CITY OF GALLATIN
COUNCIL COMMITTEE MEETING

October 14, 2014 **6:00 p.m.** **Dr. J Deotha Malone Council Chambers**

- Call to Order – Councilman Mayberry
- Roll Call: Vice Mayor Alexander – Brackenbury – Camp – Hayes – Kemp – Overton – Mayor Graves
- Approval of Minutes: September 23, 2014 Council Committee Meeting & September 23, 2014 Special-Called Council Committee Meeting
- Public Recognition
- Mayor's Comments

AGENDA

1. Crosswalk on Blakemore Ave **(Nick Tuttle, City Engineer)**
2. Resolution Authorizing the City of Gallatin to Participate in the TML Risk Management Pool "Safety Partners" Loss Control Matching Grant Program **(Susan High-McAuley, City Attorney)**
3. Resolution No. R1410-53 Approving the Policies and Procedures for the City of Gallatin's HOME Grant Housing Rehabilitation Program for the 2012-2013 Grant Cycle **(Bill McCord, City Planner)**
4. Request for Approval to Apply for a TDOT Multimodal Access Grant **(Bill McCord, City Planner)**
5. Appropriation Ordinance for Funds Received for Signage **(Rachel Nichols, Director of Finance/IT)**
6. Appointment of Tom Givens to the Economic Development Agency Board **(Mayor Graves)**
7. Discuss Attorney's Office Moving to South Water Building **(Councilwoman Brackenbury)**

- Other Business
- Department Head Reports
- Adjourn

City of Gallatin
Council Committee Meeting

Tuesday, September 23, 2014
Dr. J. Deotha Malone Council Chambers

PRESENT:

Mayor Jo Ann Graves
Vice Mayor John D. Alexander
Councilwoman Julie Brackenbury
Councilman Steve Camp
Councilwoman Anne Kemp
Councilman Craig Hayes
Councilman Ed Mayberry
Councilman Jimmy Overton

ABSENT:

OTHERS PRESENT:

Rosemary Bates, Special Projects Director
Rachel Nichols, Finance/IT Director
Ronnie Stiles, Public Works Director
Don Bandy, Police Chief
David Brown, Leisure Services Director
Tommy Dale, Assistant Fire Chief
Gallatin News Reporter
Chuck Stuart, Building Official
Bill McCord, City Planner
Nick Tuttle, City Engineer
Debbie Johnson, Personnel Director
David Gregory, Public Utilities Dir.
Connie Kittrell, City Recorder
News Examiner Reporter
Susan High McAuley, City Attorney
James Fenton, EDA Director

Councilman Hayes called the meeting to order immediately following the IT Director interviews.

Approval of Minutes

Councilman Hayes presented the minutes of the September 9, 2014 Committee Meeting for approval.

Councilman Overton made motion to approve; Vice Mayor Alexander second. Motion carried with 7 ayes and 0 nays.

Public Recognition

Councilman Hayes called for public recognition.

- Bob Thomas of 166 Grandview Circle read letters from neighbors, John C. McMurtry and Ron Morrow, concerning the recent Tractor Pull at Triple Creek Park and the noise created from the event.

  Mr. Thomas also spoke against the Tractor Pull and the noise issue. Mr. Thomas added that the noise ordinance does not apply to non-profit organizations.

- Larry Maynard of 1016 Odoms Private Court, Gallatin thanked the city for their help making the Tractor Pull event a great success. Mr. Maynard stated the Sertoma Club raised over $10,000 at this year's event to help children with hearing issues. Mr. Maynard stated there were many tractors and trucks from other areas outside of Gallatin and Tennessee.

- Joe Debord of 1007 Hart Street spoke about the Tractor Pull and possible alternative locations. Mr. Debord also suggested two (2) Tractor Pull events a year.

- Bob Thomas of 166 Grandview Circle stated the Sertoma Club has applied for a Noise Permit for next year. Mr. Thomas asked if Leisure Services Director David Brown gives the okay or if City Council determines whether they will have the event again next year.

With no one else wishing to speak Councilman Hayes closed public recognition.

Mayor's Comments

- Mayor Graves stated she signed the contract with Barge, Waggener for the addition to the Civic Center and the first design meeting will be next Thursday, October 2nd. Mayor stated the members of the committee are David Brown, Velma Brinkley, Angela Alexander, Ed Mayberry, Julie Brackenbury and Mayor Graves.

Agenda

Councilman Hayes stated there is a request to move Item #8. to the top of the agenda and there was no objection.

8. East Park Avenue Roadway Improvements

City Engineer Nick Tuttle stated the outside engineers on this project are here tonight to answer questions. Mr. Tuttle provided Council with an information sheet showing the two design options; Alternate "A" and Alternate "B" on the Park Avenue Streetscape. Mr. Tuttle explained that Council voted earlier to accept Alternate "B". He added that the total cost is $350,000. He said there was $136,000 appropriated and the other funds were combined from other areas (drainage, sidewalks and paving rehabilitation budget) to total $350,000.

Mr. Tuttle said the sidewalk on the south side of the road will cost an additional $150,000.

Public Works Director Ronnie Stiles stated if sidewalks are installed from Westland to South Water he would like to do it right.

Public Utilities Director David Gregory stated he has spent over $300,000 for the sewer system in that ditch and it cannot be lowered.

Discussion continued.

Andy Leath with Rogers Engineering Group addressed the sidewalk on the south side of the street and his concerns of getting all of the storm water into the closed pipe system.

Discussion continued on installing sidewalks on the south side of the street and curbs/gutters on the south side.

Mr. Tuttle stated he and Mr. Leath agreed and recommended Alternate "A"; Alternate "B" is more for looks.

Discussion continued.

Mr. Stiles provided Council with two (2) handouts showing the stamped median and a drainage/flooding handout from 09/10/2010.

Council continued to discuss.

Councilwoman Kemp left the meeting at this time.

1. **Presentation Regarding Downtown**

Councilwoman Julie Brackenbury introduced Craige Hoover, Southeast Director of Live Work Learn Play. Ms. Brackenbury explained the Downtown Committee wanted to share Mr. Hoover's ideas for downtown Gallatin.

Mr. Hoover thanked Council and provided a power point presentation on his design to create a successful downtown area for Gallatin.

9. **Rose Mont**

Councilman Hayes requested moving Item #9. to the next item on the agenda for discussion.

Councilman Camp explained Rose Mont receives a $20,000 grant from the City to be used for maintenance. The current policy has been that Rose Mont submits an invoice to the Finance Department for disbursement. The Board of Rose Mont presented a prioritized list requesting the city expand the definition of maintenance to include furniture and other things.

Councilman Camp highlighted the list of requests from the board.

Discussion continued on liability insurance coverage, the lease agreement, and providing the city with an itemized report of monies spent.

Councilman Hayes moved this item onto Council without objection.

2. **New and Revised Job Descriptions for the Building Codes Department**

Human Resource Director Debbie Johnson explained this is a restructuring of office staff due to an employee leaving.

Building Official Chuck Stuart stated he is not asking for a reclassification, not asking for a pay raise for any employees or for a pay raise for any of the vacant positions. Mr. Stuart explained his restructuring plan for his office with no additional funding. Mr. Stuart stated his plan is to offer a career path for the candidates.

Council continued to discuss.

Vice Mayor Alexander asked questions on the other 15 reclassifications discussed earlier. Ms. Johnson stated those requests were made during the budget process and it was decided to wait on the results of the compensation study before making any changes.

Discussion continued.

Councilman Hayes moved this item onto Council without objection.

3. **Vehicles**

Building Official Chuck Stuart stated he's two (2) vehicles short in his department but had found two (2) vehicles available from the Forestry Department with low mileage and good gas mileage. Mr. Stuart requested funds not to exceed $15,000 to purchase these two trucks at the next Council meeting.

Without objection, this item was moved onto Council.

4. **City Recorder's Request for an Investigation**

City Attorney Susan High-McAuley gave an update on an investigation as requested by the City Recorder Connie Kittrell. Ms. High McAuley also gave a history of previous events. Ms. High-McAuley stated she removed herself from the investigation.

Ms. High-McAuley read an email from Mr. Bill Bates. Mr. Bates recommends Mr. Robert Burns with Howell and Fisher to conduct the investigation requested by the City Recorder.

Ms. High-McAuley asked for guidance from Council on allowing communications between the City Attorney with outside counsel, council members or others in the city made available during the investigation.

Councilman Overton asked if either one of these firms had given contributions to the former City Attorney's campaign or the Mayor's campaign. Mayor Graves stated she would have to go back and look over her disclosures.

Vice Mayor Alexander stated his motion was for a full investigation questioning everyone that may be involved; emails, texts or whatever.

Discussion continued on the selection of the attorney.

Council allowed Ms. Kittrell's attorney, Mr. Ron Pursell to speak.

Mr. Pursell stated until he can get some information from Mr. Burns it would be hard to agree to Mr. Burns to conduct the investigation.

There was much discussion.

Councilwoman Brackenbury asked for an estimate of how much the city had spent. Ms. High-McAuley stated the city is not incurring legal fees for Bill Bates and approximately $12,500 has been paid to Bob Burns.

Finance/IT Director Rachel Nichols stated the audit costs were between $9,000 and $14,000.

5. **Peninsula Drive**

City Engineer Nick Tuttle reported that Peninsula Drive has been paved and the speed humps removed. Mr. Tuttle stated the speed humps are not necessary anymore and will not be re-installed at this time.

6. **Report on Progress of Marketing and Events Coordinator**

Leisure Services Director David Brown provided report/information on the Marketing and Events Coordinator position. Mr. Brown stated the last interview was conducted today. He added that he has a good foot print established.

Vice Mayor Alexander left the meeting at this time.

7. **Crosswalk on Boyers**

City Engineer Nick Tuttle reported on the cost for a raised crosswalk at Boyers Street between Christian Towers and the Senior Citizen Center. Mr. Tuttle said there would need to be an appropriation of approximately $4,000 if the work is done in-house.

Councilman Overton motioned to approve and there was no objection.

Other Business

Councilman Hayes called for other business and there was none.

Department Head Reports

Councilman Hayes called for Department Head Reports.

- Leisure Services Director David Brown informed Council that the Sertoma Club has submitted their application for the Tractor Pull Event for next year. Mr. Brown asked for guidance on the application for next year. He added that if all the submitted paperwork is in order he will approve the permit.

- Councilwoman Brackenbury asked Assistant Chief Tommy Dale for a copy of the ISO report for the new Fire Station. Ms. Brackenbury asked Mr. Tuttle about the overgrown grassy areas in Fairway Farms.

- Councilman Hayes asked about the stripping on Inneswood. City Engineer Nick Tuttle stated he would check on the stripping.

- Assistant Fire Chief Tommy Dale reported the Geotechnical Survey at the new Fire Station property will be in the morning at 8:00 AM.

Adjourn

With no other business to discuss, Councilman Hayes adjourned the meeting.

Mayor Jo Ann Graves

Connie Kittrell, City Recorder

City of Gallatin
Special-Called Council Committee Meeting
September 23, 2014

Tuesday, September 23, 2014
Dr. J. Deotha Malone Council Chambers

PRESENT:

Mayor Jo Ann Graves
Vice Mayor John D. Alexander
Councilman Steve Camp
Councilwoman Julie Brackenbury
Councilwoman Anne Kemp
Councilman Jimmy Overton
Councilman Ed Mayberry
Councilman Craig Hayes

ABSENT:

OTHERS PRESENT:

Rosemary Bates, Special Projects Director
Debbie Johnson, Human Resource Director
Cameron Calvert, IT Department
Rachel Nichols, Finance/IT Dir.
Ronnie Stiles, Public Works Director
David Gregory, Public Utilities Director
Chuck Stuart, Building Official
David Brown, Leisure Services Director
Lyndon Satterfield, Building Maintenance
Connie Kittrell, City Recorder
News Examiner, Reporter
Gallatin News, Reporter
Don Bandy, Police Chief
Nick Tuttle, City Engineer
Bill McCord, City Planner
James Fenton, EDA Director
Matt Foley, IT Department

Mayor Jo Ann Graves called the meeting to order at 5:00 P.M.

Public Recognition on Agenda Item Only

Mayor Graves opened public recognition on agenda item only.

With no one wishing to speak, public recognition was closed.

Agenda

Mayor Graves explained this is the interview and evaluation of candidates for the IT Director position.

Human Resource Director Debbie Johnson thanked all the candidates. Ms. Johnson introduced Mr. Terry McCoy from the City of Maryville and Mr. Brian Krall from Vol. State College. She stated that Mr. McCoy and Mr. Krall served on the recommendation committee and are here to offer their expertise.

The following is a list of the candidates:

1. Mikah Barnette
2. Chris Bransford
3. Toney Flack
4. Michael Hader
5. Ryan Klockner
6. Lori Smiley
7. Douglas Snyder

Candidate Michael Hader was late arriving for the interview session and Mr. Travis White was not present.

Each candidate was given three (3) minutes to speak about their personal information, work experience and education.

Sample questions were provided to Mr. McCoy, Mr. Krall and council members.

The panel members, Mr. McCoy and Mr. Krall asked several questions of the applicants. Council members also asked the candidates several questions. Each candidate was given three minutes to answer the questions.

Council discussed.

Council decided to take some time to process each candidates interview, resume and responses.

Adjourn

With no further business to discuss, the meeting was adjourned.

Mayor Jo Ann Graves

City Recorder Connie Kittrell

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

October 14, 2014

DEPARTMENT: **Engineering** **AGENDA #** 1

SUBJECT:
Crosswalk on Blakemore Ave

SUMMARY:
Vice Mayor Alexander asked for this item to be put on the agenda.

RECOMMENDATION:

ATTACHMENT:

☐ **Resolution**	☐ **Correspondence**	☐ **Bid Tabulation**
☐ **Ordinance**	☐ **Contract**	☐ **Other**

Approved ☐
Rejected ☐
Deferred ☐

Notes:

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

October 14, 2014

DEPARTMENT: **CITY ATTORNEY** **AGENDA #** 2

SUBJECT:
Resolution authorizing the City of Gallatin to participate in the TML Risk Management Pool "Safety Partners" Loss Control Matching Grant Program.

SUMMARY:
The Pool has offered its annual "Safety Partners" Grant Program offering reimbursement of up to 50% of the cost of approved safety devices, equipment and safety training necessary to control an employee safety hazard.

The City of Gallatin has been awarded this Grant. This money is incurred every year by the Police Department for the purchase of body armour. The City can utilize the opportunity to receive up to $2,000 to put towards additional safety training for employees.

RECOMMENDATION:
Pass attached Resolution

ATTACHMENT:

- [x] **Resolution**
- [ ] **Ordinance**
- [ ] **Correspondence**
- [ ] **Contract**
- [ ] **Bid Tabulation**
- [ ] **Other**

Approved ☐
Rejected ☐
Deferred ☐

Notes:

RESOLUTION NO. R1410-51

RESOLUTION AUTHORIZING THE CITY OF GALLATIN TO PARTICIPATE IN THE TML RISK MANAGEMENT POOL "SAFETY PARTNERS" LOSS CONTROL MATCHING GRANT PROGRAM

WHEREAS, the safety and well being of the employees of the City of Gallatin is of the greatest importance; and

WHEREAS, all efforts shall be made to provide a safe and hazard-free workplace for employees of the City of Gallatin; and

WHEREAS, the TML Risk Management Pool seeks to encourage the establishment of a safe workplace by offering a "Safety Partners" Loss Control Matching Grant Program; and

WHEREAS, the City of Gallatin now seeks to participate in this important program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that the City of Gallatin is hereby authorized to participate in the "Safety Partners" Loss Control Matching Grant through the TML Risk Management Pool, seeking the maximum grant of two thousand and 00/100 ($2,000.00) by having expenditures in excess of four thousand and 00/100 ($4,000.00) for safety training, equipment, and devices.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that this resolution shall take effect from and after its final passage, the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED: _____.

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

_____
SUSAN HIGH-MCAULEY, CITY ATTORNEY

THE TML POOL

Tennessee's Leader in Risk Management Services

Safety Partners

"Safety Partners" Loss Control Matching Grant Program

***S**afe **A**ctions... **F**irst Time, **E**very Time... the **T**ML Pool and **Y**ou!*

Safety Grant Approved

Wednesday, August 27, 2014

Congratulations! This letter serves as your official status notice that you have been **approved** for the 2014-2015 TML Risk Management Pool **"Safety Partners" Loss Control Matching Grant,** for which you applied.

Chair, Grant Committee

Please send **proof of payment** for approved items that you submitted on your application, along with the **signed resolution/motion** before we can process your grant check.

Important! If you have already sent us **proof of payment** for approved purchases/training, you will be receiving your grant check shortly. If you have not sent this information, please do so by **May 1, 2015**, along with a copy of this notification. **Your check will not be processed until we have verification of payment**. If proof of payment is not received by **May 1, 2015**, your reimbursement dollars may be reappropriated to pending recipients who do submit their paid invoices.

Email all documents to tmitchell@thepool-tn.org.

You may also fax or mail these documents, but please do not send them twice.
Fax to: 615-371-9212
Mail to: The Pool, Attn: Tahtia Mitchell, 5100 Maryland Way, Brentwood, TN 37027

Questions? Contact Tahtia Mitchell at 800-624-9698 or 615-371-0049.

Thank you for your participation in the 2014-2015 "Safety Partners" Grant program.

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

OCTOBER 14, 2014

DEPARTMENT: **PLANNING DEPARTMENT** **AGENDA #** 3

SUBJECT:
Resolution No. R1410-53 approving the policies and procedures for the City of Gallatin's HOME Grant Housing Rehabilitation Program for the 2012-2013 grant cycle.

SUMMARY:
The policies and procedures shall govern the day-to-day administration of the housing rehabilitation program in accordance with the requirements of the HOME Grant Program.

RECOMMENDATION:

ATTACHMENT:

- [x] **Resolution**
- [ ] **Ordinance**
- [ ] **Correspondence**
- [ ] **Contract**
- [ ] **Bid Tabulation**
- [x] **Other**

Approved ☐
Rejected ☐
Deferred ☐

Notes:

RESOLUTION NO. R1410-53

RESOLUTION APPROVING THE POLICIES AND PROCEDURES FOR THE CITY OF GALLATIN'S HOME GRANT HOUSING REHABILITATION PROGRAM FOR THE 2012-2013 GRANT CYCLE

WHEREAS, THE CITY OF GALLATIN has received a HOME Grant from the Tennessee Housing Development Agency (THDA) for the rehabilitation of eligible owner occupied housing units located in the City of Gallatin; and

WHEREAS, THE CITY OF GALLATIN has prepared policies and procedures to govern the day-to-day operation of the housing rehabilitation program in accordance with the requirements of the HOME Grant.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that the City of Gallatin hereby adopts *The City of Gallatin HOME Program Policies and Procedures* attached hereto as Exhibit A.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that this Resolution shall take effect on final passage, the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE:

NAY:

DATED:

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
SUSAN HIGH-MCAULEY
CITY ATTORNEY

EXHIBIT A

HO-1

HOME PROGRAM POLICIES AND PROCEDURES FOR

2012 City of Gallatin, TN

1. PURPOSE

This program will make available financial and/or technical assistance for the rehabilitation of eligible, substandard, owner occupied housing units located in the community. Rehabilitation work will correct deficiencies in the eligible homes and make them safe, sound, and sanitary.

2. AUTHORITY

The legal authority of this program comes from the working agreement with Tennessee Housing Development Agency, Public Law 101-625 (National Affordable Housing Act of 1990), as well as State and local laws.

3. PROGRAM RESOURCES

The source of funds for the undertaking of these activities is a grant in the amount of $ 250,000.00 which Gallatin has been awarded by Tennessee Housing Development Agency (THDA) through the U.S. Department of Housing and Urban Development Home Investment Partnership Act.

4. APPLICABLE LAWS

A. The local governing bodies, contractors, subcontractors, vendors and applicants for rehabilitation assistance are required to abide by a number of State and Federal laws, and may be required to sign documents certifying their compliance.

1. Flood Disaster Protection Act of 1973 (42 U.S.C. 4001-4128 and 24 CFR 92.358).
2. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)(42 U.S.C. 4201-4655), 49 CFR Part 24, and 24 CFR 92.353)
3. Debarment and Suspension provisions as required by 24 CFR Part 24 and 24 CFR 92.357.
4. National Environment Policy Act of 1969 (NEPA), 24 CFR Parts 50 and 58, and 24 CFR 92.352.
5. Equal Opportunity Provisions and Fair Housing, 24 CFR 92.350.
6. Affirmative Marketing, 24 CFR 92.351.

EXHIBIT A

7. Lead-based Paint Poisoning Prevention Act, 24 CFR 92.355.

8. Conflict of Interest Provisions, 24 CFR 85.36 or 24 CFR 84.42, as applicable, and 24 CFR 92.356.

9. Davis-Bacon Act and Contract Work Hours and Safety Standards Act, and 24 CFR 92.354.

10. Intergovernmental Review of Federal Programs, Executive Order 12372 and 24 CFR 92.359.

11. Drug-Free Workplace, 24 CFR part 24, subpart F.

12. Standard Equal Opportunity Construction Contract Specifications.

13. Certification of Non-segregated Facilities for Contracts Over $10,000.

14. Title VI of Civil Rights Act of 1964 Provisions.

15. Section 109 of Housing and Community Development Act of 1974 Provisions.

16. Section 3 Compliance Provisions.

17. Age Discrimination Act of 1975 Provisions.

18. Section 504 Affirmative Action for Handicapped Provisions.

19. And any other Federal requirements as set forth in 24 CFR Part 92, HOME Investment Partnerships Program

5. DRUG-FREE WORKPLACE

A. The City of Gallatin (HOME Grantee) will or will continue to provide a drug-free workplace by

1. Notifying employees in writing that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Grantee's workplace and specifying the action that will be taken against employees for violation of such prohibition.

2. Establishing an ongoing drug-free awareness program to inform employees about:

   a. The dangers of drug abuse in the workplace;

   b. The Grantee's policy of maintaining a drug-free workplace;

   c. Any drug counseling, rehabilitation, and employee assistance programs; and

   d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

B. Providing each employee engaged in the performance of the HOME contract a copy of the notification required in paragraph A(1) above;

EXHIBIT A

C. The written notification required in paragraph A (1) above will advise the employee that, as a condition of employment under the HOME grant, the employee will:

1. Abide by the terms of the notification; and

2. Notify the employers in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.

D. Notifying the State in writing, within ten (10) calendar days after receiving notice under D(2) above from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal Agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant.

E. Taking one of the following actions, within thirty (30) calendar days of receiving notice under D(2) above, with respect to any employee who is so convicted:

1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirement of the Rehabilitation Act of 1973, as amended; or

2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

3. Making a good faith effort to continue to maintain a drug-free workplace through implementation of Paragraphs A, B, C, D, E and F above.

6. CONFLICT OF INTEREST

A. No person listed in paragraph B may obtain a financial interest or benefit from a HOME-assisted activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds there under, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

B **PERSONS COVERED** – Immediate family members of any local elected official or of any employee or board member of a non-profit agency are ineligible to receive benefits through the HOME program. "Immediate family member" means the spouse, parent (including a stepparent), child (including a stepchild), grandparent, grandchild, sister or brother (including a stepsister or stepbrother) of any covered individual.

In addition, the conflict of interest provisions as apply to any person who is an employee, agent, consultant, officer, elected official or appointed official of THDA, the local community or the non-profit agency (including CHDOs) receiving HOME funds, and who exercises or has exercised any functions or responsibilities with respect to activities assisted with HOME funds or who is in a position to participate in a decision-making process or gain inside information with regard to these activities.

12.4 **APPEARANCE OF A CONFLICT OF INTEREST** - Grantees must also make every effort to avoid the appearance of favoritism in the eligibility determination process. In those cases where the applicant is otherwise eligible, but there exists the appearance of a conflict of interest or the

EXHIBIT A

appearance of favoritism, the Grantee must complete *HO-4A (Determination of a Conflict of Interest)* and submit written documentation to THDA that the following procedures have been observed:

1. The Grantee must publish an announcement in the local newspaper concerning the potential for a conflict of interest and request citizen comments.

2. The Grantee's attorney must render an opinion as to whether or not a conflict of interest exists and that no state or local laws will be violated should the applicant receive HOME assistance.

3. The Grantee's elected body must pass a resolution approving the applicant.

7 APPLICANT ELIGIBILITY

A. **APPLICANT ELIGIBILITY CRITERIA:** The following criteria must be satisfied by all applicants in order to become eligible for a rehabilitation grant:

1. The applicant must be low or very low income as defined by Section 8 income requirements, i.e., below 80% of area median income.

2. The applicant must have been the resident of the property to be rehabilitated for a period of not less than one year and must occupy the property as his or her principle residence.

3. The applicant's ownership must be in the form of:

   a. fee simple title; or

   b. a 99-year leasehold; or

   c. a life estate. The person with the life estate must have the right to live in the housing for the remainder of his or her life and not pay rent, must be low income, and must occupy the housing as his or her principal residence; or

   d. inherited property with multiple owners not all residing in the housing. The owner-occupant must be low income, must occupy the house as his or her principal residence, and mus pay all the costs associated with ownership and maintenance of the housing.

4. The title must not have any restrictions or encumbrances that would unduly restrict the good and marketable nature of the ownership interest.

5. The applicant must voluntarily apply for assistance.

8 INCOME ELIGIBILITY

A. ANNUAL INCOME (GROSS INCOME) - The State's HOME program uses the income definitions of the Section 8 program to determine the annual income (gross income) used to classify a *household* for purposes of eligibility. Annual income means all amounts, monetary or not, which:

1. Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member;

EXHIBIT A

2. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date. In other words, it is the household's *future or expected* ability to pay rather than its past earnings that is used to determine program eligibility. If it is not feasible to anticipate a level of income over a 12-month period, the income anticipated for a shorter period may be annualized, subject to a redetermination at the end of the shorter period; and

3. Which are not specifically excluded in paragraph 6.8 (Income Exclusions) below.

4. Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

5. MONTHLY GROSS INCOME - Monthly gross income is Annual Gross Income divided by 12 months.

B. **ASSETS** - In general terms, an asset is a cash or non-cash item that can be converted to cash. There is no asset limitation for participation in the HOME program. Income from assets is, however, recognized as part of Annual Gross Income. Assets have both a market value and a cash value.

1. MARKET VALUE - The market value of an asset is simply its dollar value on the open market. For example, a stock's market value is the price quoted on a stock exchange on a particular day, and a property's market value is the amount it would sell for on the open market. This may be determined by comparing the property with similar, recently sold properties.

2. CASH VALUE - The cash value of an asset is the market value less reasonable expenses required to convert the asset to cash, including:

   a. Penalties or fees for converting financial holdings. Any penalties, fees, or transaction charges levied when an asset is converted to cash are deducted from the market value to determine its cash value (e.g., penalties charged for premature withdrawal of a certificate of deposit, the transaction fee for converting mutual funds, or broker fees for converting stocks to cash); and/or

   b. Costs for selling real property. Settlement costs, real estate transaction fees, payment of mortgages/liens against the property, and any legal fees associated with the sale of real property are deducted from the market value to determine equity in the real estate.

   c. Under Section 8 rules, only the cash value (rather than market value) of an item is counted as an asset.

C. **INCOME FROM ASSETS** - The income counted is the actual income generated by the asset (e.g., interest on a savings or checking account.) The income is counted even if the household elects not to receive it. For example, although a household may elect to reinvest the interest of dividends from an asset, the interest or dividends is still counted as income.

1. The income from assets included in Annual Gross Income is the income that is anticipated to be received during the coming 12 months.

   a. To obtain the anticipated interest on a savings account, the current account balance can be multiplied by the current interest rate applicable to the account; or

EXHIBIT A

b. If the value of the account is not anticipated to change in the near future and interest rates have been stable, a copy of the IRS 1099 form showing past interest earned can be used.

c. Checking account balances (as well as savings account balances) are considered an asset. This is a recognition that some households keep assets in their checking accounts, and is not intended to count monthly income as an asset. Grantees should use the average monthly balance over a 6-month period as the cash value of the checking account.

2. When an Asset Produces Little or No Income:

a. If the family's assets are $5,000 or less, actual income from assets (e.g., interest on a checking account) is not counted as annual income. For example, if a family has $600 in a non-interest bearing checking account, no actual income would be counted because the family has no actual income from assets and the total amount of all assets is less than $5,000.

b. If the family's assets are greater than $5,000, income from assets is computed as the greater of:

i. actual income from assets, or'

ii. calculate income from assets based on a passbook rate applied to the cash value of all assets. For example, if a family has $3,000 in a non-interest bearing checking account and $5,500 in an interest-bearing savings account, the two amounts are added together. Use the standard passbook rate to determine the annual income from assets for this family.

3. Applicants who dispose of assets for less than fair market value (i.e., value on the open market in an "arm's length" transaction) have, in essence, voluntarily reduced their ability to afford housing. Section 8 rules require, therefore, that any asset disposed of for less than fair market value during the 2 years preceding the income determination be counted as if the household still owned the asset.

a. The value to be included as an asset is the difference between the cash value of the asset and the amount that was actually received (if any) in the disposition of the asset (less any fees associated with disposal of property, such as a brokerage fee).

b. Each applicant must certify whether an asset has been disposed of for less than fair market value. Assets disposed of for less than fair market value as a result of foreclosure, bankruptcy, divorce or separation is not included in this calculation.

c. These procedures are followed to eliminate the need for an assets limitation and to penalize people who give away assets for the purpose of receiving assistance or paying a lower rent.

D. ASSETS INCLUDE:

1. Amounts in savings accounts and six month average balance for checking accounts.

2. Stocks, bonds, savings certificates, money market funds and other investment accounts.

3. Equity in real property or other capital investments. Equity is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and

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reasonable costs (such as broker fees) that would be incurred in selling the asset. *DO NOT INCLUDE EQUITY OF PRINCIPAL RESIDENCE AS AN ASSET FOR HOMEOWNER REHABILITATION PROGRAMS.*

4. The cash value of trusts that are available to the household.

5. IRA, Keogh, and similar retirement savings accounts, even though withdrawal would result in penalty.

6. Contributions to company retirement/pension funds that can be withdrawn without retiring or terminating employment.

7. Assets which, although owned by more than one person, allow unrestricted access by the applicant.

8. Lump sum receipts such as inheritances, capital gains, lottery winnings, insurance settlements, and other claims.

9. Personal property held as an investment such as gems, jewelry, coin collections, antique cars, etc.

10. Cash value of life insurance policies.

11. Assets disposed of for less than fair market value during two years preceding certification or recertification.

E. ASSETS DO NOT INCLUDE:

1. Necessary personal property, except as noted under paragraph 6.5(9) (Assets Include) above

2. Interest in Indian Trust lands

3. Assets that are part of an active business or farming operation.

   NOTE: Rental properties are considered personal assets held as an investment rather than business assets unless real estate is the applicant/tenant's main occupation.

4. Assets not accessible to the family and which provide no income to the family.

5. Vehicles especially equipped for the handicapped.

6. Equity in owner-occupied cooperatives and manufactured homes in which the family lives.

F. **INCOME INCLUSIONS** - The following are used to determine the annual income (gross income) of *an applicant's household* for purposes of eligibility:

1. The full amount, before any payroll deductions, of wages and salaries, over-time pay, commissions, fees, tips and bonuses, and other compensation for personal services;

2. The net income for operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a

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business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.

3. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as a deduction in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (2) above. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the Family. Where the family has net family assets in excess of $5,000, Annual Income shall include the greater of the actual income derived from net family assets or a percentage of the value of such Assets based on the current passbook saving rate, as determined by HUD.

4. The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except Supplemental Security Income (SSI) or Social Security).

5. Payments in lieu of earnings, such as unemployment, worker's compensation and severance pay (but see paragraph (3) under Income Exclusions).

6. Welfare Assistance. If the Welfare Assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:

   a. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus

   b. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.

7. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling;

8. All regular pay, special pay and allowances of a member of the Armed Forces. (See paragraph (8) under Income Exclusions).

G. **INCOME EXCLUSIONS** - The following are excluded from a household's income for purposes of determining eligibility:

1. Income from employment of children (including foster children) under the age of 18 years;

2. Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the tenant family), who are unable to live alone;

3. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except for payments in lieu of earnings – see paragraph (5) of Income Inclusions).

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4. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;

5. Income of a live-in aide;

6. Certain increases in income of a disabled member of the family residing in HOME assisted housing or receiving HOME tenant-based rental assistance (see 6.12 (7) under Determining Whose Income to Count).

7. The full amount of student financial assistance paid directly to the student or to the educational institution;

8. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;

9. a. Amounts received under training programs funded by HUD;

   b. Amounts received by a Disabled person that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);

   c. Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care etc.) which are made solely to allow participation in a specific program;

   d. Amount received under a resident's service stipend. A resident service stipend is a modest amount (not to exceed $200 per month) received by a resident for performing a service for the owner or manager on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination and serving as a member of the governing board. No resident may receive more than one such stipend during the same period of time.

   e. Incremental earnings and benefits resulting to any family member from participation in qualifying state or local employment training programs (including training not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded must be received under employment training programs with clearly defined goals and objectives, are excluded only for the period during which the family member participates in the employment training program.

10. Temporary, nonrecurring or sporadic income (including gifts);

11. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;

12. Earnings in excess of $480 for each full-time student 18 years old or older (excluding the head of household and spouse);

13. Adoption assistance payments in excess of $480 per adopted child;

14. For public housing only, the earnings and benefits to any family member resulting from participation in a program providing employment training and supportive services in

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accordance with the Family Support Act of 1988, Section 22 of the 1937 Act, or any comparable federal, state or local law during the exclusion period.

15. Deferred periodic amounts from SSI and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts.

16. Amounts received by the family in the form of refunds or rebates under state or local law from property taxes paid on the dwelling unit.

17. Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep this developmentally disabled family member at home.

18. Amounts specifically excluded by any other federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions apply.

    a. The value of the allotment provided to an eligible household under the Food Stamp Act of 1977;

    b. Payments to volunteers under the Domestic Volunteer Service Act of 1973 (employment through VISTA; Retired Senior Volunteer Program, Foster Grandparents Program, youthful offenders incarceration alternatives, senior companions);

    c. Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(a));

    d. Income derived from certain sub-marginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 259e);

    e. Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));

    f. Payments received under programs funded in whole or in part under the Job Training Partnership Act;

    g. Income derived from the disposition of funds of the Grand River Band of Ottawa Indians;

    h. The first $2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims (25 U.S.C. 1407-1408) or from funds held in trust for an Indian tribe by the Secretary of Interior (25 U.S.C. 117)

    i. Amounts of scholarships funded under Title IV of the Higher Education Act of 1965 including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu);

    j. Payments received from programs funded under Title V of the Older Americans Act of 1965 (42 U.S.C. 3056(f)).

    k. Any earned income tax credit refund payments received on or after January 1, 1991, including advanced earned income credit payments;

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l. Payments received after January 1, 1989 from the Agent Orange Settlement Fund or any other funds established pursuant to the settlement in the In Re Agent Orange product liability litigation MDL No. 381 (E.D.N.Y.)

m. The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q)

n. Payments received under the Maine Indian Claims Settlement Act of 1980.

H. **TIMING OF INCOME CERTIFICATIONS** - All households that receive HOME assistance must be income eligible. Income must be verified before rehabilitation assistance begins.

1. Application processing is labor intensive. Early screening for income eligibility can eliminate excessive work in processing an ineligible applicant.

2. Establishing a deadline for formal eligibility determinations is a challenging part of the planning process. Generally, the HOME Program permits verification dated no earlier than 6 months prior to providing assistance

3. The Grantee must calculate the annual income of the household by projecting the prevailing rate of income of the family at the time the Grantee determines that the family is income eligible. The Grantee is not required to re-examine the family's income at the time the HOME assistance is committed to the household, unless more than six months has elapsed since the Grantee determined that the family qualified as income eligible. . If more than six months elapses before assistance is provided, eligibility must be re-determined.

a. For homeowner rehabilitation projects, the date assistance is provided is the date of the rehabilitation contract.

b. For homeownership programs, the income eligibility of the families is timed as follows:

i. In the case of a contract to purchase existing housing, it is the date of the purchase;

ii. In the case of a lease-purchase agreement for existing housing or for housing to be constructed, it is the date the lease-purchase agreement is signed; and

iii. In the case of a contract to purchase housing to be constructed, it is the date the contract is signed.

I. **INCOME VERIFICATION** - Grantees must verify and retain documentation of two (2) months of income information for each person in the household to determine the household's income. Under the Section 8 Program, there are three forms of verification which are acceptable: third-party, review of documents, and applicant certification.

1. THIRD-PARTY VERIFICATION - Under this form of verification, a third party (e.g., employer, Social Security Administration, or public assistance agency) is contacted to provide information. Although written requests and responses are generally preferred, conversations with a third party are acceptable if documented through a memorandum to the file that notes the contact person and date of the call.

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a. To conduct third-party verifications, a Grantee must obtain a written release from the household that authorizes the third party to release required information.

b. Third-party verifications are helpful because they provide independent verification of information and permit Grantees to determine if any changes to current circumstances are anticipated. Some third-party providers may, however, be unwilling or unable to provide the needed information in a timely manner.

2. REVIEW OF DOCUMENTS - Documents provided by the applicant (such as pay stubs, IRS returns, etc.) may be most appropriate for certain types of income and can be used as an alternative to third-party verifications. Copies of documents should be retained in project files.

Grantees should be aware that although easier to obtain than third-party verifications, a review of documents often does not provide needed information. For instance, a pay stub may not provide sufficient information about average number of hours worked, overtime, tips and bonuses.

3. APPLICANT CERTIFICATION - When no other form of verification is possible, a certification by the applicant may be used. For example, it may be necessary to use an applicant certification for an applicant whose income comes from "odd jobs" paid for in cash.

Applicant certification is the least reliable form of verification and may be subject to abuse. In some cases, the applicant certification can be supplemented by looking at the applicant's past history. The Grantee can review the previous year's income tax return to determine if the current year's income is consistent with activity for the previous year.

J. **CALCULATION METHODOLOGIES** - Grantees must establish methodologies that treat all households consistently and avoid confusion.

1. It is important to understand the basis on which applicants are paid (hourly, weekly or monthly, and with or without overtime). An applicant who is paid "twice a month" may actually be paid either twice a month (24 times a year) or every two weeks (26 times a year).

2. It is important to clarify whether overtime is sporadic or a predictable component of an applicant's income.

3. Annual salaries are counted as Annual Income regardless of the payment method. For instance a teacher receives an annual salary whether paid on a 9- or 12-month period.

K. **DETERMINING WHOSE INCOME TO COUNT** - Knowing whose income to count is as important as knowing which income to count. Under the Section 8 definition of income, the following income *is not counted*:

1. INCOME OF LIVE-IN AIDES - If a household includes a paid live-in aide (whether paid by the family or a social service program), the income of the live-in aide, regardless of its source, is not counted. (Except under unusual circumstances, a related person can never be considered a live-in aide);

2. INCOME ATTRIBUTABLE TO THE CARE OF FOSTER CHILDREN - Foster children are not counted as family members when determining family size to compare with the

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Income Limits. Thus, the income a household receives for the care of foster children is not included; and

3. EARNED INCOME OF MINORS - Earned income of minors (age 18 and under) is not counted. However, unearned income attributable to a minor (e.g., child support, AFDC payments, and other benefits paid on behalf of a minor) is counted.

4 TEMPORARILY ABSENT FAMILY MEMBERS - The income of temporarily absent family members is counted in Annual Income - regardless of the amount the absent family member contributes to the household. For example, a construction worker earns $600/week at a temporary job on the other side of the state. He keeps $200/week for expenses and sends $400/week home to his family. The entire $600/week is counted in the family's income;

5. ADULT STUDENTS LIVING AWAY FROM HOME - If the adult student is counted as a member of the household in determining the Income Limit used for eligibility of the family, the student's income must be counted in the family's income. Note, however, that the $480 limit does not apply to a student who is head of household or spouse (their full income must be counted); and

6. PERMANENTLY ABSENT FAMILY MEMBER - If a family member is permanently absent from the household (e.g., a spouse who is in a nursing home), the head of household has the choice of either counting that person as a member of the household, and including income attributable to that person as household income, or specifying that the person is no longer a member of the household.

7. PERSONS WITH DISABILITES – During the annual recertification of a family's income, increases in the income of a disabled member of qualified families residing in HOME assisted housing or receiving HOME tenant- based rental assistance is excluded. 24 CFR 5.61(a) outlines the eligible increases in income. These exclusions from annual income are of limited duration. The full amount of increase to an eligible family's annual income is excluded for the cumulative 12-month period beginning on the date the disabled family member is first employed or the family first experiences an increase in annual income attributable to the employment. During the second cumulative 12-month period, 50 percent of the increase in income is excluded. The disallowance of increased income of an individual family member who is a person with disabilities is limited to a lifetime 48-month period.

9 ELIGIBILITY REQUIREMENTS OF PROPERTY TO BE REHABILITATED

A. **DEFINITIONS** - The following are definitions of the various terms used with respect to eligibility requirements of the property to be rehabilitated.

1. DWELLING UNIT - A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

2. SINGLE FAMILY - A housing unit consisting of living, sleeping, bathing, and food preparation designed for single-family use, although more than one family may be residing therein, if every occupant has access to all areas within the building envelope.

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3. SUBSTANDARD - A housing unit failing to meet all applicable codes, rehabilitation standards ordinances, and zoning ordinances as set forth by the Community, UPCS as defined by HUD, or as defined by the HOME application.

B. ELIGIBILITY CRITERIA

1. The minimum HOME expenditure per unit must exceed $1,000.

2. The dwelling must be located within the designated area as outlined in the application.

3. The dwelling unit must be classified as substandard, based on a written, detailed inspection report by a qualified inspector.

4. The dwelling unit must not lie within a 100-year floodplain.

10. RATING SYSTEM FOR RANKING OF APPLICANTS

A. The awarding of rehabilitation grants to eligible applicants will be based on a priority list, according to which households are in greatest need for housing assistance. Houses will be rehabilitated in descending order, the household with the most need first, the next household second, and so on until the funds are expended.

B. The rating system is based on points. The most deprived households will have the highest number of points. Information for determination of points is taken from the application (HO-3) submitted by the homeowner. Each application shall be rated according to:

1. INCOME/FAMILY SIZE

FAMILY SIZE	80% INCOME LIMIT [1]
1	$ 35,850
2	$ 41,000
3	$ 46,100
4	$ 51,200
5	$ 55,300
6	$ 59,400
7	$ 63,500
8	$ 67,600

If the income based on family size is less than the stated figure, the household will receive extra points.

If 80% to 99% less	Add 70 points
If 60% to 79% less	Add 60 points

[1] Annual Income Limit Figures available from HUD/THDA

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If 40% to 59% less	Add 50 points
If less than 39%	Add 20 points

2. **NUMBER IN HOUSEHOLD**

1 Person Household	5 Points
2 Person Household	10 Points
3 Person Household	20 Points
4 Person Household	25 Points
5 Person Household	30 Points
6 Person Household	35 Points
7 Person Household	40 Points
8 Person Household	45 Points

3. **NUMBER OF ELDERLY** — 10 Points per person

For each household member at least 62 years old at the time of application

4. **NUMBER OF HANDICAPPED/DISABLED** — 10 Points per person

Household member receiving disability benefits from Social Security, a pension program, life insurance program, or a total or partial physical impairment which renders the person unable to work. Where there exists reasonable question, a doctor's certification will be used.

5. **HEAD OF HOUSEHOLD** — 10 Points

This is a single head of household (male or female) with children under 18, or a dependent with severe developmental disabilities or severe dementia. This does not apply to a widow/widower living alone.

6. **NUMBER OF PERSONS 18 OR YOUNGER** — 10 Points per person

7. **CONDITION OF THE DWELLING STRUCTURE**

Standard Dwelling	No Points
Substandard Dwelling	15 to 29 Points
Dilapidated Structure	30 to 50 Points
Structures beyond repair	No Points

11. TERMS, CONDITIONS AND CONSIDERATIONS FOR GRANTS

A. **DETERMINATION OF THE AMOUNT OF THE GRANT** - The amount of a rehabilitation grant that an applicant may receive will not exceed:

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1. The actual and approved cost of the repairs and improvements necessary to make the dwelling conform to the housing standards adopted by the Grantee and THDA.

2. The amount and structure of the grant must be consistent with the application submitted to THDA.

3. When the applicant is furnishing supplementary funds from other sources, evidence that actual funds are available will consist of verification and documentation by the Grantee that the applicant has deposited the required amount in the appropriate escrow account. Such deposit must be made before the grant application and any construction work can begin.

B. **STRUCTURE OF FINANCIAL ASSISTANCE** - HOME funds are used to make forgivable grants to property owners to cover the full cost of the needed rehabilitation work.

1. To prevent homeowners from simply selling the property and profiting from the HOME funded improvements, the owners must repay the program if they sell the property within the compliance period. Part of the owner's obligation is forgiven each year they live in the rehabilitated unit.

2. Repayment of the rehabilitation grant over a five year affordability period shall be based on a twenty percent (20%) reduction of the amount to be repaid per year, according to the following schedule:

0 - 12 months	100% Repayment
After one year	80% Repayment
After two years	60% Repayment
After three years	40% Repayment
After four years	20% Repayment
After five years	0% Repayment

3. The property owner must sign a Grant Note and a Deed of Trust. The Deed of Trust secures the Grant Note by placing a lien against the property and is activated if the owner attempts to sell within the compliance period.

   a. If ownership of the property is in the form of a life estate, the owners of the property as well as the person with the life estate must sign the Grant Note and the Deed of Trust.

   b. If the property has been inherited by multiple owners not of whom reside in the property, all of the owners must sign the Grant Note and Deed of Trust.

   c. Grantees and administrators should consult their agency or community general counsel if there are questions.

4. In cases of death, THDA does not require repayment as long as the ownership of the property passes to the heirs. The heirs may occupy the unit, rent it or let it sit empty, without triggering the repayment clause. However, if the heirs sell the property, or if the property is sold with monetary gain by any actions of a court to settle outstanding claims or settle the estate, the grant must be repaid to THDA, less any forgivable portion.

C. **OTHER GRANT CONDITIONS** - Specific terms and conditions are incorporated in the grant application and the contract documents. The applicant agrees to:

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1. Allow inspection by the Grantee and/or THDA of the property whenever the Grantee and/or THDA determines that such inspection is necessary.

2. Furnish complete, truthful and proper information as needed to determine eligibility for receipt of grant money.

3. Permit the contractor to use, at no cost, reasonable existing utilities such as gas, water and electricity which are necessary to the performance and completion of the work.

4. Cooperate fully with the Grantee and the contractor to insure that the rehabilitation work will be carried out in a timely manner. Provide a safe, secure, and non-hostile environment.

12. ELIGIBLE REHABILITATION ACTIVITIES

A. **INTRODUCTION** - A rehabilitation grant may be made only to cover the cost of rehabilitation necessary to make a dwelling unit conform to the UPCS and applicable code adopted by the jurisdiction in which the property is located and consistent with the application submitted to THDA.

B. **HOUSING REHABILITATION COSTS AND LEAD-BASED PAINT** - The maximum HOME subsidy per unit is established by HUD and cannot be exceeded.

1. If a unit to be rehabilitated was built after 1978, the rehabilitation costs are capped by the HOME subsidy limits.

2. All units built prior to 1978 require a risk assessment by a qualified lead inspector. If the risk assessment of a pre-1978 unit discloses no lead, then the cap for rehabilitation costs is $40,000.

3. If the risk assessment for a pre-1978 unit reveals the presence of lead-based paint and the estimated rehabilitation costs are less than $25,000, the standard treatments will apply and the maximum HOME subsidy for rehabilitation is limited to $25,000.

4. If the risk assessment for a pre-1978 unit reveals the presence of lead-based paint and the estimated rehabilitation costs exceed $25,000, then abatement using a qualified abatement contractor will be required to provide assistance up to $40,000 for rehabilitation hard costs. Lead-based paint costs would be paid as project soft costs up to the HOME subsidy limits. The Grantee must have pre-approval by THDA staff before proceeding with abatement.

C. **ELIGIBLE COSTS**

1. **EXISTING CODE VIOLATIONS** - Costs which can be included in rehabilitation grants are the costs of correcting existing housing code violations which have been determined by a qualified project inspector and formalized in an individualized housing report.

2. **INCIPIENT CODE VIOLATIONS** - An incipient violation exists if at the time of inspection an element in the structure which, due to age, deterioration, wear, or normal usage will deteriorate within the life of the grant period and thus become a code violation. Costs to correct these potential violations are eligible costs.

3. **PERMITS AND FEES** - Rehabilitation funds may be used to cover the cost of building permits and related fees required to carry out the proposed rehabilitation work. However, since the rehabilitation contract documents will require the contractor to pay them, these

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costs ordinarily would be included in the contract amount. Recording and filing fees are eligible costs.

4. **EQUIPMENT** - Rehabilitation funds may provide for the repair or purchase and installation of certain basic equipment necessary for the maintenance of the household in a safe, decent, sanitary condition, and in good repair. These include such items as a furnace, water heater, electrical and sanitary fixtures, kitchen range, refrigerator, cabinets and sinks. Purchase and installation is acceptable if there is no such equipment in the dwelling or if the existing equipment is unsafe, unsanitary or non-functional. There is a $1,000 maximum expenditure (including taxes and delivery) for a kitchen range, and a $1,000 maximum expenditure (including taxes and delivery) for a refrigerator. These appliances must be Energy-Star rated where available.

5. **HANDICAPPED** - Special alterations or costs related to making the dwelling more convenient or accessible for physically challenged persons are eligible costs. All work performed in these units must comply with all applicable codes as well as all Federal and State regulations.

6. **LEAD-BASED PAINT** - All costs associated with the reduction of lead-based paint hazards must comply with 24 CFR 92.355.

7. **DEMOLITION OF EXISTING STRUCTURES AND UTILITY CONNECTIONS** All costs related to the demolition of existing structures and to provide utility connections are to comply with 24 CFR 92.206(a)(3). Demolition is only eligible if it is a part of a HOME project such as reconstruction or removal of an unsafe addition or out building.

8. **EXTERIOR PAINTING** - Exterior painting is an eligible cost when it is necessary to maintain a weatherproof exterior on the dwelling.

9. **GUTTERS** – Gutters are an eligible cost when rehabilitating the exterior of a unit or when reconstructing a unit.

10. **OTHER COSTS** - Rehabilitation costs not specifically required by the housing rehabilitation standards found necessary to be decent, safe, sanitary, and in good repair-for the general welfare of the occupants of the structure may be considered for eligibility, with prior consent of the Grantee's governing body and THDA, as well as any other cost as outlined in 24 CFR 92.206.

D. **INELIGIBLE COSTS**

1. Renovation of dilapidated out buildings.

2. Appliances not required by code standards.

3. Materials, fixtures, equipment, or landscaping of type or quality that exceeds that customarily used in the locality for properties of the same general type as the property to be rehabilitated.

4. All items outlined in 24 CFR 92.214.

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13. HOUSING REHABILITATION SPECIFICATIONS

A. **INTRODUCTION** - This section sets forth the responsibilities of the Grantee for determining the rehabilitation work necessary to bring a dwelling into conformance with the UPCS and applicable code adopted by the State, county or city and with the objective of the program as proposed in the application submitted to THDA. The Grantee will:

1. Inspect the property and prepare an inspection list noting UPCS and code deficiencies.

2. Conduct lead-based paint testing/risk assessment to identify lead-based paint hazards.

3. Consult with and advise the owner of the work to be done and the availability of a rehabilitation grant.

4. Prepare a work write-up and cost estimate as a basis for rehabilitation grant and for the bid process in contracting for rehabilitation work and lead-paint hazard reduction activities.

B. **PROPERTY INSPECTION AND SPECIFICATIONS CHECKLIST** - The Grantee will have the property inspected and have a report prepared that identifies each deficiency with respect to the UPCS and applicable code adopted by the Community and the lead-based paint hazard reduction activities required by the testing/risk assessment. The homeowner will also list other deficiencies and request for repairs which may be eligible for correction through the rehabilitation grant. This Initial Inspection will provide a proper basis for the preparation of the work write-up, cost estimate and contract specifications.

C. **WORK WRITE-UP AND COST ESTIMATE** - The work write-up and cost estimate is a statement based on the initial inspection and lead-based paint testing/risk assessment. It itemizes separately all the rehabilitation work and the lead hazard reduction activities to be done on the dwelling and includes an estimate of the cost of each item. The cost estimate will be reasonable, reflect prevailing labor and material costs, and reflect a reasonable profit & overhead costs for the contractor. The work write-up and estimate must be reviewed and approved by THDA before presenting it to the homeowner/ applicant.

1. DUAL-USE OF WORK WRITE-UP - The write-up will be detailed and specific in style. Each item will be identified as correcting a UPCS and code violation, meeting a code requirement, reducing lead-based paint hazards, or as an eligible cost under the grant. This same write-up without the cost estimate will serve as part of the scope of work and specifications for the construction contract documents.

2. ITEMIZING COSTS - Each item, definable feature of work and its estimated cost will be identified in the work write-up as either correcting a UPCS and code violation, meeting a code requirement, reducing lead-based paint hazards, or eligible under the grant. This will be done on the work write-up by entering the cost estimates in a columnar arrangement.

3. OWNER PREFERENCE - A work write-up need not contain details that have no significant effect on cost. The term "to be selected by owner" may be used appropriately.

D. **CONSULTATION WITH HOMEOWNER/APPLICANT** - The Grantee will consult with the prospective applicant on the work write-up and cost estimate. The Grantee will advise the applicant that only work that is directed toward correcting a UPCS and code violation, meeting a code requirement, or that is an eligible activity can be funded by the grant. The homeowner must understand that "cosmetic improvements" are not eligible for funding. The final work write-up (without costs) will be used by contractors for determining their bids and incorporated into the

EXHIBIT A

rehabilitation contract documents which the homeowner and contractor will sign. The homeowner should initial each page and sign the last page of the write-up.

E. **CLEARLY WRITTEN SPECIFICATIONS** - The work write-up will be written so that it provides a clear detailed understanding of the nature and scope of the work to be done and a basis for carefully determined bids and proposals from contractors. The homeowner shall have a clear understanding of the nature and scope of the work to be done and any limitations that may exist.

1. Each specification will show the nature and location of the work and the quantity and type of material required. The specifications are to comply with THDA's Minimum Design Standards for New Construction & Rehabilitation of Single Family & Multifamily Housing Units.

2. The specifications will refer to manufacturer's brand names or association standards to identify quality of material and equipment, and may make provision for acceptable substitutes of equal or greater value or quality and brand name requirements may be included in the "General Conditions and Specifications" and indicated by reference in the work write-up.

14. CONTRACTING FOR REHABILITATION WORK

A. **INTRODUCTION** - This section sets forth requirements and procedures with respect to the construction contracts for housing rehabilitation financed through a rehabilitation grant. Rehabilitation work will be undertaken only through a written contract between the contractor and the property owner receiving the grant.

1. FORM OF CONTRACT - The construction contract will consist of a single document signed by the contractor and the property owner, following approval of the grant application. It will contain a bid, the Grantee's General Conditions and Specifications by reference, the work write-up which specifies the work to be done, and the existing UPCS and code violations.

2. USE OF ALTERNATES - The document prepared by the Grantee may contain alternates by which each bidder may increase or decrease the lump sum contract price, if the alternates are later accepted as part of the work to be performed.

3. PROCUREMENT OF BIDS - The Grantee will advertise openly and publicly for bids and encourage minority and female owned firms to bid on its projects.

B. **GENERAL CONDITIONS** - The bid package will contain the following:

1. The address, time and date by which the bid should be submitted by the contractor.

2. A provision that the bid be accepted by the homeowner within a specified length of time.

3. A provision that the contractor start work within a specified length of time.

4. A statement concerning the acceptability of progress payments.

5. A provision that final payment on the contract amount will be made only after final inspection, acceptance of all work by the Grantee and the homeowner, and after the Grantee

EXHIBIT A

receives the contractor's final invoice release of liens and warranty, and claims for liens by subcontractors, laborers and material suppliers for completed work or supplied materials.

6. Provisions that the contractor will be required to:

   a. Obtain and pay for all permits and licenses necessary for the completion and execution of the work and labor to be performed.

   b. Perform all work in conformance with UPCS, applicable local codes, as well as lead-based paint regulations and requirements, whether or not covered by specification and drawings for the work.

   c. Keep the premises clean and orderly during the course of the work and remove all debris at the completion of the work. Materials and equipment that have been removed and replaced as part of the work shall belong to the contractor, unless specifically stated otherwise within the work write-up.

   d. Not assign the contract without written consent of the Grantee and homeowner.

   e. Guarantee the work performed for a period of one year from the date of final acceptance of all work required by the contract. Furthermore, furnish the homeowner, in care of the Grantee, with all operations and maintenance manuals, manufacturers and suppliers written guarantees and warranties covering materials and equipment furnished under the contract.

   f. Include a statement as to whether the premises are to be either occupied or vacant during the course of construction work.

   g. A provision that the contractor may reasonably use existing utilities without payment during the course of the work.

C. INSURANCE

1. The contractor shall carry or require that there be carried Workman's Compensation Insurance for all his employees and those of his subcontractors engaged in work at the site in accordance with Tennessee State Workman's Compensation Laws.

2. The contractor shall carry or require that there be carried Manufacturer's and Contractor's Public Liability Insurance. This insurance will be in an amount not less than $100,000 for injuries including accidental death to any one person for one accident, and to protect the contractor and subcontractors against claims for injury or death of one or more persons because of accidents which may occur or result from operations under the contract. Such insurance shall cover the use of all equipment, including but not limited to, excavating machinery, trenching machines, cranes, hoists, rollers, concrete mixers, and motor vehicles in the construction of the rehabilitation embraced in their contract.

3. The contractor shall carry during the life of the contract Property Damage Insurance in an amount of not less than $100,000 to protect him and his subcontractors from claims for property damage which might arise from operations under their contract.

4. Before commencing work, the contractor shall submit evidence of

2. Specify work to correct those violations or hazards;

3. Note any unusual features or limitations;

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4. Include the Grantee's estimated cost for rehabilitation; and

5. Will be initialed on each page by the homeowner and signed on the signature page by the homeowner.

D. **INELIGIBLE CONTRACTORS** - The Grantee may determine a contractor ineligible to bid on projects when:

1. The contractor is listed on the Federal Debarred list; The grantee must check the contractor and all subcontractors' names against the Federal Excluded Parties List System (available at https:www.sam.gov/portal/public/SAM/). The grantee will print out the system search results and place in file to document that the contractors and subcontractors are not on this list.

2. There is documented proof that the contractor has not paid material suppliers;

3. There is documented proof that the contractor has not completed projects within the allotted time frame;

4. There exist substantial complaints by homeowners about quality of work and performance.

5. There is documented proof that the contractor has not performed warranty work on previous contracts.

6. Conflict of interest exist between the contractor candidate and project participants, location, or any financial ties

E. **INVITATION TO CONTRACTORS FOR BID AND PROPOSAL**

1. The Grantee will announce the program and advertise for contractors in local and/or regional newspapers at the beginning of the program and at least once each year thereafter.

2. The Grantee will accept applications from contractors throughout the life of the program.

3. The Grantee will develop and maintain a list of contractors, including minority and female headed firms within the region.

4. The Grantee will notify in writing and in a timely fashion all contractors on the Contractors List when bid packages are available.

5. The Grantee will document when and to whom invitations to bid are sent out and packages picked up.

F. **SELECTION OF A SUCCESSFUL BIDDER** - The opening of the sealed bids must meet these conditions.

1. The opening must be public.

2. The best value responsive and responsible bid will prevail. Bids that fall 15% under or 15% over the Grantee's cost estimate may be rejected as not responsible bides.

3. There must be **at least three (3) competitive bids** by eligible contractors.

4. Minutes of the award and bid tabulations should be appropriately filed.

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5. Questions concerning contractor eligibility shall be decided prior to opening the bids.

6. The Grantee will verify with THDA that contractors are not debarred.

7. The Grantee may limit the number of bids awarded to any one contractor at any one bid letting to three (3).

8. If all bids exceed the amount of the construction budget, the Grantee may not negotiate solely with the low bidder. The project can be re-bid or changed in scope. If the project is changed, then each bidder must be given the opportunity to bid again. Bidders must be informed that they have the right to change their original unit prices as long as they conform to the revised bid specifications. Grantees must maintain documentation to demonstrate that this process was followed.

9. If there are not at least three (3) competitive bids from eligible contractors, the project must be re-bid. If there are still not three bids after the project has been re-bid, the Grantee will contact THDA before awarding the contract.

G. **AWARD OF THE CONSTRUCTION CONTRACT** - The contract will become effective upon the signatures of the homeowner and contractor and with the Grantee's endorsement. The Grantee will distribute the executed contract documents as follows: original to Grantee, copy to homeowner, copy to contractor.

15. INSPECTION, CLOSE-OUT AND PAYMENT FOR REHABILITATION WORK

A. **RESPONSIBILITY FOR MAKING INSPECTIONS** - Inspection of construction will be performed by the Grantee or its designate as follows:

1. Compliance inspections will be made as often as necessary to assure that the work is being completed in accordance with the community's building, electrical, mechanical and plumbing codes, zoning regulations, and any other related State or local laws and ordinances.

2. Inspections will be made as often as necessary to assure that the work being performed is in accordance with the terms of the construction contract.

3. Written notices of inspections (HO-17) shall be filed appropriately.

4. THDA's QAI will perform a minimum of 3 inspections throughout the project. An initial inspection, a progress inspection, and a final inspection will be conducted in accordance with THDA's Policy and Procedures and HUD 24CFR 92.251 of the 2013 HOME Final rule.

B. **PROGRESS PAYMENTS** - If progress payments are allowed by the Grantee, no more than one progress payment can be made and the payment will be 50% of the funds at the completion of 60% of the work.

C. FINAL PAYMENTS

1. FINAL INSPECTION - Upon completion of the rehabilitation work, a final inspection is held by the Grantee. Any uncompleted work or work that is unsatisfactory is noted on a final "punch list" and sent to the contractor in writing (HO-17 and HO-18). When these

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items are completed, clearance testing for lead-based paint hazards is conducted on the unit. When the unit passes clearance testing, the contract is complete.

2. CERTIFICATION - After the Grantee determines that the rehabilitation work has been fully and satisfactorily completed and the unit has passed clearance testing, the Certification of Completion and Final Inspection (FM-7) is prepared. The homeowner signs the Certification indicating that he accepts the rehabilitation work as meeting the terms and conditions of the contract. The contractor signs the Certification indicating that the work has been completed in accordance with the contract and that there are no unpaid claims for labor, materials supplies or equipment. The inspector signs the Certification indicating that work has been completed in accordance with the contract and authorizing final payment.

3. NOTICE OF COMPLETION - The contractor shall file a Notice of Completion with the Register of Deeds in the county where the work is performed and return a certified copy to the Grantee.

4. MAKING FINAL PAYMENT - When the final inspection determines that the work is completed in accordance with the contract and the homeowner has accepted the work, the Grantee will obtain from the contractor a release of liens, including all subcontractors and suppliers, and a copy of each warranty due the owner for the work. The Grantee will request final payment from THDA at that time.

5. If the homeowner refuses to sign the final acceptance, the Grantee may authorize full payment for those items which are undisputed and acceptable to all parties.

16. GRIEVANCE PROCEDURE

A. The Grievance Procedure shall be made a part of the contract between the homeowner and the contractor. Disputes between the homeowner, Grantee and contractor may arise from time to time during the life of the rehabilitation project. In those instances where a mutually satisfactory agreement cannot be reached between the parties, the grievance procedure will be followed.

1. The grievance by the homeowner or contractor is to be filed with the program administrator in writing.

2. The program administrator will meet with the homeowner/contractor and attempt to negotiate a solution.

3. Contact the THDA Community Programs Division at (615) 815-2030 should the program administrator fail to negotiate a solution.

B. GRIEVANCE PROCEDURE - If this fails, the program administrator will follow the grievance procedure as outlined below:

1. All claims or disputes between the owner and contractor arising out of or related to the work shall be decided by arbitration in accordance with the current construction industry arbitration rules of the American Arbitration Association unless the parties mutually agree otherwise.

EXHIBIT A

2. The owner and contractor shall submit all disputes or claims, regardless of the extent of the works progress, to GNRC unless the parties mutually agree otherwise.

3. Notice of the demand for arbitration shall be filed in writing with the other party to this rehabilitation agreement and shall be made within a reasonable time after the dispute has arisen.

4. The award rendered by the arbitrator shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

5. If the arbitrator's award is in a sum which is less than that which was offered in settlement by the contractor, the arbitrator may award costs and attorney fees in favor of the contractor. If the arbitrator's award is in a sum which is less than that which was offered in settlement by the owners, the arbitrator may award costs and attorney fees in favor of the owner.

C. **THE WRITTEN CONTRACT** - The contract and the rehabilitation specifications, along with the initial inspection report provide the basic documentation by which the relative merits of any dispute will be judged.

D. **CONFLICT OF INTEREST OF PUBLIC OFFICIALS** - No elected or appointed Federal, State or local official, member of the local governing body, or any other public official or employee who exercises any functions or responsibilities in conjunction with the administration of the housing rehabilitation shall have any interest, direct or indirect, in the proceeds or benefits of the rehabilitation grant program. In those cases where the interest may not be direct or indirect, and the conflict of interest is only "apparent", the Grantee must contact THDA for clarification before proceeding. THDA will not routinely consider requesting an exception to the conflict of interest provisions from HUD.

E. **KICKBACKS AND DISCOUNTS** - No member of the governing body of the Grantee or any Grantee employee shall receive kickbacks or discounts from either contractors or property owners in return for special favors in regard to housing rehabilitation.

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

[October 14, 2014]

DEPARTMENT: **Planning** **AGENDA #** 4

SUBJECT:
Request for Approval to apply for a TDOT Multimodal Access Grant

SUMMARY:
The Tennessee Department of Transportation has issued a call for applications for the Multimodal Access Grant. The grant is limited to projects that make improvements to the non-motorized transportation modes on the state system including sidewalks, bikeways or bike lanes, transit amenities, traffic calming and Americans with Disabilities facility improvements to enhance pedestrian or bicycle use and safet . The grant is a 95%/5% matching grant with the applicant (City) providing only 5% as a cash match. The maximum award amount for the grant is $950,000, meaning that the maximum local match would be for $50,000. Staff has considered several potential projects and recommends that Council apply for a grant to construct a sidewalk along the south side of Nashville Pike from Greenwave Drive to the west side of the Lock 4 Road intersection, a distance of 0.37 miles and includes signal system upgrades at two intersections This will provide an important pedestrian link between major retail hubs and connect the area on the west side of SR 109 to the central portion of the City. This project will also coordinate well with City efforts to connect with proposed improvements submitted with the Active Transportation Grant submitted to the MPO last Spring. At this point staff estimates that the .37 mile project would cost approximately $1,000,000 which will require a local match of $50,000. If approved, the application will be forwarded to the MPO for review and ranking/selection. Only two grants will be selected from each MPO jusrisdiction.

RECOMMENDATION:

ATTACHMENT:

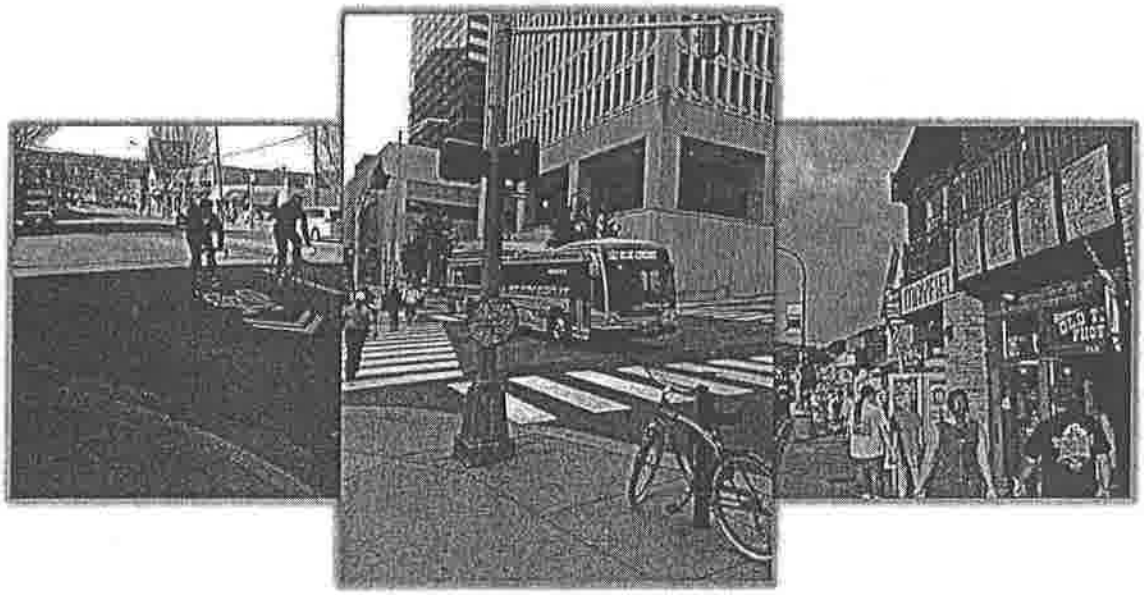
☐ **Resolution**	☐ **Correspondence**	☐ **Bid Tabulation**
☐ **Ordinance**	☐ **Contract**	☒ **Other**

Approved ☐
Rejected ☐
Deferred ☐

Notes:

TDOT Multimodal Access Grant

2014 Guidelines



Applications must be received by December 10, 2014 at 4:00 PM (Central)

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I. Overview/Summary

Multimodal facilities play an important role in providing transportation choices for people across Tennessee. With half of all trips in the United States three miles or less, good walking, biking, and transit facilities are essential to the continued growth and success of our towns and cities. In 2013, TDOT set aside state funds in the 2013-2015 Three-Year Work Program to create a Multimodal Access Grant. This will support the transportation needs of transit users, pedestrians, and bicyclists through infrastructure projects that address existing gaps along state routes and access at transit hubs. Total project costs for a Multimodal Access project may not exceed $1 million dollars ($1,000,000.00). Projects larger than $1 million dollars should be separated into phases. Applicants may apply for additional grant funding for future phases. Successful applicants may receive up to **95%** in State grant funds. Applicants are responsible for a minimum **5%** local match.

A. Eligible Projects

A maximum of $950,000 (state funds) per project is available for scoping and design, acquisition of right-of-way and construction of projects that support multimodal transportation choices and connectivity. Eligible projects include, but are not limited to:

- Pedestrian crossing improvements, including signage, signalization, median pedestrian refuge islands and crosswalks
- Shoulders (a minimum of 4' wide to accommodate bicyclists)
- Sidewalks
- Bicycle lanes (on-road facility delineated with pavement markings and signs)
- Improvements that address requirements of the Americans with Disabilities Act
- Multi-use paths located within the transportation corridor. Multi-use paths (pedestrian plus bicycle traffic) must be a minimum of 10-feet wide.
- Pedestrian-scale lighting (will not rank highly as a standalone project, but eligible as a project component)
- Bus shelters and concrete pads
- Road diets or traffic calming measures that enhance bicycle and/or pedestrian safety
- Separated bicycle facilities
- Park and ride facilities for carpooling or access to transit
- Bus turnouts
- Utility relocation (eligible as a project component)

Projects may be combinations of any of the above facilities and **MUST** meet ADA standards.

In order to qualify for the Multimodal Access Grant, projects **MUST** meet be located:

1. Along a state route

   OR

2. Within 1/4 a mile of a state route *and* provide a direct connection to a state route

   OR

3. Provide direct access to a transit hub (defined as a municipality's primary or secondary transit facility)

Requests may be for construction of new facilities, reconstruction of existing to meet current design standards, and rehabilitation of existing facilities. Project must be contiguous, meaning the applicant is not applying for two separate projects under one application. **Operating costs, rolling stock and preventative maintenance are NOT considered eligible activities.**

Projects with the following emphasis will be considered favorably:

- Facilities located primarily along a state route that provide safe traveling options for pedestrians, cyclists, and transit-users
- Demonstrate coordination with transit agencies
- Provide last mile connectivity for users of public transportation
- Increase connectivity among a mix of land uses including neighborhoods, schools, jobs, parks and public spaces, retail, etc.

Projects that do not meet a transportation purpose are not eligible for funding. Examples of ineligible projects include recreational trails, trailhead facilities, or facilities that do not serve population centers and destinations.

B. Eligible Applicants

Metropolitan Planning Organizations (MPOs) and Rural Planning Organizations (RPOs) are the only entities eligible to submit project requests. They may submit **up to two projects** on behalf of local governments or transit agencies within their jurisdiction. If you are a local government or transit agency wishing to apply, be sure to contact your RPO or MPO Coordinator as they will likely require applications be turned in prior to the TDOT deadline of December 10th. See Attachment A for list of RPOs and MPOs in Tennessee. Please be aware that funding will be competitive and submission of projects does not guarantee those projects will be awarded funding. Due by

A municipality, county government, or transit agency is the only entity eligible to receive funding since successful applicants will be required to sign a grant agreement that commits them to a five percent local match (of total project costs) and ongoing maintenance responsibility for completed projects.

C. Funding

Funding awards will be capped at the amount initially awarded for a specific project. Applicants will be allowed to apply for additional funding in subsequent years of the program.

Project Match Requirements- Multimodal Access projects can receive up to 95% in State grant funds. The applicant is responsible for a minimum 5% match. The local match must be a cash match and project sponsors should indicate their ability to contribute at least this much to the project. Other federal or state transportation funds may not be used as match. Funding from the Multimodal Access Program cannot be used to offset the required match for other federal

programs such as Transportation Alternatives or the Surface Transportation Program, but they can be used in combination with other funding to deliver a larger project.

II. Project Selection

A. Selection Process

Applicants will submit requests for projects through their respective RPO or MPO. Each RPO/MPO will then select a maximum of two projects that will be submitted to TDOT for consideration of funding. The two applications submitted to TDOT from RPOs/MPOs must not be from the same city. The selection process will be based on the thoroughness and strength of the information provided in the project application and supporting materials, responses to the selection criteria and an assessment of project feasibility.

B. Selection Criteria

Once applications are received by TDOT, projects will be screened to determine if they meet minimum requirements. Minimum requirements include: a complete project application, provision of all supporting materials, and a TDOT assessment of project feasibility. Projects that meet these minimum requirements will then be evaluated by a Selection Committee according to the Evaluation Criteria listed on pages 4-5. Final project selection will be based on the evaluation criteria as well as TDOT's interest in building a balanced grouping of projects across the state.

C. Selection Committee

The Selection Committee will consist of five members from TDOT representing a variety of Divisions. The Selection Committee is charged with reviewing applications and recommends projects to be funded to the Commissioner of Transportation for approval.

D. Evaluation Criteria

Criteria	Guidance	Points
Does project address location with history of bicycle and/or pedestrian crashes?	Document how this project will improve an unsafe condition and enhance pedestrian or bicyclist safety by noting, as appropriate, police reports, school reports, a road safety audit report, existing conditions, photos, etc. *For example, clear documentation of a bicycle or pedestrian safety issue that the project is clearly designed to alleviate would likely produce an award of 30 points. Anecdotal safety concerns without documentation will likely receive 1 or 2 points.*	1-30

Will the project contribute to an integrated transportation system linking a variety of activity centers such as transit, residential neighborhoods, schools, retail, parks, & employment centers?	Demonstrate how the proposed project will link the community's desired trip origins and destinations. A map showing the connections between the various activity centers/residential areas, etc. is advised. If your City/County has fixed route transit service, be sure to demonstrate how the project will address connectivity between modes of transportation. Cities/Counties without fixed route transit will not be penalized, but should show connectivity between a variety of activity centers. *For example, if the project fills a gap that provides connectivity to multiple activity centers, 25 points could be awarded. If the facility is more peripheral to the community and links an outlying neighborhood to one other land use, perhaps 1 or 2 points might be assigned.*	1-25
Is this project identified in State and/or Local Plans? Is there coordination between local governmental agencies in regard to this project?	Examples of plans include but are not limited to: local neighborhood or community plans, comprehensive plans, corridor studies, major thoroughfare plans, MPO plans, TDOT Long Range Plan, TDOT Bicycle and Pedestrian Plan, etc. Applicants are encouraged to include supporting documents (or relevant pages) that show inclusion of the project in state and/or local plans and any coordination efforts between local governmental agencies. *For example, 10 points might be awarded for this project if identified in multiple places over several years, and there is demonstrated coordination between agencies. Perhaps only 1 point would be awarded if it were not listed in any planning documents.*	1-10
Is there a likelihood the project will be constructed within 18 months of an executed contract based on readiness demonstrated?	What level of preliminary engineering has been completed? Note any anticipated delays, ex. utility relocations, ROW issues, etc. *For example, if some level of preliminary engineering has been completed, no ROW purchase is needed, and no delays are foreseen, 25 points could be awarded. No previous preliminary engineering combined with completion obstacles might see 1 or 2 points assigned.*	1-25
Will the proposed project support economic development?	Please explain how this project will aid economic development in the community. Please indicate if the proposed project is located within an Economically Distressed County as defined by the Department of Economic and Community Development as listed in **Attachment D**. *For example, a proposed project with a substantial economic impact and located in a county listed as economically distressed could receive 10 points. A project with little expected economic impact that is not located in a county identified at the Commissioner's discretion as exhibiting signs of economic distress might receive 1 or 2 points.*	1-10

Maximum Total Points: 100

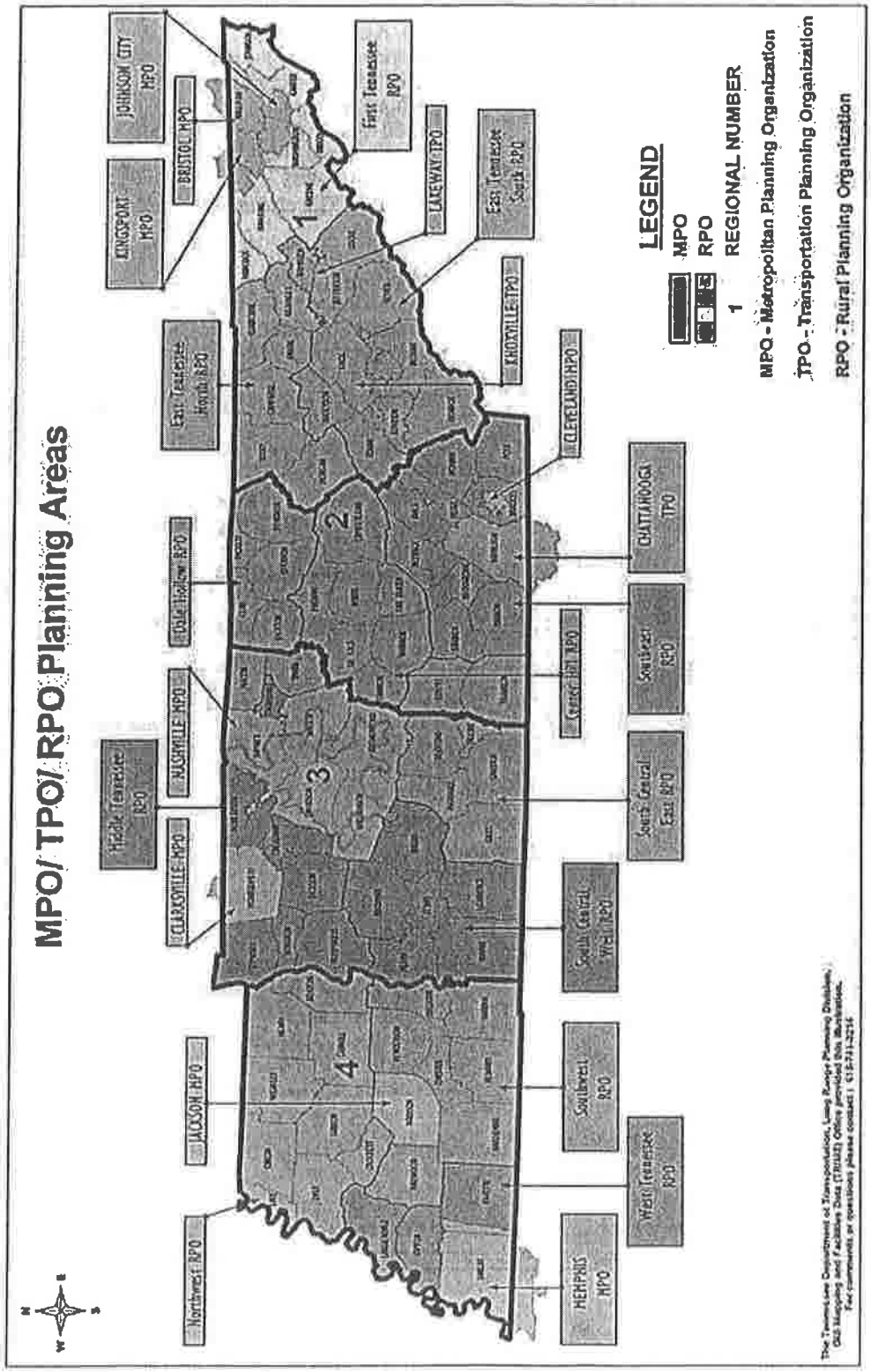
III. Post Award Information

Project Management	All awarded projects will be locally managed and will follow the TDOT Locally Managed Projects Process. A successful grantee may opt to procure a consultant to manage any aspect of the project. However, if TDOT determines that a grantee is not staffed and equipped to properly manage its project, TDOT will assume responsibility for developing and implementing the project.
Grant Agreement	After the award is made, the project sponsor will enter into a Grant Agreement with TDOT. The Grant Agreement identifies the responsibilities of both parties and establishes the required match to be paid by the sponsor agency. By entering into the agreement, the sponsor agrees to follow TDOT requirements and assume responsibility for the long-term maintenance of the project.
Local Project Manager (for locally managed projects only)	Sponsors are required to have a local project manager. Local project managers are responsible for the day-to-day management and administrative duties and advancing the project to completion. Sponsors can contract with a TDOT pre-qualified consultant. The cost of local project management by a consultant is an eligible project cost and should be included in the project budget. TDOT assigns a planner to each project who collaborates with the sponsor throughout the development of the project. TDOT Local Programs' planners will provide the local project manager with technical assistance in such areas as funding eligibility, procurement, right-of-way acquisition and environmental permitting to keep the project moving forward in a timely manner and to ensure that federal and state laws, policies and standards are met.
Environmental Documentation	The project will need to go through a state-level environmental evaluation as outlined in the Tennessee Environmental Procedures Manual in order to be eligible for federal funding if future phases are pursued.
Design Standards	Projects must be in accordance with the American Association of State Highway Transportation Officials (AASHTO), the Manual on Uniform Traffic Control Devices (MUTCD), the Americans with Disabilities Act (ADA), Public Rights of Way Guidelines (PROWAG), TDOT Design Standards, and all applicable state and federal statutes, standards, specifications and guidelines. Please note that pedestrian facilities must provide adequate separation from vehicular traffic, typically accomplished with the installation of a 6-inch non-mountable curb.
Right-of-Way (ROW) Acquisition	Any ROW to be acquired must be done in compliance with the policy set forth under the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

	For more information, refer to Local Government Guidelines for the Management of Federal and State Funded Transportation Projects. For projects within the state highway ROW, municipalities are required to coordinate with TDOT's Regional Excess Land Committee.
Time Frame	Projects developed through the Multimodal Access grant program will vary in the time that it takes to have a completed project. A typical project may take from 12 to 18 months from the time a grant agreement is signed until they go to construction.

Local Government Guidelines for the Management of Federal and State Funded Transportation Projects- All projects are developed in accordance with TDOT's *Local Government Guidelines for the Management of Federal and State Funded Transportation Projects*. This guidebook can be found online at http://www.tdot.state.tn.us/local/default.htm

Attachment A: Map of RPOs/MPOs/TPOs in Tennessee



Attachment B: MPO/TPO Contact Information

BRISTOL
Mr. Rex Montgomery
Transportation Planning Coordinator
Bristol Metropolitan Planning Org.
P. O. Box 1189
Bristol, TN 37621-1189
(423) 989-5519
Email: rmontgomery@bristoltn.org

CLARKSVILLE
Mr. J. Stan Williams
Transportation Planning Coordinator
Clarksville-Montgomery County
Regional Planning Commission
329 Main Street
Clarksville, TN 37040
(931) 645-7448 ext.16
Email: stanwilliams@cityofclarksville.com

JACKSON
Mr. Keith Donaldson
Transportation Planning Coordinator
Jackson Municipal Regional
Planning Commission
111 East Main Street, Suite 201
Jackson, TN 38301
(731) 425-8275
Email: kdonaldson@cityofjackson.net

KINGSPORT
Mr. Troy Ebbert
Transportation Planning Coordinator
Kingsport Transportation Department
201 West Market Street
Kingsport, TN 37660
(423) 224-2670
Email: TroyEbbert@KingsportTN.gov

LAKEWAY (Morristown)
Mr. Rich DesGroseilliers
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Morristown, TN 37816-1499
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Email: richd@mymorristown.com

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Chattanooga, TN 37402
(423) 643-5903
Email: TPO@chattanooga.gov

CLEVELAND
Mr. Greg Thomas
Transportation Planning Coordinator
185 Second Street N.E.
Cleveland, TN 37311
(423) 479-1913 Ext. 223
Email: gthomas@cityofclevelandtn.com

JOHNSON CITY
Mr. Glenn K. Berry
Transportation Planning Coordinator
Johnson City Planning Department
137 West Market Street
Johnson City, TN 37601
(423) 434-6272
Email: glennberry@jcmpo.org

KNOXVILLE
Mr. Jeff Welch
Transportation Planning Coordinator
Knoxville Regional Transportation
Planning Organization
Suite 403
400 Main Avenue
Knoxville, TN 37902-2476
(865) 215-3790
Email: jeff.welch@knoxtrans.org

MEMPHIS
Ms. Pragati Srivastava
Transportation Planning Administrator
125 North Main Street, Suite 450
Memphis, TN 38103
(901) 576-7190
Email: pragati.srivastava@memphistn.gov

Attachment C: RPO Contact Information

East Tennessee RPO North
Don Brown, RPO Coordinator
East Tennessee Development District
P. O. Box 249
Alcoa, TN 37701-0249
(865) 273-6003
Email: dbrown@etdd.org

East Tennessee RPO South
Don Brown, RPO Coordinator
East Tennessee Development District
P. O. Box 249
Alcoa, TN 37701-0249
(865) 273-6003
Email: dbrown@etdd.org

First Tennessee RPO
Chris Craig, RPO Coordinator
First TN Development District
3211 N. Roan Street
Johnson City, TN 37601
(423) 722-5091
Email : ccraig@ftdd.org

Middle Tennessee RPO
Dianne Tomlin, RPO Coordinator
Mid Cumberland Human Resource Agency
1101 Kermit Drive, Suite 300
Nashville, TN 37217
(615) 850-3937
Email : dtomlin@mchra.com

West Tennessee RPO
Josh Shumaker, RPO Coordinator
Memphis Area Association of Governments
8289 Cordova Road, Ste 103
Cordova, TN 38016
(901) 729-2871
Email: jshumaker@maagov.org

Northwest Tennessee RPO
Ben Bradberry, RPO Coordinator
P. O. Box 963
124 Weldon Drive
Martin, TN 38237-0963
(731) 587-4213 ext. 230
Email: ben.bradberry@nwtdd.org

South Central Tennessee RPO East
Sara Brown, RPO Coordinator
South Central TN Development District
101 Sam Watkins Blvd.
Mt. Pleasant, TN 38474
(931) 379-2915
Email: sbrown@sctdd.org

South Central Tennessee RPO West
Sara Brown, RPO Coordinator
South Central TN Development District
101 Sam Watkins Blvd.
Mt. Pleasant, TN 38474
(931) 379-2915
Email: sbrown@sctdd.org

Southeast Tennessee RPO
Chad Reese, RPO Coordinator
Southeast TN Development District
1000 Riverfront Parkway
P. O. Box 4757
Chattanooga, TN 37405-0757
(423) 424-4263
Email: CReese@sedev.org

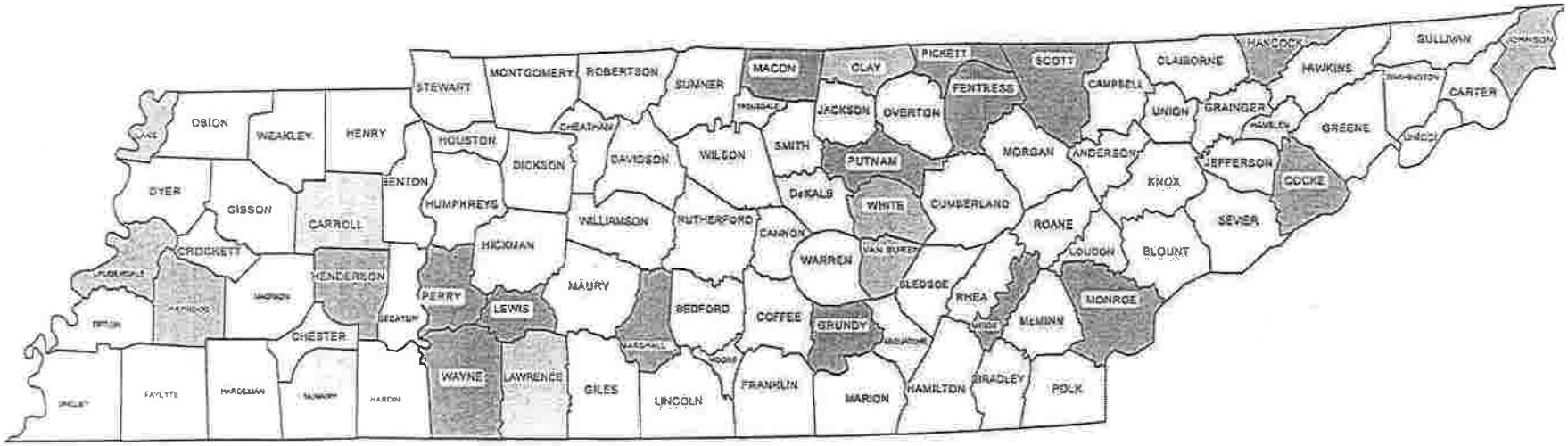
Southwest Tennessee RPO
Shelton Merrell, RPO Coordinator
Southwest TN Development District
102 E. College Street
Jackson, TN 38301
(731) 668-6440
Email: smerrell@swtdd.org

Dale Hollow RPO
Nichole Hoose, RPO Coordinator
Upper Cumberland Development District
1225 South Willow Avenue
Cookeville, TN 38506
(931) 476-4121
Email: nhoose@ucdd.org

Center Hill RPO

Mark Dudney, RPO Coordinator
Upper Cumberland Development District
1255 South Willow Avenue
Cookeville, TN 38506
(931) 476-4152
Email: mdudney@ucdd.org

Attachment D: ECONOMIC STATUS OF TENNESSEE



ECONOMICALLY DISTRESSED COUNTIES: The 10 most disadvantaged counties in each of the following categories: 3 year average unemployment, per capita market income, or poverty rate.

COMMISSIONER'S DISCRETION: Any county not otherwise designated which exhibits substantial characteristics of economic distress such as major loss of employment, recent high unemployment rates, traditionally low levels of family incomes, high levels of poverty, and high concentrations of employment in declining industries.

Economically Distressed Counties Effective July 1, 2013

Carroll	Hancock	Lauderdale	McNairy	Putnam
Clay	Haywood	Lawrence	Meigs	Scott
Cocke	Henderson	Lewis	Monroe	Van Buren
Fentress	Johnson	Macon	Perry	Wayne
Grundy	Lake	Marshall	Pickett	White

July 1, 2013

TDOT

Tennessee Department of Transportation
2014 Multimodal Access Grant Application

Application Requirements

Without evidence of the following, projects will not be eligible for consideration.

1. Project applications MUST be complete and contain all supporting materials as outlined in the application.
2. Projects MUST include a letter of support from the corresponding Rural Planning Organization (RPO) or Metropolitan Planning Organization (MPO/TPO).
3. Project applications MUST be accompanied by a letter of support from the county or municipal legislative body and a written acknowledgement of 5% local match and future maintenance responsibility.
4. Project applications MUST be accompanied by a letter of support from a corresponding state legislator.

Instructions

- Please provide one (1) electronic copy in pdf form of your complete application by the deadline of December 10, 2014 (4:00 PM Central). **NOTE:** TDOT's mailbox limit is 15MB per email. Applications should be submitted by the respective RPO or MPO Coordinator to Jessica Wilson, TDOT Bicycle and Pedestrian Coordinator, at Jessica.L.Wilson@tn.gov
- Attach separate pages as necessary such as support letters, any planning documents, engineering plans, feasibility studies, reports, etc. Be sure to label each attachment with the project name.
- Address all questions and criteria as concisely as possible. Provide attachments if additional space is needed. If you are unsure of any question or criteria, please contact Jessica Wilson, TDOT Bicycle and Pedestrian Coordinator, by phone at 615-741-5025 or email at Jessica.L.Wilson@tn.gov.

PART I

I. Project Information

1. Project Title: _____

2. MPO/RPO: _____

3. Name of County/City Applicant: _____

4. Termini/Intersection **(ex. Main Street from 1st Street to 5th Street):**

_____

5. Agency Contact Information:

Contact Name: _____

Contact Title: _____

Mailing Address: _____

City and Zip Code: _____

Email Address: _____

Phone Number: _____

6. Funding

Total Amount of Funding Requested:

State (95%)_____Local (5%)_____

Total: _____

!! Applicants MUST fill out the attached Budget Template (Part II) in order to show a breakdown in project costs. !!

Has the community sought funding from other sources for this project? Yes ☐ No ☐

If yes, list the source(s) of funding that was sought?

In some cases, TDOT may consider funding a portion of the proposed project. Would the applicant consider accepting a reduced project scope/amount of funding?

Yes ☐ No ☐

If yes, how would you revise the project scope and/or limits?

7. Project Eligibility:

Please check only those eligibilities that apply.

- ☐ Pedestrian crossing improvements, including signage, signalization, median pedestrian refuge islands and crosswalks
- ☐ Shoulders (a minimum of 4' wide to accommodate bicyclists)
- ☐ Sidewalks
- ☐ Bicycle Lanes (on-road facility delineated with pavement markings and signs)
- ☐ Improvements that address requirements of the Americans with Disabilities Act
- ☐ Multi-use paths located within the transportation corridor. Multiuse paths (pedestrian plus bicycle traffic) must be a minimum of 10 feet wide.
- ☐ Pedestrian-scale lighting
- ☐ Bus shelters and concrete pads
- ☐ Road diets or traffic calming measures that enhance bicycle and/or pedestrian safety
- ☐ Separated bicycle facilities
- ☐ Park and ride facilities for carpooling or access to transit
- ☐ Bus turnouts
- ☐ Utility Relocation (eligible as a project component)
- ☐ Other (Please explain):

8. Project Description:

Please provide a brief description (include termini and length) of the proposed project and the scope of all work to be performed. Applicant must illustrate the project's relationship to surface transportation in the project proposal. On a separate sheet, include a map(s) of the project area. Color photos of existing conditions are encouraged.

II. Evaluation Criteria

9. Safety: Please provide a brief description of how the proposed project will improve safety for bicyclists, pedestrians, and other transportation users. (Up to 30 points)

10. Connectivity: Please provide a brief description of how the proposed project will increase connectivity among a mixture of land uses and activity centers such as transit, residential neighborhoods, schools, retail, parks, employment centers, etc. Please include a map that demonstrates these connections with your application. (Up to 25 points)

11. Local Priority: Is this project identified in state and/or local plans? (Up to 10 points)

Yes ☐ No ☐

If yes, please list the date and name of plan(s). Please provide evidence documenting inclusion of proposed project in the listed plans. This can be a copy of a page from the plan where the project is listed; you do not have to include the entire plan.

Name of Plan	Date

In regards to the proposed project, please describe any public involvement meetings or partnerships that demonstrate coordination between local governmental agencies (i.e. Planning, Public Works, Transit Agency, etc.) and the public.

12. Project readiness: (Up to 25 points)

Has any level of preliminary engineering work been completed?

Yes ☐ No ☐

If yes, please provide a brief explanation.

Is all land necessary for the project publicly owned or leased? Yes ☐ No ☐

Is any part of the project to be constructed inside State or Federal highway right-of-way? Yes ☐ No ☐

Will the project impact an existing or eligible National Register Historic Site or District? Yes ☐ No ☐

Does the project include a pedestrian/bike bridge or tunnel or impact an existing TDOT structure? Yes ☐ No ☐

Does the project exist within 200-ft or a railroad or will any part of the project impact a rail line? Yes ☐ No ☐

What is the estimated date for start of construction if funding is awarded?

_____

13. Economic Impact: (Up to 10 points) How will this project aid economic development in the community?

Is the proposed project located within an Economically Distressed County as defined by ECD* (coded in blue)?
Yes ☐ No ☐

Is the proposed project located within a County designated as exhibiting signs of economic distress* (coded in yellow)? Yes ☐ No ☐

* http://www.tn.gov/ecd/graphics/maps/Economically_Distressed_Counties.pdf

BUDGET TEMPLATE

Estimated Project Costs

Line items can be added or deleted as needed for any stage; however this is the format in which the budget must be submitted.

INSTRUCTIONS: List all items necessary to develop and construct the project in the yellow highlighted sections. Item descriptions can be changed as needed The applicant is responsible for verifying all costs for accuracy. Cost overruns will be solely the responsibility of the Local Government (Responsible Charge).

LOCAL PROJECTS: Please note that the 5% match from the local government is cash only. In-kind match is not allowed. Also, all projects must be competitively bid and awarded to the lowest responsive bidder.

ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL	95% STATE FUNDS	5% LOCAL EXPENSE (Cash Match Only, Non-Reimbursible)
Preliminary Engineering/Design/Environmental (PE)						
Environmental Documentation, Preliminary Design Plans (Up to 80% of total PE budget)	LS	1	$ -	$ -	$ -	$ -
Local, State and Federal Permits	LS	1	$ -	$ -	$ -	$ -
ROW/Construction Plans, Specs, & Estimate (PS&E) Document Completion	LS	1	$ -	$ -	$ -	$ -
SUBTOTAL				$ -	$ -	$ -
Right-of-Way/Utilities (ROW)						
ROW Acquisition	LS	1	$ -	$ -	$ -	$ -
License Agreements, Easements, Recording Fees	LS	1	$ -	$ -	$ -	$ -
Utility Relocation/Certifications*	LS	1	$ -	$ -	$ -	$ -
SUBTOTAL				$ -	$ -	$ -
Construction (CONST)						
All projects must be competitively bid and awarded to the lowest responsive bidder.						
Site Preparation & Demolition						
Clearing and Grubbing			$ -	$ -	$ -	$ -
Removal of Obstructions			$ -	$ -	$ -	$ -
Removal of Concrete Sidewalks			$ -	$ -	$ -	$ -
Removal of Asphaltic Concrete Pavement			$ -	$ -	$ -	$ -
Other			$ -	$ -	$ -	$ -
Construction Items						
Mobilization			$ -	$ -	$ -	$ -
Traffic Control			$ -	$ -	$ -	$ -
Retaining Wall			$ -	$ -	$ -	$ -
Earthwork (including general, drainage and structural excavation and back fill)			$ -	$ -	$ -	$ -

Curb and Gutter			$ -	$ -	$ -	$ -
Concrete/Asphalt			$ -	$ -	$ -	$ -
Culvert Extensions			$ -	$ -	$ -	$ -
Pedestrian Bridges			$ -	$ -	$ -	$ -
Pedestrian ADA Ramp			$ -	$ -	$ -	$ -
Bricked Stamp Pavers			$ -	$ -	$ -	$ -
Striping			$ -	$ -	$ -	$ -
Crosswalk Signals			$ -	$ -	$ -	$ -
RR/Ped. Safety Upgrades			$ -	$ -	$ -	$ -
Utility Relocation*			$ -	$ -	$ -	$ -
Other			$ -	$ -	$ -	$ -
Other			$ -	$ -	$ -	$ -
**Landscaping						
Trees			$ -	$ -	$ -	$ -
Shrubs			$ -	$ -	$ -	$ -
Mulch			$ -	$ -	$ -	$ -
Native Species Plantings			$ -	$ -	$ -	$ -
Topsoil			$ -	$ -	$ -	$ -
Seeding/Sod			$ -	$ -	$ -	$ -
Other			$ -	$ -	$ -	$ -
Pedestrian Amenities						
Pedestrian Lighting			$ -	$ -	$ -	$ -
Bike Racks			$ -	$ -	$ -	$ -
Other			$ -	$ -	$ -	$ -
SUBTOTAL of Itemized Quantities Above				$ -	$ -	$ -
Administration Costs						
CONST. Survey & Layout	LS	1	$ -	$ -	$ -	$ -
Construction Contingency	10%	of CONST		$ -	$ -	$ -
TDOT Engineering Services	8%	of CONST		$ -	$ -	$ -
TDOT Materials & Testing	2%	of CONST		$ -	$ -	$ -
**Construction Engineering Inspection (CEI) and Contract/Construction Administration	20%	of CONST		$ -	$ -	$ -
TOTAL of Reimbursible Construction Expenses				$ -	$ -	$ -
GRAND TOTAL ALL PROJECT COSTS				$ -	$ -	$ -

* Relocation of utilities is eligible for reimbursement if and only if two conditions are met: 1) The relocation is caused by this project and 2) the utilities to be relocated are on private property. If these two conditions are met, reimbursement is limited to 33% of eligible and reimbursable construction costs. Please budget for the relocation work in the construction budget.

**Landscaping is limited to 25% of eligible and reimbursable construction costs and must be necessary to this project only.

*** The 20% CEI Estimate can be increased or decreased by the local agency at their discretion depending on the scope and complexity of the project. If contract administrative duties are performed by a private firm other than the contracted CEI consultant, this firm must still be TDOT pre-qualified and a copy of the fully executed contract between them and the CEI consultant must be sent to TDOT electronically. Costs for contract administration must be included within the CEI budget.

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

10/14/2014

DEPARTMENT: **Finance/I. T.** **AGENDA #** 5

SUBJECT:
Appropriation ordinance for funds received for signage

SUMMARY:
Ordinance to appropriate funds received from developers for signage within the developments. Funds have already been received by the City and PW is requesting the funds be appropriated to the Street Department Sign Shop expense account

RECOMMENDATION:
approval

ATTACHMENT:

- [ ] **Resolution**
- [x] **Ordinance**
- [ ] **Correspondence**
- [ ] **Contract**
- [ ] **Bid Tabulation**
- [ ] **Other**

Approved [ ]
Rejected [ ]
Deferred [ ]

Notes:

ORDINANCE NO. O1410-59

ORDINANCE APPROPRIATING $8,820.24 FROM REVENUE RECEIVED BY SIGN SHOP SALE OF MATERIALS

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of $8,820.24 is hereby appropriated from revenue received from Sale of Materials – Signs, account #110-36500, to account #110-43120-342, Sign Parts and Supplies, and

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this Ordinance shall take effect from and after its final passage, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

October 14, 2014

DEPARTMENT: **Mayor Graves** **AGENDA #** 4

SUBJECT:
Appointment of Tom Givens to the Economic Development Agency Board

SUMMARY:

RECOMMENDATION:

ATTACHMENT:

- [x] **Resolution**
- [ ] **Ordinance**
- [x] **Correspondence**
- [ ] **Contract**
- [ ] **Bid Tabulation**
- [ ] **Other**

Approved ☐
Rejected ☐
Deferred ☐

Notes:

RESOLUTION NO. R1410-54

RESOLUTION APPOINTING TOM GIVENS AS BOARD MEMBER OF THE GALLATIN ECONOMIC DEVELOPMENT AGENCY BOARD

WHEREAS, Ordinance O99Ø3-Ø24 created an Economic Development Agency for the City of Gallatin, Tennessee; and

WHEREAS, Ordinance OØ912-89 provided for five Board members to serve three year terms, with staggered terms such that no more than two Board members' terms would expire in the same calendar year;

WHEREAS Mike Cook has resigned from the Board of Directors and Tom Givens has been nominated to serve for the remainder of the unexpired term;

NOW THEREFORE BE IT RESOLVED, that Tom Givens is appointed to a term which shall expire on May 4, 2017.

BE IT FURTHER RESOLVED that this Resolution shall take effect from and after its final passage the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE:

NAY:

DATED:

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
SUSAN HIGH-MCAULEY
CITY ATTORNEY

Gallatin
ECONOMIC DEVELOPMENT AGENCY

TO: Mayor Jo Ann Graves
FROM: Earl Fischer, Chairman
DATE: October 7, 2014
RE: ***Appointment of Tom Givens to the Economic Development Agency, Board of Directors***

The Gallatin Economic Development Agency, Board of Directors respectfully requests that Tom Givens be appointed to the Board as a new member. Recently Mike Cook tendered his resignation from the Board, as he is now enjoying his retirement, and this leaves the Board with a chair to fill. Mr. Givens is a lifelong resident of Gallatin and an accomplished businessman. Mr. Givens can provide valuable guidance and insight to the current members of the Board as well as educated feedback.

Our Board will be happy to discuss this request with you or answer any questions that you may have, at your convenience. Thank you for your support and leadership as the Gallatin Economic Development Agency continues its efforts to assist the City of Gallatin in growth and excellence.

Thank you in advance for your consideration in this matter.

Earl Fischer

Earl Fischer, Chairman
Economic Development Agency, Board of Directors

Kk

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

October 14, 2014

DEPARTMENT: **Councilwoman Brackenbury** **AGENDA #** 7

SUBJECT:
Discuss Attorney's Office moving to South Water Building

SUMMARY:

RECOMMENDATION:

ATTACHMENT:

☐ **Resolution**	☐ **Correspondence**	☐ **Bid Tabulation**
☐ **Ordinance**	☐ **Contract**	☐ **Other**

Approved ☐
Rejected ☐
Deferred ☐

Notes: