION.**

WHEREAS American Rescue funds may be available through the Tennessee Department of Economic & Community Development to provide funds for broadband adoption activities to Tennessee Broadband Ready communities through a non-competitive grant; and

WHEREAS Portland received “Broadband Ready Community” designation in 2018 by the Department of Economic & Community Development; and

NOW, THEREFORE, BE IT RESOLVED by the city council of the City of Portland that Mayor Mike Callis be and is hereby authorized to execute an agreement of support from the City of Portland for Sumner County’s submittal of a Broadband Ready Non-Competitive Grant; and

BE IT FURTHER RESOLVED, this resolution shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this day of

Ordinance
City of Portland, Tennessee

No.

First Reading

**AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 19-67
PERSONNEL POLICY FOR THE CITY OF PORTLAND, TN**

WHEREAS, the City of Portland approved Ordinance 20-07 adopting a Comprehensive Personnel Policy;
and

WHEREAS, the following updates have been recommended to the existing Personnel Policy:

- Update of amount of compensatory time for sworn fire service personnel Section 3.1 as found on p. 12 of the Personnel Manual;
- Elimination of Volunteer Firefighter Compensation Section 3.2 as found on p.13 of the Personnel Manual;
- Updating Holiday Pay for sworn fire service personnel; and

WHEREAS, the attachments will alter only the construct of the above-referenced Sections; and

WHEREAS, for clarity purposes with the constructs being changed, it is appropriate to adopt a new City of Portland, TN Personnel Policy in its entirety; and

WHEREAS, prior sections of the Personnel Manual that are in conflict with this ordinance shall be and are hereby repealed and replaced, with updated policies promulgated upon adoption;

NOW THEREFORE BE IT ORDAINED, by the Mayor and Board of Alderman of the City of Portland, Tennessee that The City of Portland Personnel Manual adopted by Ordinance 20-07 is hereby repealed in its entirety, and that the amendments attached as documents related to the **City of Portland, TN Personnel Manual – 2020** be adopted to create the **City of Portland, TN Personnel Manual – 2024** and entered into permanent record with passage of this Ordinance; and

BE IT FURTHER ORDAINED that this Ordinance shall become effective January 1, 2024 upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Rachel Slusser, City Recorder

Passed First Reading:
Passed Second Reading:

SECTION 3 – COMPENSATION

3.1. FAIR LABOR STANDARDS ACT (FLSA)

Minimum Wage

In accordance with the Fair Labor Standards Act (FLSA), no employee shall be paid less than the Federal minimum wage unless they are expressly exempt from the minimum wage requirement by FLSA regulations. Employees paid on an hourly rate basis are paid for all time actually worked.

Overtime

The FLSA shall govern the overtime compensation of hourly, non-exempt, City employees. The FLSA defines overtime pay as one-and-one-half times the employee's regular rate of pay for all hours worked over the applicable overtime threshold. Generally, overtime work must be authorized by the department head.

Overtime pay calculations are based on actual hours worked during the workweek / work period. Overtime will be paid when the employee's actual hours worked exceed the hours that constitute a full workweek / work period for that employee.

~~Sworn Fire Service non-exempt employees working a 24-hour shift may be allowed to accrue up to a maximum of 480 hours of compensatory time, only for actual hours worked at 1.5 hours of compensatory time for each hour of overtime worked according to the Fair Labor Standards Act (FLSA).~~

Sworn fire service nonexempt personnel working a 24 hours worked and 48 hours off schedule (24/48) may convert to compensatory time (comp.time) any overtime worked in a pay period at a rate of 1.5 hours of comp time per each hour of overtime worked. Sworn fire service nonexempt personnel working a 24/48 work schedule shall comp any overtime worked in a pay period that is in addition to their regular work schedule. Personnel may accumulate up to 240 hours of comp time in a calendar year but shall not have more than 120 hours in available comp time at any time. Accrued comp time shall be used within 6 months of accrual beginning with the 1st day of the month following the accrual date. The city reserves the right to pay out any and all accumulated comp time and/or require comp time to be used at the earliest opportunity that does not unduly affect the daily operations of the fire department.

3.2. PAY FOR PART TIME WORK

Employees who are employed in part-time positions are not eligible for benefits and will only be paid for their actual hours worked. In the event that hours worked by a part-time employee exceed the FLSA defined workweek/work period threshold, overtime rates will apply. Part-time employees performing the same function as full-time employees will begin employment at the minimum rate of pay for the position as described in the classification and pay ranges established by the City, but will be eligible for across the board increases. Ongoing part-time workers are limited to an average of **29** hours or fewer per workweek.

~~Volunteer Firefighter and Volunteer EMT compensation is on a per call basis. Each call will be paid a de minimis payment intended to cover expenses as a nominal fee. The fee paid is subject to establishment and adjustment by Resolution of the City Council.~~

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SECTION 5 – EMPLOYEE BENEFITS

5.6. HOLIDAY PAY

The City's observance of the holidays listed above (with the exception of the Employee Personal Holiday) will be scheduled on either Monday, Tuesday, Wednesday, Thursday or Friday. A holiday calendar designating the weekday to be observed may be issued annually. Eight (8) hours of holiday pay will be paid at the eligible employee's straight-time rate of pay for the City's observed holidays. Holiday Pay is not considered hours worked for the purpose of calculation of overtime pay.

To receive compensation for a holiday, employees eligible for holiday benefits must be in an active pay status (not away on leave without pay or on workers' compensation) on their last regular shift scheduled before a holiday and their first regularly scheduled shift after a holiday. Employees must seek appropriate approval for paid leave in conjunction with a Holiday with the exception of statutorily mandated leaves (i.e. FMLA).

Pay for hours worked for full-time, non-exempt employees who are required to work (excluding emergency call-in) on a holiday shall be calculated at their regular, hourly pay rate for the actual hours worked on the holiday and shall be paid in addition to the regular straight-time holiday pay for the day. All hours actually worked will be counted as straight- time hours for overtime calculation purposes

Sworn fire service nonexempt personnel working a 24 hours worked and 48 hours off schedule (24/48) shall receive 8 hours of personal holiday time for each holiday that does not require them to report for duty for their regular scheduled shift in lieu of holiday pay and shall receive 12 hours of personal holiday time for each holiday that requires the employee to report for their regular scheduled shift in lieu of holiday pay. Sworn fire service nonexempt personnel working a 24/48 work schedule shall not have more than a maximum of 48 hours of personal holiday time available to them at any time. The city reserves the right to pay out any and all accumulated personal holiday time and/or require personal holiday time to be used at the earliest opportunity that does not unduly affect the daily operations of the fire department. For purposes of this section the holiday shall be the actual holiday and not the city observed day in recognition of the holiday.

Pages 29 & 30 of 78

RESOLUTION

City of Portland, Tennessee

No. 23 - 94

A RESOLUTION TO APPOINT ONE MEMBER TO THE PORTLAND HOUSING AUTHORITY BOARD

WHEREAS, Tennessee Code Annotated (TCA) allows for the Mayor's appointment of members to the Portland Housing Authority; and

WHEREAS, Current Portland Housing Authority Board member Joe Everette's five-year term will expire on 12/13/23; and

WHEREAS, Joe Everette has consented to serve another term; and

NOW, THEREFORE BE IT RESOLVED, By the Mayor and City Council of the City of Portland that Joe Everette is hereby re-appointed as a member of the Portland Housing Authority for a five-year term to December 13, 2028; and

BE IT FURTHER RESOLVED, That this Resolution shall become effective upon its passage, the public welfare requiring it.

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Approved this day of

ORDINANCE

City of Portland, Tennessee

No. 23 – 59

First Reading

AN ORDINANCE TO AMEND TITLE 9 OF THE PORTLAND MUNICIPAL CODE BY REPEALING AND REPLACING CHAPTER 10, A PROVISION FOR MOBILE FOOD VENDORS

WHEREAS, The City of Portland acknowledges the need for a provision for mobile food vendors; and

WHEREAS, Title 9 **Businesses, Peddlers, Solicitors, Etc.** shall be amended by repealing Chapter 10, Mobile Food Vendors in its entirety, and replacing it with Chapter 10, Mobile Food Vendors as follows:

9-1001. Purpose. The City has determined that regulation of Mobile Food Vendors (MFVs) is necessary in order to protect the health, safety, and welfare of the public, as well as to promote the public interest by regulating the areas and methods of operation. To meet these ends, the City has determined that all persons or entities that desire to vend from MFVs within the City must be issued a permit pursuant to the requirements of this Article. This Ordinance shall fall under the purview of the City Planning Department for updates and enforcement authority; and all are subject to spot inspections by City Codes and Fire.

9-1002. Definitions. The following words, terms and phrases, when used in this Article, shall have the following meanings ascribed to them in this section:

1. **Edible Food Products.** Edible Food Products are those products that are ready for immediate consumption, including Prepackaged Food, Prepared Food, and On-site Prepared Food. The term "Edible Food Products" does not include fresh produce so long as the produce has not been packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared for consumption.
2. **Outside Preparation.** Any External Preparation of food or drink using external appliances, grills, or smokers that can safely be operated outside the MFV unit.
3. **Ice Cream Vending Unit.** A motor vehicle containing a commercial freezer from which a Vendor sells or gives away frozen food products such as ice cream, frozen yogurt, frozen custard, flavored frozen water, and similar desserts, whether prepackaged, prepared, or prepared on-site typically known as an ice cream truck. Such frozen food products are typically sold on City streets at intermittent locations. A Pedestrian Vendor selling frozen desserts

shall not be considered an Ice Cream Vending Unit.

4. **Mobile Food Vendor.** Generally, a Mobile Food Vendor ("MFV") is an enclosed unit, truck, or trailer, or similar vehicle-mounted unit that:
 - a. Is mobile or capable of being moved by a licensed motor vehicle;
 - b. Any unit such as hotdog, ice cream, or food cart that is unloaded or delivered to an area for the purpose of vending to walk up customers, and is not easily moved from location to location without motorized help;
 - c. May or may not be independent with respect to water, wastewater, and power utilities (any such hook-ups may require City approval and inspection);
 - d. Is used for the preparation and/or sale of food;
 - e. Does not exceed thirty-five (35) feet in length and nine (9) feet in width;
5. **Operate.** To "operate" or "operation" shall mean all activities associated with the conduct of business, including, but not limited to, set up, take down, and actual hours where the MFV is open for business.
6. **Prepackaged Food.** Any properly labeled and processed food or beverage, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, and prepared at an off-site approved source, and that may be purchased at the MFV for immediate or later consumption.
7. **Prepared Food.** Any food or beverage that is served, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared by persons off-site from a MFV that may be purchased at the MFV for immediate or later consumption.
8. **Public Property.** Any property owned or maintained by the City.
9. **Right-of-Way.** For the purposes of this Article, right-of-way shall mean streets where public parking is allowed and includes marked or unmarked parking spaces thereon.

9-1003. Applicability of Article. The provisions of this Article shall apply to Mobile Food Vendors engaged in the business of preparing, cooking, and distributing food with or without charge on or in public or private property within the City limits. This Article shall also apply to vendors selling prepared or prepackaged food if the vendor desires to exceed the exemption provided for the vendor herein.

9-1004. Limited Exemptions.

1. **Ice Cream Vending Units.** This Article shall not apply to an Ice Cream Vending Unit so long as the unit is stationary in the same location for no more than fifteen (15) minutes at a time. An Ice Cream Vending Unit may sell or attempt to sell items that are frozen only on local streets where the speed limit is thirty (30) miles per hour or less. An Ice Cream Vending Unit shall not stop within twenty (20) feet of an intersection when attempting a sale or making a sale; and must have lights that are visible to oncoming traffic.

2. **Food Donations.** Public food donations are exempt, as long as no product is being sold in conjunction with a food give-a-way. All Edible Food Products must still follow safe food handling guidelines as directed by the TN State Health Department. Food donation vendors must still receive permission to set up and distribute, and must not hinder pedestrian, vehicular, or public safety traffic or access.
3. **Compliance with Article.** Any vendor who is granted an exemption under this Section and who desires to operate beyond the terms of the Limited Exemption described in this Section shall comply with the provisions of this Article that are applicable to MFVs.
4. **Community Events.** Certain City and Chamber events may be exempt.

9-1005. Mobile Food Vendor Permit.

1. **Application and Permit Required.** Unless exempted, every vendor desiring to engage in Mobile Food Vending shall submit an application, along with all necessary information and inspections, to the Business Office along with the appropriate fees before a permit shall be issued. The permit application shall not be considered complete until a safety inspection is completed, and the Business Office receives full payment for the type of permit desired. Permits are only valid during the calendar year in which they were issued, and each year the permitting process must be followed. Permits are non-transferrable.
2. **Applicable MFV Permits.** As with all MFV permits, if the MFV does not meet the requirements of the City, the MFV shall not receive a permit and it shall not be permitted to operate. The following MFV permit types are available:
 - a) **Special Event Permit** - Vendors that wish to operate within the City during a single event may apply for a permit that is valid up to 3 consecutive days; and this permit can only be issued 3 times in a calendar year for the same MFV. City and Chamber of Commerce sponsored events may require additional fees and conditions.
 - b) **Full Access Permit** - Vendors wishing to maintain a presence in the City with their MFV business may apply for daily operation.

NOTE: Regardless of permit choice, no food Truck shall be left on private property where food service is offered outside the operating hours set forth in this ordinance. The food truck site MUST be vacated after each operational day.

3. **Fees.** A non-refundable application fee in the amount of \$100.00 is required to receive an application for a MFV permit. There shall be no proration of fees; and fees are non-refundable once a permit has been issued. The following fees apply:
 - a. Special Event MFV Permit Fee - \$50.00
 - b. Full Access MFV Permit Fee - \$250.00
4. **Inspections after Permitting.** MFVs are subject to be checked quarterly at the discretion of the Fire Marshal, Codes Dept, and Property Maintenance Officer.
5. All reports will be relayed to the Planning Office for record keeping.
6. **Operation without Permit.** Any MFV operating without a valid Permit shall be deemed a public safety hazard and may be ticketed and impounded.

7. **Revocation of Permit.** The City may revoke a Permit if it is discovered that:
 - a. An applicant obtained the Permit by knowingly providing false information on the application;
 - b. The continuation of the Vendor's use of the Permit presents a threat to public health or safety, or if the Vendor otherwise presents a threat to public health or safety; or
 - c. The Vendor violates the regulations of this Article or any other City ordinance.
8. **Reinstatement.** After 90 days, the operator may request reinstatement of a revoked mobile food vendor permit by taking such actions as may be necessary to correct a mobile food service vehicle's noncompliance and paying a non-refundable reinstatement fee of \$500 to offset the City's cost of enforcement measures, inspections, and compliance verifications. Operator may apply for reinstatement only ONCE in the same calendar year.

9-1006. Operation of Mobile Food Vendors. The following requirements apply to all MFVs and Vendors operating at any location, whether on City property, the right-of-way, or on private property within the City. Private property owners may seek additional requirements for MFVs operating on their property.

1. **Additional Structures.** When vending on public property or right-of-way outside of a special event authorized by the City or Chamber, Vendors shall not provide any dining area. The term "additional structures" does not include the waste containers required by this Section. When vending on private property or within a special event authorized by the City or Chamber, permission from the property owner is required before the Vendor provides or allows any dining area, including but not limited to tables, chairs, booths, bar stools, benches and standup counters. Under no circumstances shall these dining areas encroach into the public right-of-way. The Vendor shall remove all additional structures when the Vendor ends its operations for the day.
2. **Compliance with Laws.** Except as provided herein, MFV placement and operation must adhere to federal, state, and local laws, regulations, and policies. Local laws, regulations, and policies include, but are not limited to the City's zoning ordinances, noise ordinances, stormwater regulations, and fire code. The vendor must comply with all safe food handling rules as described by the TN Department of Health.
3. **Distance between MFVs.** While operating, MFVs shall be at least ten (10) feet from other MFVs; except for approved events.
4. **District Restrictions.**
 - a. **Residential Districts.** MFVs are generally restricted in all areas zoned residential. MFVs in residential zones are allowed only as part of an event that is sponsored or hosted by a neighborhood association, by a homeowners' association, a non-profit corporation, by the City, the Chamber, or another governmental entity; and each event is limited to one day per calendar year for that particular neighborhood.

- b. **Commercial Districts.** Generally, Mobile Vending on private property is permitted only in Commercially zoned districts with improved lots except for City and Chamber approved events.
 - c. **City Property.** Use of City property is generally not available except for City and Chamber events. Certain City parking lots may allow MFVs, but that permission will be granted by the Parks Department at their discretion according to policies dealing with the use of City property.
 - d. **Unimproved Lots.** MFVs are not allowed to operate on unimproved lots.
5. **Electrical Requirements.** Any MFV under this Article shall comply with the requirements of the National Electrical Code, and any other rules and regulations which may apply.
6. **Electrical Service.** Any power required for a MFV on a public right-of-way or public property should be self-contained. MFVs operating on private property may use electrical power from the property being occupied or an adjacent property only when permission has been given by an operator of the property to hook up to electricity from the property. No power cord, cable, or equipment shall be extended at or across any public right-of-way, alley, sidewalk, or other public property. For the purposes of this section, "operator" refers to either the property owner or tenant where there is one occupant of the parcel or refers to the property owner where there are multiple occupants or tenants on a parcel. The owner/operator of the MFV may be responsible for any damage caused to the electrical system.
7. **Fire Safety and Inspection.** Any Vendor operating a MFV under this Article shall comply with requirements of the International Fire Code as adopted, along with any other regulatory) fire code as adopted. An inspection by the Fire Department must be passed before any permit is issued; and random inspections by City staff may be made any time after a permit is issued. All MFV operators are to adhere to the following:
- a. Vendors must have the appropriate fire suppression and/or fire extinguishers available at all times for their type of combustibles; such as described in NFPA 10.
 - b. All gasoline and propane must be properly stored and secured according to acceptable best practices, standards, and codes; such as that of the NFPA.
 - c. Each mobile unit must contain a fire/carbon monoxide alarm.
 - d. No trash or combustible material shall accumulate or be located within 3 feet of an open flame or fuel supply.
 - e. Gasoline generators shall only be filled when the generator is cool to the touch and not in operation.
8. **Hours of Operation.** Generally, MFVs are allowed to operate between the hours of 7am and 10pm; but may be shortened by the property owner. Certain approved events may dictate longer or shorter hours of operation as well.
9. **Items for Sale.** Generally, only food and beverage items may be sold from MFVs; a Vendor may sell or distribute merchandise from the MFV only if the merchandise bears the logo of the Vendor or the MFV; all other merchandise sales are prohibited. The sale or distribution of alcoholic beverages is prohibited specifically.

10. **Letter of Permission.** Vendors operating on private property shall obtain a letter from an operator of the property stating that the Vendor has permission to vend on the property and, if applicable, has permission to serve the operator's employees and/or customers. The Vendor shall keep a copy of the permission letter on the MFV at all times and while operating, the Vendor shall produce the letter upon the request of any City official acting in an enforcement capacity. For the purposes of this section, "operator" refers to either the property owner or tenant where there is one occupant of the parcel or refers to the property owner where there are multiple occupants or tenants on a parcel.
11. **Maximum Number of Units per Parcel.** While operating on private property, except for approved events by the City or Chamber, the number of MFVs allowed is limited by the size of the parcel as follows: For a lot that is one-half (.5) acre or smaller, a maximum of one (1) MFV is allowed; for a lot that is one-half to one (.5 -1.0) acre, a maximum of two (2) MFVs is allowed; for a lot that is larger than one (1.0) acre in size, a maximum of three (3) MFVs is allowed.
12. **Methods of Support.** MFVs shall be free-standing and shall not use stakes, rods, or any method of support that must be drilled, driven, or otherwise fixed, into or onto asphalt, pavement, curbs, sidewalks, or buildings.
13. **Mobile Vending on City Property.** MFVs wishing to operate on City property must schedule places and times through the Park Department. A minimum notice of 14 business days must be given to allow for scheduling; and schedules cannot be made for those who do not have an active permit. Scheduling times and places are limited, and are on a first come first serve basis. All City functions take precedence over MFVs; and MFVs may be asked at any time to move to another location on City property, or off of City property all together. The use, marking, or designation of spaces for Mobile Food Vending does not grant Vendors a vested right, property interest, or privilege in any specific space. City space for MFVs may be adjusted, modified, or removed if such adjustment, modification, or removal is determined to be in the interest of the public health, safety, welfare, and operation of the City.
14. **Obstruction of Vehicular and Pedestrian Traffic.** Placement of MFVs and any devices related to the MFV shall not obstruct or impede pedestrian or vehicular traffic, access to driveways or any egress or ingress, alley way, sight distance for drivers, loading bays, handicap parking spaces or access, or block fire hydrants or fire lanes.
15. **Operation on Unimproved Lots.** MFVs shall not operate on unimproved non-commercial lots. For the purposes of this Article, an unimproved lot is a lot without the following: Paved surface for the MFV and its customers, paved driveway access to a City street, and adequate lighting for the paved area. This prohibition regarding unimproved lots shall not be applicable to properties owned by the City or to events coordinated by the City and the Chamber.
16. **Outside Preparation.** Any food and beverage preparation outside of the MFV shall not obstruct vehicular or pedestrian traffic, and such preparation shall not create safety hazards for the public. Vendors shall not serve food to customers directly from any outside preparation unit. Any barbecue, smoker, or cooking device that is external to the MFV shall be blocked by sufficient barriers so as to protect, and alert, pedestrians from possible injury.

- 17. Parking Direction.** When allowed, MFVs operating on public streets shall park in the same direction as traffic, with no more than eighteen inches (18") between the curb face or edge of pavement and with the service window, and the service window of the MFV must be facing the curb. Food trucks shall not block fire lanes, designated traffic lanes or ingress or egress to or from a building or street.
- 18. Service to Pedestrians.** MFVs shall serve pedestrians only; a drive-thru or drive-in service for vehicular customers is prohibited. MFVs should use traffic cones to prevent vehicles from driving through the area where pedestrians would line up for service.
- 19. Signs and Flashing Lights.** A MFV is limited to signs mounted to the exterior of the mobile food vendor's unit and one (1) detached sandwich board sign. Sandwich board signs shall not obstruct or impede pedestrian or vehicular traffic. MFVs signs shall not contain flashing lights or flashing light-emitting diodes (LED), nor shall the MFV use flashing lights or flashing LED as an embellishment on the MFV to attract attention.
- 20. Sound Amplification.** MFVs or Vendors shall not use sound amplification equipment in a way that may create a nuisance to others.
- 21. Spills.** To prevent discharges into the storm drain system, each MFV shall comply with the stormwater regulations of the City. In addition, each MFV should have a spill response plan and kit onboard to contain and remediate any discharge from the MFV.
- 22. Waste Storage and Disposal.** Vendors shall supply, in a prominent location, trash containers sufficient in size to collect all waste generated by customers and staff of the MFV. The Vendor shall keep the area around the MFV clear of litter and debris at all times. All trash and debris generated by customers and staff shall be collected by the Vendor and deposited in their trash or recycling container and removed from the site by the Vendor. Vendors shall not pour wastewater or grease on the ground. Vendors shall not place food waste or grease into City owned trash receptacles. Vendors shall not place food, waste, or grease into any part of City's sanitary sewer system or stormwater system.
- 23. Enforcement.** No food truck shall be left on private property where food service is offered outside the operating hours set forth in this Ordinance. The food truck site must be vacated after each operational day. The City of Portland Police and Codes Departments shall have authority to investigate and address any violation(s).

9-1007. Indemnity for Benefit of the City and Insurance. Any Vendor operating under this Article shall comply with all requirements of the City with regard to risk management, including the provision of insurance in accordance with the standards set by the City and the execution of an indemnity agreement in favor of the City when operating on City property.

BE IT ORDAINED, The City of Portland hereby amends Title 9 of the Municipal Code by repealing Chapter 10 in its entirety and replacing it with this Ordinance, and the monies from these fees shall be applied to the upkeep of the Veterans Park located at Richland Park; and

BE IT FURTHER ORDAINED, That all ordinances or parts of ordinances in conflict herewith are hereby repealed; and

NOW THEREFORE, BE IT ORDAINED, That this Ordinance shall become effective thirty days (30 days) after its 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 – 60

First Reading

AN ORDINANCE TO AMEND TITLE 20 OF THE PORTLAND MUNICIPAL CODE, BY REPEALING AND REPLACING CHAPTER 2, IMPACT FEES, TO REVISE THE IMPACT FEE SCHEDULE FOR PARKS, POLICE, AND FIRE

WHEREAS, the City of Portland has authority to assess development impact fees for fire, parks, and police facilities pursuant to Article II, Section 1 of Chapter 568 of the Private Acts of 1939, as amended by Chapter 123 of the Private Acts of 1970, Chapter 107 of the Private Acts of 1981, and Chapter 31 of the Private Acts of 2003; and

WHEREAS, the protection of the health, safety, and general welfare of the citizens of the City requires that the fire, parks, and police facilities of the City be expanded and improved to meet the demands of new development; and

WHEREAS, the creation of an equitable impact fee system would enable the City to impose a share of the costs of required improvements to the City's fire, parks, and police facilities on those developments that create the need; and

WHEREAS, the City conducted an impact fee study in 2019 that set forth reasonable methodologies and analyses for determining the impacts of various types of development on the City's fire, parks, and police facilities; and

WHEREAS, the parks, police, and fire impact fees described in this ordinance were based on the impact fee study, and do not exceed the capital costs required to serve the development that will pay the fees; and

WHEREAS, there is both a rational nexus and a rough proportionality between the development impacts created by each type of new development covered by this section and the fire, parks, and police impact fees that such development will be required to pay; and

WHEREAS, Ordinance 19-01 established a system by which impact fees paid by impact generating development would be used to expand the City's parks, police and fire facilities, so that the development that pays each fee will receive a corresponding benefit;

NOW, THEREFORE, BE IT ORDAINED, that the governing body of the City of Portland, Tennessee, does hereby:

Section 1. Amend Title 20 of the Portland Municipal Code by repealing Chapter 2, Impact Fees, in its entirety and replacing it with the following revised impact fee schedule for Parks, Police, and Fire.

Section 2. Any commercial, institutional, or industrial site development plan reviewed and approved by the Portland Municipal Planning Commission on or before the date of passage of this ordinance, shall be subject to the impact fees enforced at the time of the Planning Commission approval.

CITY OF PORTLAND CODE
TITLE 20: MISCELLANEOUS
CHAPTER 2: IMPACT FEES

SECTION

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20-201. Short Title and Applicability.

(1) Short Title.

This chapter may be known and cited as Portland's "Impact Fee Ordinance," and is referred to herein as "this chapter."

(2) Applicability.

The provisions of this chapter shall apply to all of the territory within the corporate limits of the City of Portland.

20-202. Intent.

- (1) The intent of this chapter is to ensure that impact-generating development bears a share of the cost of improvements to the City's fire services, parks, and police protection; to ensure that the share does not exceed the cost of providing such facilities; and to ensure that funds collected from impact-generating development are actually used to construct improvements that serve new development.
- (2) It is not the intent of this chapter to collect any money from any impact-generating development in excess of the actual amount necessary to offset demands generated by that development for the type of facilities for which the fee was paid.

20-203. Definitions.

For the purpose of interpreting this chapter, certain words used herein are defined as follows:

- (1) "Applicant" means the applicant for a building permit for which an impact fee is due pursuant to the provisions of this chapter.
- (2) "Functional population" means a common unit of measure that represents the impact of a development on the City's fire, parks, and police facilities.
- (3) "Impact fee administrator" means the City of Portland employee who shall be primarily responsible for administering the provisions of this chapter, or his or her designee.
- (4) "Impact fee study" means the Impact Fee Study prepared for the City of Portland by TischlerBise, dated December 2, 2019, or a subsequent similar report.
- (5) "Impact-Generating Development" means any land development or water or wastewater connection designed or intended to permit an increase the number of service units.
- (6) "Commercial" is an establishment primarily selling merchandise, eating/drinking places, and entertainment uses. By way of example, *Commercial / Retail* includes shopping centers, supermarkets, pharmacies, restaurants, bars, nightclubs, automobile dealerships, and movie theaters.
- (7) "Hotel" is a place of lodging that provides sleeping accommodations and may provide supporting facilities such as restaurants, cocktail lounges, meeting and banquet rooms or convention facilities, limited recreational facilities (pool, fitness room), and/or other retail and service shops.
- (8) "Industrial" is an establishment primarily engaged in the production or transportation of goods. By way of example, *Industrial* includes manufacturing plants, printers, material testing, trucking companies, utility substations, power generation facilities, and telecommunications buildings.
- (9) "Institutional" is an establishment including public and quasi-public buildings providing educational, social assistance, or religious services. By way of example, *Institutional* includes schools, universities, churches, daycare facilities, government buildings, and prisons.
- (10) "Office & Other Service" is an establishment providing management, administrative, professional, or business services, personal and health care services. By way of example, *Office and Other Services* includes banks, business offices, assisted living facilities, nursing homes, hospitals, medical offices, and veterinarian clinics.

- (11) "Warehouse" is an establishment that is primarily engaged in the storage, wholesale, and distribution of manufactured products, supplies, and/or equipment, excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive. A warehouse less than 70,000 square feet shall be classified as industrial.
- (12) "Service units" means common units of measure of the demand placed on the infrastructure and facilities of the City, including fire, parks, and police functional population.
- (13) "Square feet" means gross floor area, defined as the total area of all floors of a primary building and all associated accessory buildings, measured from the external surface of the outside walls, but excluding covered walkways, open roofed-over areas, porches and similar spaces, exterior terraces or steps, chimneys, roof overhangs, and similar features. Excluded areas include basements or attic spaces of less than seven feet in height and vehicular parking and maneuvering areas.

20-204. Fee Determination.

(1) Maximum Allowable Fee.

The City of Portland has conducted an impact fee study to determine the needs for the City as it develops over the next ten years. Said study has determined that for the projected development to cover an equitable share of services offered by the Parks, Police, and Fire Departments. The City of Portland will set the maximum allowable fee, that shall not be exceeded without completing and adopting a new impact fee study. The maximum allowable fee rates are as follows:

Maximum Allowable Impact Fee				
Residential Development	Fees per unit			
Development Type	Fire	Parks	Police	Total
Single Family	\$ 1,444	\$ 1,194	\$ 631	\$ 3,269
Multi-Family	\$ 864	\$ 715	\$ 377	\$ 1,956
Nonresidential Development	Fees per 1,000 Square Feet			
Development Type	Fire	Parks	Police	Total
Industrial	\$ 657	\$ -	\$ 192	\$ 849
Warehouse	\$ 478	\$ -	\$ 165	\$ 643
Commercial	\$ 967	\$ -	\$ 1,218	\$ 2,185
Office & Other Services	\$ 1,225	\$ -	\$ 476	\$ 1,701
Institutional	\$ 384	\$ -	\$ 630	\$ 1,014
Hotel (per room)	\$ 241	\$ -	\$ 409	\$ 650

(2) Fee Schedule.

The City of Portland realizes that the maximum allowable fee would overburden development if fully implemented as called for in the initial Study. The City has decided to adopt the enforceable fee on a percentage basis. The City shall adopt impact fees at 50% of the maximum allowable fee. This percentage basis may be changed by two readings of an ordinance to set the new fee. The impact fee schedule shall revised and set as follows:

Any person who applies for a building permit or a water or wastewater connection for an impact-generating development, except those exempted or preparing an independent fee calculation study, shall pay a fire, parks, and police impact fee in accordance with the following fee schedule prior to the issuance of a building permit. If any credit is due pursuant to section 20-209, the amount of such credit shall be deducted from the amount of the fee to be paid.

Percentage Based Adoption				50%
Residential Development		Fees per unit		
Development Type	Fire	Parks	Police	Total
Single Family	\$ 722	\$ 597	\$ 316	\$ 1,635
Multi-Family	\$ 432	\$ 358	\$ 189	\$ 979
Nonresidential Development		Fees per 1,000 Square Feet		
Development Type	Fire	Parks	Police	Total
Industrial	\$ 329	\$ -	\$ 96	\$ 425
Warehouse	\$ 239	\$ -	\$ 83	\$ 322
Commercial	\$ 484	\$ -	\$ 609	\$ 1,093
Office & Other Services	\$ 613	\$ -	\$ 238	\$ 851
Institutional	\$ 192	\$ -	\$ 315	\$ 507
Hotel (per room)	\$ 121	\$ -	\$ 205	\$ 326

(3) Uses Not Listed.

If the type of impact-generating development for which a building permit is requested is not specified on the above schedule, the impact fee administrator shall determine the fee based on the fee applicable to the most nearly comparable type of land use on the fee schedule. If the impact fee administrator determines the impact fee administratively and the applicant does not agree with the determination, the applicant may prepare an independent fee calculation study.

(4) Fee Assessed on Primary Use.

In many instances, a particular structure may include auxiliary uses associated with the primary land use. The impact fees are assessed based on the primary land use.

(5) Net Impact of Redevelopment.

If the type of impact-generating development for which a building permit is requested is for a change of land use type or for the expansion, redevelopment, or modification of an existing development, the fee shall be based on the net increase in the fee for the new land use type as compared to the previous land use type.

(6) Net Impact of Expansions.

An impact fee shall be collected on commercial, institutional, industrial, or multi-family structures that expand in building square footage or add additional dwelling units after the passage of this ordinance. The impact fee imposed shall be based on the expansion not the entire structure. For example, a 100,000 square feet industrial building adds 25,000 square feet the impact fee shall be based on the industrial fee for 25,000 square feet or a 4-unit multi-family building adds 2 units, the fee shall be paid for 2-units.

(7) No Refund for Change of Use.

In the event that the proposed change of land use type, redevelopment, or modification results in a net decrease in the fee for the new use or development as compared to the previous use or development, there shall be no refund of impact fees previously paid.

20-205. Exemptions.

The following shall be exempt from the terms of this chapter. An exemption must be claimed at the time of application for a building permit.

(1) Residential Alterations.

Alterations of an existing dwelling unit where no additional dwelling units are created.

(2) Residential Replacement.

Replacement of a destroyed, partially destroyed or moved residential building or structure with a new building or structure of the same use, and with the same number of dwelling units.

(3) Nonresidential Replacement.

Replacement of destroyed, partially destroyed, or moved nonresidential building or structure with a new building or structure of the same gross floor area and use.

(4) Pre-ordinance Permit Applications.

Any development for which a completed application for a building permit was submitted prior to the effective date of this chapter, provided that the construction proceeds according to the provisions of the permit and the permit does not expire prior to the completion of the construction.

(5) No Waivers: Payment of Fees by City.

Impact fees shall not be waived. In order to promote the economic development of the City or the public health, safety, and general welfare of its residents, the City Council may agree to pay some, or all of the impact fees imposed on a proposed development or redevelopment from other funds of the City that are not restricted to other uses. Any such decision to pay impact fees on behalf of an applicant shall be at the discretion of the City Council and shall be made pursuant to goals and objectives articulated by the City Council.

20-206. Independent Fee Calculation.

The impact fee may be computed by the use of an independent fee calculation study at the election of the applicant, or upon the request of the impact fee administrator, for any proposed land development activity interpreted as not one of those types listed on the fee schedule or as one that is not comparable to any land use on the fee schedule, and for any proposed land development activity for which the impact fee administrator concludes the nature, timing or location of the proposed development makes it likely to generate impacts costing substantially more to mitigate than the amount of the fee that would be generated by the use of the fee schedule.

(1) Cost of Study: Fee.

The preparation of the independent fee calculation study shall be the sole responsibility and cost of the applicant. Any person who requests to perform an independent fee calculation study shall pay an application fee for administrative costs associated with the review and decision on such study.

(2) Content of Study.

The independent fee calculation study shall be based on the same formulas, level of service standards and unit costs for facilities used in the impact fee study and shall document the methodologies and assumptions used. The scope of the study shall be approved in advance by the impact fee administrator.

20-207. Use of Fees.

(1) Segregation of Funds.

An impact fee fund that is distinct from the general fund of the City is hereby created, and the impact fees received will be deposited in the following interest-bearing accounts of the impact fee fund.

- (a) Fire Impact Fee Account. The fire impact fee account shall contain only those fire impact fees collected pursuant to this chapter plus any interest which may accrue from time to time on such amounts.
- (b) Park Impact Fee Account. The park impact fee account shall contain only those park impact fees collected pursuant to this chapter plus any interest which may accrue from time to time on such amounts.
- (c) Police Impact Fee Account. The police impact fee account shall contain only those police impact fees collected pursuant to this chapter plus any interest which may accrue from time to time on such amounts.

(2) FIFO Accounting.

Monies in each impact fee account shall be considered to be spent in the order collected, on a first-in/first-out basis.

(3) Eligible Expenditures.

The monies in each impact fee account shall be used only for the following:

- (a) To acquire or construct system improvements of the type reflected in the title of the account;
- (b) To pay debt service on any portion of any current or future general obligation bond or revenue bond used to finance facilities or capital equipment of the type reflected in the title of the account, provided that the facilities financed by that portion of the debt have not been included in the calculation of the existing level of service on which the impact fees were based in the most recent impact fee study;
- (c) As described in section 20-208, Refunds; or
- (d) As described in section 20-209, Credits.

(4) Ineligible Expenditures.

The monies in each impact fee account shall not be used for the following:

- (a) Rehabilitation, reconstruction, replacement, or maintenance of existing facilities and capital equipment except to the extent that the projects increase the capacity to serve new development; or
- (b) Ongoing operational costs.

20-208. Refunds.

- (1) Any monies in the impact fee fund that have not been spent within seven (7) years after the date on which such fee was paid shall be returned to the current owners with earned interest from the date of payment.
- (2) Notice of the right to a refund, including the amount of the refund and the procedure for applying for and receiving the refund, shall be sent, or served in writing to the present owners of the property within thirty (30) days of the date the refund becomes due. The sending by regular mail of the notices to all present owners of record shall be sufficient to satisfy the requirement of notice.
- (3) The refund shall be made on a pro rata basis and shall be paid in full within ninety (90) days of the date certain upon which the refund becomes due.
- (4) If an applicant has paid an impact fee required by this chapter and the building permit later expires without the possibility of further extension, and the development activity for which the impact fee was imposed did not occur and no impact has resulted, then the applicant who paid such fee shall be entitled to a refund of the fee paid, without interest. To be eligible to receive such refund, the applicant who paid such fee shall be required to submit an application for such refund within thirty (30) days after the expiration of the permit or extension for which the fee was paid.

- (5) At the time of payment of any impact fee under this chapter, the impact fee administrator shall provide the applicant paying such fee with written notice of those circumstances under which refunds of such fees will be made. Failure to deliver such written notice shall not invalidate any collection of any impact fee under this chapter.
- (6) The City shall be entitled to retain two percent (2%) of the amount of any refund to cover the administrative costs of processing refunds.

20-209. Credits.

Credit against the fire, parks, and police impact fees shall be provided for contributions toward the cost of fire, parks, and police facilities, respectively.

(1) Effective Upon Acceptance.

Approved credits shall generally become effective when the improvements have been completed and have been accepted by the City Council under the provisions of a prior agreement.

(2) Land Valuation.

Credit for dedication of land for fire, parks, or police facilities shall be based on the value of the land to be dedicated. The value of any land required to be dedicated during the subdivision process shall be based upon the "fair market value" of the land at the time of filing the final plat. The value of any land required to be dedicated as part of a rezoning or other approval shall be based on the value of the land at the time of the application for the approval. The value shall be determined by a certified appraiser who is selected and paid for by the applicant, and who uses generally accepted appraisal techniques. If the City disagrees with the appraised value, the City may engage another appraiser at the City's expense, and the value shall be an amount equal to the average of the two appraisals. If either party rejects the average of the two appraisals, a third appraisal shall be obtained, with the cost of such third appraisal being borne by the party rejecting the average. The third appraiser shall be selected by the first two appraisers, and the third appraisal shall be binding on both parties. Approved credits for dedicated land shall become effective when the land has been conveyed to the City and has been accepted by the City.

(3) Construction Costs.

In order to receive credit for fire, parks, and police improvements, the developer shall submit complete engineering drawings, specifications, and construction cost estimates to the impact fee administrator. The impact fee administrator shall determine the amount of credit due based on the information submitted, or where such information is inaccurate or unreliable, then on alternative engineering or construction costs acceptable to the impact fee administrator.

(4) Developers Agreement.

To qualify for an impact fee credit, the developer must enter into an agreement with the City as approved by the City Council. The developer agreement shall specify the amount of the credit, how the credit will be allocated within the development, and whether and how the developer will be reimbursed for any

excess credit beyond the impact fees that would otherwise be due from the development.

(5) Allocation of Credits Within a Development.

Unless otherwise specified in a developer agreement, in the event that the impact-generating development for which credits have been issued is sold to different owners, the credits usable by each new owner shall be calculated in terms of a percentage of the impact fees that would otherwise be due from the entire development. If the total amount of development is not known, the maximum potential development under existing development regulations shall be assumed. This percentage reduction will be applied to all impact fees assessed within the development until the total amount of the credits is exhausted or the development is completed, whichever occurs first.

(6) Credits Run With the Land.

Unless otherwise specified in a developer agreement, the right to claim credits shall run with the land and may be claimed only by owners of property within the development for which the land was dedicated or the improvement was made. Credits issued for a particular development shall not be transferable to another development.

(7) Expiration of Credits.

Credits provided pursuant to this chapter shall be valid from the effective date of such credits until ten (10) years after such date or until the last date of construction within the development or project for which the credits were issued, whichever occurs first.

(8) Pre-Ordinance Credits.

Applicants may also obtain credits for improvements completed prior to the effective date of this chapter and may use such credits to reduce the impact fees due after the effective date of this chapter within the same impact-generating development for which the credits were issued. Application for such credits must be made, on forms provided by the City, within one (1) year after the effective date of this chapter. In the event that the impact-generating development for which the credits are claimed is partially completed, the amount of the credits shall be reduced by the amount of the impact fees that would have been charged for the completed portion of the development had this chapter been in effect. In the event that the entire impact-generating development project has been completed, no credits shall be issued.

(9) Must be Claimed.

The use of credits must be claimed at the time of application for a building permit. Any right to credit not so claimed shall be deemed to be waived.

20-210. Miscellaneous Provisions.

(1) Developer Exactions.

Nothing in this chapter shall restrict the City from requiring the construction of reasonable improvements required to serve the development project, whether or not such improvements are of a type for which credits are available under section 20-209, Credits.

(2) Record-Keeping.

The impact fee administrator shall maintain accurate records of the impact fees paid, including the name of the person paying such fees, the project for which the fees were paid, the date of payment of each fee, the amounts received in payment for each fee, and any other matters that the City deems appropriate or necessary to the accurate accounting of such fees. Records shall be available for review by the public during normal business hours and with reasonable advance notice.

(3) Programming of Funds.

The City's capital improvements program shall assign monies from each impact fee fund to specific projects and related expenses for eligible improvements of the type for which the fees in that fund were paid. Any monies, including any accrued interest, not assigned to specific projects within such capital improvements program and not expended pursuant to section 20-208, Refunds, or section 20-209, Credits, shall be retained in the same impact fee fund until the next fiscal year.

(4) Correction of Errors.

If an impact fee has been calculated and paid based on a mistake or misrepresentation, it shall be recalculated. Any amounts overpaid by an applicant shall be refunded by the impact fee administrator to the applicant within thirty (30) days after the acceptance of the recalculated amount, with interest from the date of such overpayment. Any amounts underpaid by the applicant shall be paid to the impact fee administrator within thirty (30) days after the acceptance of the recalculated amount, with interest from the date of such underpayment. In the case of an underpayment to the impact fee administrator, the City shall not issue any additional permits or approvals for the project for which the impact fee was previously underpaid until such underpayment is corrected, and if amounts owed to the City are not paid within such thirty (30)-day period, the City may also rescind any permits issued in reliance on the previous payment of such impact fee.

(5) Periodic Updates.

The impact fee schedules and the administrative procedures established by this chapter shall be reviewed at least once every three (3) years.

20-211. Appeals.

Any determination made by the impact fee administrator charged with the administration of any part of this chapter may be appealed to the City Council within thirty (30) days from the date of the decision to be appealed.

20-212. Violation.

Furnishing false information on any matter relating to the administration of this chapter, including without limitation the furnishing of false information regarding the expected size, use, or impacts from a proposed development, shall be a violation of this chapter.

20-213. Severability.

If a provision of this chapter or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the division that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

Section 4. The Capital Improvement Plan and Impact Fee Report, labeled as Exhibit A, shall be adopted as a part of this Ordinance. The Report shall be referenced for questions related to the collection, and enforcement of the impact fee, including, but not limited to defining the types of development.

Section 5. That all ordinances in conflict herewith are repealed to the extent of said conflict. That this Ordinance, upon passage of final reading, shall take effect on January 1, 2024, the public welfare requiring it.

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Passed First Reading:

Passed Second Reading:

Capital Improvement Plan and Impact Fee Report

**Prepared for:
Portland, Tennessee**

December 2, 2019



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EXECUTIVE SUMMARY

The City of Portland, Tennessee, retained TischlerBise to analyze the impacts of future development on capital facilities and to calculate impact fees based on that analysis. Through interviews and discussions with staff, TischlerBise developed the proposed impact fees discussed in this report. Impact fees are collected from new construction at the time a building permit is issued and used to construct system improvements needed to accommodate future development. An impact fee represents future development's proportionate share of capital facility needs. Impact fees do have limitations, and should not be regarded as the total solution for infrastructure funding needs. Rather, they are one component of a comprehensive portfolio to ensure provision of adequate public facilities needed to serve future development. In contrast to general taxes, impact fees may not be used for operations, maintenance, replacement of infrastructure, or correcting existing deficiencies.

The City of Portland has experienced steady residential and industrial growth in recent years, and this growth is expected to continue in the future. As a result, Portland must plan for future infrastructure improvements. This report includes the following infrastructure categories:

- Fire
- Parks
- Police

TENNESSEE LEGAL FRAMEWORK

While the State of Tennessee does not have specific authorizing legislation for impact fees, the State does grant the power for municipalities with a mayor-aldermanic charter to impose impact fees on new development. As a mayor-aldermanic charter city, the City of Portland may:

"Establish, open, relocate, vacate, alter, widen, extend, grade, improve, repair, construct, reconstruct, maintain, light, sprinkle and clean public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public grounds, public facilities, libraries and squares, wharves, bridges, viaducts, subways, tunnels, sewers and drains within or without the corporate limits, regulate their use within the corporate limits, assess fees for the use of or impact upon such property and facilities, and take and appropriate property therefor under § 7-31-107 -- 7-31-111 and § 29-16-203, or any other manner provided by general laws." (Tenn. Code Ann. § 6-2-201 (15))

GENERAL LEGAL FRAMEWORK

Both state and federal courts have recognized the imposition of impact fees as a legitimate form of land use regulation, provided the fees meet standards intended to protect against regulatory takings. Land use regulations, development exactions, and impact fees are subject to the Fifth Amendment prohibition on taking of private property for public use without just compensation. To comply with the Fifth Amendment, development regulations must be shown to substantially advance a legitimate governmental interest. In the case of impact fees, that interest is in the protection of public health, safety, and welfare by ensuring development is not detrimental to the quality of essential public services. The means to this end are also important, requiring both procedural and substantive due process. The process followed to receive community input (i.e. stakeholder meetings, work sessions, and public hearings) provides opportunities for comments and refinements to the impact fees.

There is little federal case law specifically dealing with impact fees, although other rulings on other types of exactions (e.g., land dedication requirements) are relevant. In one of the most important exaction cases, the U. S. Supreme Court found that a government agency imposing exactions on development must demonstrate an “essential nexus” between the exaction and the interest being protected (see *Nollan v. California Coastal Commission*, 1987). In a more recent case (*Dolan v. City of Tigard, OR*, 1994), the Court ruled that an exaction must also be “roughly proportional” to the burden created by development. However, the *Dolan* decision appeared to set a higher standard of review for mandatory dedications of land than for monetary exactions such as impact fees.

There are three reasonable relationship requirements for impact fees that are closely related to “rational nexus” or “reasonable relationship” requirements enunciated by a number of state courts. Although the term “dual rational nexus” is often used to characterize the standard by which courts evaluate the validity of impact fees under the U.S. Constitution, we prefer a more rigorous formulation that recognizes three elements: “need,” “benefit,” and “proportionality.” The dual rational nexus test explicitly addresses only the first two, although proportionality is reasonably implied, and was specifically mentioned by the U.S. Supreme Court in the *Dolan* case. Individual elements of the nexus standard are discussed further in the following paragraphs.

All new development in a community creates additional demands on some, or all, public facilities provided by local government. If the capacity of facilities is not increased to satisfy that additional demand, the quality or availability of public services for the entire community will deteriorate. Impact fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is a consequence of development that is subject to the fees. The *Nollan* decision reinforced the principle that development exactions may be used only to mitigate conditions created by the developments upon which they are imposed. That principle clearly applies to impact fees. In this study, the impact of development on infrastructure needs is analyzed in terms of quantifiable relationships between various types of development and the demand for specific capital facilities, based on applicable level-of-service standards.

The requirement that exactions be proportional to the impacts of development was clearly stated by the U.S. Supreme Court in the *Dolan* case and is logically necessary to establish a proper nexus. Proportionality is established through the procedures used to identify development-related facility costs, and in the

methods used to calculate impact fees for various types of facilities and categories of development. The demand for capital facilities is measured in terms of relevant and measurable attributes of development (e.g. a typical housing unit's average weekday vehicle trips).

A sufficient benefit relationship requires that impact fee revenues be segregated from other funds and expended only on the facilities for which the fees were charged. Impact fees must be expended in a timely manner and the facilities funded by the fees must serve the development paying the fees. However, nothing in the U.S. Constitution or the state enabling legislation requires that facilities funded with fee revenues be available *exclusively* to development paying the fees. In other words, benefit may extend to a general area including multiple real estate developments. Procedures for the earmarking and expenditure of fee revenues are discussed near the end of this study. All of these procedural as well as substantive issues are intended to ensure that new development benefits from the impact fees they are required to pay. The authority and procedures to implement impact fees is separate from and complementary to the authority to require improvements as part of subdivision or zoning review.

As documented in this report, the City of Portland has complied with applicable legal precedents. Impact fees are proportionate and reasonably related to the capital improvement demands of new development. Specific costs have been identified using local data and current dollars. With input from City staff, TischlerBise identified demand indicators for each type of infrastructure and calculated proportionate share factors to allocate costs by type of development. This report documents the formulas and input variables used to calculate the impact fees for each type of public facility. Impact fee methodologies also identify the extent to which new development is entitled to various types of credits to avoid potential double payment of growth-related capital costs.

GENERAL METHODOLOGIES

There are three general methodologies for calculating impact fees. The choice of a particular methodology depends primarily on the timing of infrastructure construction (past, concurrent, or future) and service characteristics of the facility type being addressed. Each methodology has advantages and disadvantages in a particular situation, and can be used simultaneously for different cost components.

Reduced to its simplest terms, the process of calculating impact fees involves two main steps: (1) determining the cost of development-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, though, the calculation of impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities within the designated service area. The following paragraphs discuss three basic methodologies for calculating impact fees and how those methodologies can be applied.

Cost Recovery (Past Improvements)

The rationale for recoupment, often called cost recovery, is that future development is paying for its share of the useful life and remaining capacity of facilities already built, or land already purchased, from which future development will benefit. This methodology is often used for utility systems that must provide adequate capacity before future development can take place.

Incremental Expansion (Concurrent Improvements)

The incremental expansion methodology documents current level-of-service (LOS) standards for each type of public facility, using both quantitative and qualitative measures. This approach assumes there are no deficiencies or surplus capacity in existing infrastructure, and future development is paying only its proportionate share for growth-related infrastructure. Revenue will be used to expand or provide additional facilities, as needed, to accommodate future development. An incremental expansion cost methodology is best suited for public facilities that will be expanded in regular increments to keep pace with development.

Plan-Based (Future Improvements)

The plan-based methodology allocates costs for a specified set of improvements to a specified amount of development. Improvements are typically identified in a long-range facility plan and development potential is identified by a land use plan. There are two options for determining the cost per demand unit: (1) total cost of a public facility can be divided by total demand units (average cost), or (2) the growth-share of the public facility cost can be divided by the net increase in demand units over the planning timeframe (marginal cost).

CONCEPTUAL IMPACT FEE CALCULATION

In contrast to project-level improvements, impact fees fund growth-related infrastructure that will benefit multiple development projects, or the entire jurisdiction (referred to as system improvements). The first step is to determine an appropriate demand indicator for the particular type of infrastructure. The demand indicator measures the number of demand units for each unit of development. For example, an appropriate indicator of the demand for park facilities is population growth, and the increase in population can be estimated from the average number of residents per housing unit. The second step in the impact fee formula is to determine infrastructure units per demand unit, typically called level-of-service (LOS) standards. In keeping with the parks example, a common LOS standard is park amenities per resident. The third step in the impact fee formula is the cost of various infrastructure units. To complete the parks example, this part of the formula would establish the cost for purchasing and/or constructing new park amenities.

CREDITS

Regardless of the methodology, a consideration of credits is integral to the development of a legally defensible impact fee. There are two types of credits that should be addressed in impact fee studies and ordinances. The first is a revenue credit due to possible double payment situations, which could occur when other revenues may contribute to the capital costs of infrastructure covered by the impact fee. This type of credit is integrated into the fee calculation, thus reducing the fee amount. The second is a site-specific credit or developer reimbursement for dedication of land or construction of system improvements. This type of credit is addressed in the administration and implementation of the development fee program. For ease of administration, TischlerBise normally recommends developer reimbursements for system improvements.

PROPOSED FEE METHODOLOGIES AND COST COMPONENTS

Shown below, Figure 1 summarizes the methodologies and cost allocation components used for each infrastructure category in Portland's impact fee report. Parks costs were allocated to residential development, while Fire and Police costs were allocated to both residential and nonresidential development. Population was used as the cost allocation factor for residential development, while jobs and nonresidential vehicle trips were used as the cost allocation factors for nonresidential development.

Figure 1: Proposed Fee Methodologies and Cost Components

Infrastructure Category	Service Area	Cost Recovery	Incremental Expansion	Plan-Based	Cost Allocation
Fire	Portland	N/A	Fire Facilities, Fire Apparatus	Impact Fee Report	Population, Jobs
Parks	Portland	N/A	Park Improvements	Impact Fee Report	Population
Police	Portland	N/A	Police Facilities, Police Vehicles	Impact Fee Report	Population, Vehicle Trips

IMPACT FEE SCHEDULE

For residential development, proposed fees are assessed per housing unit by type of unit. The proposed residential fee categories include single family and multi-family. Single-family units include detached, attached (i.e. “townhouse”), and mobile home units. Multi-family units include duplexes, condominiums and apartments with two or more units. For nonresidential development, fees are assessed per 1,000 square feet of floor area, except hotel, which is assessed per room. The proposed fee schedule for nonresidential development is designed to provide a reasonable impact fee determination for six broad property classes – industrial, warehouse, commercial, office & other service, institutional, and hotel.

Maximum Allowable Impact Fees

Figure 2 summarizes the maximum allowable impact fees for future development in Portland. The amounts shown are based on the methodologies, levels of service, and costs for the capital improvements identified in this report. The fees represent the highest amount feasible for each type of applicable development, which represent future development’s fair share of the system improvement costs detailed in this report. Portland may adopt amounts that are lower than the maximum amounts shown; however, a reduction in fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in Portland’s level of service.

Figure 2: Maximum Allowable Impact Fees

Residential Development	Fees per Unit			
Development Type	Fire	Parks	Police	Total
Single Family	\$1,444	\$1,194	\$631	\$3,269
Multi-Family	\$864	\$715	\$377	\$1,956

Nonresidential Development	Fees per 1,000 Square Feet			
Development Type	Fire	Parks	Police	Total
Industrial	\$657	\$0	\$192	\$849
Warehouse	\$478	\$0	\$165	\$643
Commercial	\$967	\$0	\$1,218	\$2,185
Office & Other Service	\$1,225	\$0	\$476	\$1,702
Institutional	\$384	\$0	\$630	\$1,013
Hotel (per room)	\$241	\$0	\$409	\$649

A note on rounding: Calculations throughout this report are based on an analysis conducted using Excel software. Most results are discussed in the report using one, two, and three digit places, which represent rounded figures. However, the analysis itself uses figures carried to their ultimate decimal places; therefore, the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown in the report (due to the rounding of figures shown, not in the analysis).

Proposed Impact Fees

Portland's Board of Aldermen plans to adopt impact fees equal to 38 percent of the maximum allowable impact fees shown in Figure 2. Shown below, Figure 3 includes the proposed impact fees.

Figure 3: Proposed Impact Fees

Residential Development		Fees per Unit		
Development Type	Fire	Parks	Police	Total
Single Family	\$549	\$454	\$240	\$1,242
Multi-Family	\$328	\$272	\$143	\$743

Nonresidential Development		Fees per 1,000 Square Feet		
Development Type	Fire	Parks	Police	Total
Industrial	\$249	\$0	\$73	\$323
Warehouse	\$182	\$0	\$63	\$244
Commercial	\$367	\$0	\$463	\$830
Office & Other Service	\$466	\$0	\$181	\$647
Institutional	\$146	\$0	\$239	\$385
Hotel (per room)	\$91	\$0	\$155	\$247

Current Impact Fees

The current residential fee categories include single family and multi-family. For single family, current fees are assessed per housing unit by size of unit. For multi-family, current fees are assessed per housing unit. The current nonresidential fee category includes institutional development with fees assessed per 1,000 square feet of floor area. Portland does not assess impact fees to other nonresidential development.

Figure 4: Current Impact Fees

Residential Development		Fees per Unit		
Development Type	Fire	Parks	Police	Total
Single Family <1,500 sq. ft.	\$196	\$1,098	\$196	\$1,489
Single Family 1,501 to 2,999 sq. ft.	\$219	\$1,228	\$219	\$1,665
Single Family >3,000 sq. ft.	\$261	\$1,416	\$261	\$1,938
Multi-Family	\$162	\$907	\$162	\$1,231

Nonresidential Development		Fees per 1,000 Square Feet		
Development Type	Fire	Parks	Police	Total
Industrial	\$0	\$0	\$0	\$0
Commercial	\$0	\$0	\$0	\$0
Office & Other Service	\$0	\$0	\$0	\$0
Institutional	\$279	\$0	\$279	\$558
Hotel (per room)	\$0	\$0	\$0	\$0

Difference Between Current and Proposed Impact Fees

The differences between current and proposed impact fees are displayed below in Figure 5. For single family, the difference is based on the current single family 1,501 to 2,999 square feet category. Amounts shown in red represent a decrease, and amounts shown in black represent an increase.

Figure 5: Difference Between Current and Proposed Impact Fees

Residential Development	Fees per Unit			
Development Type	Fire	Parks	Police	Total
Single Family	\$330	(\$774)	\$21	(\$423)
Multi-Family	\$166	(\$635)	(\$19)	(\$488)

Nonresidential Development	Fees per 1,000 Square Feet			
Development Type	Fire	Parks	Police	Total
Industrial	\$249	\$0	\$73	\$323
Warehouse	\$182	\$0	\$63	\$244
Commercial	\$367	\$0	\$463	\$830
Office & Other Service	\$466	\$0	\$181	\$647
Institutional	(\$133)	\$0	(\$40)	(\$173)
Hotel (per room)	\$91	\$0	\$155	\$247

FIRE IMPACT FEES

METHODOLOGY

The Fire impact fee includes components for fire facilities, fire apparatus, and the cost of preparing the Fire impact fee and related Impact Fee Report. Fire impact fees use the incremental expansion methodology for fire facilities and fire apparatus and the plan-based methodology for the Impact Fee Report. Costs are allocated to both residential and nonresidential development using different demand indicators for each type of development.

SERVICE UNITS

Residential impact fees are calculated on a per capita basis, then converted to an appropriate amount for each type of housing unit based on the number of persons per housing unit (PPHU). As shown in Figure F1, the current PPHU factors are 2.74 persons per single-family unit and 1.64 persons per multi-family unit. These factors are based on the U.S. Census Bureau's 2013-2017 American Community Survey 5-year estimates (further discussed in Appendix A).

Nonresidential impact fees are calculated on a per job basis, then converted to an appropriate amount for each type of nonresidential development based on the number of jobs per 1,000 square feet of floor area as reported by the Institute of Transportation Engineers. As shown below, the current employment factors per 1,000 square feet of floor area are 1.59 jobs for industrial, 1.16 jobs for warehouse, 2.34 jobs for commercial, 2.97 jobs for office and other service, 0.93 jobs for institutional, and 0.58 jobs per room for hotel. These factors are defined in *Trip Generation, 10th Edition*, published in 2017 by the Institute of Transportation Engineers (further discussed in Appendix A).

Figure F1: Service Units

Development Type	Persons per Housing Unit ¹
Single Family	2.74
Multi-Family	1.64

Development Type	Jobs per 1,000 Sq Ft ¹
Industrial	1.59
Warehouse	1.16
Commercial	2.34
Office & Other Service	2.97
Institutional	0.93
Hotel (per room)	0.58

1. See Land Use Assumptions

PROPORTIONATE SHARE

TischlerBise recommends functional population to allocate the cost of fire infrastructure to residential and nonresidential development. Functional population is similar to what the U.S. Census Bureau calls "daytime population," by accounting for people living and working in a jurisdiction, but also considers commuting patterns and time spent at home and at nonresidential locations. OnTheMap is a web-based mapping and reporting application that shows where workers are employed and where they live. It describes geographic patterns of jobs by their employment locations and residential locations as well as the connections between the two locations. OnTheMap was developed through a unique partnership between the U.S. Census Bureau and its Local Employment Dynamics (LED) partner states.

Residents that do not work are assigned 20 hours per day to residential development and four hours per day to nonresidential development (annualized averages). Residents employed in Portland are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents employed outside Portland are assigned 14 hours to residential development. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2015 functional population data, the residential allocation is 69 percent, and the nonresidential allocation is 31 percent.

Figure F2: Functional Population

Demand Units in 2015				
Residential			Demand Hours/Day	Person Hours
Population	12,011			
Residents Not Working	6,242		20	124,848
Employed Residents	5,769			
Residents Employed in Portland	1,253		14	17,542
Residents Employed outside Portland	4,516		14	63,224
Residential Subtotal				205,614
Residential Share				69%
Nonresidential				
Residents Not Working	6,242		4	24,970
Jobs Located in Portland	6,872			
Residents Employed in Portland	1,253		10	12,530
Non-Resident Workers (Inflow Commuters)	5,619		10	56,190
Nonresidential Subtotal				93,690
Nonresidential Share				31%
Total				299,304

Source: U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics.

FIRE FACILITIES – INCREMENTAL EXPANSION

Portland plans to expand its current inventory of fire facilities to serve future development. As shown in Figure F3, Portland's existing fire stations total 18,000 square feet. Functional population provides the proportionate share of demand for fire facilities from residential and nonresidential development. Portland's existing level of service for residential development is 0.9577 square feet per person (18,000 square feet X 69 percent residential share / 12,968 persons). The nonresidential level of service is 0.7551 square feet per job (18,000 square feet X 31 percent nonresidential share / 7,390 jobs).

Based on estimates provided by Portland's Fire Department, construction of an 8,600-square-foot fire station will cost \$2,408,000 – this results in a facility cost of \$280 per square foot. For fire facilities, the cost is \$268.16 per person (0.9577 square feet per person X \$280 per square foot) and \$211.43 per job (0.7551 square feet per job X \$280 per square foot).

Figure F3: Fire Facilities Level of Service

Description	Square Feet
Station 1	11,000
Station 2	7,000
Total	18,000

Cost Allocation Factors	
Planned Station Cost	\$2,408,000
Planned Station Square Feet	8,600
Cost per Square Foot	\$280

Level-of-Service (LOS) Standards	
Existing Square Feet	18,000
Residential	
Residential Share	69%
2019 Population	12,968
Square Feet per Person	0.9577
Cost per Person	\$268.16
Nonresidential	
Nonresidential Share	31%
2019 Jobs	7,390
Square Feet per Job	0.7551
Cost per Job	\$211.43

Source: Town of Portland, Tennessee

FIRE APPARATUS – INCREMENTAL EXPANSION

Portland plans to expand its current inventory of fire apparatus to serve future development. As shown in Figure F4, Portland's existing fleet includes 8.0 fire apparatus with an average replacement cost of \$584,500 per apparatus. Functional population provides the proportionate share of demand for fire apparatus from residential and nonresidential development. Portland's existing level of service for residential development is 0.0004 units per person (8.0 apparatus X 69 percent residential share / 12,968 persons). The nonresidential level of service is 0.0003 units per job (8.0 apparatus X 31 percent nonresidential share / 7,390 jobs).

Based on the total replacement cost of \$4,676,000 for Portland's existing 8.0 apparatus, the average replacement cost is \$584,500 per unit. For fire apparatus, the cost is \$248.80 per person (0.0004 units per person X \$584,500 per unit) and \$196.16 per job (0.0003 units per job X \$584,500 per unit).

Figure F4: Fire Apparatus Level of Service

Description	Unit Cost
Engine 5	\$500,000
Engine 6	\$500,000
Brush 7	\$50,000
Ladder 2	\$1,300,000
Engine 2	\$500,000
Engine 11	\$500,000
Ladder 1	\$1,300,000
Mobile Air Trailer	\$26,000
Total	\$4,676,000

Cost Allocation Factors	
Cost per Unit	\$584,500

Level-of-Service (LOS) Standards	
Existing Units	8
Residential	
Residential Share	69%
2019 Population	12,968
Units per Person	0.0004
Cost per Person	\$248.80
Nonresidential	
Nonresidential Share	31%
2019 Jobs	7,390
Units per Job	0.0003
Cost per Job	\$196.16

Source: Town of Portland, Tennessee

IMPACT FEE REPORT – PLAN-BASED

The cost to prepare the Fire impact fees totals \$17,256, and Portland plans to update its report every five years. Based on this cost, proportionate share, and five-year projections of new residential and nonresidential development shown in Appendix A, the cost is \$9.97 per person and \$5.07 per job.

Figure F5: Impact Fee Report Cost Allocation

Fee Component	Cost	Proportionate Share		Service Unit	Change	Cost per Service Unit
Fire	\$17,256	Residential	69%	Population	1,194	\$9.97
		Nonresidential	31%	Jobs	1,056	\$5.07
Parks	\$15,898	Residential	100%	Population	1,194	\$13.31
		Nonresidential	0%	Jobs	1,056	\$0.00
Police	\$11,086	Residential	69%	Population	1,194	\$6.41
		Nonresidential	31%	Vehicle Trips	1,854	\$1.85
Total	\$44,240					

PROJECTED DEMAND FOR GROWTH-RELATED FIRE INFRASTRUCTURE

To accommodate projected development over the next ten years, Portland will construct additional fire facilities and purchase additional apparatus as development occurs. Figure F6 demonstrates growth-related demand for fire facilities, and Figure F7 demonstrates growth-related demand for fire apparatus.

Fire Facilities

Shown in Figure F6, Portland's population is projected to increase by 2,388 persons by 2029, and employment is projected to increase by 2,111 jobs during the same period. Using the 2019 LOS, future residential development will demand 2,287 additional square feet of fire facilities (2,388 additional persons X 0.9577 square feet per person), and future nonresidential development will demand 1,594 additional square feet of fire facilities (2,111 additional jobs X 0.7551 square feet per job). Based on demand for approximately 3,882 square feet of new fire facilities and an average cost of \$280 per square foot, the growth-related expenditure on fire facilities is \$1,086,820.

Figure F6: Growth-Related Demand for Fire Facilities

Type of Infrastructure	Level of Service	Demand Unit	Cost per Sq Ft
Fire Facilities	0.9577 Square Feet	per Person	\$280
	0.7551 Square Feet	per Job	

Demand for Fire Facilities					
Year	Population	Jobs	Square Feet		
			Residential	Nonresidential	Total
2019	12,968	7,390	12,420.0	5,580.0	18,000.0
2020	13,207	7,601	12,648.7	5,739.4	18,388.1
2021	13,446	7,812	12,877.5	5,898.8	18,776.3
2022	13,685	8,023	13,106.2	6,058.3	19,164.4
2023	13,924	8,234	13,334.9	6,217.7	19,552.6
2024	14,162	8,445	13,563.7	6,377.1	19,940.7
2025	14,401	8,657	13,792.4	6,536.5	20,328.9
2026	14,640	8,868	14,021.1	6,695.9	20,717.0
2027	14,879	9,079	14,249.9	6,855.3	21,105.2
2028	15,118	9,290	14,478.6	7,014.8	21,493.3
2029	15,357	9,501	14,707.3	7,174.2	21,881.5
10-Yr Increase	2,388	2,111	2,287.3	1,594.2	3,881.5

Growth-Related Expenditures	\$640,452	\$446,368	\$1,086,820
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Fire Apparatus

Shown in Figure F7, Portland's population is projected to increase by 2,388 persons by 2029, and employment is projected to increase by 2,111 jobs during the same period. Using the 2019 LOS, future residential development will demand approximately 1.0 additional apparatus (2,388 additional persons X 0.0004 units per person), and future nonresidential development will demand approximately 0.7 additional apparatus (2,111 additional jobs X 0.0003 units per job). Based on demand for approximately 1.7 additional fire apparatus and an average cost of \$584,500 per unit, the growth-related expenditure on fire apparatus is \$1,008,327.

Figure F7: Growth-Related Demand for Fire Apparatus

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Fire Apparatus	0.0004 Units	per Person	\$584,500
	0.0003 Units	per Job	

Demand for Fire Apparatus					
Year	Population	Jobs	Units		
			Residential	Nonresidential	Total
2019	12,968	7,390	5.5	2.5	8.0
2020	13,207	7,601	5.6	2.6	8.2
2021	13,446	7,812	5.7	2.6	8.3
2022	13,685	8,023	5.8	2.7	8.5
2023	13,924	8,234	5.9	2.8	8.7
2024	14,162	8,445	6.0	2.8	8.9
2025	14,401	8,657	6.1	2.9	9.0
2026	14,640	8,868	6.2	3.0	9.2
2027	14,879	9,079	6.3	3.0	9.4
2028	15,118	9,290	6.4	3.1	9.6
2029	15,357	9,501	6.5	3.2	9.7
10-Yr Increase	2,388	2,111	1.0	0.7	1.7

Growth-Related Expenditures	\$594,198	\$414,130	\$1,008,327
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MAXIMUM ALLOWABLE FIRE IMPACT FEES

Infrastructure components and cost factors used to calculate Maximum Allowable Fire Impact Fees are summarized in the upper portion of Figure F8. Residential fees are calculated using a cost of \$526.93 per person and the average number of persons per housing unit. Nonresidential fees are calculated using a cost of \$412.65 per job and the average number of jobs per 1,000 square feet of floor area.

Maximum Allowable Fire Impact Fees for residential development are assessed according to the number of persons per housing unit. For a single-family unit, the fee of \$1,444 is calculated using a cost of \$526.93 per person multiplied by 2.74 persons per housing unit.

Maximum Allowable Fire Impact Fees for nonresidential development are assessed according to the number of jobs per 1,000 square feet of floor area. For industrial development, the fee of \$657 per 1,000 square feet of floor area is calculated using a cost of \$412.65 per job multiplied by 1.59 jobs per 1,000 square feet of floor area.

Figure F8: Maximum Allowable Fire Impact Fees

Fee Component	Cost per Person	Cost per Job
Fire Facilities	\$268.16	\$211.43
Fire Apparatus	\$248.80	\$196.16
Impact Fee Study	\$9.97	\$5.07
Total	\$526.93	\$412.65

Residential Development		Fees per Unit		
Development Type	Persons per Housing Unit ¹	Proposed Fees	Current Fees	Increase / Decrease
Single Family	2.74	\$1,444	\$219	\$1,225
Multi-Family	1.64	\$864	\$162	\$702

Nonresidential Development		Fees per 1,000 Square Feet		
Development Type	Jobs per 1,000 Sq Ft ¹	Proposed Fees	Current Fees	Increase / Decrease
Industrial	1.59	\$657	\$0	\$657
Warehouse	1.16	\$478	\$0	\$478
Commercial	2.34	\$967	\$0	\$967
Office & Other Service	2.97	\$1,225	\$0	\$1,225
Institutional	0.93	\$384	\$279	\$105
Hotel (per room)	0.58	\$241	\$0	\$241

1. See Land Use Assumptions

PROJECTED FIRE IMPACT FEE REVENUE

Revenue projections assume implementation of the Maximum Allowable Fire Impact Fees and that development over the next ten years is consistent with the development projections in Appendix A. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the impact fee revenue. As shown in Figure F9, projected fee revenue equals \$2.11 million over the next ten years compared to projected expenditures of \$2.11 million.

Figure F9: Projected Fire Impact Fee Revenue

Fee Component	Growth Share	Existing Share	Total
Fire Facilities	\$1,086,820	\$0	\$1,086,820
Fire Apparatus	\$1,008,327	\$0	\$1,008,327
Impact Fee Study	\$17,256	\$0	\$17,256
Total	\$2,112,403	\$0	\$2,112,403

		Single Family \$1,444 per unit	Multi-Family \$864 per unit	Industrial \$657 per KSF	Commercial \$967 per KSF	Office & Other \$1,225 per KSF	Institutional \$384 per KSF
Year		Hsg Unit	Hsg Unit	KSF	KSF	KSF	KSF
Base	2019	4,650	545	3,321	299	406	211
Year 1	2020	4,731	555	3,421	307	416	216
Year 2	2021	4,812	565	3,521	314	426	221
Year 3	2022	4,894	574	3,621	322	436	226
Year 4	2023	4,975	584	3,721	329	446	231
Year 5	2024	5,057	593	3,821	337	456	236
Year 6	2025	5,138	603	3,921	344	466	241
Year 7	2026	5,220	612	4,021	352	476	246
Year 8	2027	5,301	622	4,121	359	486	251
Year 9	2028	5,383	631	4,221	367	496	256
Year 10	2029	5,464	641	4,321	374	506	261
10-Year Increase		814	96	1,000	75	100	50
Projected Revenue		\$1,164,767	\$81,790	\$652,536	\$72,076	\$121,785	\$19,061

Projected Fee Revenue	\$2,112,015
Total Expenditures	\$2,112,403

PARKS IMPACT FEES

METHODOLOGY

The Parks impact fee includes components for park improvements and the cost of preparing the Parks impact fee and related Impact Fee Report. Parks impact fees use the incremental expansion methodology for park improvements and the plan-based methodology for the Impact Fee Report. Costs are allocated only to residential development using different demand indicators for each type of development.

SERVICE UNITS

Residential impact fees are calculated on a per capita basis, then converted to an appropriate amount for each type of housing unit based on the number of persons per housing unit (PPHU). As shown in Figure PR1, the current PPHU factors are 2.74 persons per single-family unit and 1.64 persons per multi-family unit. These factors are based on the U.S. Census Bureau's 2013-2017 American Community Survey 5-year estimates (further discussed in Appendix A).

Nonresidential impact fees are calculated on a per job basis, then converted to an appropriate amount for each type of nonresidential development based on the number of jobs per 1,000 square feet of floor area as reported by the Institute of Transportation Engineers. As shown below, the current employment factors per 1,000 square feet of floor area are 1.59 jobs for industrial, 1.16 jobs for warehouse, 2.34 jobs for commercial, 2.97 jobs for office and other service, 0.93 jobs for institutional, and 0.58 jobs per room for hotel. These factors are defined in *Trip Generation, 10th Edition*, published in 2017 by the Institute of Transportation Engineers (further discussed in Appendix A).

Figure PR1: Service Units

Development Type	Persons per Housing Unit ¹
Single Family	2.74
Multi-Family	1.64

Development Type	Jobs per 1,000 Sq Ft ¹
Industrial	1.59
Warehouse	1.16
Commercial	2.34
Office & Other Service	2.97
Institutional	0.93
Hotel (per room)	0.58

1. See Land Use Assumptions

PROPORTIONATE SHARE

TischlerBise recommends allocating 100 percent of the cost of parks infrastructure to residential development since nonresidential development likely generates a negligible demand for parks infrastructure.

PARK IMPROVEMENTS – INCREMENTAL EXPANSION

Portland plans to expand its current inventory of 938 park improvements to serve future development. The analysis allocates 100 percent of demand for park improvements to residential development. Portland's existing level of service for residential development is 0.0723 improvements per person (938 improvements X 100 percent residential share / 12,968 persons). The nonresidential level of service is 0.0000 improvements per job (938 improvements X zero percent nonresidential share / 7,390 jobs).

Based on the total replacement cost of \$5,480,000 for Portland's existing 938 park improvements, the average replacement cost is \$5,842 per improvement. For park improvements, the cost is \$422.57 per person (0.0723 improvements per person X \$5,842 per improvement) and \$0.00 per job (0.0000 improvements per job X \$5,842 per improvement).

Figure PR2: Park Improvements Level of Service

Description	Improvements	Unit Cost	Replacement Cost
Soccer Fields	7	\$100,000	\$700,000
Football Fields	1	\$120,000	\$120,000
Baseball Fields	5	\$100,000	\$500,000
Softball Fields	3	\$200,000	\$600,000
Basketball Courts	2	\$15,000	\$30,000
Picnic Shelters	4	\$15,000	\$60,000
Playgrounds	4	\$50,000	\$200,000
Tennis Courts	2	\$100,000	\$200,000
Restrooms	8	\$200,000	\$1,600,000
Concession Stands	1	\$700,000	\$700,000
Skate Park	1	\$50,000	\$50,000
Parking Spaces	900	\$800	\$720,000
Total	938	\$5,842	\$5,480,000

Cost Allocation Factors	
Cost per Improvement	\$5,842

Level-of-Service (LOS) Standards	
Existing Improvements	938
Residential	
Residential Share	100%
2019 Population	12,968
Improvements per Person	0.0723
Cost per Person	\$422.57
Nonresidential	
Nonresidential Share	0%
2019 Jobs	7,390
Improvements per Job	0.0000
Cost per Job	\$0.00

Source: Town of Portland, Tennessee

IMPACT FEE REPORT – PLAN-BASED

The cost to prepare the Parks impact fees totals \$15,898, and Portland plans to update its report every five years. Based on this cost, proportionate share, and five-year projections of new residential and nonresidential development shown in Appendix A, the cost is \$13.31 per person and \$0.00 per job.

Figure PR3: Impact Fee Report Cost Allocation

Fee Component	Cost	Proportionate Share		Service Unit	Change	Cost per Service Unit
Fire	\$17,256	Residential	69%	Population	1,194	\$9.97
		Nonresidential	31%	Jobs	1,056	\$5.07
Parks	\$15,898	Residential	100%	Population	1,194	\$13.31
		Nonresidential	0%	Jobs	1,056	\$0.00
Police	\$11,086	Residential	69%	Population	1,194	\$6.41
		Nonresidential	31%	Vehicle Trips	1,854	\$1.85
Total	\$44,240					

PROJECTED DEMAND FOR GROWTH-RELATED PARKS INFRASTRUCTURE

To accommodate projected development over the next ten years, Portland will construct additional park improvements as development occurs. Figure PR4 demonstrates growth-related demand for park improvements. Portland's population is projected to increase by 2,388 persons by 2029, and employment is projected to increase by 2,111 jobs during the same period. Using the 2019 LOS, future residential development will demand approximately 173 additional park improvements (2,388 additional persons X 0.0723 improvements per person), and future nonresidential development will demand no additional park improvements (2,111 additional jobs X 0.000 improvements per job). Based on demand for approximately 173 park improvements and an average cost of \$5,842 per improvement, the growth-related expenditure on park improvements is \$1,009,225.

Figure PR4: Growth-Related Demand for Park Improvements

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Park Improvements	0.0723 Improvements	per Person	\$5,842
	0.0000 Improvements	per Job	

Demand for Park Improvements					
Year	Population	Jobs	Improvements		
			Residential	Nonresidential	Total
2019	12,968	7,390	938.0	0.0	938.0
2020	13,207	7,601	955.3	0.0	955.3
2021	13,446	7,812	972.5	0.0	972.5
2022	13,685	8,023	989.8	0.0	989.8
2023	13,924	8,234	1,007.1	0.0	1,007.1
2024	14,162	8,445	1,024.4	0.0	1,024.4
2025	14,401	8,657	1,041.6	0.0	1,041.6
2026	14,640	8,868	1,058.9	0.0	1,058.9
2027	14,879	9,079	1,076.2	0.0	1,076.2
2028	15,118	9,290	1,093.5	0.0	1,093.5
2029	15,357	9,501	1,110.7	0.0	1,110.7
10-Yr Increase	2,388	2,111	172.7	0.0	172.7

Growth-Related Expenditures	\$1,009,225	\$0	\$1,009,225
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MAXIMUM ALLOWABLE PARKS IMPACT FEES

Infrastructure components and cost factors used to calculate Maximum Allowable Parks Impact Fees are summarized in the upper portion of Figure PR5. Residential fees are calculated using a cost of \$435.88 per person and the average number of persons per housing unit. Nonresidential fees are calculated using a cost of \$0.00 per job and the average number of jobs per 1,000 square feet of floor area.

Maximum Allowable Parks Impact Fees for residential development are assessed according to the number of persons per housing unit. For a single-family unit, the fee of \$1,194 is calculated using a cost of \$435.88 per person multiplied by 2.74 persons per housing unit.

Maximum Allowable Parks Impact Fees for nonresidential development are assessed according to the number of jobs per 1,000 square feet of floor area. For industrial development, the fee of \$0 per 1,000 square feet of floor area is calculated using a cost of \$0.00 per job multiplied by 1.59 jobs per 1,000 square feet of floor area.

Figure PR5: Maximum Allowable Parks Impact Fees

Fee Component	Cost per Person	Cost per Job
Park Improvements	\$422.57	\$0.00
Impact Fee Study	\$13.31	\$0.00
Total	\$435.88	\$0.00

Residential Development	Fees per Unit			
Development Type	Persons per Housing Unit ¹	Proposed Fees	Current Fees	Increase / Decrease
Single Family	2.74	\$1,194	\$1,228	(\$34)
Multi-Family	1.64	\$715	\$907	(\$192)

Nonresidential Development	Fees per 1,000 Square Feet			
Development Type	Jobs per 1,000 Sq Ft ¹	Proposed Fees	Current Fees	Increase / Decrease
Industrial	1.59	\$0	\$0	\$0
Warehouse	1.16	\$0	\$0	\$0
Commercial	2.34	\$0	\$0	\$0
Office & Other Service	2.97	\$0	\$0	\$0
Institutional	0.93	\$0	\$0	\$0
Hotel (per room)	0.58	\$0	\$0	\$0

1. See Land Use Assumptions

PROJECTED PARKS IMPACT FEE REVENUE

Revenue projections assume implementation of the Maximum Allowable Parks Impact Fees and that development over the next ten years is consistent with the development projections in Appendix A. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the impact fee revenue. As shown in Figure PR6, projected fee revenue equals \$1.03 million over the next ten years compared to projected expenditures of \$1.03 million.

Figure PR6: Projected Parks Impact Fee Revenue

Fee Component	Growth Share	Existing Share	Total
Park Improvements	\$1,009,225	\$0	\$1,009,225
Impact Fee Study	\$15,898	\$0	\$15,898
Total	\$1,025,123	\$0	\$1,025,123

		Single Family \$1,194 per unit	Multi-Family \$715 per unit	Industrial \$0 per KSF	Commercial \$0 per KSF	Office & Other \$0 per KSF	Institutional \$0 per KSF
Year		Hsg Unit	Hsg Unit	KSF	KSF	KSF	KSF
Base	2019	4,650	545	3,321	299	406	211
Year 1	2020	4,731	555	3,421	307	416	216
Year 2	2021	4,812	565	3,521	314	426	221
Year 3	2022	4,894	574	3,621	322	436	226
Year 4	2023	4,975	584	3,721	329	446	231
Year 5	2024	5,057	593	3,821	337	456	236
Year 6	2025	5,138	603	3,921	344	466	241
Year 7	2026	5,220	612	4,021	352	476	246
Year 8	2027	5,301	622	4,121	359	486	251
Year 9	2028	5,383	631	4,221	367	496	256
Year 10	2029	5,464	641	4,321	374	506	261
10-Year Increase		814	96	1,000	75	100	50
Projected Revenue		\$957,862	\$67,261	\$0	\$0	\$0	\$0

Projected Fee Revenue	\$1,025,123
Total Expenditures	\$1,025,123

POLICE IMPACT FEES

METHODOLOGY

The Police impact fee includes components for police facilities, police vehicles, and the cost of preparing the Police impact fee and related Impact Fee Report. Police impact fees use the incremental expansion methodology for police facilities and police vehicles and the plan-based methodology for the Impact Fee Report. Costs are allocated to both residential and nonresidential development using different demand indicators for each type of development.

SERVICE UNITS

Residential impact fees are calculated on a per capita basis, then converted to an appropriate amount for each type of housing unit based on the number of persons per housing unit (PPHU). As shown in Figure P1, the current PPHU factors are 2.74 persons per single-family unit and 1.64 persons per multi-family unit. These factors are based on the U.S. Census Bureau's 2013-2017 American Community Survey 5-year estimates (further discussed in Appendix A).

Nonresidential impact fees are calculated on a per vehicle trip basis, then converted to an appropriate amount for each type of nonresidential development based on the number of vehicle trip ends generated per 1,000 square feet of floor area, and a trip rate adjustment factor, as reported by the Institute of Transportation Engineers. A trip end represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway). Trip ends for nonresidential development are calculated per thousand square feet, and require an adjustment factor to avoid double counting each trip at both the origin and destination points. As shown below, the current vehicle trip generation factors per 1,000 square feet of floor area are 1.97 trips for industrial, 1.69 trips for warehouse, 12.46 trips for commercial, 4.87 trips for office and other service, 6.44 trips for institutional, and 4.18 trips per room for hotel. These factors are defined in *Trip Generation, 10th Edition*, published in 2017 by the Institute of Transportation Engineers (further discussed in Appendix A).

Figure P1: Service Units

Development Type	Persons per Housing Unit ¹
Single Family	2.74
Multi-Family	1.64

Development Type	Avg Wkdy Veh Trip Ends ¹	Trip Rate Adjustment	Average Weekday Vehicle Trips
Industrial	3.93	50%	1.97
Warehouse	3.37	50%	1.69
Commercial	37.75	33%	12.46
Office & Other Service	9.74	50%	4.87
Institutional	19.52	33%	6.44
Hotel (per room)	8.36	50%	4.18

1. See Land Use Assumptions

PROPORTIONATE SHARE

TischlerBise recommends functional population to allocate the cost of police infrastructure to residential and nonresidential development. Functional population is similar to what the U.S. Census Bureau calls "daytime population," by accounting for people living and working in a jurisdiction, but also considers commuting patterns and time spent at home and at nonresidential locations. OnTheMap is a web-based mapping and reporting application that shows where workers are employed and where they live. It describes geographic patterns of jobs by their employment locations and residential locations as well as the connections between the two locations. OnTheMap was developed through a unique partnership between the U.S. Census Bureau and its Local Employment Dynamics (LED) partner states.

Residents that do not work are assigned 20 hours per day to residential development and four hours per day to nonresidential development (annualized averages). Residents employed in Portland are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents employed outside Portland are assigned 14 hours to residential development. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2015 functional population data, the residential allocation is 69 percent, and the nonresidential allocation is 31 percent.

Figure P2: Functional Population

Demand Units in 2015				
Residential			Demand Hours/Day	Person Hours
Population	12,011			
Residents Not Working	6,242		20	124,848
Employed Residents	5,769			
Residents Employed in Portland	1,253		14	17,542
Residents Employed outside Portland	4,516		14	63,224
Residential Subtotal				205,614
Residential Share				69%
Nonresidential				
Residents Not Working	6,242		4	24,970
Jobs Located in Portland	6,872			
Residents Employed in Portland	1,253		10	12,530
Non-Resident Workers (Inflow Commuters)	5,619		10	56,190
Nonresidential Subtotal				93,690
Nonresidential Share				31%
Total				299,304

Source: U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics.

POLICE FACILITIES – INCREMENTAL EXPANSION

Portland plans to expand its current inventory of police facilities to serve future development. As shown in Figure P3, Portland’s existing police facilities total 12,000 square feet. Functional population provides the proportionate share of demand for police facilities from residential and nonresidential development. Portland’s existing level of service for residential development is 0.6385 square feet per person (12,000 square feet X 69 percent residential share / 12,968 persons). The nonresidential level of service is 0.2738 square feet per vehicle trip (12,000 square feet X 31 percent nonresidential share / 13,589 vehicle trips).

Based on estimates provided by Portland’s Police Department, construction of an 8,000-square-foot police station expansion will cost \$1,800,000 – this results in a facility cost of \$225 per square foot. For police facilities, the cost is \$143.66 per person (0.6385 square feet per person X \$225 per square foot) and \$61.60 per vehicle trip (0.2738 square feet per vehicle trip X \$225 per square foot).

Figure P3: Police Facilities Level of Service

Description	Square Feet
Police Station	12,000

Cost Allocation Factors	
Facility Expansion Cost	\$1,800,000
Facility Expansion Square Feet	8,000
Cost per Square Foot	\$225

Level-of-Service (LOS) Standards	
Existing Square Feet	12,000
Residential	
Residential Share	69%
2019 Population	12,968
Square Feet per Person	0.6385
Cost per Person	\$143.66
Nonresidential	
Nonresidential Share	31%
2019 Vehicle Trips	13,589
Square Feet per Vehicle Trip	0.2738
Cost per Vehicle Trip	\$61.60

Source: Town of Portland, Tennessee

POLICE VEHICLES – INCREMENTAL EXPANSION

Portland plans to expand its current inventory of police vehicles to serve future development. As shown in Figure P4, Portland's existing fleet includes 35 police vehicles with an average replacement cost of \$43,000 per vehicle. Functional population provides the proportionate share of demand for police vehicles from residential and nonresidential development. Portland's existing level of service for residential development is 0.0019 units per person (35 police vehicles X 69 percent residential share / 12,968 persons). The nonresidential level of service is 0.0008 units per vehicle trip (35 police vehicles X 31 percent nonresidential share / 13,589 vehicle trips).

Based on estimates from Portland's Police Department, the average cost is \$43,000 per unit. For police vehicles, the cost is \$80.08 per person (0.0019 units per person X \$43,000 per unit) and \$34.33 per vehicle trip (0.0008 units per vehicle trip X \$43,000 per unit).

Figure P4: Police Vehicles Level of Service

Description	Units
Patrol Vehicles	35

Cost Allocation Factors	
Cost per Unit	\$43,000

Level-of-Service (LOS) Standards	
Existing Units	35
Residential	
Residential Share	69%
2019 Population	12,968
Units per Person	0.0019
Cost per Person	\$80.08
Nonresidential	
Nonresidential Share	31%
2019 Vehicle Trips	13,589
Units per Vehicle Trip	0.0008
Cost per Vehicle Trip	\$34.33

Source: Town of Portland, Tennessee

IMPACT FEE REPORT – PLAN-BASED

The cost to prepare the Police impact fees totals \$11,086, and Portland plans to update its report every five years. Based on this cost, proportionate share, and five-year projections of new residential and nonresidential development shown in Appendix A, the cost is \$6.41 per person and \$1.85 per vehicle trip.

Figure P5: Impact Fee Report Cost Allocation

Fee Component	Cost	Proportionate Share		Service Unit	Change	Cost per Service Unit
Fire	\$17,256	Residential	69%	Population	1,194	\$9.97
		Nonresidential	31%	Jobs	1,056	\$5.07
Parks	\$15,898	Residential	100%	Population	1,194	\$13.31
		Nonresidential	0%	Jobs	1,056	\$0.00
Police	\$11,086	Residential	69%	Population	1,194	\$6.41
		Nonresidential	31%	Vehicle Trips	1,854	\$1.85
Total	\$44,240					

PROJECTED DEMAND FOR GROWTH-RELATED POLICE INFRASTRUCTURE

To accommodate projected development over the next ten years, Portland will construct additional police facilities and purchase additional police vehicles as development occurs. Figure P6 demonstrates growth-related demand for police facilities, and Figure P7 demonstrates growth-related demand for police vehicles.

Police Facilities

Shown in Figure P6, Portland's population is projected to increase by 2,388 persons by 2029, and nonresidential vehicle trips are projected to increase by 3,708 vehicle trips during the same period. Using the 2019 LOS, future residential development will demand 1,525 additional square feet of police facilities (2,388 additional persons X 0.6385 square feet per person), and future nonresidential development will demand 1,015 additional square feet of police facilities (2,111 additional vehicle trips X 0.2738 square feet per vehicle trip). Based on demand for approximately 2,540 square feet of new police facilities and an average cost of \$225 per square foot, the growth-related expenditure on police facilities is \$571,520.

Figure P6: Growth-Related Demand for Police Facilities

Type of Infrastructure	Level of Service	Demand Unit	Cost per Sq Ft
Police Facilities	0.6385 Square Feet	per Person	\$225
	0.2738 Square Feet	per Vehicle Trip	

Demand for Police Facilities					
Year	Population	Vehicle Trips	Square Feet		
			Residential	Nonresidential	Total
2019	12,968	13,589	8,280	3,720	12,000
2020	13,207	13,959	8,432	3,822	12,254
2021	13,446	14,330	8,585	3,923	12,508
2022	13,685	14,701	8,737	4,025	12,762
2023	13,924	15,072	8,890	4,126	13,016
2024	14,162	15,443	9,042	4,228	13,270
2025	14,401	15,814	9,195	4,329	13,524
2026	14,640	16,185	9,347	4,431	13,778
2027	14,879	16,555	9,500	4,532	14,032
2028	15,118	16,926	9,652	4,634	14,286
2029	15,357	17,297	9,805	4,735	14,540
10-Yr Increase	2,388	3,708	1,525	1,015	2,540

Growth-Related Expenditures	\$343,100	\$228,421	\$571,520
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Police Vehicles

Shown in Figure P7, Portland's population is projected to increase by 2,388 persons by 2029, and vehicle trips are projected to increase by 3,708 vehicle trips during the same period. Using the 2019 LOS, future residential development will demand approximately 4.4 additional police vehicles (2,388 additional persons X 0.0019 units per person), and future nonresidential development will demand approximately 3.0 additional police vehicles (2,111 additional vehicle trips X 0.0008 units per vehicle trip). Based on demand for approximately 7.4 additional police vehicles and an average cost of \$43,000 per unit, the growth-related expenditure on police vehicles is \$318,570.

Figure P7: Growth-Related Demand for Police Vehicles

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Police Vehicles	0.0019 Units	per Person	\$43,000
	0.0008 Units	per Vehicle Trip	

Demand for Police Vehicles					
Year	Population	Vehicle Trips	Units		
			Residential	Nonresidential	Total
2019	12,968	13,589	24.2	10.9	35.0
2020	13,207	13,959	24.6	11.1	35.7
2021	13,446	14,330	25.0	11.4	36.5
2022	13,685	14,701	25.5	11.7	37.2
2023	13,924	15,072	25.9	12.0	38.0
2024	14,162	15,443	26.4	12.3	38.7
2025	14,401	15,814	26.8	12.6	39.4
2026	14,640	16,185	27.3	12.9	40.2
2027	14,879	16,555	27.7	13.2	40.9
2028	15,118	16,926	28.2	13.5	41.7
2029	15,357	17,297	28.6	13.8	42.4
10-Yr Increase	2,388	3,708	4.4	3.0	7.4

Growth-Related Expenditures	\$191,246	\$127,323	\$318,570
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MAXIMUM ALLOWABLE POLICE IMPACT FEES

Infrastructure components and cost factors used to calculate Maximum Allowable Police Impact Fees are summarized in the upper portion of Figure P8. Residential fees are calculated using a cost of \$230.14 per person and the average number of persons per housing unit. Nonresidential fees are calculated using a cost of \$97.78 per vehicle trip and the average number of vehicle trips per 1,000 square feet of floor area.

Maximum Allowable Police Impact Fees for residential development are assessed according to the number of persons per housing unit. For a single-family unit, the fee of \$631 is calculated using a cost of \$230.14 per person multiplied by 2.74 persons per housing unit.

Maximum Allowable Police Impact Fees for nonresidential development are assessed according to the number of vehicle trips per 1,000 square feet of floor area. For industrial development, the fee of \$192 per 1,000 square feet of floor area is calculated using a cost of \$97.78 per vehicle trip multiplied by 1.97 vehicle trips per 1,000 square feet of floor area.

Figure P8: Maximum Allowable Police Impact Fees

Fee Component	Cost per Person	Cost per Trip
Police Facilities	\$143.66	\$61.60
Police Vehicles	\$80.08	\$34.33
Impact Fee Study	\$6.41	\$1.85
Total	\$230.14	\$97.78

Residential Development	Fees per Unit			
Development Type	Persons per Housing Unit ¹	Proposed Fees	Current Fees	Increase / Decrease
Single Family	2.74	\$631	\$219	\$412
Multi-Family	1.64	\$377	\$162	\$215

Nonresidential Development	Fees per 1,000 Square Feet			
Development Type	Average Wkdy Vehicle Trips ¹	Proposed Fees	Current Fees	Increase / Decrease
Industrial	1.97	\$192	\$0	\$192
Warehouse	1.69	\$165	\$0	\$165
Commercial	12.46	\$1,218	\$0	\$1,218
Office & Other Service	4.87	\$476	\$0	\$476
Institutional	6.44	\$630	\$279	\$351
Hotel (per room)	4.18	\$409	\$0	\$409

1. See Land Use Assumptions

PROJECTED POLICE IMPACT FEE REVENUE

Revenue projections assume implementation of the Maximum Allowable Police Impact Fees and that development over the next ten years is consistent with the development projections in Appendix A. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the impact fee revenue. As shown in Figure P9, projected fee revenue equals \$0.90 million over the next ten years compared to projected expenditures of \$0.90 million.

Figure P9: Projected Police Impact Fee Revenue

Fee Component	Growth Share	Existing Share	Total
Police Facilities	\$571,520	\$0	\$571,520
Police Vehicles	\$318,570	\$0	\$318,570
Impact Fee Study	\$11,086	\$0	\$11,086
Total	\$901,175	\$0	\$901,175

		Single Family \$631 per unit	Multi-Family \$377 per unit	Industrial \$192 per KSF	Commercial \$1,218 per KSF	Office & Other \$476 per KSF	Institutional \$630 per KSF
Year		Hsg Unit	Hsg Unit	KSF	KSF	KSF	KSF
Base	2019	4,650	545	3,321	299	406	211
Year 1	2020	4,731	555	3,421	307	416	216
Year 2	2021	4,812	565	3,521	314	426	221
Year 3	2022	4,894	574	3,621	322	436	226
Year 4	2023	4,975	584	3,721	329	446	231
Year 5	2024	5,057	593	3,821	337	456	236
Year 6	2025	5,138	603	3,921	344	466	241
Year 7	2026	5,220	612	4,021	352	476	246
Year 8	2027	5,301	622	4,121	359	486	251
Year 9	2028	5,383	631	4,221	367	496	256
Year 10	2029	5,464	641	4,321	374	506	261
10-Year Increase		814	96	1,000	75	100	50
Projected Revenue		\$506,433	\$35,562	\$190,322	\$90,494	\$47,169	\$31,195

Projected Fee Revenue	\$901,175
Total Expenditures	\$901,175

APPENDIX A: LAND USE ASSUMPTIONS

TischlerBise prepared current demographic estimates and future development projections for both residential and nonresidential development that will be used in the calculation of the impact fees. Current demographic data estimates for 2019 are used in calculating levels of service (LOS) provided to existing development in the City of Portland. Although long-range projections are necessary for planning infrastructure systems, a shorter time frame of five to ten years is critical for the impact fee analysis. The estimates and projections of residential and nonresidential development in this document are for areas within the boundaries of the City of Portland, Tennessee.

SUMMARY OF GROWTH INDICATORS

Key land use assumptions for the City of Portland Impact Fee Report are population, housing units, and employment projections. Based on discussions with staff, TischlerBise projects housing unit growth using recent building permit data. TischlerBise derives population estimates by converting annual housing unit growth to population using persons per housing unit factors. For nonresidential development, the base year employment estimate is calculated based on 2015 estimates from the U.S. Census Bureau's OnTheMap web application. The nonresidential floor area projections use recent construction trends, and employment projections are based on average square feet per job multipliers. The projections contained in this document provide the foundation for the Development Impact Fee Study.

Development projections and growth rates are summarized in Figure A11. These projections will be used to estimate impact fee revenue and to indicate the anticipated need for growth-related infrastructure. However, impact fee methodologies are designed to reduce sensitivity to development projections in the determination of the proportionate share fee amounts. If actual development does not meet development projections, fee revenue will decline, but so will the need for growth-related infrastructure. In contrast, if development exceeds development projections, fee revenue will increase, but Portland will also need to accelerate infrastructure improvements to keep pace with the actual rate of development.

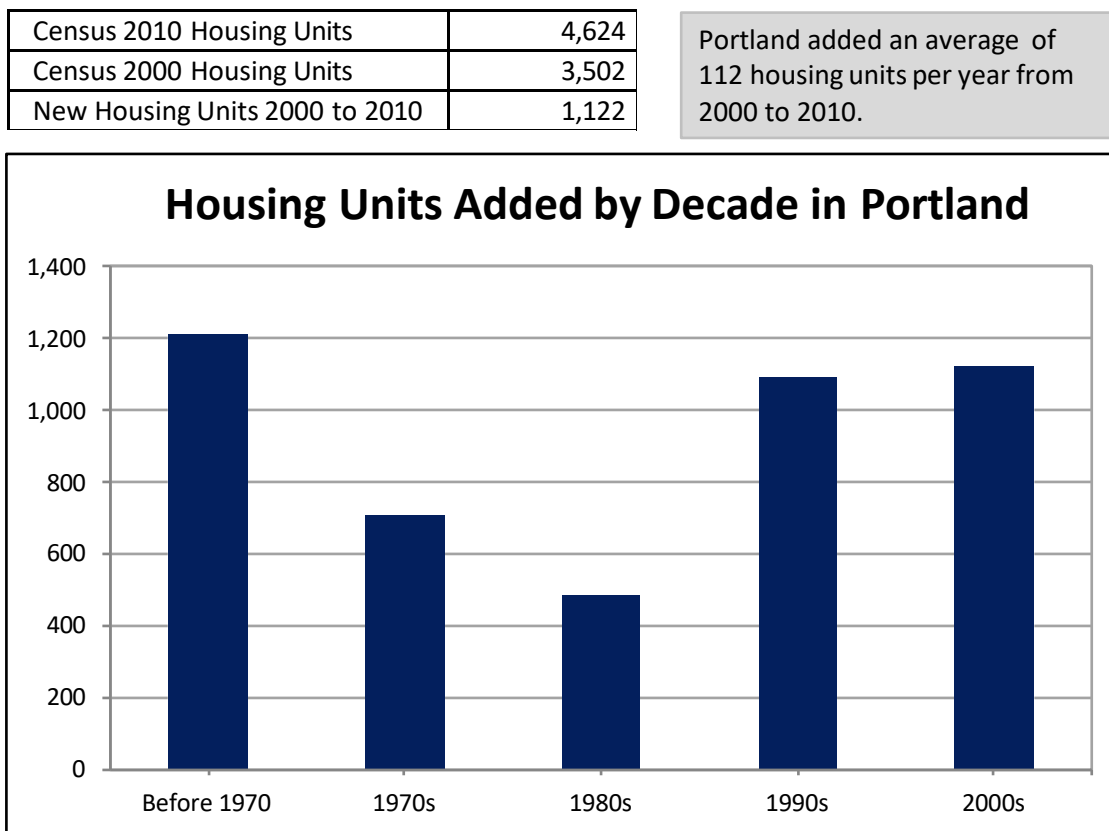
RESIDENTIAL DEVELOPMENT

Current estimates and future projections of residential development are detailed in this section including population and housing units by type.

Recent Residential Construction

Development fees require an analysis of current levels of service. For residential development, current levels of service are determined using estimates of population and housing units. Shown below, Figure A1 indicates the estimated number of housing units added by decade according to data obtained from the U.S. Census Bureau. Portland experienced strong growth in the 1990s and 2000s. From 2000 to 2010, Portland's housing inventory increased by an average of 112 units per year.

Figure A1: Housing Units by Decade



Source: U.S. Census Bureau, Census 2010 Summary File 1, Census 2000 Summary File 1, 2013-2017 5-Year American Community Survey (for 1990s and earlier, adjusted to yield total units in 2000).

Occupancy Characteristics

According to the U.S. Census Bureau, a household is a housing unit occupied by year-round residents. Development impact fees often use per capita standards and persons per housing unit (PPHU) or persons per household (PPH) to derive proportionate share fee amounts. When PPHU is used in the fee calculations, infrastructure standards are derived using year-round population. When PPH is used in the fee calculations, the development fee methodology assumes a higher percentage of housing units will be occupied, thus requiring seasonal or peak population to be used when deriving infrastructure standards. TischlerBise recommends Portland impose development impact fees for residential development according to the number of year-round residents per housing unit. This methodology assumes some portion of the housing stock will be vacant during the course of a year. According to the U.S. Census Bureau American Community Survey, Portland's housing unit vacancy rate was 9.0 percent in 2017.

PPHU calculations require data on population and the types of units by structure. The 2010 census did not obtain detailed information using a "long-form" questionnaire. Instead, the U.S. Census Bureau switched to a continuous monthly mailing of surveys, known as the American Community Survey (ACS), which has limitations due to sample-size constraints. For example, data on detached housing units are now combined with attached single units (commonly known as townhouses). For development fees in Portland, detached stick-built units and attached units (commonly known as townhouses, which share a common sidewall, but are constructed on an individual parcel of land) are included in the "Single-Family Units" category. The second residential category includes duplexes and all other structures with two or more units on an individual parcel of land. This category is referred to as "Multi-Family Units." (Note: housing unit estimates from ACS will not equal decennial census counts of units. These data are used only to derive the custom PPHU factors for each type of unit).

Figure A2 below shows the 2013-2017 ACS 5-Year Estimates for Portland. Single-family units averaged 2.74 persons per housing unit (11,436 persons / 4,172 housing units), and multi-family units averaged 1.64 persons per housing unit (806 persons / 490 housing units). In 2017, Portland's housing stock averaged 2.63 persons per housing unit.

Figure A2: Persons per Housing Unit

Housing Type	Persons	Households	Persons per Household	Housing Units	Persons per Housing Unit	Housing Mix	Vacancy Rate
Single-Family Units ¹	11,436	3,831	2.99	4,172	2.74	89.5%	8.20%
Multi-Family Units ²	806	410	1.97	490	1.64	10.5%	16.30%
Total	12,242	4,241	2.89	4,662	2.63	100.0%	9.00%

Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates, Tables B25024, B25032, B25033.

1. Includes detached, attached (i.e. townhouses), and mobile home units.

2. Includes dwellings in structures with two or more units.

Population and Housing Unit Estimates

To accurately determine current population and housing units, TischlerBise uses 2010 Census estimates and recent building permit data. According to the 2010 Census, Portland's 2010 population was 11,467 persons and there were 4,624 housing units. Since 2010, Portland issued 480 building permits for new residential development – this results in a 2018 estimate of 5,104 housing units. Applying the citywide persons per housing unit estimate to the additional housing units results in a population increase of 1,262 persons ($2.63 \text{ PPHU} \times 480 \text{ additional housing units}$). This results in a 2018 population of 12,729 persons.

Population and Housing Unit Projections

This analysis projects housing units based on the three-year average of 91 residential building permits per year (87 in 2016, 104 in 2017, and 82 in 2018). Converting housing unit projections to population projections using 2.63 persons per housing unit results in a 2019 (base year) estimate of 5,195 housing units and 12,968 persons.

The housing units are distributed by type based on the housing mix detailed in Figure A2. Therefore, 89.5 percent of new units will be single-family units and 10.5 percent of new units will be multi-family units. For this study, it is assumed that the persons per housing unit ratio will remain constant. TischlerBise projects a 10-year increase of 910 housing units, or an average of 91 housing units annually, and a corresponding 10-year increase of 2,388 persons, or an average of 234 persons annually.

Population and housing unit projections are used to illustrate the possible future pace of service demands, revenues, and expenditures. To the extent these factors change, the projected need for infrastructure will also change. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase at a corresponding rate. If development occurs at a slower rate than projected, the demand for infrastructure will also decrease.

Figure A3: Residential Development Projections

	2018	2019	2024	2029	10-Year Increase
		Base Year	5	10	
Population	12,729	12,968	14,162	15,357	2,388
Housing Units	5,104	5,195	5,650	6,105	910

NONRESIDENTIAL DEVELOPMENT

Current estimates and future projections of nonresidential development are detailed in this section including jobs and nonresidential floor area.

Building Area Ratios

TischlerBise uses 2017 Institute of Transportation Engineers (ITE) data as a proxy for future nonresidential floor area. The prototype for industrial development is Manufacturing (ITE 140) with an average of 628 square feet per employee, commercial development uses Shopping Center (ITE 820) and averages 427 square feet per job, office development uses General Office (ITE 710) that averages 337 square feet per job, and institutional development uses Elementary School (ITE 520) with an average of 1,076 square feet per job. TischlerBise applies these building area ratios to employment estimates, discussed next, to estimate nonresidential floor area.

Figure A4: The Institute of Transportation Engineers, Employee and Building Area Ratios

ITE Code	Land Use / Size	Demand Unit	Wkdy Trip Ends Per Dmd Unit ¹	Wkdy Trip Ends Per Employee ¹	Emp Per Dmd Unit	Sq Ft Per Emp
110	Light Industrial	1,000 Sq Ft	4.96	3.05	1.63	615
130	Industrial Park	1,000 Sq Ft	3.37	2.91	1.16	864
140	Manufacturing	1,000 Sq Ft	3.93	2.47	1.59	628
150	Warehousing	1,000 Sq Ft	1.74	5.05	0.34	2,902
254	Assisted Living	bed	2.60	4.24	0.61	na
310	Hotel	room	8.36	14.34	0.58	na
520	Elementary School	1,000 Sq Ft	19.52	21.00	0.93	1,076
530	High School	1,000 Sq Ft	14.07	22.25	0.63	1,581
540	Community College	student	1.15	14.61	0.08	na
565	Day Care	student	4.09	21.38	0.19	na
610	Hospital	1,000 Sq Ft	10.72	3.79	2.83	354
620	Nursing Home	bed	3.06	2.91	1.05	na
710	General Office (average size)	1,000 Sq Ft	9.74	3.28	2.97	337
715	Single Tenant Office	1,000 Sq Ft	11.25	3.77	2.98	335
720	Medical-Dental Office	1,000 Sq Ft	34.80	8.70	4.00	250
730	Government Office	1,000 Sq Ft	22.59	7.45	3.03	330
750	Office Park	1,000 Sq Ft	11.07	3.54	3.13	320
820	Shopping Center (average size)	1,000 Sq Ft	37.75	16.11	2.34	427

1. Trip Generation, Institute of Transportation Engineers, 10th Edition (2017).

Employment and Nonresidential Floor Area Estimates (2015)

In addition to data on residential development, the calculation of impact fees requires data on employment and nonresidential square footage in Portland. TischlerBise uses the term “jobs” to refer to employment by place of work. Shown below in Figure A5, the U.S. Census Bureau’s OnTheMap Application and LEHD Origin-Destination Employment Statistics include an estimate of 6,872 jobs in 2015 – the most recent year available. Employment estimates are organized into four categories: Industrial, Commercial, Office & Other Service, and Institutional. Applying the building area ratios shown in Figure A4 to the 2015 employment estimates results in a nonresidential floor area estimate of approximately 3.94 million square feet in 2015.

Figure A5: 2015 Estimated Employment and Nonresidential Floor Area

Nonresidential Category	2015 Jobs ¹	Percent of Total Jobs	Square Feet per Job ²	2015 Estimated Floor Area ³	Jobs per 1,000 Sq. Ft. ²
Industrial ⁴	4,918	72%	628	3,088,504	1.59
Commercial ⁵	652	9%	427	278,404	2.34
Office & Other Service ⁶	1,120	16%	337	377,440	2.97
Institutional ⁷	182	3%	1,076	195,799	0.93
Total	6,872	100%		3,940,147	1.74

1. U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics (2015).

2. Trip Generation, Institute of Transportation Engineers, 10th Edition (2017).

3. TischlerBise calculation (2015 jobs X square feet per job).

4. Major sectors are Manufacturing and Wholesale Trade.

5. Major sectors are Retail, Accommodation and Food Services.

6. Major sector is Administration & Support.

7. Major sector is Public Administration.

Employment and Nonresidential Floor Area Estimates (2019)

TischlerBise uses a four-step process to calculate base year employment and nonresidential floor area estimates. First, 2015 employment (6,872 jobs) is divided by 2015 housing units (4,831 housing units) resulting in a ratio of 1.42 jobs per housing unit. Second, the 2015 jobs per housing unit ratio is applied to the 2019 housing unit projection (5,195 housing units) to project citywide employment of 7,390 jobs. Third, jobs are allocated, by type, based on the 2015 share of total jobs: 72 percent Industrial, 9 percent Commercial, 16 percent Office & Other Service, and 3 percent Institutional. The final step applies the ITE building area ratios shown in Figure A4 to the 2019 employment estimate in order to estimate total floor area. Shown below in Figure A5, 2019 employment estimates of 7,390 jobs result in approximately 4.24 million square feet of nonresidential floor area.

Figure A6: 2019 Estimated Employment and Nonresidential Floor Area

Nonresidential Category	2019 Jobs ¹	Percent of Total Jobs	Square Feet per Job ²	2019 Estimated Floor Area ³	Jobs per 1,000 Sq. Ft. ²
Industrial ⁴	5,289	72%	628	3,321,213	1.59
Commercial ⁵	701	9%	427	299,381	2.34
Office & Other Service ⁶	1,204	16%	337	405,879	2.97
Institutional ⁷	196	3%	1,076	210,552	0.93
Total	7,390	100%		4,237,024	1.74

1. TischlerBise calculation based on 2015 jobs per housing unit estimates.
2. Trip Generation, Institute of Transportation Engineers, 10th Edition (2017).
3. TischlerBise calculation (2015 jobs X square feet per job).
4. Major sectors are Manufacturing and Wholesale Trade.
5. Major sectors are Retail, Accommodation and Food Services.
6. Major sector is Administration & Support.
7. Major sector is Public Administration.

Employment and Nonresidential Floor Area Projections

The analysis uses recent development trends in Portland to project future employment growth and nonresidential floor area. Based on discussions with staff, ten-year nonresidential floor area projections include an additional 1.0 million square feet of industrial development, 75,000 square feet of commercial development, 100,000 square feet of office and other service development, and 50,000 square feet of institutional development. To project employment, TischlerBise applies the jobs per 1,000 square feet multipliers shown in Figure A6 to the projected nonresidential floor area. This results in 1,592 additional industrial jobs (1.59 jobs per 1,000 square feet X (1,000,000 square feet / 1,000)), 176 additional commercial jobs (2.34 jobs per 1,000 square feet X (75,000 square feet / 1,000)), 297 additional office and other service jobs (2.97 jobs per 1,000 square feet X (100,000 square feet / 1,000)), and 46 additional institutional jobs (0.93 jobs per 1,000 square feet X (50,000 square feet / 1,000)). 2029 employment projections equal 9,501 jobs – an increase of 2,111 jobs over the ten-year projection timeline.

Figure A7: Nonresidential Development Projections

	2019	2024	2029	10-Year
	Base Year	5	10	Increase
Employment				
Industrial	5,289	6,085	6,881	1,592
Commercial	701	789	877	176
Office & Other Service	1,204	1,353	1,501	297
Institutional	196	219	242	46
Total Employment	7,390	8,445	9,501	2,111
Nonres. Floor Area (x1,000)				
Industrial	3,321	3,821	4,321	1,000
Commercial	299	337	374	75
Office & Other Service	406	456	506	100
Institutional	211	236	261	50
Total Nonres. Floor Area	4,237	4,850	5,462	1,225

AVERAGE WEEKDAY VEHICLE TRIPS

Average Weekday Vehicle Trips are used as a measure of demand by land use. Vehicle trips are estimated using average weekday vehicle trip ends from the reference book, *Trip Generation, 10th Edition*, published by the ITE in 2017. A vehicle trip end represents a vehicle entering or exiting a development (as if a traffic counter were placed across a driveway).

Trip Rate Adjustments

To calculate road development fees, trip generation rates require an adjustment factor to avoid double counting each trip at both the origin and destination points. Therefore, the basic trip adjustment factor is 50 percent. As discussed further below, the development impact fee methodology includes additional adjustments to make the fees proportionate to the infrastructure demand for particular types of development.

Commuter Trip Adjustment

Residential development has a larger trip adjustment factor of 62 percent to account for commuters leaving Portland for work. According to the 2009 National Household Travel Survey (see Table 30) weekday work trips are typically 31 percent of production trips (i.e., all out-bound trips, which are 50 percent of all trip ends). As shown in Figure A8, the U.S. Census Bureau's OnTheMap web application indicates that 78 percent of resident workers traveled outside of Portland for work in 2015. In combination, these factors ($0.31 \times 0.50 \times 0.78 = 0.12$) support the additional 12 percent allocation of trips to residential development.

Figure A8: Commuter Trip Adjustment

Trip Adjustment Factor for Commuters ¹	
Employed Residents	5,769
Residents Living and Working in Portland	1,253
Residents Commuting Outside Portland for Work	4,516
Percent Commuting out of Portland	78%
Additional Production Trips ²	12%
Residential Trip Adjustment Factor	62%

1. U.S. Census Bureau, OnTheMap Application (version 6.1.1) and LEHD Origin-Destination Employment Statistics, 2015.

2. According to the National Household Travel Survey (2009)*, published in December 2011 (see Table 30), home-based work trips are typically 30.99 percent of "production" trips, in other words, out-bound trips (which are 50 percent of all trip ends). Also, LED OnTheMap data from 2015 indicate that 78 percent of Portland's workers travel outside the city for work. In combination, these factors ($0.3099 \times 0.50 \times 0.78 = 0.12$) account for 12 percent of additional production trips. The total adjustment factor for residential includes attraction trips (50 percent of trip ends) plus the journey-to-work commuting adjustment (12 percent of production trips) for a total of 62 percent.

*<http://nhts.ornl.gov/publications.shtml> ; Summary of Travel Trends - Table "Daily Travel Statistics by Weekday vs. Weekend"

Adjustment for Pass-By Trips

For commercial and institutional development, the trip adjustment factor is less than 50 percent because these types of development attract vehicles as they pass by on arterial and collector roads. For example, when someone stops at a convenience store on the way home from work, the convenience store is not the primary destination. For the average shopping center, ITE data indicate 34 percent of the vehicles that enter are passing by on their way to some other primary destination. The remaining 66 percent of attraction trips have the commercial site as their primary destination. Because attraction trips are half of all trips, the trip adjustment factor is 66 percent multiplied by 50 percent, or approximately 33 percent of the trip ends.

Estimated Residential Vehicle Trip Rates

As an alternative to simply using the national average trip generation rate for residential development, the ITE publishes regression curve formulas that may be used to derive custom trip generation rates, using local demographic data. Key independent variables needed for the analysis (i.e. vehicles available, housing units, households, and persons) are available from American Community Survey data. Shown in Figure A9, custom trip generation rates for Portland vary slightly from the national averages. For example, single-family residential development is expected to generate 9.74 average weekday vehicle trip ends per dwelling – compared to the national average of 9.44 (ITE 210). Multi-family residential development is expected to generate 4.59 average weekday vehicle trip ends per dwelling, which is lower than the national average of 5.44 (ITE 221).

Figure A9: Average Weekday Vehicle Trip Ends by Housing Type

		Households by Structure Type ²				
Tenure by Units in Structure	Vehicles Available ¹	Single-Family	Multi-Family	Total	Vehicles per HH by Tenure	
Owner-Occupied	6,126	2,874	0	2,874	2.13	
Renter-Occupied	2,063	957	410	1,367	1.51	
Total	8,189	3,831	410	4,241	1.93	

Units in Structure	Persons in Households ³	Trip Ends ⁴	Vehicles by Type of Unit	Trip Ends ⁵	Average Trip Ends	Housing Units ⁶	Trip Ends per Unit	
							Portland	ITE ⁷
Single-Family	11,436	31,937	7,570	49,332	40,635	4,172	9.74	9.44
Multi-Family	806	1,765	619	2,731	2,248	490	4.59	5.44
Total	12,242	33,702	8,189	52,064	42,883	4,662	9.20	

1. Vehicles available by tenure from Table B25046, American Community Survey, 2013-2017 5-Year Estimates.

2. Households by tenure and units in structure from Table B25032, American Community Survey, 2013-2017 5-Year Estimates.

3. Total population in households from Table B25033, American Community Survey, 2013-2017 5-Year Estimates.

4. Vehicle trips ends based on persons using formulas from Trip Generation (ITE 2017). For single-family housing (ITE 210), the fitted curve equation is $EXP(0.89 \cdot \ln(\text{persons}) + 1.72)$. To approximate the average population of the ITE studies, persons were divided by 21 and the equation result multiplied by 21. For multi-family housing (ITE 221), the fitted curve equation is $(2.29 \cdot \text{persons}) - 81.02$.

5. Vehicle trip ends based on vehicles available using formulas from Trip Generation (ITE 2017). For single-family housing (ITE 210), the fitted curve equation is $EXP(0.99 \cdot \ln(\text{vehicles}) + 1.93)$. To approximate the average number of vehicles in the ITE studies, vehicles available were divided by 29 and the equation result multiplied by 29. For multi-family housing (ITE 221), the fitted curve equation is $(3.94 \cdot \text{vehicles}) + 293.58$.

6. Housing units from Table B25024, American Community Survey, 2013-2017 5-Year Estimates.

7. Trip Generation, Institute of Transportation Engineers, 10th Edition (2017).

Functional Population

TischlerBise recommends functional population to allocate the cost of certain facilities to residential and nonresidential development. As shown in Figure A10, functional population accounts for people living and working in a jurisdiction. OnTheMap is a web-based mapping and reporting application that shows where workers are employed and where they live. It describes geographic patterns of jobs by their employment locations and residential locations as well as the connections between the two locations. OnTheMap was developed through a unique partnership between the U.S. Census Bureau and its Local Employment Dynamics (LED) partner states.

Residents who do not work are assigned 20 hours per day to residential development and four hours per day to nonresidential development (annualized averages). Residents who work in Portland are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents who work outside Portland are assigned 14 hours to residential development. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2015 functional population data for Portland, residential development accounts for 69 percent of functional population while nonresidential development accounts for the remaining 31 percent.

Figure A10: Functional Population

Demand Units in 2015				
Residential			Demand Hours/Day	Person Hours
Population	12,011			
Residents Not Working	6,242		20	124,848
Employed Residents	5,769			
Residents Employed in Portland	1,253		14	17,542
Residents Employed outside Portland	4,516		14	63,224
Residential Subtotal				205,614
Residential Share				69%
Nonresidential				
Residents Not Working	6,242		4	24,970
Jobs Located in Portland	6,872			
Residents Employed in Portland	1,253		10	12,530
Non-Resident Workers (Inflow Commuters)	5,619		10	56,190
Nonresidential Subtotal				93,690
Nonresidential Share				31%
Total				299,304

Source: U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics.

DEVELOPMENT PROJECTIONS

Provided below is a summary of cumulative development projections used in the Impact Fee Report. Base year estimates for 2019 are used in the impact fee calculations. Development projections are used to illustrate a possible future pace of demand for service units and cash flows resulting from revenues and expenditures associated with those demands.

Figure A11: Development Projections Summary

	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	10-Year
	Base Year	1	2	3	4	5	6	7	8	9	10	Increase
Population	12,968	13,207	13,446	13,685	13,924	14,162	14,401	14,640	14,879	15,118	15,357	2,388
Housing Units	5,195	5,286	5,377	5,468	5,559	5,650	5,741	5,832	5,923	6,014	6,105	910
Employment												
Industrial	5,289	5,448	5,607	5,766	5,925	6,085	6,244	6,403	6,562	6,722	6,881	1,592
Commercial	701	719	736	754	771	789	807	824	842	859	877	176
Office & Other Service	1,204	1,234	1,264	1,293	1,323	1,353	1,382	1,412	1,442	1,471	1,501	297
Institutional	196	200	205	210	214	219	224	228	233	238	242	46
Total Employment	7,390	7,601	7,812	8,023	8,234	8,445	8,657	8,868	9,079	9,290	9,501	2,111
Nonres. Floor Area (x1,000)												
Industrial	3,321	3,421	3,521	3,621	3,721	3,821	3,921	4,021	4,121	4,221	4,321	1,000
Commercial	299	307	314	322	329	337	344	352	359	367	374	75
Office & Other Service	406	416	426	436	446	456	466	476	486	496	506	100
Institutional	211	216	221	226	231	236	241	246	251	256	261	50
Total Nonres. Floor Area	4,237	4,360	4,482	4,605	4,727	4,850	4,972	5,095	5,217	5,340	5,462	1,225

APPENDIX B: LAND USE DEFINITIONS

RESIDENTIAL DEVELOPMENT

As discussed below, residential development categories are based on data from the U.S. Census Bureau, American Community Survey. Portland will collect impact fees from all new residential units. One-time impact fees are determined by site capacity (i.e. number of residential units).

Single-Family Unit:

1. **Single-family detached** is a one-unit structure detached from any other house, that is, with open space on all four sides. Such structures are considered detached even if they have an adjoining shed or garage. A one-family house that contains a business is considered detached as long as the building has open space on all four sides.
2. **Single-family attached (townhouse)** is a one-unit structure that has one or more walls extending from ground to roof separating it from adjoining structures. In row houses (sometimes called townhouses), double houses, or houses attached to nonresidential structures, each house is a separate, attached structure if the dividing or common wall goes from ground to roof.
3. **Mobile home** includes both occupied and vacant mobile homes, to which no permanent rooms have been added. Mobile homes used only for business purposes or for extra sleeping space and mobile homes for sale on a dealer's lot, at the factory, or in storage are not counted in the housing inventory.

Multi-Family Unit:

1. **2+ units (duplexes and apartments)** are units in structures containing two or more housing units, further categorized as units in structures with "2, 3 or 4, 5 to 9, 10 to 19, 20 to 49, and 50 or more apartments."
2. **Boat, RV, Van, Etc.** includes any living quarters occupied as a housing unit that does not fit the other categories (e.g., houseboats, railroad cars, campers, and vans). Recreational vehicles, boats, vans, railroad cars, and the like are included only if they are occupied as a current place of residence.

NONRESIDENTIAL DEVELOPMENT

The proposed general nonresidential development categories (defined below) can be used for all new nonresidential construction in Portland. Nonresidential development categories represent general groups of land uses that share similar average weekday vehicle trip generation rates and employment densities (i.e., jobs per thousand square feet of floor area).

Commercial: Establishments primarily selling merchandise, eating/drinking places, and entertainment uses. By way of example, *Commercial / Retail* includes shopping centers, supermarkets, pharmacies, restaurants, bars, nightclubs, automobile dealerships, and movie theaters.

Hotel: A hotel is a place of lodging that provides sleeping accommodations and may provide supporting facilities such as restaurants, cocktail lounges, meeting and banquet rooms or convention facilities, limited recreational facilities (pool, fitness room), and/or other retail and service shops.

Industrial: Establishments primarily engaged in the production or transportation of goods. By way of example, *Industrial* includes manufacturing plants, printers, material testing, trucking companies, utility substations, power generation facilities, and telecommunications buildings.

Institutional: Establishments including public and quasi-public buildings providing educational, social assistance, or religious services. By way of example, *Institutional* includes schools, universities, churches, daycare facilities, government buildings, and prisons.

Office & Other Service: Establishments providing management, administrative, professional, or business services; personal and health care services. By way of example, *Office and Other Services* includes banks, business offices, assisted living facilities, nursing homes, hospitals, medical offices, and veterinarian clinics.

Warehouse: Establishments that are primarily engaged in the storage, wholesale, and distribution of manufactured products, supplies, and/or equipment, excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive.

ORDINANCE

City of Portland, Tennessee

No. 23 – 55

Second Reading

**AN ORDINANCE TO ENTER INTO AN AGREEMENT WITH JETTON
PROPERTY GROUP AND THE CITY OF PORTLAND TO CONSTRUCT A
50x80x22 SALT BUILDING**

WHEREAS, The City of Portland opened and read aloud sealed bids for the Contract A identified as a 50x80x22 Metal Building complete with engineered plans, steel beams, and contains metal gutters on Thursday September 28, 2023 at 2:31 pm.; and

WHEREAS, the City reviewed and determined that Jetton Property Group is the apparent low bidder on this project with a bid in the amount of \$68,125; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Portland that the best bid from Jetton Property Group shall be approved to construct the salt building; and

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

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Passed First Reading: October 16, 2023

Passed Second Reading:

ORDINANCE

City of Portland, Tennessee

No. 23 – 56

Second Reading

AN ORDINANCE TO ENTER AN AGREEMENT WITH CAMPBELL PARTNERS TO CONSTRUCT A CONCRETE WALL AND CONCRETE FLOOR FOR A 50x80x22 SALT BUILDING

WHEREAS, The City of Portland opened and read aloud sealed bids for Contract B identified as a 50x40 External Concrete Wall and Internal Concrete Floor Contract on Thursday September 28, 2023 at 2:31 pm.; and

WHEREAS, the City reviewed and determined that Campbell Partners are the apparent low bidder on this project with a bid on the External Concrete Wall amount of \$27,000 and the Internal Concrete Floor amount of \$20,700; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Portland that the best bid from Campbell Partners shall be approved for the Contract B for the External Concrete Wall and Internal Concrete Floor; and

BE IT FURTHER RESOLVED 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: October 16, 2023

Passed Second Reading:

ORDINANCE

City of Portland, Tennessee

No. 23 – 66

First Reading

AN ORDINANCE TO AUTHORIZE NEW COLLECTION FEE RATES FOR SANITATION SERVICE IN THE CITY OF PORTLAND.

WHEREAS, Title 17 Chapter 1 of the Portland Municipal Code, entitled Solid Waste, defines how refuse is to be managed inside the City of Portland, and section 17-128 allows for fees to be charged and billed monthly; and

WHEREAS, In 2003 a residential rate of \$11.00 was established; in 2006 the residential rate was increased to \$14.00, and a commercial rate of \$20.00 was established; in 2010 the residential rate was increased to \$16.00 and the commercial rate was increased to \$22.00; and in 2016 the residential rate was increased to \$18.00, with no increase to the commercial rate; in 2021 the residential rate was increased to \$23.00 and commercial rates were increased to \$29.00.

WHEREAS, The City also incurs additional costs by offering services such as removal of limbs and brush from residents' property, (17-105), as well as removal of bulk (junk) items such as furniture, appliances etc., (17-125), and operates a community convenience center; and

WHEREAS, Sanitation costs have continued to rise and increases are needed periodically, and upon recommendation from the utility fee structure Ad Hoc Committee (October 10, 2023 meeting) the City deems it necessary to increase the sanitation service fee by \$0.50 (fifty-cents) for all residential and commercial customers; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Alderman of the City of Portland increase the Sanitation rate by \$.50 (fifty-cents) per customer; and

BE IT FURTHER ORDAINED, that upon final passage, this Ordinance shall become effective on January 1, 2024, on billing payable February 2024.

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Passed First Reading:

Passed Second Reading:

Ordinance

City of Portland, Tennessee

No. 23 - 57

Second Reading

AN ORDINANCE TO ENTER AN AGREEMENT WITH ENSAFE, INC. FOR THE UNDERGROUND STORAGE TANK CLOSURE PROJECT AT THE WATER TREATMENT PLANT

WHEREAS, the City of Portland deems it necessary to permanently close one 7,660-gallon underground storage tank (UST) formerly used for storage of an aluminum sulfate product utilized in the water purification at the Water Treatment Plant; and

WHEREAS, the City of Portland received and opened bids on September 13, 2023, from only EnSafe, Inc. in the amount of \$34,400.00; and

WHEREAS, after careful consideration the bid from EnSafe, Inc has been recommended as best bid for the Underground Storage Tank Closure Project; and

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Portland to enter in an agreement with EnSafe, Inc. in the amount of \$34,400.00 as best bid for the Underground Storage Tank Closure 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: October 16, 2023

Passed Second Reading:

ORDINANCE

City of Portland, Tennessee

No. 23 – 61

First Reading

AN ORDINANCE REQUIRING ALL EXISTING FIRE LINES WITHIN THE CITY OF PORTLAND WATER DISTRIBUTION SYSTEM TO BE METERED BY JANUARY 31, 2025

WHEREAS on April 17, 2023, the City of Portland received an Order from the Tennessee Water and Wastewater Financing Board (“the Board”) for excessive water loss in Fiscal Year 2021 and on October 9, 2023 received notification from the Board of another Order for excessive water loss in Fiscal Year 2022; and

WHEREAS, the Board defines water loss as non-revenue water must be less than 40% and water loss is calculated by the total produced and/or purchased minus water sold; and

WHEREAS, the City’s water loss was 41.5% for Fiscal Year 2021 and 42.7% for Fiscal Year 2022; and

WHEREAS it the City is required to lower water loss by TCA §§ 68-221-1009(a)(8)

In the case of public water systems, to investigate public water systems whose water loss as reported in the public water system's audit is excessive as established by rules promulgated by the Board and to require those public water systems to take appropriate actions to reduce water loss to an acceptable level as determined by the Board; and

WHEREAS, all existing fire lines shall be required to install a meter as per the Department of Utilities Standard Detail W-20; and

NOW, THEREFORE BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Portland to require all existing fire lines within the City of Portland water distribution system to be metered by January 31, 2025; and

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

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Passed First Reading:

Passed Second Reading:

Ordinance No. 23-61

Location	Size	GPM *	Gallons lost per Day	Estimaed Monthly Unaccounted for Water	Estimated Yearly Unaccounted for Water	Estimated Lost Revenue Per Month	Estimated Lost Revenue Per Year
1	8"	1.40	2,014	60,394	734,789	\$214.94	\$2,579.28
2	10"	3.67	5,285	158,544	1,928,952	\$1,040.53	\$12,486.36
3	8"	0.23	326	9,765	118,809	\$13.82	\$165.80
4	8"	1.60	2,311	69,323	843,424	\$539.20	\$6,470.43
5	4"	1.00	1,440	43,200	525,600	\$283.97	\$3,407.64
6	6"	4.00	5,760	172,800	2,102,400	\$1,209.60	\$14,515.20
7	10"	3.00	4,320	129,600	1,576,800	\$830.11	\$9,961.23
8	8"	3.00	4,320	129,600	1,576,800	\$869.88	\$10,435.52
9	8"	2.50	3,600	108,000	1,314,000	\$712.85	\$8,554.20
10	8"	5.00	7,200	216,000	2,628,000	\$1,498.00	\$17,976.00
11	8"	0.00	0	0	0	\$0.00	\$0.00
12	8"	0.00	0	0	0	\$0.00	\$0.00
13	8"	4.00	5,760	172,800	2,102,400	\$1,183.94	\$14,207.28
14	8"	2.50	3,600	108,000	1,314,000	\$712.85	\$8,554.20
15	8"	0.00	0	0	0	\$0.00	\$0.00
16	10"	4.80	6,912	207,360	2,522,880	\$1,395.42	\$16,745.04
17	8"	2.50	3,600	108,000	1,314,000	\$712.85	\$8,554.20
18	8"	8.00	11,520	345,600	4,204,800	\$2,440.20	\$29,282.40
19	10"	3.00	4,320	129,600	1,576,800	\$830.10	\$9,961.20
20	6"	4.00	5,760	172,800	2,102,400	\$1,209.60	\$14,515.20
TOTALS.....			78,047	2,341,385	28,486,854	\$15,697.86	\$188,371.19

* The flows were determined by a dynasonics strap on meter. The meter was installed for approximately 15 minutes per location to determine if there was any usage on a fire service line. The flow listed was constant during the 15 minutes. All usage and revenue is estimated assuming the constant flow rate over the day, month, or year.

ADDITIONAL TESTING LOCATIONS SINCE OCTOBER 16 COUNCIL MEETING

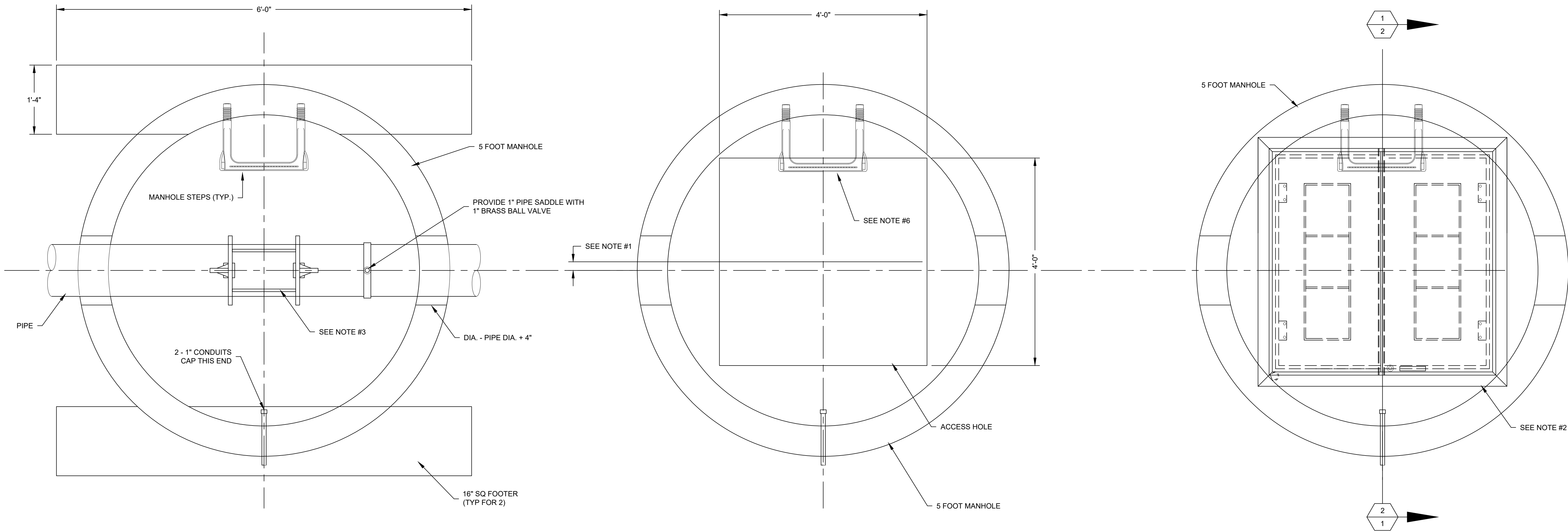
Location	Size	GPM *	Gallons lost per Day	Estimaed Monthly Unaccounted for Water	Estimated Yearly Unaccounted for Water	Estimated Lost Revenue Per Month	Estimated Lost Revenue Per Year
21	6"	5.50	7,920	237,600	2,890,800	\$1,727.36	\$20,728.32
22	6"	0.00	0	0	0	\$0.00	\$0.00
23	4"	3.50	5,040	151,200	1,839,600	\$1,052.57	\$12,630.84
24	8"	1.00	1,440	43,200	525,600	\$241.75	\$2,901.00
25	8"	9.50	13,680	410,400	4,993,200	\$2,911.29	\$34,935.48
26	8"	10.00	14,400	432,000	5,256,000	\$3,068.33	\$36,819.96
27	6"	2.60	3,744	112,320	1,366,560	\$816.57	\$9,798.84
28	6"	3.00	4,320	129,600	1,576,800	\$895.54	\$10,746.48
29	8"	5.50	7,920	237,600	2,890,800	\$1,655.04	\$19,860.48
30	6"	0.00	0	0	0	\$0.00	\$0.00
31	8"	7.00	10,080	302,400	3,679,200	\$2,126.13	\$25,513.56
32	8"	14.00	20,160	604,800	7,358,400	\$4,324.58	\$51,894.96
33	8"	3.00	4,320	129,600	1,576,800	\$869.88	\$10,438.56
34	8"	0.00	0	0	0	\$0.00	\$0.00
35	6"	0.00	0	0	0	\$0.00	\$0.00
36	8"	1.00	1,440	43,200	525,600	\$241.75	\$2,901.00
37	8"	0.00	0	0	0	\$0.00	\$0.00
38	6"	10.00	14,400	432,000	5,256,000	\$3,093.99	\$37,127.88
39	8"	5.00	7,200	216,000	2,628,000	\$1,570.33	\$18,843.96
40	10"	27.00	38,880	1,166,400	14,191,200	\$8,479.73	\$101,756.76
41	6"	6.00	8,640	259,200	3,153,600	\$1,884.39	\$22,612.68
42	8"	5.00	7,200	216,000	2,628,000	\$1,498.00	\$17,976.00
43	8"	6.16	8,870	266,112	3,237,696	\$1,862.32	\$22,347.84
44	10"	0.00	0	0	0	\$0.00	\$0.00
45	8"	8.50	12,240	367,200	4,467,600	\$2,597.23	\$31,166.76
46	8"	0.00	0	0	0	\$0.00	\$0.00
47	8"	0.00	0	0	0	\$0.00	\$0.00
49	10"	14.00	20,160	604,800	7,358,400	\$4,284.81	\$51,417.72
50	10"	3.94	5,674	170,208	2,070,864	\$1,237.36	\$14,848.32
52	8"	0.00	0	0	0	\$0.00	\$0.00
53	8"	0.00	0	0	0	\$0.00	\$0.00
54	8"	0.00	0	0	0	\$0.00	\$0.00
55	6"	0.00	0	0	0	\$0.00	\$0.00
56	10"	0.00	0	0	0	\$0.00	\$0.00
TOTALS.....			217,728	6,531,840	79,470,720	\$46,438.95	\$557,267.40

* The flows were determined by a dynasonics strap on meter. The meter was installed for approximately 15 minutes per location to determine if there was any usage on a fire service line. The flow listed was constant during the 15 minutes. All usage and revenue is estimated assuming the constant flow rate over the day, month, or year.

	Gallons lost per Day	Estimaed Monthly Unaccounted for Water	Estimated Yearly Unaccounted for Water	Estimated Lost Revenue Per Month	Estimated Lost Revenue Per Year
<i>TOTAL FOR 56 SITES...</i>	<i>295,775</i>	<i>8,873,225</i>	<i>107,957,574</i>	<i>\$62,136.81</i>	<i>\$745,638.59</i>

	TOTAL GALLONS PRODUCED/PURCHASED	ESTIMATED ANNUAL UNACCOUNTED FOR WATER FROM FIRELINES	Percent of Total
<i>FY 2023</i>	812,311,475	107,957,574	13.3%
<i>FY 2022</i>	837,363,480	107,957,574	12.9%
<i>FY 2021</i>	829,567,000	107,957,574	13.0%
<i>FY 2020</i>	799,992,000	107,957,574	13.5%

TYPE	YEAR	LINE SECTION	SHEET No.
PRELIM	2023		1



- NOTES:
1. OFFSET ACCESS HATCH CENTER TOWARDS MANHOLE STEPS.
 2. ACCESS HATCH TO BE HALLIDAY PRODUCTS W2S4242 ALUMINUM HATCH WITH RECESSED PADLOCK BOX.
 3. BADGER DYNASONIC TFX-500W ULTRASONIC FLOW TRANSMITTER.
 4. SCADA CABINET TO BE INSTALLED BY CONTRACTOR FOR TOTALIZER, ITRON UNIT, AND GFCI RECEPTACLE.
 5. MANHOLE STEPS SHALL BE WITHIN 18" OF TOP, 12" O.C.

METER VAULT FOR FIRE SERVICE METER

N.T.S.

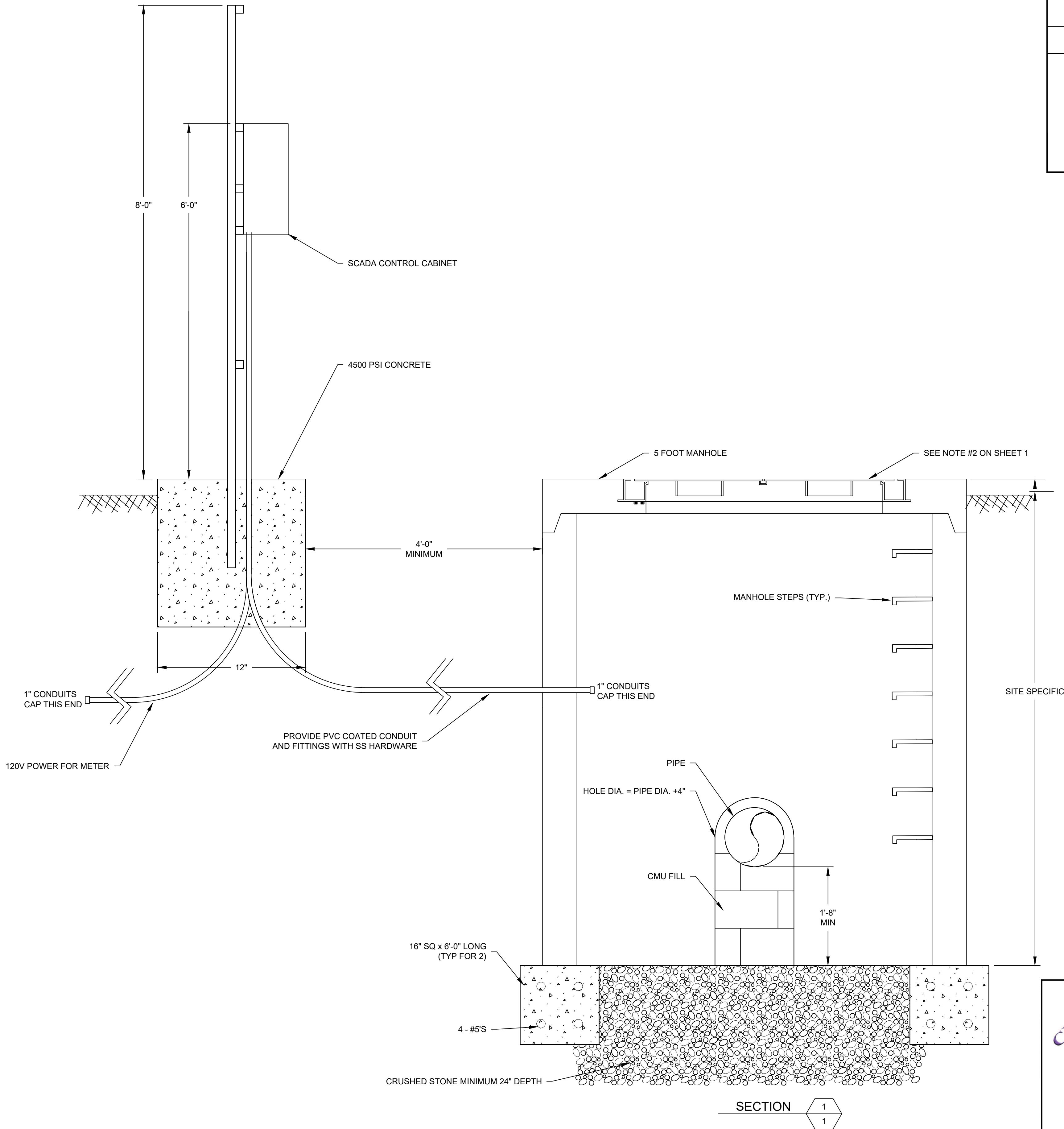
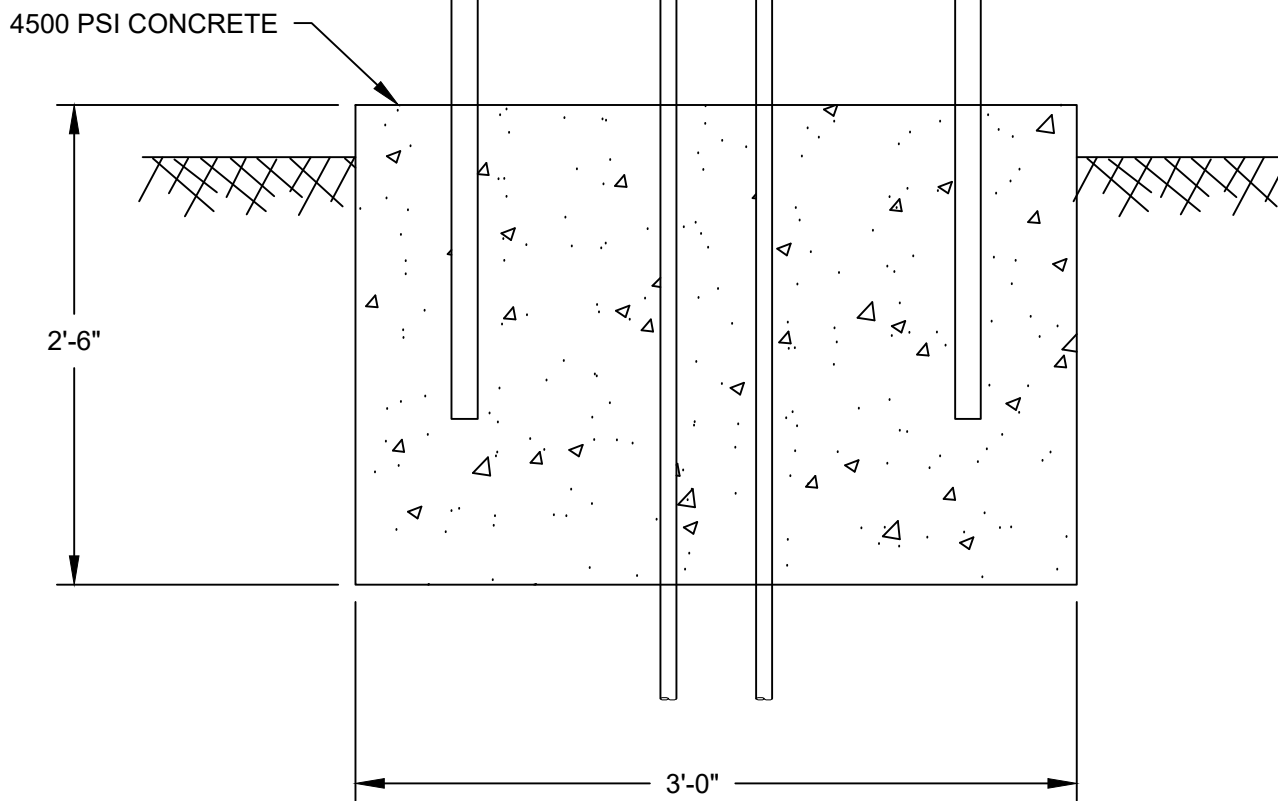


CITY OF PORTLAND
DEPARTMENT OF UTILITIES

REVISION NO: 3
DATE:10/12/2023

W-20 SHEET #1

SCADA CONTROL CABINET
(SEE NOTE #4 ON SHEET 1)



SCADA CONTROL PANEL AND
METER SUPPORT RACK FOR
FIRE SERVICE METER

N.T.S.

TYPE	YEAR	LINE SECTION	SHEET No.
PRELIM	2023		1

CITY OF PORTLAND, TN

Proud, Progressive Portland

Home of the STRAWBERRY FESTIVAL

CITY OF PORTLAND
DEPARTMENT OF UTILITIES

REVISION NO: 3
DATE:10/12/2023

W-20 SHEET #2

Ordinance

City of Portland, Tennessee

No. 21-59

Second Reading

AN ORDINANCE TO BEGIN A FIRE LINE BILLING STRUCTURE FOR ALL DEDICATED FIRE LINES

WHEREAS, the City of Portland deems it necessary to bill for all fire lines within the water distribution system; and

WHEREAS, after recommendation from the August 4, 2021 and October 6, 2021 AdHoc Committee Meetings, the City shall set forth the following billing structure; and

WHEREAS, all metered fire lines shall be billed at the domestic prevailing rate for the business; and

WHEREAS, all unmetered fire lines shall be billed at the flat monthly fee as listed below. The Flat Monthly fee listed shall increase at the same percentage as future rates are increased; and

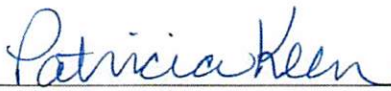
FIRE LINE DIAMETER	PROPOSED FEE (per month)
2"	\$28.05
4"	\$30.10
6"	\$46.66
8"	\$72.32
10"	\$112.09

WHEREAS, after careful consideration the City Council recommends fire lines shall be billed as listed above; and

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Portland to approve a Fire Line Billing Structure for all dedicated Fire Lines; and

BE IT FURTHER ORDAINED, that this Ordinance shall become effective July 1, 2022 upon its passage, the public welfare requiring it.


Mike Callis, Mayor


Patricia Keen, City Recorder

Passed First Reading: November 1, 2021
Passed Second Reading: November 15, 2021

ORDINANCE

City of Portland, Tennessee

No. 23 – 62

First Reading

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A DEVELOPER’S AGREEMENT WITH ANITA WEST EADE FOR UPSIZING THE EXISTING FOUR (4) INCH WATERLINE ALONG HIGHWAY 259 TO A SIX (6) INCH, LOCATED AT 2098 HIGHWAY 259, TAX MAP 013, PARCELS 24.00, 24.01, 24.02, AND 24.03 IN PORTLAND, TENNESSEE.

WHEREAS, the City of Portland, Tennessee has determined that improvements need to be made to City infrastructure, including the water system, as outlined in the attached agreement; and

WHEREAS, the Portland Department of Utilities has approved the Water Capacity Letter (see Exhibit A), stating the Water Systems have capacity for the Anita West Eade Development once improvements are made; and

WHEREAS, the Developer has agreed to be fully responsible for the cost of the improvements to City infrastructure, as outlined in the attached agreement; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Portland authorize the Mayor to enter into the attached Developer’s Agreement for Anita West Eade Development, located at 2098 Highway 259, Tax Map 013, Parcels 24.00, 24.01, 24.02, and 24.03; and

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

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Passed First Reading:

Passed Second Reading:

DEVELOPMENT AGREEMENT FOR ANITA WEST EADE

CITY OF PORTLAND, TENNESSEE

This Development Agreement (“AGREEMENT”) is made and entered into on this ____ day of _____, 2023 by and between Anita West Eade (“DEVELOPER”) and the City of Portland, Tennessee, a municipality organized and existing under the laws of the State of Tennessee (“CITY”).

WHEREAS, the DEVELOPER owns and desires to develop an 11-lot development, located at 2098 Highway 259, Tax Map 013, Parcels 24.00, 24.01, 24.02, and 24.03 in Portland, Tennessee (hereinafter called the "PROJECT"); and

WHEREAS, DEVELOPER has received a letter stating the existing Water System does not have capacity for the development and will require improvements specifically for the PROJECT, along with improvement fees, from the Portland Department of Utilities on the 28th day of **April, 2023** (the “LETTER”). A copy of the Letter is attached to this Agreement as Exhibit A; and

WHEREAS, in order to provide the same level of service throughout the Water System for the PROJECT and the general public, it will be necessary for certain improvements to be constructed to serve the PROJECT. Said improvements include the IMPROVEMENTS (as defined below); and

WHEREAS, in order for said IMPROVEMENTS to be fully integrated with the public infrastructure of the CITY and to function in a satisfactory manner, the DEVELOPER has agreed to be responsible for design, permitting, construction, and inspection associated with the IMPROVEMENTS as set forth in this AGREEMENT.

WHEREAS, the DEVELOPER shall be responsible for all design, permitting, construction, and inspection of the IMPROVEMENTS. The IMPROVEMENTS shall be constructed by the DEVELOPER in accordance with the Portland Department of Utilities Standard Specifications and with the approval of the Construction Plans, and other rules, regulations, and ordinances of the CITY in said project and the terms of this Agreement, and

NOW, THEREFORE, in consideration of the premises and mutual covenants of the parties herein contained, it is agreed and understood as follows:

I. GENERAL CONDITIONS

A. Construction Costs

The DEVELOPER shall be responsible for all design, permitting, construction, and inspections necessary to install and complete approximately 1,526 LF of 6” C900 DR14 PVC or Class 350 Ductile Iron Pipe, with all associated appurtenances, in accordance with this agreement, including but not limited to obtaining and recording all public utility easements.

B. City Ordinances, Rules and Regulations

All currently existing CITY ordinances, and rules & regulations adopted by the Board of Mayor and Aldermen are made a part of this agreement. In the event of a conflict between the terms of this agreement and a CITY ordinance, the ordinance shall prevail. All work done under this agreement is to be performed in accordance with plans, and specifications approved by the CITY and made a part, hereof.

C. Agreement Not Assignable

No third party shall obtain any benefits or rights under this agreement, nor shall the rights or duties be assigned by either party.

D. Revocation and Interpretation

This agreement shall bind the DEVELOPER when executed by the DEVELOPER and may not be revoked by the DEVELOPER without permission of the CITY, even if the agreement has not been executed by the CITY, or does not bind the CITY, for other reasons. This agreement shall be interpreted in accordance with Tennessee law and may only be enforced in the Chancery Court or Circuit Court or Court of competent jurisdiction of Sumner County, Tennessee, and Tennessee Appellate Courts.

E. No Oral Agreement

This agreement may not be orally amended and supersedes all prior negotiations, commitments, or understandings. The Developer and Portland Board of Mayor and Aldermen must approve any written modification to this agreement.

F. Separability

If any portion of this agreement is held to be unenforceable, the court of competent jurisdiction shall have the right to determine whether the remainder of the agreement shall remain in effect or whether the agreement shall be void and all rights of the DEVELOPER and CITY pursuant to this agreement terminated.

G. Transferability

The DEVELOPER and/or Owner agrees that he/she will not transfer the property on which the PROJECT is to be located without first providing the CITY with notice of when the transfer is to occur and who the proposed transferee is, along with address and telephone numbers (except that no notice, consent or other requirement shall apply to the transfer or creation of any security or other interest pursuant to a deed of trust or other Owner financing). If it is the transferee's intention to develop this property in accordance with the agreement, the DEVELOPER agrees to provide the CITY an Assumption Agreement whereby the transferee agrees to perform the improvements required under this agreement and to provide the security needed to assure such performance. Said agreement will be subject to the approval of the CITY Attorney. The DEVELOPER and/or Owner understand that if he/she transfers said property without providing the notice of transfer and Assumption Agreement as required herein, he will be in breach of this agreement and that any surety held by the CITY to secure the agreement may be called. The DEVELOPER further agrees that he shall remain liable under the terms of this agreement though a subsequent sale of all or part of said

property occurs, unless an Assumption Agreement is entered into between the new owners and the CITY, and a new agreement is issued naming the new owners as Developer.

II. UTILITIES

A. Water Distribution System

a. Improvements to the Water System:

The DEVELOPER shall be financially responsible for all design, permitting, construction, inspections, and testing necessary to install and complete the extension of approximately 1,526 LF of blue six (6) inch DR14 C900 PVC or Class 350 Ductile Iron Pipe, with all associated appurtenances, along Hwy 259, as per the PDU-approved Construction Plans.

b. Improvement Fees:

The DEVELOPER shall be required to pay **\$19,500** in Water Improvement fees, as stated in Ordinance 23-15.

c. Surety Amount:

A Letter of Credit or cash escrow will be provided in the amount of **\$157,512.50** for the surety, before construction starts. Any surety for utilities will be kept and renewed each year until the City has inspected and approved the utility. For each year of renewal, there shall be an additional 10% increase added to the surety amount. Once the utility is accepted by the City, a 12-month maintenance surety in the amount of **\$23,626.88** will be held. In the case that the utilities are installed prior to the City signing the Final Plat, the utilities must be tested, approved, and accepted by PDU, which the City of Portland will still require a maintenance surety to be held of the amount above 12 months after PDU's acceptance date or the taps will not be issued.

Developer's payment to the CITY in the amount of (i) **\$19,500** as the PROJECT's share of the cost of WATER IMPROVEMENTS, (ii) a total SURETY amount of **\$157,512.50** for the PROJECT's utility installation. The PROJECT shall satisfy all Developer and Owner obligations with respect to all improvements, including without limitation the WATER IMPROVEMENTS. The WATER IMPROVEMENTS are collectively referred to herein as the "IMPROVEMENTS".

IV. VIOLATIONS AND REMEDIES

In the event of a default in the performance by either party of its obligation hereunder, the other party, in addition to any and all remedies set forth herein, shall be entitled to all remedies provided by law or in equity, including the remedy of specific performance or injunction..

V. BINDING EFFECT

The covenants and agreements herein contained shall bind and endure to the benefit of the parties hereto, their respective heirs, personal representatives, successors, and assigns, as appropriate.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in multiple originals by persons properly authorized so to do on or as of the day and year first given.

OWNER

DEVELOPER

TITLE

TITLE

ATTEST:

ATTEST:

TITLE

TITLE

CITY OF PORTLAND (COUNTY OF
SUMNER), TENNESSEE

BY:

MAYOR
APPROVED AS TO FORM:

DATE

BY: _____
CITY ATTORNEY

DATE

EXHIBIT A



CITY OF PORTLAND
MEGAN HEISLER, P.E. – UTILITIES ENGINEER
100 SOUTH RUSSELL STREET
PORTLAND, TENNESSEE 37148
Telephone 615-323-1437
Email Address: mheisler@cityofportlandtn.gov

Anita Eade
0 Hwy 259
Portland, TN 37148

Date: 4/28/2023

Re: **WATER CAPACITY LETTER**
0 HWY 259, PORTLAND, TN 37148
SUMNER COUNTY – TAX MAP 013, PARCEL 24.01

Portland Department of Utilities (PDU) has completed its review of your application for water services for the proposed thirteen (13) lot development at the above referenced location. Please see below for the capacity details.

WATER:

The system does have the capacity for thirteen (13) taps once improvements are made. The City's engineering firm ran the hydraulic model and determined once the following improvements are completed, anticipated operating pressures for the development will be 42 -72 psi.

Currently there is a four (4) inch water main along Highway 259. The City's minimum requirement in the County is six (6) inch diameter. PDU will require the existing four (4) inch main to be increased to a six (6) inch water main, along the road frontage of the entire property. This will entail approximately 1,500 LF of six (6) inch DR 14 C900 PVC or Class 350 Ductile Iron pipe and all associated appurtenances. Water improvement fees will be required per lot. Please see the attached invoice for improvement fees.

No approval of any services is indicated. Construction plans will be required to be submitted and approved by PDU for the water main being upsized as stated above. An individual Residential Service Availability Request Form must be completed for each lot within this subdivision once the water line installation is complete and has been accepted by PDU. The fees associated with each lot (i.e. tap, connection fees, etc.) will be determined once that form is filled out and submitted to PDU.

Also, all future parcels must have the utility main along the parcels' road frontage to be approved for service. All services must be located on the property being serviced and not more than twenty (20) feet from the Public right-of-way. The City does not allow utility services within a private easement. All of this was approved by Resolution 19-27 (Water).

As per Resolution 23-45 all fees, rates, and conditions noted in this letter are current as of the date of this letter and are subject to change over time. PDU will hold the fees at the amount stated above for a 12-month period past the date of this letter. After the 12-month period expires, fees are subject to re-calculation and potential increases. You may request an extension of fee status in writing prior to expiration of the 12-month period. PDU will review the request and either deny or grant the request in writing.

Should you have any questions, please feel free to contact me.

Sincerely,

Megan Heisler, P.E.
Utilities Engineer
MNHAV001179REV1

ORDINANCE

City of Portland, Tennessee

No. 23 – 63

First Reading

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A DEVELOPER'S AGREEMENT WITH KRISTEN SOUTH FOR UPSIZING THE EXISTING FOUR (4) INCH WATERLINE ALONG S CHURCH ST TO A SIX (6) INCH AND EXTENDING THE WATERLINE WEST ALONG OAK ST, THEN NORTH TO CONNECT TO THE EXISTING SIX (6) INCH ALONG W MAIN ST, LOCATED AT 1005 W MAIN ST, TAX MAP 016C, GROUP A, PARCELS 16.00, 17.00, 18.00, 19.00, AND 20.00 IN PORTLAND, TENNESSEE.

WHEREAS, the City of Portland, Tennessee has determined that improvements need to be made to City infrastructure, including the water system, as outlined in the attached agreement; and

WHEREAS, the Portland Department of Utilities has approved the Water and Sewer Capacity Letter (see Exhibit A), stating the Water Systems have capacity for the Kristen South Development once improvements are made; and

WHEREAS, the Developer has agreed to be fully responsible for the cost of the improvements to City infrastructure, including the water system, as outlined in the attached agreement; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Portland authorize the Mayor to enter into the attached Developer's Agreement for Kristen South Development, located at 1005 W Main St, Tax Map 016C, Group A, Parcels 16.00, 17.00, 18.00, 19.00, and 20.00 in Portland, Tennessee; and

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

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Passed First Reading:

Passed Second Reading:

DEVELOPMENT AGREEMENT FOR SOUTH MITCHELLVILLE DEVELOPMENT

CITY OF PORTLAND, TENNESSEE

This Development Agreement (“AGREEMENT”) is made and entered into on this ____ day of _____, 2023 by and between Kristen South (“DEVELOPER”) and the City of Portland, Tennessee, a municipality organized and existing under the laws of the State of Tennessee (“CITY”).

WHEREAS, the DEVELOPER owns and desires to develop an 8-lot development, located at 1005 W Main St, Tax Map 016C, Group A, Parcels 16.00, 17.00, 18.00, 19.00, and 20.00 in Portland, Tennessee (hereinafter called the "PROJECT"); and

WHEREAS, DEVELOPER has received a letter stating the existing Water System does not have capacity for the development and will require fees to be paid for upgrading our System specifically for the PROJECT, along with improvement fees, from the Portland Department of Utilities on the 6th day of **September, 2023** (the “LETTER”). A copy of the Letter is attached to this Agreement as Exhibit A; and

WHEREAS, in order to provide the same level of service throughout the Water System for the PROJECT and the general public, it will be necessary for certain improvements to be constructed to serve the PROJECT. Said improvements include the IMPROVEMENTS (as defined below); and

WHEREAS, in order for said IMPROVEMENTS to be fully integrated with the public infrastructure of the CITY and to function in a satisfactory manner, the DEVELOPER has agreed to be responsible for design, permitting, construction, and inspection associated with the IMPROVEMENTS as set forth in this AGREEMENT.

WHEREAS, the DEVELOPER shall be responsible for all design, permitting, construction, and inspection of the IMPROVEMENTS. The IMPROVEMENTS shall be constructed by the DEVELOPER in accordance with the Portland Department of Utilities Standard Specifications and with the approval of the Construction Plans, and other rules, regulations, and ordinances of the CITY in said project and the terms of this Agreement, and

NOW, THEREFORE, in consideration of the premises and mutual covenants of the parties herein contained, it is agreed and understood as follows:

I. GENERAL CONDITIONS

A. Construction Costs

The DEVELOPER shall be responsible for all design, permitting, construction, and inspections necessary to install and complete approximately 600 LF of 6” C900 DR14 PVC or Class 350 Ductile Iron Pipe, with all associated appurtenances, in accordance with this agreement, including but not limited to obtaining and recording all public utility easements.

B. City Ordinances, Rules and Regulations

All currently existing CITY ordinances, and rules & regulations adopted by the Board of Mayor and Aldermen are made a part of this agreement. In the event of a conflict between the terms of this agreement and a CITY ordinance, the ordinance shall prevail. All work done under this agreement is to be performed in accordance with plans, and specifications approved by the CITY and made a part, hereof.

C. Agreement Not Assignable

No third party shall obtain any benefits or rights under this agreement, nor shall the rights or duties be assigned by either party.

D. Revocation and Interpretation

This agreement shall bind the DEVELOPER when executed by the DEVELOPER and may not be revoked by the DEVELOPER without permission of the CITY, even if the agreement has not been executed by the CITY, or does not bind the CITY, for other reasons. This agreement shall be interpreted in accordance with Tennessee law and may only be enforced in the Chancery Court or Circuit Court or Court of competent jurisdiction of Sumner County, Tennessee, and Tennessee Appellate Courts.

E. No Oral Agreement

This agreement may not be orally amended and supersedes all prior negotiations, commitments, or understandings. The Developer and Portland Board of Mayor and Aldermen must approve any written modification to this agreement.

F. Separability

If any portion of this agreement is held to be unenforceable, the court of competent jurisdiction shall have the right to determine whether the remainder of the agreement shall remain in effect or whether the agreement shall be void and all rights of the DEVELOPER and CITY pursuant to this agreement terminated.

G. Transferability

The DEVELOPER and/or Owner agrees that he/she will not transfer the property on which the PROJECT is to be located without first providing the CITY with notice of when the transfer is to occur and who the proposed transferee is, along with address and telephone numbers (except that no notice, consent or other requirement shall apply to the transfer or creation of any security or other interest pursuant to a deed of trust or other Owner financing). If it is the transferee's intention to develop this property in accordance with the agreement, the DEVELOPER agrees to provide the CITY an Assumption Agreement whereby the transferee agrees to perform the improvements required under this agreement and to provide the security needed to assure such performance. Said agreement will be subject to the approval of the CITY Attorney. The DEVELOPER and/or Owner understand that if he/she transfers said property without providing the notice of transfer and Assumption Agreement as required herein, he will be in breach of this agreement and that any surety held by the CITY to secure the agreement may be called. The DEVELOPER further agrees that he shall remain liable under the terms of this agreement though a subsequent sale of all or part of said

property occurs, unless an Assumption Agreement is entered into between the new owners and the CITY, and a new agreement is issued naming the new owners as Developer.

II. UTILITIES

A. Water Distribution System

a. Improvements to the Water System:

The DEVELOPER shall be financially responsible for all design, permitting, construction, inspections, and testing necessary to install and complete approximately 600 LF of blue six (6) inch DR14 C900 PVC or Class 350 Ductile Iron Pipe, with all associated appurtenances, along S Church St and Oak St, as per the PDU-approved Construction Plans.

b. Improvement Fees:

The water distribution system does have capacity for the PROJECT, but the DEVELOPER shall be required to pay **\$12,000** in Water Improvement fees, as stated in Ordinance 23-15.

c. Surety Amount:

A Letter of Credit or cash escrow will be provided in the amount of **\$67,500.00** for the surety, before construction starts. Any surety for utilities will be kept and renewed each year until the City has inspected and approved the utility. For each year of renewal, there shall be an additional 10% increase added to the surety amount. Once the utility is accepted by the City, a 12-month maintenance surety in the amount of **\$10,125.00** will be held. In the case that the utilities are installed prior to the City signing the Final Plat, the utilities must be tested, approved, and accepted by PDU, which the City of Portland will still require a maintenance surety to be held of the amount above 12 months after PDU's acceptance date or the taps will not be issued.

B. Sewer Distribution System

a. Improvement Fees:

The water distribution system does have capacity for the PROJECT, but the DEVELOPER shall be required to pay **\$8,000** in Sewer Improvement fees, as stated in Ordinance 23-15.

Developer's payment to the CITY in the amount of (i) **\$12,000** as the PROJECT's share of the cost of WATER IMPROVEMENTS, (ii) a total SURETY amount of **\$67,500** for the PROJECT's utilities, and (iii) **\$8,000** as the PROJECT's share of the cost of SEWER IMPROVEMENTS. The PROJECT shall satisfy all Developer and Owner obligations with respect to all improvements, including without limitation the WATER IMPROVEMENTS, SURETY, and the SEWER IMPROVEMENTS. The WATER IMPROVEMENTS and the SEWER IMPROVEMENTS are collectively referred to herein as the "IMPROVEMENTS".

IV. VIOLATIONS AND REMEDIES

In the event of a default in the performance by either party of its obligation hereunder, the other party, in addition to any and all remedies set forth herein, shall be entitled to all remedies provided by law or in equity, including the remedy of specific performance or injunction..

V. BINDING EFFECT

The covenants and agreements herein contained shall bind and endure to the benefit of the parties hereto, their respective heirs, personal representatives, successors, and assigns, as appropriate.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in multiple originals by persons properly authorized so to do on or as of the day and year first given.

OWNER

DEVELOPER

TITLE

TITLE

ATTEST:

ATTEST:

TITLE

TITLE

CITY OF PORTLAND (COUNTY OF
SUMNER), TENNESSEE

BY:

MAYOR
APPROVED AS TO FORM:

DATE

BY: _____
CITY ATTORNEY

DATE

EXHIBIT A



CITY OF PORTLAND
MEGAN HEISLER, P.E. – UTILITIES ENGINEER
100 SOUTH RUSSELL STREET
PORTLAND, TENNESSEE 37148
Telephone 615-323-1437
Email Address: mheisler@cityofportlandtn.gov

David & Kristen South
1918 Liberty Ln
Gallatin, Tennessee 37066

Date: 9/6/2023

Re: **WATER & SEWER UTILITY SERVICE - RENEWAL NO. 1**
1005 W MAIN ST, SUMNER COUNTY
TAX MAP 016C, GROUP A, PARCELS 16.00, 17.00, 18.00, 19.00, & 20.00

Portland Department of Utilities (PDU) has completed its review of your application for Utility Service (Water & Sewer) for the above referenced location for a proposed eight (8) unit development. Please see below for the capacity of the Water & Sewer System.

WATER:

The system does have the capacity for eight (8) taps once improvements are made. Once improvements are completed, anticipated operating pressures for the development will be around 54 psi.

PDU's minimum requirement outside of City limits is a six (6) inch diameter water main. To service the proposed development, PDU will require the existing four (4) inch main along S Church St to be increased to a six (6) inch water main. Also, to cut down on water loss from flushing dead-ends in our system and to be compliant with Resolution 19-27, the Developer will be required to extend a six (6) inch water main from the intersection of S Church St to the western property line of 1001 Oak St, and to follow along the western property lines of 1001 Oak St and 109 W Main St within a twenty (20) foot public utility easement, tying back into the existing six (6) inch water main along W Main St. This will entail approximately 600 feet of six (6) inch DR 14 C900 PVC or Class 350 Ductile Iron Pipe and all associated appurtenances. The route below is in light blue. The developer will be required to pay the City of Portland water improvement fees per unit as per Ordinance 23-15. Improvement fees must be paid prior to the approval of Construction Plans.



Please note that as per Resolution 23-83, the Council voted to continue issuing water capacity letters beyond known capacity limits recognizing that a letter of available water capacity is based on a snap-shot in time when the water model and/or decision is made, and is not a guarantee of water service at a point in the future when the petitioner may or may not choose to purchase their taps. Resolution 23-45 governs the expiration and renewal capacity letter has been granted, or whether or not a project has already been started but not all water taps have been purchased.

SEWER:

The system does have capacity for the 8-lot development. The Developer will be required to pay the City of Portland Sewer Improvement and Sewer Capacity fees per unit as per Ordinance 23-15. Sewer improvement fees must be paid prior to the approval of Construction Plans. Sewer Capacity fees must be paid with the purchase of the water taps.

Please note that the Developer will need to get with the City of Mitchellville to determine whether there are sewer taps available and what payments will be required by the City of Mitchellville. The City of Portland and Portland Department of Utilities does NOT determine which individuals receive or do not receive sewer taps. Any questions on sewer tap availability, should be directed towards the City of Mitchellville.

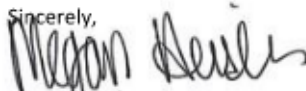
For any utilities the City accepts, the City is required by state law to depreciate all the fixed assets of the utility over a 40-year period. With this project, the total estimated value of the water and sewer installations are \$65,400. Thus, the estimated value must be depreciated annually over the 40-year period. That equated to approximately \$1,635 in additional expenses to the City's annual budget for the next 40 years.

Also, all future parcels must have the utility main along the parcels road frontage to be approved for service and all services must be located on the property being serviced. The City does not allow utility services within a private easement. All of this was approved by Resolution 19-27 (Water).

This letter states PDU's ability to service the parcel in question. No approval of any services is indicated. Construction plans will be required to be submitted and approved. An individual Residential Service Availability Request Form must be completed prior to the purchase of a water tap for each lot within this subdivision once the water line installation is complete and accepted. This capacity letter shall expire within twelve (12) months of the date of the letter. Please note the taps given by the City of Portland to the City of Mitchellville as per Resolution 22-53 will expire on May 2, 2024. All fees must be paid for prior to expiration.

Should you have any questions, please feel free to contact me.

Sincerely,



Megan Heisler, P.E.
MNHAV000926REN1

cc.
PDU Office

ORDINANCE

City of Portland, Tennessee

No. 23 – 64

First Reading

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A DEVELOPER’S AGREEMENT WITH LESA G. FLEMING OF FLEMING ACRES (GRAVES NORTH LEATH RD) FOR UPSIZING THE EXISTING 4-INCH WATERLINE ALONG HIGHWAY 259 TO AN 6-INCH AND THE EXISTING 2-INCH WATERLINE ALONG NORTH LEATH ROAD TO A 6-INCH, LOCATED AT 0 NORTH LEATH ROAD, TAX MAP 014, PARCELS 35.02 IN PORTLAND, TENNESSEE.

WHEREAS, the City of Portland, Tennessee has determined that improvements need to be made to City infrastructure, including the water system, as outlined in the attached agreement; and

WHEREAS, the Portland Department of Utilities has approved the Water Capacity Letter (see Exhibit A), stating the Water Systems have capacity for the Fleming Acres/Graves N Leath Rd Development once improvements are made; and

WHEREAS, the Developer has agreed to be fully responsible for the cost of the improvements to City infrastructure, including the water system, as outlined in the attached agreement; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Portland authorize the mayor to enter into the attached Developer’s Agreement for Fleming Acres/Graves N Leath Rd Development, located at 0 North Leath Road, Tax Map 014, Parcel 35.02 in Portland, Tennessee; and

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

Mayor Mike Callis

Attest: Rachel Slusser, City Recorder

Passed First Reading:

Passed Second Reading:

DEVELOPER’S AGREEMENT FOR FLEMING ACRES/GRAVES N LEATH RD DEVELOPMENT

CITY OF PORTLAND, TENNESSEE

This Development Agreement (“AGREEMENT”) is made and entered into on this ____ day of _____, 2023 by and between Lesa G. Fleming (“DEVELOPER”) and the City of Portland, Tennessee, a municipality organized and existing under the laws of the State of Tennessee (“CITY”).

WHEREAS, the DEVELOPER owns and desires to develop a 7-lot development, located at 0 North Leath Road, Tax Map 014, Parcel 35.02 in Portland, Tennessee (hereinafter called the "PROJECT"); and

WHEREAS, DEVELOPER has received a letter stating the existing Water System does not have capacity for the development and will require fees to be paid for upgrading our System specifically for the PROJECT, along with improvement fees, from the Portland Department of Utilities on the 10th day of **April, 2023** (the “LETTER”). A copy of the Letter is attached to this Agreement as Exhibit A; and

WHEREAS, in order to provide the same level of service throughout the Water System for the PROJECT and the general public, it will be necessary for certain improvements to be constructed to serve the PROJECT. Said improvements include the IMPROVEMENTS (as defined below); and

WHEREAS, in order for said IMPROVEMENTS to be fully integrated with the public infrastructure of the CITY and to function in a satisfactory manner, the DEVELOPER has agreed to be responsible for design, permitting, construction, and inspection associated with the IMPROVEMENTS as set forth in this AGREEMENT.

WHEREAS, the DEVELOPER shall be responsible for all design, permitting, construction, and inspection of the IMPROVEMENTS. The IMPROVEMENTS shall be constructed by the DEVELOPER in accordance with the Portland Department of Utilities Standard Specifications and with the approval of the Construction Plans, and other rules, regulations, and ordinances of the CITY in said project and the terms of this Agreement, and

NOW, THEREFORE, in consideration of the premises and mutual covenants of the parties herein contained, it is agreed and understood as follows:

I. GENERAL CONDITIONS

A. Construction Costs

The DEVELOPER shall be responsible for all design, permitting, construction, and inspections necessary to install and complete approximately 1,300 LF of 6" C900 DR14 PVC or Class 350 Ductile Iron Pipe, with all associated appurtenances, in accordance with this agreement, including but not limited to obtaining and recording all public utility easements.

B. City Ordinances, Rules and Regulations

All currently existing CITY ordinances, and rules & regulations adopted by the Board of Mayor and Aldermen are made a part of this agreement. In the event of a conflict between the terms of this agreement and a CITY ordinance, the ordinance shall prevail. All work done under this agreement is to be performed in accordance with plans, and specifications approved by the CITY and made a part, hereof.

C. Agreement Not Assignable

No third party shall obtain any benefits or rights under this agreement, nor shall the rights or duties be assigned by either party.

D. Revocation and Interpretation

This agreement shall bind the DEVELOPER when executed by the DEVELOPER and may not be revoked by the DEVELOPER without permission of the CITY, even if the agreement has not been executed by the CITY, or does not bind the CITY, for other reasons. This agreement shall be interpreted in accordance with Tennessee law and may only be enforced in the Chancery Court or Circuit Court or Court of competent jurisdiction of Sumner County, Tennessee, and Tennessee Appellate Courts.

E. No Oral Agreement

This agreement may not be orally amended and supersedes all prior negotiations, commitments, or understandings. The Developer and Portland Board of Mayor and Aldermen must approve any written modification to this agreement.

F. Separability

If any portion of this agreement is held to be unenforceable, the court of competent jurisdiction shall have the right to determine whether the remainder of the agreement shall remain in effect or whether the agreement shall be void and all rights of the DEVELOPER and CITY pursuant to this agreement terminated.

G. Transferability

The DEVELOPER and/or Owner agrees that he/she will not transfer the property on which the PROJECT is to be located without first providing the CITY with notice of when the transfer is to occur and who the proposed transferee is, along with address and telephone numbers (except that no notice, consent or other requirement shall apply to the transfer or creation of any security or other interest pursuant to a deed of trust or other Owner financing). If it is the transferee's intention to develop this property in accordance with the agreement, the DEVELOPER agrees to provide the CITY an

Assumption Agreement whereby the transferee agrees to perform the improvements required under this agreement and to provide the security needed to assure such performance. Said agreement will be subject to the approval of the CITY Attorney. The DEVELOPER and/or Owner understand that if he/she transfers said property without providing the notice of transfer and Assumption Agreement as required herein, he will be in breach of this agreement and that any surety held by the CITY to secure the agreement may be called. The DEVELOPER further agrees that he shall remain liable under the terms of this agreement though a subsequent sale of all or part of said property occurs, unless an Assumption Agreement is entered into between the new owners and the CITY, and a new agreement is issued naming the new owners as Developer.

II. UTILITIES

A. Water Distribution System

a. Improvements to the Water System:

The DEVELOPER shall be financially responsible for all design, permitting, construction, inspections, and testing necessary to install and complete the extension of approximately 1,300 LF of blue six (6) inch DR14 C900 PVC or Class 350 Ductile Iron Pipe, with all associated appurtenances, along Hwy 259 and N Leath Rd, as per the PDU-approved Construction Plans.

b. Improvement Fees:

The water distribution system does have capacity for the PROJECT, but the DEVELOPER shall be required to pay **\$10,500** in Water Improvement fees, as stated in Ordinance 23-15.

c. Surety Amount:

A Letter of Credit or cash escrow will be provided in the amount of **\$135,025.00** for the surety, before construction starts. Any surety for utilities will be kept and renewed each year until the City has inspected and approved the utility. For each year of renewal, there shall be an additional 10% increase added to the surety amount. Once the utility is accepted by the City, a 12-month maintenance surety in the amount of **\$20,253.75** will be held. In the case that the utilities are installed prior to the City signing the Final Plat, the utilities must be tested, approved, and accepted by PDU, which the City of Portland will still require a maintenance surety to be held of the amount above 12 months after PDU's acceptance date or the taps will not be issued.

Developer's payment to the CITY in the amount of (i) **\$10,500** as the PROJECT's share of the cost of WATER IMPROVEMENTS, (ii) a total SURETY amount of **\$135,025** for the PROJECT's utilities. The PROJECT shall satisfy all Developer and Owner obligations with respect to all improvements, including without limitation the WATER IMPROVEMENTS.

IV. VIOLATIONS AND REMEDIES

In the event of a default in the performance by either party of its obligation hereunder, the other party, in addition to any and all remedies set forth herein, shall be entitled to all remedies provided by law or in equity, including the remedy of specific performance or injunction..

V. BINDING EFFECT

The covenants and agreements herein contained shall bind and endure to the benefit of the parties hereto, their respective heirs, personal representatives, successors, and assigns, as appropriate.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in multiple originals by persons properly authorized so to do on or as of the day and year first given.

OWNER

DEVELOPER

TITLE

TITLE

ATTEST:

ATTEST:

TITLE

TITLE

CITY OF PORTLAND (COUNTY OF
SUMNER), TENNESSEE

BY:

MAYOR
APPROVED AS TO FORM:

DATE

BY: _____
CITY ATTORNEY

DATE

EXHIBIT A



CITY OF PORTLAND

UTILITIES DEPARTMENT
100 SOUTH RUSSELL STREET
PORTLAND, TENNESSEE 37148
Telephone 615/323-1437
Email Address: kwhite@cityofportlandtn.gov

Lisa Fleming
729 Fowler Ford Rd
Portland, Tennessee 37148

Revised Date: 4/10/2023

Re: **UTILITY SERVICE REQUEST**
WATER
HWY 259 & N LEATH RD, SUMNER COUNTY – MAP 14, PARCEL 35.02

Portland Department of Utilities (PDU) has completed its review of your application for Utility Service (Water) for the above referenced location for a proposed seven (7) unit development. Please see below for availability of services.

WATER:

The system does have the capacity for seven (7) taps once improvements are made. Once Improvements are completed, operating pressures for the development will average 61-103 psi.

The existing waterline along Hwy 259 and North Leath Rd are both four (4) inch water mains. The City's minimum requirement in the County is six (6) inch diameter. To service the proposed development, PDU will require the existing four (4) inch main to be increased to a six (6) inch water main along the road frontage of Hwy 259 and North Leath Road for the entire property. The total amount of six (6) inch water main is ~1,300 ft. This will entail six (6) inch C900 PVC or Ductile Iron and all associated appurtenances. The developer will be required to pay water improvement fees per unit.

Fire Protection cannot be met. The City of Portland's Water Distribution System is not designed to meet fire demands in the County. Also, all future parcels must have the utility main along the parcels' road frontage to be approved for service. All services must be located on the property being serviced and not more than twenty (20) feet from the public right-of-way. The City does not allow utility services within a private easement. All of this was approved by Resolution 19-27 (Water).

No approval of any services is indicated. Construction plans will be required to be submitted and approved by PDU for the water main being extended as stated above. Also, a legal document (i.e. recorded metes & bounds or recorded Plat) will need to be provided for each lot for PDU to verify that each lot has road frontage, as per Resolution 19-27.

An individual Residential Service Availability Request Form must be completed for each unit within this subdivision once the water line installation is complete and has been accepted by PDU. The fees associated with each unit (i.e. tap, connection, fees etc.) will be determined once that form is filled out and submitted to PDU.

This letter shall expire in 12 months. All fees, rates, and conditions noted in this letter are current as of the date of this letter and are subject to change over time. PDU will hold the fees at the amount stated above for a 12-month period after the date of this letter. After the 12-month period expires, fees are subject to re-calculation and potential increases. You may request an extension of fee status in **writing** prior to expiration of the 12-month period. PDU will review the request and either deny or grant the request in writing.

Should you have any questions, please feel free to contact me.

Sincerely,

Kim White

Kim White
KWAV001278REV2

cc.
Bryan Price
Business Office
Megan Heisler
Darlene Baker

RESOLUTION

City of Portland, Tennessee

No. 23 - 96

A RESOLUTION TO APPROVE CHANGE ORDER #2 IN THE INCREASE AMOUNT OF \$31,437.34 FOR THE CONTRACT WITH CUMBERLAND VALLEY CONSTRUCTORS, INC FOR THE WASTEWATER TREATMENT PLANT EXPANSION

WHEREAS, the City of Portland has approved the original contract amount of \$14,528,900 with Cumberland Valley Constructors, Inc for the Wastewater Treatment Plant Expansion; and

WHEREAS, the City of Portland has approved the Change Order #1 in the decrease amount of \$75,310 with Cumberland Valley Constructors, Inc for the Wastewater Treatment Plant Expansion; and

WHEREAS, Change Order #2 revises the contract by

• Remove Horizontal Waterstop on SBR #3	Deduct	-\$489.00
• Backfill with soil vs stone	Deduct	-\$102,830.00
• 8" Ductile Iron Force Main vs PVC	Increase	+\$32,018.48
• Extend SBR #3 by five (5) feet	Increase	+127,370.44
• No demolition of Chlorine Basin Walls	Deduct	-\$33,974.00
• Add 4" Gate Valve to plant water line	Increase	+\$2,224.41
• Gorman Rupp Self Priming Pump	Increase	+\$11,615.00
• Delete three (3) slide gate operators	Decrease	-\$11,561.00
• Add Radar to SBR #3	Increase	+\$2,070.95
• Delete Pressure Indicating Transmitter	Decrease	-\$1,625.00
• Add Air Blast Cleaning at Chlorine Basin	Increase	+\$3,570.45
• Delete Duplicate Instrumentation	Decrease	-\$27,471.05
• Delete two (2) foot of stone under SBR #3	Decrease	-\$8,910.00
• Add concrete fill under SBR #2 slab	Increase	+\$17,141.13
• Emergency bracing of SBR #2	Increase	+\$22,286.53
	TOTAL	\$31,437.34

WHEREAS, Change Order #2 shall increase the contract amount by \$31,437.34, which shall adjust the contract amount to \$14,485,027.34; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Portland to approve Change Order #2 with Cumberland Valley Constructors, Inc in the increased amount due of **\$31,437.34** for the Wastewater Treatment Plant Expansion; and

BE IT FURTHER RESOLVED that the Resolution shall become effective upon its passage, the public welfare requiring it.

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this day of

Change Order

Change Order No. Two (2)

Date of Issuance: 9-21--23

Effective Date:

Project: 2020 Wastewater Treatment Plant Expansion

Owner: City of Portland, Tennessee

Owner's Contract No.: N/A

2020 Wastewater Treatment Plant Expansion

Date of Contract:

Contractor: Cumberland Valley Constructors, Inc.

Engineer's Project No.: 1163-08

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Summary of Work Change Directive (WCD) 1 through WCD 14.

Change Order No. Two (2) does not address any additional contract days to date for work changes or inclement weather. Any additional contract days for work changes or inclement weather are still under review, and will be addressed in separate change order.

Attachments: 1) WCD 1 through WCD 14 (14 pages) are included with Change Order No. Two. 2

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 14,528,900.00

[Increase] [Decrease] from previously approved Change Orders _____ to No. 1 :

\$ 75,310.00

Contract Price prior to this Change Order:

\$ 14,453,590.00

[Increase] [Decrease] of this Change Order:

\$ 31,437.34

Contract Price incorporating this Change Order:

\$ 14,485,027.34

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working days ☒ Calendar days

Substantial completion (days or date): 600

Ready for final payment (days or date): 660

[Increase] [Decrease] from previously approved Change Orders No. _____ to No. 1 :

Substantial completion (days): 600

Ready for final payment (days): 660

Contract Times prior to this Change Order:

Substantial completion (days or date): 600

Ready for final payment (days or date): 660

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): 0 days

Ready for final payment (days or date): 0 days

Contract Times with all approved Change Orders:

Substantial completion (days or date): 600

Ready for final payment (days or date): 660

RECOMMENDED:

By: Bryant Duffin
Engineer (Hethcoat & Davis)

Date: 9/21/23

ACCEPTED:

By: _____
Owner (City of Portland)

Date: _____

ACCEPTED:

By: [Signature]
Contractor (Cumberland Valley Constructors, Inc.)

Date: 10/9/23

WORK CHANGE DIRECTIVE NO.: 1

Owner: Portland, TN
Engineer: Hethcoat & Davis Inc
Contractor: Cumberland Valley Constructors (CVC)
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 6/30/23
Owner's Project No.:
Engineer's Prjt No: 1163-08
Contractor's Project No.:
Effective Date of Work Change Directive: 6/30/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Horizontal Waterstop in SBR 3 – One pour (CVC # RFC-002) deduct of \$489.00

Place backfill soil vs 57 Stone (CVC # RFC- 003): (RFI 003 with answer)Deduct of \$102,830.00

For a combined deduct of \$103,319.00

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☐ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 103,319.00 ~~[increase] [decrease] [not yet estimated]~~

Contract Time: 0 days ~~[increase] [decrease] [not yet estimated]~~

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

	Recommended by Engineer	Authorized by Owner
By:	<u>Heidi C Schanno</u>	_____
Title:	<u>Senior Engineer</u>	_____
Date:	<u>6/30/2023</u>	_____

EJCDC® C-940, Work Change Directive.

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and American Society of Civil Engineers. All rights reserved.

Page 1 of 1

WORK CHANGE DIRECTIVE NO.: 2

Owner: Portland, TN
Engineer: Hethcoat & Davis Inc
Contractor: Cumberland Valley Constructors (CVC)
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 7/17/23
Owner's Project No.:
Engineer's Project No: 1163-08
Contractor's Project No.:
Effective Date of Work Change Directive: 7/17/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Replaced the 935 linear feet of 8-inch diameter CL 350 ductile iron force main (approximately 525 linear feet on north force main and approximately 410 linear feet on south force main) with 8-inch diameter SDR 21 PVC force main that included Protecto 401 coated ductile iron fittings. Installed Protecto 401 coated fittings and pipe at top of headworks. Reference RFC 004 dated 5/16/23.

For an increase of \$32,018.48

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 32,018.48 [increase] ~~{decrease}~~ ~~{not yet estimated}~~.

Contract Time: 0 days [increase] ~~{decrease}~~ ~~{not yet estimated}~~.

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

	Recommended by Engineer	Authorized by Owner
By:	<u>Bryant Diffin</u>	_____
Title:	<u>Principal</u>	_____
Date:	<u>7/17/23</u>	_____

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WORK CHANGE DIRECTIVE NO.: 3

Owner: Portland, TN
Engineer: Hethcoat & Davis Inc
Contractor: Cumberland Valley Constructors (CVC)
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 6/30/23
Owner's Project No.:
Engineer's Project No: 1163-08
Contractor's Project No.:
Effective Date of Work Change Directive: 6/30/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Extend SBR #3 to the north by 5 feet. This extension includes sitework, excavation, gravel base, concrete slab, metal walkways, coatings, equipment, piping, electrical, and associated scopes of work. (H &D # WCD 3, and CVC # RFC 005)

For an increase of \$127,370.44

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change In Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 127,370.44 [increase] ~~[decrease]~~ ~~[not yet estimated]~~.

Contract Time: 0 days [increase] ~~[decrease]~~ ~~[not yet estimated]~~.

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

	Recommended by Engineer	Authorized by Owner
By:	<u>Bryant / Duffin</u>	
Title:	<u>Principal</u>	
Date:	<u>6/30/23</u>	

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WORK CHANGE DIRECTIVE NO.: 4

Owner: Portland, TN Owner's Project No.:
Engineer: Hethcoat & Davis Inc Engineer's Project No: 1163-08
Contractor: Cumberland Valley Constructors (CVC) Contractor's Project No.:
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 7/17/23 Effective Date of Work Change Directive: 7/17/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Do not demolish the old chlorine contact basin walls in the EQ tank, as show on plan sheet S7.0.
(Reference RFI 2 of 3/29/23 and RFI 2 response on 7/11/23)

A deduct of \$33,974.00 was offered.

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 33,974.00 ~~[increase] [decrease] [not yet estimated]~~

Contract Time: 0 days ~~[increase] [decrease] [not yet estimated]~~

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

	Recommended by Engineer	Authorized by Owner
By:	<u>Lever C Schanno</u>	<u></u>
Title:	<u>Senior Engineer</u>	<u></u>
Date:	<u>7/17/23</u>	<u></u>

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WORK CHANGE DIRECTIVE NO.: 5

Owner: Portland, TN Owner's Project No.:
Engineer: Hethcoat & Davis Inc Engineer's Project No: 1163-08
Contractor: Cumberland Valley Constructors (CVC) Contractor's Project No.:
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 8/10/23 Effective Date of Work Change Directive: 8/10/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Add 4" gate valve to new plant water line – 4" NPW DIP1 (Reference RFC 006)

For an increase of \$2,224.41

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 2,224.41 [increase] ~~[decrease]~~ ~~[not yet estimated]~~

Contract Time: 0 days ~~[increase]~~ ~~[decrease]~~ ~~[not yet estimated]~~

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

	Recommended by Engineer	Authorized by Owner
By:	<u>Byrant Duffin</u>	_____
Title:	<u>Principal</u>	_____
Date:	<u>8/10/23</u>	_____

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WORK CHANGE DIRECTIVE NO.: 6

Owner: Portland, TN
Engineer: Hethcoat & Davis Inc
Contractor: Cumberland Valley Constructors (CVC)
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 8/10/23
Owner's Project No.:
Engineer's Project No: 1163-08
Contractor's Project No.:
Effective Date of Work Change Directive: 8/10/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Add Gorman Rupp self-priming pump to grit system (Reference RFC 012).

For an increase of \$11,615.00

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 11,615.00 [increase] ~~[decrease]~~ ~~[not yet estimated]~~

Contract Time: 0 days [increase] ~~[decrease]~~ ~~[not yet estimated]~~

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

	Recommended by Engineer	Authorized by Owner
By:	<u>Bryant Duffin</u>	_____
Title:	<u>Principal</u>	_____
Date:	<u>8/10/23</u>	_____

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WORK CHANGE DIRECTIVE NO.: 7

Owner: Portland, TN Owner's Project No.:
Engineer: Hethcoat & Davis Inc Engineer's Project No: 1163-08
Contractor: Cumberland Valley Constructors (CVC) Contractor's Project No.:
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 8/10/23 Effective Date of Work Change Directive: 8/10/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Remove 3 slide gate electric motor operators at EQ Basin (Reference RFC 014).

For a decrease of \$11,561.00

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 11,561.00 ~~{increase} [decrease] [not yet estimated]}~~

Contract Time: 0 days ~~{increase} [decrease] [not yet estimated]}~~

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

	Recommended by Engineer	Authorized by Owner
By:	<u>Bryant Duffin</u>	_____
Title:	<u>Principal</u>	_____
Date:	<u>8/10/23</u>	_____

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WORK CHANGE DIRECTIVE NO.: 8

Owner: Portland, TN
Engineer: Hethcoat & Davis Inc
Contractor: Cumberland Valley Constructors (CVC)
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 8/12/23
Owner's Project No.:
Engineer's Project No: 1163-08
Contractor's Project No.:
Effective Date of Work Change Directive: 8/12/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Add LE-273 Radar at SBR #3 (Reference RFC 020).

For an increase of \$2,070.95

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 2,070.95 [increase] ~~[decrease]~~ ~~[not yet estimated]~~

Contract Time: 0 days [increase] ~~[decrease]~~ ~~[not yet estimated]~~

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

	Recommended by Engineer	Authorized by Owner
By:	<u>Bryant Duffin</u>	_____
Title:	<u>Principal</u>	_____
Date:	<u>8/12/23</u>	_____

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WORK CHANGE DIRECTIVE NO.: 9

Owner: Portland, TN
Engineer: Hethcoat & Davis Inc
Contractor: Cumberland Valley Constructors (CVC)
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 8/12/23
Owner's Project No.:
Engineer's Project No: 1163-08
Contractor's Project No.:
Effective Date of Work Change Directive: 8/12/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Delete PIT-380 at CCB (Reference RFC 028).

For a decrease of \$1,625.00

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 1,625.00 ~~[increase] [decrease] [not yet estimated]~~

Contract Time: 0 days ~~[increase] [decrease] [not yet estimated]~~

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

	Recommended by Engineer	Authorized by Owner
By:	<u>Bryant Diffin</u>	
Title:	<u>Principal</u>	
Date:	<u>8/12/23</u>	

WORK CHANGE DIRECTIVE NO.: 10

Owner: Portland, TN Owner's Project No.:
Engineer: Hethcoat & Davis Inc Engineer's Project No: 1163-08
Contractor: Cumberland Valley Constructors (CVC) Contractor's Project No.:
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 8/12/23 Effective Date of Work Change Directive: 8/12/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Add Air Blast Cleaning at CCB (Reference RFC 029).

For an increase of \$3,570.45

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

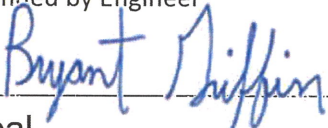
Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 3,570.45 [increase] ~~[decrease]~~ ~~[not yet estimated]~~

Contract Time: 0 days [increase] ~~[decrease]~~ ~~[not yet estimated]~~

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

	Recommended by Engineer	Authorized by Owner
By:		
Title:	Principal	
Date:	8/12/23	

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WORK CHANGE DIRECTIVE NO.: 11

Owner: Portland, TN Owner's Project No.:
Engineer: Hethcoat & Davis Inc Engineer's Project No: 1163-08
Contractor: Cumberland Valley Constructors (CVC) Contractor's Project No.:
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 8/21/23 Effective Date of Work Change Directive: 8/21/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Delete duplicate instruments being provided by Aqua Aerobics that were already being provided by Revere (Reference RFC 019 \$7,724.00 deduct, RFC 021 \$17,400.00 deduct, RFC 023 \$2,367.00 deduct and RFC 025 \$268.00 deduct). Change level instruments from ultrasonic to radar type (Reference RFC 022 \$1,783.00 deduct and RFC 024 \$2,070.95 add).

For a decrease of \$27,471.05.

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 27,471.05 ~~[increase] [decrease] [not yet estimated]~~

Contract Time: 0 days ~~[increase] [decrease] [not yet estimated]~~

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

Recommended by Engineer
By: Bryant Duffin Authorized by Owner
Title: Principal
Date: 8/21/23

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WORK CHANGE DIRECTIVE NO.: 12

Owner: Portland, TN
Engineer: Hethcoat & Davis Inc
Contractor: Cumberland Valley Constructors (CVC)
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 9/15/23
Owner's Project No.:
Engineer's Project No: 1163-08
Contractor's Project No.:
Effective Date of Work Change Directive: 9/15/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Deduct 2'-0" of stone fill under center of SBR #3 base slab (Reference RFC 034 \$8,910.00 deduct).

For a decrease of \$8,910.00.

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 8,910.00 ~~[increase]-[decrease]-[not yet estimated].~~

Contract Time: 0 days ~~[increase]-[decrease]-[not yet estimated].~~

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

Recommended by Engineer
By: Bryant Duffin
Title: Principal
Date: 9/15/23
Authorized by Owner

WORK CHANGE DIRECTIVE NO.: 13

Owner: Portland, TN
Engineer: Hethcoat & Davis Inc
Contractor: Cumberland Valley Constructors (CVC)
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 9/15/23
Owner's Project No.:
Engineer's Project No: 1163-08
Contractor's Project No.:
Effective Date of Work Change Directive: 9/15/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Add concrete fill under SBR #2 base slab (Reference RFC 035).

For an increase of \$17,141.13.

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 17,141.13 [increase] ~~[decrease]~~ ~~[not yet estimated]~~

Contract Time: 0 days [increase] ~~[decrease]~~ ~~[not yet estimated]~~

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

Recommended by Engineer
By: Bryant Duffin
Title: Principal
Date: 9/15/23
Authorized by Owner

WORK CHANGE DIRECTIVE NO.: 14

Owner: Portland, TN
Engineer: Hethcoat & Davis Inc
Contractor: Cumberland Valley Constructors (CVC)
Project: 2020 Wastewater Treatment Plant Expansion
Contract Name: 2020 Wastewater Treatment Plant Expansion
Date Issued: 9/15/23
Owner's Project No.:
Engineer's Project No: 1163-08
Contractor's Project No.:
Effective Date of Work Change Directive: 9/15/23

Contractor is directed to proceed promptly with the following change(s):

Description:

Add braces to north wall of SBR #2 and thicken south concrete wall of SBR #3 (Reference RFC 037).

For an increase of \$22,286.53.

Attachments:

Purpose for the Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

Notes to User—Check one or both of the following

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$ 22,286.53 [increase] ~~[decrease]~~ ~~[not yet estimated]~~

Contract Time: 0 days [increase] ~~[decrease]~~ ~~[not yet estimated]~~

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

Recommended by Engineer
By: Bryant Duffin
Title: Principal
Date: 9/15/23
Authorized by Owner

RESOLUTION

City of Portland, Tennessee

No. 23 - 97

A RESOLUTION TO AUTHORIZE THE CITY OF PORTLAND TO ALLOW SEVENTY-FIVE ADDITIONAL SEWER TAPS FOR THE CITY OF MITCHELLVILLE FOR THE JOHN McCLOUD AND BRANDON WEST DEVELOPMENT ON MAIN STREET

WHEREAS, in a letter dated September 8, 2023 the City of Mitchellville, TN requested that the City of Portland, TN release seventy-five (75) residential sewer taps to be used within the city limits of Mitchellville in addition to the thirty-seven (37) sewer taps granted in Resolution No. 22-53; and

WHEREAS, on October 16, 2023 at the City of Portland Council meeting the Council discussed the release of an additional seventy-five (75) residential sewer taps for the John McCloud and Brandon West Development noting that any further release of taps would be based on projection of needs by the City of Portland Utility department, but no additional taps may be requested by the City of Mitchellville in the next twelve (12) months; and

WHEREAS, the availability of these seventy-five (75) residential-only sewer taps are subject to review and expiration based on Resolution No. 23-45; and

WHEREAS, it is incumbent upon the City of Mitchellville, TN to maintain accurate records to track all sewer taps and submit copies of these records to the City of Portland within 30 days for each tap that is released; and

WHEREAS, all current City of Portland fees per sewer tap release are owed to the City of Portland and those fees are separate from any fees that the City of Mitchellville may charge; and

WHEREAS, a developer's agreement must be approved and executed before the sewer capacity is released, and all residences are required to have natural gas. Each residence must meet the requirements of Title 19, Section 207 that states each unit must have a natural gas water heater and natural gas HVAC unit; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Alderman of the City of Portland, TN that an additional seventy-five (75) residential-only sewer taps be approved to be used within the city limits of the City of Mitchellville, TN for the John McCloud and Brandon West Development on Main Street as discussed upon at the October 16, 2023 Portland Council meeting, but no additional taps may be requested by the City of Mitchellville in the next twelve (12) months; and

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

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this day of 2023.

Resolution No. 23-97

City of Mitchellville

1003 N. Church St
P.O. Box 13
Mitchellville, Tn 37119
(615) 325-6020

September 8, 2023

Attn: City of Portland

The City of Mitchellville is requesting seventy-five (75) sewer taps. These taps will be used inside the city limits for the development project led by John McCloud and Brandon West. A letter from Portland dated August 18, 2023 informed the two gentlemen that sewer capacity was available pending a Developers Contribution towards point repairs in the area. They are prepared to pay this fee, pending the release of the taps by Portland City Council.

Thank you,



Jimmie Green
Mayor of Mitchellville
mayor@cityofmitchellville.com
Cell: 615 438 3089

RESOLUTION

City of Portland, Tennessee

No. 23 – 98

A RESOLUTION AUTHORIZING THE APPROVAL OF WATER IMPROVEMENTS FOR TWENTY (20) WATER TAPS FOR STEVEN GRAVES, LOCATED ON BILLY BROWN RD, TAX MAP 041, PARCEL 016.00 IN PORTLAND, TENNESSEE IN THE OAK GROVE MORATORIUM ZONE.

WHEREAS, the City of Portland, Tennessee has been petitioned by the developer, Steven Graves, to install 6-inch water main along Billy Brown Rd and Paul Thompson Rd, and paying water improvement fees for a twenty (20) lot development, located on Tax Map 041, Parcels 016.00. This will consist of a total of twenty (20) water taps; and

WHEREAS, the City Council approved Resolution 23-43 confirming a water moratorium in the Oak Grove zone and this request is within the moratorium area, but originated prior to the passage of Resolution 23-43 on April 17, 2023; and

WHEREAS, the original project request was made in June 2021 with the first capacity letter issued on July 20, 2021 and a revised letter issued on September 21, 2021. The last letter has expired, and Mr. Graves is requesting an extension on this project that is contrary to Resolution 23-43; and

WHEREAS, the Petitioner shall be responsible for all engineering, construction, and easement costs associated with the improvements listed above for the project; and

WHEREAS, after the water mains are installed and accepted by the City, the developer shall pay the City of Portland all applicable fees as per Ordinance 22-68 for the water taps on the twenty (20) lot development; and

WHEREAS, the availability of these twenty (20) taps will be subject to review and expiration based upon Resolution No. 23-45; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Portland that the twenty (20) water taps shall be approved and the expense of said water main extension shall be paid by the Petitioner and shall be installed in accordance with state and city specifications. The Portland Department of Utilities (PDU) will assume ownership of all installations and extensions when completed and approved by PDU; and

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

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this day of 2023.



CITY OF PORTLAND
BRYAN PRICE P.E. – UTILITIES DIRECTOR
100 SOUTH RUSSELL STREET
PORTLAND, TENNESSEE 37148
Telephone 615-323-1437
Email Address: bprice@cityofportlandtn.gov

Steven Graves
139 Chipman Rd
Bethpage, Tennessee 37022

Date: 7/20/2021

Re: UTILITY SERVICE REQUEST
WATER
BILLY BROWN RD, SUMNER COUNTY – MAP 41, PARCEL 16.00

Portland Department of Utilities (PDU) has completed its review of your application for Utility Service (Water) for the above referenced location for a proposed forty (40) unit development. Please see below for availability of services.

WATER:

The system does have the capacity for forty (40) taps once improvements are made. Once Improvements are completed, operating pressures for the development will average 40 -45 psi.

To service the proposed development, PDU will require the existing four (4) inch main to be increased to a six (6) inch water main along Paul Thompson Road and all the road frontage of this development along Billy Brown Road (~2,300 feet). This will entail six (6) inch C900 PVC or Ductile Iron and all associated appurtenances.

Also, to maintain our current Level of Service and coincide with the Capital Improvement Plan for the area, the six (6) inch waterline along Oak Grove Church Rd from Hwy 52 to Paul Thompson Rd (~1,800 feet) must be increased to an eight (8) inch. This will entail eight (8) inch C900 PVC or Ductile Iron and all associated appurtenances.

This letter states PDU's ability to service the parcel in question. No approval of any services or main line extension is indicated. Construction plans would be required to be submitted and approved. An individual Residential Service Availability Request Form must be completed prior to the purchase of a water tap for any lot within this subdivision once the water line installation is complete and accepted. This capacity letter shall expire within twelve (12) months of the date of the letter.

Should you have any questions, please feel free to contact me.

Sincerely,

Bryan S. Price, P.E.
Utilities Director
BSPAV000636

cc.

Darlene Baker, City of Portland
Tracy McGowan, City of Portland



CITY OF PORTLAND
BRYAN PRICE P.E. – UTILITIES DIRECTOR
100 SOUTH RUSSELL STREET
PORTLAND, TENNESSEE 37148
Telephone 615-323-1437
Email Address: bprice@cityofportlandtn.gov

Steven Graves
139 Chipman Rd
Bethpage, Tennessee 37022

Date: 9/21/2021

Re: UTILITY SERVICE REQUEST
WATER
BILLY BROWN RD, SUMNER COUNTY – MAP 41, PARCEL 16.00

Portland Department of Utilities (PDU) has completed its review of your application for Utility Service (Water) for the above referenced location for a proposed twenty (20) unit development. Please see below for availability of services.

WATER:

The system does have the capacity for twenty (20) taps once improvements are made. Once Improvements are completed, operating pressures for the development will average 45 psi.

To service the proposed development, PDU will require the existing four (4) inch main to be increased to a six (6) inch water main along Paul Thompson Road and all the road frontage of this development along Billy Brown Road (~2,300 feet). This will entail six (6) inch C900 PVC or Ductile Iron and all associated appurtenances.

Please note that all future parcels must have the utility main along the parcels road frontage to be approved for service and all services must be located on the property being serviced. The City does not allow utility services within a private easement. All of this was approved by Resolution 19-27 (Water).

This letter states PDU's ability to service the parcel in question. No approval of any services or main line extension is indicated. Construction plans would be required to be submitted and approved. An individual Residential Service Availability Request Form must be completed prior to the purchase of a water tap for any lot within this subdivision once the water line installation is complete and accepted. This capacity letter shall expire within twelve (12) months of the date of the letter.

Should you have any questions, please feel free to contact me.

Sincerely,

Bryan S. Price, P.E.
Utilities Director
BSPAV000636REV1

cc.
Darlene Baker
Tracy McGowan
Megan Heisler
Wally Gilliam

RESOLUTION

City of Portland, Tennessee

No. 23 - 99

A RESOLUTION AUTHORIZING THE RELEASE OF A WATER TAP FOR 3420 HWY 259 TO CONNECT TO THE CITY OF PORTLAND'S WATER DISTRIBUTION SYSTEM DUE TO THE HARDSHIP OF A FAILING WELL SYSTEM IN THE OAK GROVE MORATORIUM ZONE

WHEREAS, the City of Portland has been requested by 3420 Hwy 259 to allow a water tap due to a failing well system; and

WHEREAS, the City Council approved Resolution 23-43 confirming a water moratorium in the Oak Grove zone and this request is within the moratorium area; and

WHEREAS, the Department of Utilities recommends allowing 3420 Hwy 259 to connect to the City of Portland's Water Distribution System due to the hardship of a failing well system even though it is contrary to Resolution 23-43; and

WHEREAS, the availability of this one (1) tap will be subject to review and expiration based upon Resolution No. 23-45; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Portland authorizing the water tap for 3420 Hwy 259 to connect to the City of Portland's Water Distribution System; and

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

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this day of

RESOLUTION

City of Portland, Tennessee

No. 23 - 100

A RESOLUTION APPROVING A NATURAL GAS TAP FROM THE CITY OF PORTLAND THAT WILL BE PLACED AT THE RIGHT OF WAY FOR 150 B TRIVETT DRIVE WHICH WILL THEN BE A CUSTOMER OWNED GAS SERVICE LINE DUE TO THE TERRAIN OF THE PROPERTY

WHEREAS, the Portland Department of Utilities received a service request for 150 B Trivett Drive on January 27, 2021 and after reviewing the property, the request was denied on February 3, 2021 due to the terrain and the route of the service line not complying with the City of Portland's Municipal Code Title 19; and

WHEREAS, a second request was received on October 13, 2023 by the same owner and after discussion with said owner, they offered to install their own service line; and

WHEREAS, the City of Portland shall allow a gas meter to be set at the right-of-way (ROW) of 150 B Trivett Drive though contrary to Title 19 Section 208 and allow the customer to install their own customer gas service line at their expense; and

WHEREAS, the City of Portland shall allow this request with the following requirements;

- Portland Department of Utilities (PDU) will not install service line or set meter until customer has installed piping from house to meter and passed thirty (30) psi pressure test inspection.
- The gas meter location will be determined by PDU.
- PDU will require a pressure regulator at the residence where the pipe enters the house. The regulator shall be capable of reducing two (2) psi to seven (7) inches of water column.
- PDU will install gas meter protection devices around gas meter to prevent damage (i.e., bollards); and

WHEREAS, the service line shall be the sole responsibility of the owner from the meter to the residence as per Tennessee Public Utility Commission (TPUC) requirements. PDU shall provide the *Customer Owned Service Line Notification Letter* that lists the requirements for future maintenance that is the responsibility of the customer and PDU will only be responsible for servicing and maintaining the line from the gas main to gas meter; and

WHEREAS, the resident of 150B Trivett Drive shall bear all cost of the installation and materials of the private service line and all applicable fees as per Ordinance 22-68 for the gas tap; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Portland to approve a customer owned natural gas service line to be installed by the property owners of 150 B Trivett Drive and to approve the city to place the gas tap at the right-of-way of the property, all at the property owner's expense. The owners must follow the requirements listed in this resolution of the installation of gas service before natural gas service is supplied; and

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

Mike Callis, Mayor

Attest: Rachel Slusser, City Recorder

Approved this day of



CITY OF PORTLAND
BRYAN PRICE P.E. – UTILITY DIRECTOR
100 SOUTH RUSSELL STREET
PORTLAND, TENNESSEE 37148
Telephone 615/323-1437
Email Address: bprice@cityofportlandtn.gov

February 3, 2021

Katherine Maza
150-B Trivett Drive
Portland, TN 37148

Re: Gas Service
150-B Trivett Drive
Portland, TN 37148
City of Portland, Dept. of Utilities

Ms. Maza,

The City of Portland, Department of Utilities, has completed an analysis as per your request for the property located at 150-B Trivett Drive. After review, the City cannot approve gas service at this location due to the distance from the main and the rocky terrain.

Should you have any questions, please feel free to give me a call.

Sincerely,

Bryan Price, PE
Utilities Director for the City of Portland, TN

cc: Kristi Gibbs
Tracy McGowan
Darlene Baker
Johnny Morris

BSPAV000512



Zoom to

Sumner Parcels: MAZA KATHERINE



LAST_UPDAT	
LastInspec	04/16/2019
Latitude	800,041.69
Legal_Desc	
Legal_Re_1	12/04/2020
Legal_Refe	5429-386
Location	150B TRIVETT DRIVE
Location_1	TRIVETT DR
Location_A	
Location_S	150B
Location2	150B TRIVETT DRIVE
Location3	150B TRIVETT DRIVE
Longitude	1,826,611.89
Lot	
LUC_Descri	Residential
Mailing__1	
Mailing_Ad	150 B TRIVETT DR
Mailing_Ci	PORTLAND
Mailing_St	TN
Mailing_Zi	37148
Map	
MapBook	
Missing	0
NAL_Descri	Displaced