



Agenda for the Regular Meeting of Board of Commissioners

Monday, March 23, 2020 - 7:00 pm

Brentwood City Hall

**NOTE: THIS MEETING WILL BE HELD ELECTRONICALLY PURSUANT TO
GOVERNOR'S EXECUTIVE ORDER NO. 16**

To View the Live Streaming Video, please visit the link below.

<https://www.brentwoodtn.gov/your-government/archeived-city-commission-meetings>

Call to Order by Mayor

Roll Call

Invocation by Commissioner Gorman

Pledge of Allegiance to the Flag by Mayor Little

Proclamation - Arbor Day

Approval or Correction of Minutes

March 9, 2020

Comments from Citizens – *Individuals may comment on any item included in the Consent/Regular agenda or on any other matter regarding the City of Brentwood. All comments should be directed to the Board of Commissioners. Citizens who wish to request that an item be moved from the Consent Agenda to the Regular Agenda for discussion should make that known to the Board at this time.*

Report from City Manager

Report from the City Attorney

Reports and comments by Commissioners and Mayor

Note: All matters listed under the Consent Agenda are considered to be routine and will generally be enacted by one motion. Except for any items that are removed from the Consent Agenda, there will be no separate discussion of these items at this time.

Consent Agenda

1. Resolution 2020-24 - A RESOLUTION AUTHORIZING THE INSTALLATION OF A SPEED HUMP ON ANSLEY LANE IN THE SOMERSET SUBDIVISION, for adoption

2. Resolution 2020-27 - A RESOLUTION AUTHORIZING THE ACQUISITION OF EASEMENTS FOR THE WILSON PIKE CIRCLE SEWER LINE REPLACEMENT PROJECT, for adoption
3. Resolution 2020-28 - A RESOLUTION AUTHORIZING THE ACQUISITION OF EASEMENTS FOR THE WIKLE ROAD WATER LINE PROJECT, for adoption
4. Resolution 2020-29 - A RESOLUTION AMENDING THE JOHN P. HOLT BRENTWOOD LIBRARY POLICY MANUAL ON THE SECTION RELATIVE TO THE BRENTWOOD ROOM COLLECTION DEVELOPMENT STATEMENT, for adoption
5. Resolution 2020-30 - A RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH THE PARENT COMPANY TO DECREASE THE GUARANTEED MAXIMUM PRICE FOR THE POLICE DEPARTMENT HEADQUARTERS FACILITY, for adoption
6. Resolution 2020-31 - A RESOLUTION TO PURCHASE ROOFING MATERIALS FOR THE POLICE HEADQUARTERS FROM THE GARLAND CO. PURSUANT TO THE OMNIA PURCHASING COOPERATIVE, for adoption

Old Business

1. Other old business

New Business

1. Ordinance 2020-05 - AN ORDINANCE AMENDING THE BRENTWOOD MUNICIPAL CODE BY MODIFYING SECTION 22-4 REGARDING COURT COSTS, for consideration on first reading
2. Other new business

A handwritten signature in black ink, appearing to read "Kirk Bednar", with a stylized flourish at the end.

Kirk Bednar
City Manager

Anyone requesting accommodations due to disabilities should contact Mike Worsham, A.D.A. Coordinator, at 371-0060, before the meeting.

Brentwood City Commission Agenda

Meeting Date: 03/23/2020

Approval or correction of minutes from Regular Scheduled Commission meeting

Submitted by: Holly Earls, Administration

Department: Administration

Information

Subject

Approval or correction of minutes from the March 9, 2020 meeting

Background

Staff Recommendation

Fiscal Impact

Attachments

Draft Minutes

DRAFT

MINUTES OF REGULAR MEETING OF BOARD OF COMMISSIONERS

BRENTWOOD, TENNESSEE

The Brentwood Board of Commissioners met in regular session on Monday, March 9, 2020 at 7:00 pm at Brentwood City Hall.

Present: Mayor Rhea Little; Vice Mayor Ken Travis; Commissioner Nelson Andrews; Commissioner Anne Dunn; Commissioner Mark Gorman; Commissioner Susannah Macmillan; Commissioner Regina Smithson

Staff City Manager Kirk Bednar; Assistant City Manager Jay Evans; City Attorney Kristen
Present: Corn; City Recorder Holly Earls

Commissioner Dunn led the Invocation. The Pledge of Allegiance was led by a Scout of Troop 93.

Approval or Correction of Minutes

February 24, 2020

Moved by Commissioner Regina Smithson for approval of the minutes as written, seconded by Commissioner Susannah Macmillan

Vote: 7 - 0 Approved - Unanimously

Citizen Comments

Danna Owen, 1200 Fatherland Street, Nashville, TN
Gerald Witcher, 1838 Barnstaple Lane

Consent Agenda

Resolution 2020-19 - A RESOLUTION AUTHORIZING AN AGREEMENT WITH HIGH-TECH SPECIAL EFFECTS, INC. FOR THE 2020 INDEPENDENCE DAY FIREWORKS SHOW, for adoption

Resolution 2020-20 - A RESOLUTION ESTABLISHING A SPEED LIMIT OF 40 MILES PER HOUR ON MURRAY LANE BETWEEN THE INTERSECTION AT HOLLY TREE GAP ROAD AND THE CITY LIMITS NORTH/NORTHWEST OF SUCH INTERSECTION AND AUTHORIZING CONSTRUCTION OF A MID-BLOCK PEDESTRIAN CROSSING ON MURRAY LANE AT HIGHLAND ROAD, for adoption

Resolution 2020-21 - A RESOLUTION AUTHORIZING AN AGREEMENT WITH CIVIL & ENVIRONMENTAL CONSULTANTS, INC. FOR IN-STREAM VISUAL ASSESSMENTS AND MONITORING, for adoption

Approval to surplus and transfer ownership of retired Police K-9 Lexie and kennel to handler, Officer Steve Holder

Approval to purchase replacement pump for high-velocity pressure cleaning equipment for Water Services Department

Moved by Vice Mayor Ken Travis for approval of the items on the Consent Agenda, seconded by Commissioner Susannah Macmillan

Vote: 7 - 0 Approved - Unanimously

Old Business

Ordinance 2020-01 - AN ORDINANCE REZONING PROPERTY LOCATED AT 9520 SPLIT LOG ROAD FROM R-2 (SUBURBAN RESIDENTIAL) TO OSRD (Open Space Residential Development), for consideration on first reading

Moved by Commissioner Nelson Andrews for passage of Ordinance 2020-01, seconded by Vice Mayor Ken Travis

Vote: 7 - 0 Approved - Unanimously

Ordinance 2020-02 - AN ORDINANCE OF THE CITY OF BRENTWOOD, TENNESSEE TO AUTHORIZE THE ACQUISITION OF 52 (+/-) ACRES LOCATED ON OLD SMYRNA ROAD THROUGH APPROVAL OF A CONTRACT FOR SALE OF REAL ESTATE AMONG SENSING ENTERPRISES (“SELLER”), THE CONSERVATION FUND (“PURCHASER”), AND THE CITY, AND BY ACCEPTANCE OF ASSIGNMENT OF THE CONSERVATION FUND’S OBLIGATIONS AS PURCHASER UNDER SAID AGREEMENT, for consideration on second and final reading

Moved by Commissioner Regina Smithson for passage of Ordinance 2020-02, seconded by Commissioner Susannah Macmillan

Vote: 7 - 0 Approved - Unanimously

New Business

Resolution 2020-22 - A RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND PAYMENT OF A \$2,600,000 CAPITAL OUTLAY NOTE AND TO LEVY AD VALOREM TAXES FOR THE PAYMENT OF THE NOTE, for adoption

Moved by Commissioner Mark Gorman for approval, seconded by Commissioner Susannah Macmillan

Vote: 7 - 0 Approved - Unanimously

Resolution 2020-23 - A RESOLUTION AUTHORIZING ACQUISITION AND
ACCEPTANCE OF OFF-SITE SEWER EASEMENTS FOR 1537 FRANKLIN ROAD
OFFICE BUILDING PROJECT, for adoption

Moved by Commissioner Nelson Andrews for approval, seconded by Mayor Rhea Little

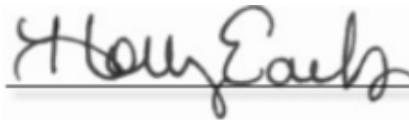
Vote: 7 - 0 Approved - Unanimously

Appointment of one (1) member to the Board of Zoning Appeals

Clellon Loveall was appointed to serve a three (3) year term expiring on March 31,
2023.

With no further business, the meeting adjourned at 8:02 pm.

APPROVED _____

A handwritten signature in dark ink, appearing to read "Holly Earls", written over a horizontal line.

Holly Earls, City Recorder

Brentwood City Commission Agenda

Meeting Date: 03/23/2020

Resolution 2020-24 - Approval to Install a Speed Hump on Ansley Lane in the Somerset Subdivision

Submitted by: Todd Hoppenstedt, Public Works

Department: Public Works

Information

Subject

Resolution 2020-24 - Approval to Install a Speed Hump on Ansley Lane in the Somerset Subdivision Near the Neighborhood Pool

Background

In late 2019, members of the Somerset Homeowners Association contacted the City about the potential for an additional speed hump on Ansley Lane near the neighborhood pool.

Somerset is located such that it serves as a convenient cut through from adjacent neighborhoods and Raintree Parkway to Crockett Park and the adjacent elementary and middle schools. The neighborhood currently has a network of speed humps along both Aberdeen Drive and Demery Court.

The Public Works Department collected traffic counts and vehicle speeds between 6:00 AM on November 19, 2019 and 7:00 AM on November 21, 2019. After a cursory review of the gathered data, the counts were then forwarded to our consulting engineer, Rich Phillips with RG Phillips Consulting, LLC. Mr. Phillips subsequently submitted a report that supports the overall concept and confirms that this installation follows the City's policy for the installation of speed humps on public streets. A copy of the report is attached, and it includes a map showing the proposed location.

After receiving Mr. Phillips' report, members for the Somerset Homeowners Association gathered the necessary signatures from two thirds of the property owners living within 1000 feet of the recommended installation location.

City staff supports this installation as an acceptable traffic calming measure for this location. With City Commission approval, Public Works can begin the process of having this speed hump installed. As per the policy, the City's portion of the installation is 40% plus the costs associated with traffic counts and engineering. Our current contractual costs are \$4,000 for construction and \$500 for signage and pavement markings. Therefore the Somerset Homeowners Association will be responsible for \$2,700.00 of the cost.

Please direct any questions to the Public Works Director.

Staff Recommendation

City Staff further supports this installation as an acceptable traffic calming measure for this location.

Previous Commission Action

N/A

Fiscal Impact

Amount : \$1,800.00

Source of Funds: General Fund

Account Number: 110-43120-82640

Fiscal Impact:

Speed Hump Construction	\$4,000
Signage & Pavement Marking	<u>\$500</u>
	\$4,500

Somerset HOA 60%	\$2,700
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City Responsibility	\$1,800
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Attachments

Resolution 2020-24

Attachment A

Ansley Lane Engineering Memo and Traffic Counts

RESOLUTION 2020-24

A RESOLUTION OF THE CITY OF BRENTWOOD, TENNESSEE TO APPROVE THE INSTALLATION OF A SPEED HUMP ON ANSLEY LANE IN THE SOMERSET SUBDIVISION

WHEREAS, the Homeowners Association of the Somerset subdivision has proposed installation of a speed hump on Ansley Lane, along with a petition in support of the proposed speed humps signed by at least 2/3 of the residents within 1,000 feet of the proposed location; and

WHEREAS, the criteria for the placement and construction of speed humps, as set forth in the amended policy for the installation of speed humps adopted by Resolution 97-14, will be met at the proposed location.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BRENTWOOD, TENNESSEE,
AS FOLLOWS:**

SECTION 1. That the installation of a speed hump on Ansley Lane in the Somerset subdivision is hereby approved, provided that:

- a. The speed hump must be installed in accordance with the City's adopted policy on speed humps.
- b. Sixty percent of the direct cost of installation shall be paid by the Somerset Homeowners Association, as provided in said policy.

SECTION 2. That the speed hump to be located on Ansley Lane shall be in the approximate location identified on Attachment "A" to this resolution.

SECTION 3. That this resolution shall take effect from and after its passage, the general welfare of the City of Brentwood, Williamson County, Tennessee requiring it.

MAYOR Rhea E. Little, III

ADOPTED: _____

Approved as to form:

RECORDER Holly Earls

CITY ATTORNEY Kristen L. Corn





RG Phillips Consulting, LLC
106 Mission Court, Suite 301
Franklin, Tennessee 37067
Office: (615) 719-7826
Direct: (615) 268-5879
Email: richphillips@rgphillips.net

MEMORANDUM

TO: Todd Hoppenstedt, Public Works Director, City of Brentwood

FROM: Richard G. Phillips, P.E. *RGP*

RE: **Speed Hump Evaluation – Ansley Lane**

Date: January 29, 2020

CC: Rich Richardson, Operations Superintendent

File: 2019-1204

As requested, we have evaluated the roadway conditions and reviewed the speed study data provided by the City in regards to the potential application for an additional speed hump on Ansley Lane. The City of Brentwood collected traffic count and speed data to assist in our evaluation. The speed hump policy indicates that speed humps can be considered when a speeding or “cut through” traffic problem is identified. According to the speed hump policy, a speeding problem is defined when the “*85th percentile speed of traffic on the street exceeds the posted speed limit*”. The speed limit for Ansley Lane is posted at 25 mph. Additionally, the speed hump policy only allows speed humps to be installed on roadways with an average daily traffic (ADT) volume of at least 500 vehicles per day and no more than 2,500 vehicles per day.

The 24-hour daily traffic (ADT) and speed study data (85th percentile speeds) collected by the City are presented as follows:

- Northbound Ansley Lane – 474 Vehicles, 38.2 mph
- Southbound Ansley Lane – 143 Vehicles, 42.7 mph

From inspecting the data collected by the City of Brentwood, it appears that the counting device may have under-recorded the daily traffic volume for southbound Ansley Lane. However, based on the recorded data, the total of 617 vehicles per day exceeds the minimum requirement of 500 ADT. Furthermore, a recount for southbound is not recommended, as we would anticipate the number would be similar to the northbound volume. As such, based on the data collected, the daily traffic volumes for Ansley Lane fall within the volume requirements.

The attached drawing indicates the approximate location for the requested additional speed hump. This location is approximately 350' south of the 90-degree intersection of Ansley Lane and is roughly 250' north of the recently constructed Lehigh Drive. Since speed humps are required to be at least 200' from an intersection, the proposed location meets this separation requirement. Furthermore, the exact location could shift as much as 50' to the south, if needed based on other field considerations such as drainage. Due to the proximity of the driveway to the pool and tennis court, adjusting the proposed location to the north is not recommended.



Please let me know if you have any questions regarding the matter or if you need any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. G. Phillips", with a stylized flourish at the end.

Richard G. Phillips, P.E.

Attachments

Speed Study Data

MH Corbin Traffic Analyzer Study
Computer Generated Summary Report
City: BRENTWOOD
Street: ansley lane
Location:

A study of vehicle traffic was conducted with the device having serial number 402577. The study was done in the S/B lane at ansley lane in BRENTWOOD, TN in WILLIAMSON county. The study began on 11/19/2019 at 06:00 AM and concluded on 11/21/2019 at 07:00 AM, lasting a total of 49.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 292 vehicles passed through the location with a peak volume of 23 on 11/20/2019 at [07:15 AM-07:30 AM] and a minimum volume of 0 on 11/19/2019 at [12:30 PM-12:45 PM]. The AADT count for this study was 143.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 30 - 35 MPH range or lower. The average speed for all classified vehicles was 34 MPH with 28.95% vehicles exceeding the posted speed of 35 MPH. 10.09% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 30MPH and the 85th percentile was 42.73 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 to >
4	4	2	51	46	55	25	11	5	2	2	2	8	1	10

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 141 which represents 62 percent of the total classified vehicles. The number of Vans & Pickups in the study was 67 which represents 29 percent of the total classified vehicles. The number of Busses & Trucks in the study was 9 which represents 4 percent of the total classified vehicles. The number of Tractor Trailers in the study was 11 which represents 5 percent of the total classified vehicles.

< to 17	18 to 20	21 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to >							
141	55	12	2	5	4	4	5							

CHART 2

HEADWAY

During the peak traffic period, on 11/20/2019 at [07:15 AM-07:30 AM] the average headway between vehicles was 37.5 seconds. During the slowest traffic period, on 11/19/2019 at [12:30 PM-12:45 PM] the average headway between vehicles was 900 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 32.00 and 88.00 degrees F.

**MH Corbin Traffic Analyzer Study
Computer Generated Summary Report
City: BRENTWOOD
Street: ansley lane
Location:**

A study of vehicle traffic was conducted with the device having serial number 400996. The study was done in the N/B lane at ansley lane in BRENTWOOD, TN in WILLIAMSON county. The study began on 11/19/2019 at 06:00 AM and concluded on 11/21/2019 at 07:00 AM, lasting a total of 49.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 967 vehicles passed through the location with a peak volume of 55 on 11/19/2019 at [07:15 AM-07:30 AM] and a minimum volume of 0 on 11/19/2019 at [10:30 PM-10:45 PM]. The AADT count for this study was 474.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 30 - 35 MPH range or lower. The average speed for all classified vehicles was 28 MPH with 29.78% vehicles exceeding the posted speed of 35 MPH. 1.18% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 30MPH and the 85th percentile was 38.22 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 to >
174	4	13	61	132	269	199	54	11	2	1	1	1	4	4

CHART 1

CLASSIFICATION

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 473 which represents 51 percent of the total classified vehicles. The number of Vans & Pickups in the study was 376 which represents 41 percent of the total classified vehicles. The number of Busses & Trucks in the study was 40 which represents 4 percent of the total classified vehicles. The number of Tractor Trailers in the study was 31 which represents 3 percent of the total classified vehicles.

< to 17	18 to 20	21 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to >							
473	265	111	31	7	3	15	25							

CHART 2

HEADWAY

During the peak traffic period, on 11/19/2019 at [07:15 AM-07:30 AM] the average headway between vehicles was 16.071 seconds. During the slowest traffic period, on 11/19/2019 at [10:30 PM-10:45 PM] the average headway between vehicles was 900 seconds.

WEATHER

The roadway surface temperature over the period of the study varied between 36.00 and 82.00 degrees F.

Brentwood City Commission Agenda

Meeting Date: 03/23/2020

Resolution 2020-27 - Authorizing Acquisition of Easements for Wilson Pike Circle Sewer Line Replacement Project

Submitted by: Chris Milton, Water & Sewer

Department: Water & Sewer

Information

Subject

Resolution 2020-27 - Authorizing Acquisition of Easements for Wilson Pike Circle Sewer Line Replacement Project.

Background

The Water Services Department's Capital Improvements Program for FY 2020 includes replacement of a small diameter problematic sewer line located along Wilson Pike Circle. There is a section of sewer line that serves three businesses that was installed in the early 1970's that consists of about 500 feet of 4-inch cast iron pipe. As the businesses developed, the developers continued extending the undersized 4-inch pipe. The pipe is undersized and does not comply with current design or construction material standards, and therefore, the department has included the up-sizing of this section of pipe in its CIP. The current minimum size pipe for any public extension of a sewer line is an 8-inch pipe, with few exceptions.

In order to install the needed larger 8-inch replacement pipeline, staff intends to negotiate and acquire easements from two property owners. One parcel will require acquisition of a permanent and temporary construction easement. The second parcel will only require acquisition of a temporary construction easement.

Accordingly, staff is requesting authorization for the Mayor, City Manager, and City Attorney to move forward with negotiations for the acquisition of easements for this sewer line replacement project. Staff fully intends to negotiate in good faith, however this authorization includes approval to acquire the easement through the City's powers of eminent domain should such action become necessary. Attached is a site map for your reference.

Please contact Chris Milton, Director of Water Services, should you have any questions.

Staff Recommendation

Staff Recommends Approval.

Previous Commission Action

No previous Commission action on this item.

Fiscal Impact

Amount : \$30,000

Source of Funds: Water & Sewer Fund

Account Number: 412-16700-8039

Fiscal Impact:

This is an estimated cost based on similar easements acquired in this area.

Attachments

Resolution 2020-27

Site Map

RESOLUTION 2020-27

A RESOLUTION OF THE CITY OF BRENTWOOD, TENNESSEE AUTHORIZING THE MAYOR, CITY MANAGER AND CITY ATTORNEY FOR THE CITY OF BRENTWOOD TO NEGOTIATE FOR, OR TO INSTITUTE EMINENT DOMAIN PROCEEDINGS AND/OR TO INSTITUTE OR INTERVENE IN ANY OTHER NECESSARY LEGAL ACTIONS FOR THE ACQUISITION OF ANY AND ALL NECESSARY EASEMENTS FOR THE WILSON PIKE CIRCLE SEWER LINE REPLACEMENT PROJECT

WHEREAS, improvements are planned to replace an older sewer line along Wilson Pike Circle that is undersized and does not comply with current design or construction material standards; and

WHEREAS, in order to construct the proposed improvements, certain easements must be acquired; and

WHEREAS, such improvements are necessary to the health, safety and welfare of area residents; and

WHEREAS, the City of Brentwood, under its charter, has the legal authority to condemn property, real or personal, or any easement or interest therein, whether within or without the City, for present or future public use, and the conditions may require the City of Brentwood to exercise this legal right.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BRENTWOOD, TENNESSEE, AS FOLLOWS:

SECTION 1. That the Mayor, City Manager and City Attorney for the City of Brentwood be and they are hereby authorized to negotiate for, or to institute eminent domain proceedings and/or to institute or intervene in any other necessary legal actions for the acquisition of any and all necessary easements for the Wilson Pike Circle sewer line replacement project.

SECTION 2. That this resolution shall take effect from and after its passage, the general welfare of the City of Brentwood, Williamson County, Tennessee requiring it.

MAYOR Rhea E. Little, III

ADOPTED: _____

Approved as to form:

RECORDER Holly Earls

CITY ATTORNEY Kristen L. Corn

Permanent & Temporary/
Constr. Easement

Existing PUDE Across
Front of Parcel

Temporary/Constr.
Easement

ENTERPRISE
RENTALS

WILSON PIKE CIR



Brentwood City Commission Agenda

Meeting Date: 03/23/2020

Resolution 2020-28 - Authorizing Acquisition of Easements for Wikle Road Water Line Project

Submitted by: Chris Milton, Water & Sewer

Department: Water & Sewer

Information

Subject

Resolution 2020-28 - Authorizing Acquisition of Easements for Wikle Road Water Line Project

Background

The Water Services Department's Capital Improvements Program for FY 2020 includes finalizing design of the Wikle Road Phases 1 & 2 Water Line Upsizing Project, with construction slated to begin in FY 2021. This project proposes to upsize the existing water line between Franklin Road and Mallory Park to a 12-inch line. The planned routing of the water line will follow along Wikle Road beginning at Franklin Road, eastbound past Wikle Park, continuing southward and connecting to an existing 12-inch water line at the northern end of Mallory Park. Most of the installation will occur within existing PUDEs and right-of-way with one exception that requires the negotiation of a small permanent and temporary construction easement with the Baptist Children's Home.

Accordingly, staff is requesting authorization for the Mayor, City Manager, and City Attorney to move forward with negotiations for the acquisition of easements for this water line project. Staff fully intends to negotiate in good faith, however this authorization includes approval to acquire the easement through the City's powers of eminent domain should such action become necessary. Attached is a site map for your reference.

Please contact Chris Milton, Director of Water Services, should you have any questions.

Staff Recommendation

Staff Recommends Approval.

Previous Commission Action

No previous Commission action on this item.

Fiscal Impact

Amount : \$7,500

Source of Funds: Water & Sewer Fund

Account Number: 412-16700-8036

Fiscal Impact:

This is an estimate based on the cost of other similar easements acquired in this area.

Attachments

Resolution 2020-28

Site Map

RESOLUTION 2020-28

A RESOLUTION OF THE CITY OF BRENTWOOD, TENNESSEE AUTHORIZING THE MAYOR, CITY MANAGER AND CITY ATTORNEY FOR THE CITY OF BRENTWOOD TO NEGOTIATE FOR, OR TO INSTITUTE EMINENT DOMAIN PROCEEDINGS AND/OR TO INSTITUTE OR INTERVENE IN ANY OTHER NECESSARY LEGAL ACTIONS FOR THE ACQUISITION OF ANY AND ALL NECESSARY EASEMENTS FOR THE WIKLE ROAD WATER LINE PROJECT

WHEREAS, the capital improvements plan of the City of Brentwood includes the design of the Phase 1 and 2 of the Wikle Road water line project which will upsize the existing water line between Franklin Road and Mallory Park; and

WHEREAS, in order to construct the proposed improvements, certain easements must be acquired; and

WHEREAS, such improvements are necessary to the health, safety and welfare of area residents; and

WHEREAS, the City of Brentwood, under its charter, has the legal authority to condemn property, real or personal, or any easement or interest therein, whether within or without the City, for present or future public use, and the conditions may require the City of Brentwood to exercise this legal right.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BRENTWOOD, TENNESSEE, AS FOLLOWS:

SECTION 1. That the Mayor, City Manager and City Attorney for the City of Brentwood be and they are hereby authorized to negotiate for, or to institute eminent domain proceedings and/or to institute or intervene in any other necessary legal actions for the acquisition of any and all necessary easements for the Wikle Road water line project.

SECTION 2. That this resolution shall take effect from and after its passage, the general welfare of the City of Brentwood, Williamson County, Tennessee requiring it.

MAYOR Rhea E. Little, III

ADOPTED: _____

Approved as to form:

RECORDER Holly Earls

CITY ATTORNEY Kristen L. Corn



Permanent & Temp.
Construction Easement

Planned Route of
Wikle Rd. Water Line
Project (in Red)

Brentwood City Commission Agenda

Meeting Date: 03/23/2020

Resolution 2020-29 - Adopting Revisions to the John P. Holt Brentwood Library Policy Manual related to the Brentwood Room Collection Development

Submitted by: Susan Earl, Library

Department: Library

Information

Subject

Resolution 2020-29 - Adopting Revisions to the John P. Holt Brentwood Library Policy Manual Relative to the Brentwood Room Collection Development Statement

Background

Annually the Library Policy Manual revisions are submitted for City Commission approval. At the December 5, 2019 City Commission Informational Meeting revisions were presented; however, this portion of the Policy Manual needed to be reviewed with the input of the Brentwood Historic Commission. Representatives from the Brentwood Historic Commission and the Library Board have reviewed the policy and suggestions were given to be changed and approved by the Library Board on January 8, 2020. The Brentwood Historic Commission's regular monthly meeting followed on January 17, 2020, at which the policies were discussed and additional input given. The Library Board then approved the final recommended language on February 12, 2020. The Policy changes are shown in the attached redlined document. The following sections were modified:

4.(a) Mission and Overview of the Brentwood Room - The number of books was decreased due to the water damage and duplicate copies in other historical collections. The staff wishes to focus on Brentwood history and local authors.

4.(c) Clientele Served by the Collection - The staff has statistics that demonstrate the clientele who utilizes the room.

4.(d) Priorities and limitations of the Collection (1st paragraph) - Specific terms were removed since they no longer reflect the collection or its focus.

4.(e) Present Identified Strengths - Several changes were made to this section due to water damage of certain materials, inconsistent sequence of volumes, and lack of use. In addition, many of the materials referenced are now more easily accessible in other ways.

For example:

- Most newspapers and magazines are now online and available at any public workstation and at home via our webpages, so microform and periodicals are unnecessary.
- Some of the genealogy collection can be integrated into the circulating collection where they can be found and used, like the adult reference collection. Most census and other online resources are available at any public workstation and at home via our webpages. However, Williamson County genealogy and census data will remain in the collection. Online resources and local Brentwood history will be highlighted.
- The military collection would have increased use in the Library's general collection since they covered more general history and more people would find them.

Another change was made to acknowledge that authors are moving into the City and should not be excluded simply for not living here for five years.

4.(g) Present Identified Weaknesses

- Maintaining information about country music, theater and other performing arts and artists, audio-visual recordings of research value, and digital archives are unnecessary. They can be found in other resources online and in the general adult collection. Also, with other archival collections within 30 minutes in Nashville, such as the Country Music Hall of Fame, and the Nashville Public Library Special Collections (WSM radio), it would be duplication.
- As for the audio-visual recordings of research value, staff is researching the best method to make them available online.
- Digital archives can be retrieved online at any workstation and/or from home.

4.(j) Forms of Materials Collected - Removal of audio-visual materials and electronic records has been explained above in g. revisions.

4.(m) Deaccessioning Policy - Removal of "offering to return material to the donors or heirs" is not in sync with all other donations submitted to the Library. Language added includes an offer to transfer any items being removed to the Brentwood Historic Commission, giving that body the opportunity retain any materials they deem worthy.

Staff Recommendation

Staff recommends approval to adopt the revisions to the Brentwood Room Collection Development Policy at the John P. Holt Brentwood Library.

Previous Commission Action

On December 5, 2019, the City Commission recommended the Library Board and staff obtain the input of the Brentwood Historic Commission for recommendation of the Brentwood Room Collection Development policy.

Fiscal Impact

Attachments

Resolution 2020-29
Policy Manual

RESOLUTION 2020-29

**A RESOLUTION OF THE CITY OF BRENTWOOD, TENNESSEE AMENDING THE
JOHN P. HOLT BRENTWOOD LIBRARY POLICY MANUAL ON THE SECTION
REGARDING THE BRENTWOOD ROOM COLLECTION DEVELOPMENT
STATEMENT**

WHEREAS, the John P. Holt Brentwood Library operates pursuant to policies set forth in an official policy manual; and

WHEREAS, the Board of Commissioners has previously adopted revisions to the Library Policy Manual, pursuant to Resolution 2019-111; and

WHEREAS, the Brentwood Library Board has proposed an amendment to the Library Policy Manual on the section regarding the Brentwood Room Collection Development Statement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BRENTWOOD, TENNESSEE,
AS FOLLOWS:**

SECTION 1. That the John P. Holt Brentwood Library Policy Manual is hereby revised by adopting the amendments shown on Attachment A hereto.

SECTION 2. That this resolution shall take effect from and after its passage, the general welfare of the City of Brentwood, Williamson County, Tennessee requiring it.

MAYOR Rhea E. Little, III

ADOPTED: _____

Approved as to form:

CITY RECORDER Holly Earls

CITY ATTORNEY Kristen L. Corn



THE JOHN P. HOLT
BRENTWOOD LIBRARY

POLICY MANUAL

II. OPERATIONAL GUIDELINES

B. Developing the Collections/page 13-15

4. Brentwood Room Development Statement

- a. Mission and Overview of the Brentwood Room
 - o Mission Statement: The Brentwood Room's mission is to preserve and share across generations the wisdom, culture, and history of Brentwood, Tennessee.
 - o Overview: The Brentwood Room serves as a depository and research center for historic Brentwood materials. The Brentwood Room provides access to ~~over 1000~~ books on genealogy, local Brentwood history, and Tennessee history and culture relevant to local Brentwood history as well as books by Brentwood authors. These materials are available for browsing but are non-circulating. The Brentwood Room also provides access to non-book materials relating to the history and culture of Brentwood, Tennessee, such as manuscript collections, maps, and architectural drawings.
- b. Types of Programs Supported by the Collection
 - o Research: The collection supports all levels of research in the history and culture of Brentwood, Tennessee.
 - o Exhibits: The collection supports exhibits both within the Library and off-site in accordance with the Library's exhibition policy and the Brentwood Room guidelines for loaning materials.
 - o Community Outreach: The collection provides the foundation for outreach activities by which the Brentwood Room furthers the awareness, development, and use of its materials.
- c. Clientele Served by the Collection

Regular clientele includes ~~scholars~~, students, ~~government officials, donors, journalists, genealogists~~, and the general public.

d. Priorities and Limitations of the Collection

Collecting activity involves the evaluation and selection of documentary materials determined to be of enduring value. ~~Four~~ Two specific terms are used to describe levels of collecting activity:

- ~~○ Exhaustive - to collect all of the documentation relating to a field~~
- ~~○ Comprehensive - to collect much of the documentation relating to a field~~
- Complementary - to collect at a level that fills gaps in the existing documentary record and supplements resources available elsewhere
- Selective - to collect only minimally

~~Exhaustive, comprehensive, and c~~ Complementary collecting support ~~graduate level~~ research and scholarship; selective collecting does not.

Individual items or groups of items will be carefully evaluated by the staff and may be presented to the Board for approval prior to acquisition. When significant gaps or weaknesses are discovered in collecting areas, formal, targeted projects may be developed to create and collect documentation that complements the already existing materials in the collection.

e. Present Identified Strengths: There are several strong collecting areas within the Brentwood Room collections.

- ~~○ The Periodical collection consists of a variety of historical and current bound and unbound journals, magazines and newsletters.~~
- The Vertical Files collection consists of subject files of materials in a wide variety of formats such as reports, brochures, programs, invitations, memorabilia, and scrapbooks.
- The Genealogy collection consists of books, ~~periodicals, microform,~~ online resources, and some printed census schedules.
- ~~○ The Military collection consists of books and periodicals covering the Revolutionary and Civil Wars and military societies.~~
- The Sundry collection consists of a variety of furniture, paintings, photographs, models, and memorabilia of various types.
- ~~○ The Brentwood Authors collection contains works by local authors on a variety of topics. To be considered a Brentwood author the writer must have resided in Brentwood for five years. The Brentwood Room currently collects donated copies of non-fiction books written by Brentwood authors. Donations of non-Brentwood authors' works will be referred to the Tennessee State Library and Archives, which collects works by Tennessee authors highlights authors who have written books about the history of Brentwood, Tennessee.~~
- The Manuscript collection consists of manuscripts, diaries, letters, and other ephemera from several local historians and organizations.
- The Oral History Collections include both existing interviews and current projects.

f. Present Collecting Level: Materials for the collections are collected on a complimentary level due to time, staff, and spatial limitations.

g. Present Identified Weaknesses: Within the established geographical limit of Brentwood, Tennessee, the existing collections need to be expanded by donation or purchase of additional material in these areas:

- family histories
- folklore and folk life
- ~~○ published histories and information about significant businesses, and industries, and culture. such as~~
- ~~○ country music (WSM radio, etc.)~~

~~○ theater and other performing arts and artists~~

○ manuscripts, diaries, journals, and personal papers of historical interest by or of interest to Brentwood

~~○ audio-visual recordings of research value~~

~~○ digital archives~~

h. Geographic Areas Collected: The emphasis is on the history of Brentwood.

i. Chronological Periods Collected: The Brentwood Room acquires pre-history and/or pre Columbian history, as well as nineteenth, twentieth, and twenty-first century materials.

j. Forms of Materials Collected: The Brentwood Room accepts materials in all of the common modern formats, including photographs, ~~audio-visual materials~~, digital, and published and non-published documents. The Brentwood Room also accepts architectural drawings and maps that fall within the scope of the collecting policy. ~~Electronic records and~~ ~~Three-dimensional artifacts or realia~~ are accepted on a limited basis due to equipment, financial, and space constraints.

k. Exclusions and Special Cases: Material outside of the scope or mission of the collections is not accepted and/or will be referred to another, more appropriate repository.

- Official governmental records and publications are collected by local universities.
- Business and church records which are primary sources, as opposed to written histories, may be collected by the Brentwood Room under certain circumstances. Collections of business or church records will be considered on a case-by-case basis. Written histories of local churches and businesses are collected in the Brentwood Room.
- Genealogical information from family Bibles is collected by the Tennessee State Library and Archives.

l. Cooperative Agreements

The Brentwood Room cooperates with other repositories, such as the Tennessee State Library and Archives and other local organizations.

m. Deaccessioning Policy

The Brentwood Room may deaccession materials that do not reflect its collecting areas, which duplicate existing holdings that relate to subjects that are no longer a priority of the Brentwood Room, or that are judged not to be of enduring value. The relevant donor agreement(s) will determine the disposition of materials in a collection. In general, the options for deaccessioning material include: ~~a) offering to return material to the donor or heirs~~, ~~b-a) offering material to the Brentwood Historic Commission~~; **b)** transferring material to another area within the Library (e.g., circulating collection); **c)** offering it to another appropriate Library or archival institution (which may be specified in the donor agreement); or **d) discarding based on condition and relevancy**. All disposition of archival materials will be in accordance with state and federal laws.

Brentwood City Commission Agenda

Meeting Date: 03/23/2020

Resolution 2020-30 Amendment to Agreement with The Parent Company to Reduce Guaranteed Maximum Price for Police Headquarters Project

Submitted by: Kirk Bednar, Administration

Department: Administration

Information

Subject

Resolution 2020-30 - Amendment to Agreement with The Parent Company to Reduce Guaranteed Maximum Price for Police Headquarters Project

Background

The March 23, 2020 City Commission agenda includes a related item (Resolution 2020-31) which authorizes the direct purchase by the City of roofing materials for the Police headquarters project. At the time the final Guaranteed Maximum Price (GMP) for the project was approved on January 14, 2020 (Resolution 2020-04), the GMP included a roof allowance established by The Parent Company because the initial roofing bids were rejected.

The Parent Company has now rebid the roofing package, and the recommended bidder is proposing use of Garland roofing materials. Because these Garland roofing materials are available for direct purchase by the City through an existing cooperative purchasing agreement the City is a member of, this materials cost will not be incurred by The Parent Company. Therefore, the attached GMP amendment change order will reduce the contractor's GMP by \$191,845, which is the exact same dollar amount as the cost to be incurred by the City to purchase the roofing materials directly.

This change order will reduce the GMP from \$24,981,753 to \$24,789,908. However, because the City will be incurring the equivalent cost to directly purchase roofing materials, the overall cost of the project is not changed.

If you have any questions, please contact the City Manager.

Staff Recommendation

Staff recommends approval of Resolution 2020-30.

Previous Commission Action

Resolution 2020-04 approved by the Board of Commissioners on January 14, 2020 established the Final Guaranteed Maximum Price for the project.

Resolution 2019-94 approved by the Board of Commissioners on October 14, 2019 established the Phase 2 Guaranteed Maximum Price for the project.

Resolution 2019-86 approved by the Board of Commissioners on September 9, 2019 established the Phase 1 Guaranteed Maximum Price for the project.

Fiscal Impact

Amount : (\$191,845.00)

Source of Funds:

Account Number:

Fiscal Impact:

This change order will reduce the Guaranteed Maximum Price (GMP) of the City's contract with The Parent Company for construction of the Police headquarters project. However, this reduction is offset by the City's direct purchase of roofing materials in the same dollar amount, so the overall cost of the project does not change.

Attachments

Resolution 2020-30

GMP Amendment

RESOLUTION 2020-30

A RESOLUTION OF THE CITY OF BRENTWOOD, TENNESSEE AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT BY AND BETWEEN THE CITY OF BRENTWOOD AND THE PARENT COMPANY TO DECREASE THE GUARANTEED MAXIMUM PRICE FOR THE POLICE DEPARTMENT HEADQUARTERS FACILITY, A COPY OF SAID AGREEMENT BEING ATTACHED HERETO AND MADE A PART OF THIS RESOLUTION BY REFERENCE

BE IT RESOLVED BY THE CITY OF BRENTWOOD, TENNESSEE, AS FOLLOWS:

SECTION 1. That the Mayor is hereby authorized to execute an amendment to the agreement by and between the City of Brentwood and The Parent Company to decrease the guaranteed maximum price for the Police Department Headquarters Facility, a copy of said agreement being attached hereto and made a part of this resolution by reference.

SECTION 2. That this resolution shall take effect from and after its passage, the general welfare of the City of Brentwood, Williamson County, Tennessee requiring it.

MAYOR

Rhea E. Little, III

ADOPTED: _____

Approved as to form:

RECORDER

Holly Earls

CITY ATTORNEY

Kristen L. Corn

CHANGE ORDER

G701

Distribution to:
OWNER
ARCHITECT
CONTRACTOR
FIELD
OTHER

PROJECT: City of Brentwood Public Safety Building
(Name and address) 910 Heritage Way
Brentwood, TN 37024

CHANGE ORDER NO.: 4
INITIATION DATE: 03/09/20
ARCHITECT PROJECT NO.:
CONTRACT FOR: General Construction
CONTRACT DATE: 12/10/18

TO CONTRACTOR: The Parent Company, Inc.
(Name and address) 241 Wilson Pike Circle
Brentwood, TN 37027

You are directed to make the following changes in this Contract:

WP03- Rev 02 - Roof Bid Package - Owner purchase of Garland roof materials

DEDUCT (\$191,845.00)

Not valid until signed by the Owner and Architect.

Signature of the Contractor indicates his agreement herewith, including any adjustment in the Contract Sum or Contract Time.

The original (Contract Sum) (Guaranteed Maximum Price) was	\$	\$	2,378,849.00
Net change by previously authorized Change Orders	\$		22,602,904.00
The (Contract Sum) (Guaranteed Maximum Price) prior to this Change Order was	\$	\$	24,981,753.00
The (Contract Sum) (Guaranteed Maximum Price) will be (increased) (decreased) (unchanged) by this Change Order	\$		(\$191,845.00)
The new (Contract Sum) (Guaranteed Maximum Price) including this Change Order will be	\$	\$	24,789,908.00
The Contract Time will be (increased) (decreased) (unchanged) by			0 days
The date of Substantial Completion as of the date of this Change Order therefore is			3/1/2021

Authorized:

The Architect Workshop
ARCHITECT

The Parent Company, Inc.
CONTRACTOR

The City of Brentwood
OWNER

700 Melpark
Address

241 Wilson Pike Circle
Address

5211 Maryland Way
Address

Nashville, TN 37204

Brentwood, TN 37027

Brentwood, TN 37027

By

By

By

17 march 2020

3 / 9 / 20

Date RECEIVED

Date

Date

20 0317
the architect
WORKSHOP

Brentwood City Commission Agenda

Meeting Date: 03/23/2020

Resolution 2020-31 Purchase of Roofing Materials from Garland Co, Inc. Through OMNIA Cooperative Purchasing Agmt for PD HQ Project

Submitted by: Kirk Bednar, Administration

Department: Administration

Information

Subject

Resolution 2020-31 Purchase of Roofing Materials from The Garland Company, Inc. Through OMNIA Cooperative Purchasing Agreement for Police Headquarters Project

Background

The final Guaranteed Maximum Price (GMP) was established with The Parent Company for the Police headquarters project, the GMP included an allowance of \$978,750 for installation of the roof. At the time, the initial roof bids had been rejected, and the allowance in the GMP was intended to be sufficient to cover the expected subcontractor cost for roof installation following the planned rebid of that portion of the work.

The Parent Company recently completed that rebidding process for the roof installation. The bidding options available to subcontractors were a Thermoplastic Polyolefin (TPO) roofing system or a Modified Bitumen system. While the modified bitumen roof was the preferred choice of both the architect and contractor for longer durability, both options were allowed to insure the City had a choice if needed to stay within the GMP allowance. Per the attached roof bid recommendation from The Parent Company, it was determined that Marion & Green submitted the best bid for a modified bitumen roof in the amount of \$615,859. While this bid is slightly higher than the TPO bid from Village Roofing, it was determined that the durability benefit of the modified bitumen roof more than outweighed the less than \$10,000 bid price difference of the TPO roof.

The bid from Marion & Green provided for the purchase of Garland Company roofing materials. Because The Garland Company is a supplier through the OMNIA Cooperative Purchasing agreement, the City has the opportunity to purchase the materials directly, thereby achieving some savings through OMNIA pricing and no contractor mark-up, as well as a 9.75% savings by not having to pay sales tax if purchased directly because the roof is a fixture. The cost to purchase the needed materials directly from Garland via the OMNIA cooperative agreement is \$191,845.17 (see attached order sheet).

Because the City will be purchasing these materials directly instead of the roofing subcontractor working under The Parent Company, there is an accompanying resolution

on the March 23, 2020 agenda (Resolution 2020-30) which will decrease The Parent Company contract GMP by the equivalent dollar amount (\$191,845), so the overall cost of the headquarters project remains unchanged. Note that the positive difference between the original roofing allowance amount and the actual bid amount will be added to the overall project contingency amount.

If you have any questions, please contact the City Manager.

Staff Recommendation

Staff recommends approval of Resolution 2020-31.

Previous Commission Action

Resolution 2020-04 establishing the final GMP amount under the City's contract with The Parent Company for construction of the Police headquarters project was approved on January 14, 2020.

Fiscal Impact

Amount : 191,845.00

Source of Funds: Capital Projects Fund

Account Number: 311-45200-5028

Fiscal Impact:

This expenditure is already accounted for in the overall Police headquarters project budget within the Capital Projects Fund. The GMP of the The Parent Company construction project will be reduced by an equivalent dollar amount as this direct purchase by the City, resulting in no net change to the overall cost of the project.

Attachments

Resolution 2020-31

Parent Company Roofing Bid Package Award

Garland Order Cost Sheet

RESOLUTION 2020-31

**A RESOLUTION OF THE CITY OF BRENTWOOD, TENNESSEE TO PURCHASE
ROOFING MATERIALS FOR THE POLICE HEADQUARTERS FROM THE
GARLAND CO. PURSUANT TO THE OMNIA PURCHASING COOPERATIVE**

BE IT RESOLVED BY THE CITY OF BRENTWOOD, TENNESSEE, AS FOLLOWS:

SECTION 1. That the purchase of roofing materials from The Garland Co., pursuant to the OMNIA Purchasing Cooperative, is hereby authorized, and that the Mayor may execute any documentation necessary, subject to the approval of the City Attorney, to effect such purchase.

SECTION 2. That this resolution shall take effect from and after its passage, the general welfare of the City of Brentwood, Williamson County, Tennessee requiring it.

MAYOR Rhea E. Little, III

ADOPTED: _____

Approved as to form:

RECORDER Holly Earls

CITY ATTORNEY Kristen L. Corn



241 Wilson Pike Circle • P.O. Box 5036 • Brentwood, TN 37024-5036

March 9, 2020

The City of Brentwood
5211 Maryland Way
Brentwood, TN 37027

Attention: Kirk Bednar

Re: Brentwood Public Safety Center
WP03 – Rev02 – Roof Bid Package

Dear Kirk,

Please accept this letter as our recommendation to award the bid package referenced above to Marion & Green Roofing.

Should you have questions or require additional information, please advise.

Sincerely,
THE PARENT COMPANY, INC.

Joel Carden
Vice President

cc: James Kennon, the architect Workshop
Cary Sweat, the architect Workshop

The Garland Company, Inc.
3800 E 91st Street

44105 Cleveland
OH
Phone :
Fax :
EU VAT no. :



since 1895

ORDER ACKNOWLEDGEMENT

Order no. : **SO2002143**

Date : 3/9/2020

Customer code : 407240

Customer order ref : PW-1925

Delivery method : TLF

Carrier :

CITY OF BRENTWOOD
Po Box 788

37024-0788 BRENTWOOD
TN
United States of America

Deliver the :

CITY OF BRENTWOOD
Po Box 788

37024-0788 BRENTWOOD
TN
United States of America

Product	Delivery date	Quantity	price tax excluded	t amount tax excluded
4121 HPR® Tri-Base Premium	3/9/2020	20 RL	249.0000	4 980.00
4377-G-P-80 StressPly® PlusFRMineral(P-80)	3/9/2020	656 RL	282.0000	184 992.00
SPECIAL Special SUNBURST SET UP CHARGE	3/9/2020	1 EA	1 500.0000	1 500.00
7110-5 Flashing Bond®	3/9/2020	15 EA	113.0000	1 695.00
7425-5 Silver-Flash®	3/9/2020	4 EA	154.0000	616.00

		Tax excluded line total	193 783.00
Payment terms : NET 45 DAYS		OMNIA Discount:	(1,937.83)
		Grand Total:	191,845.17

See general sales conditions

Discount for early payment (monthly rate): 1.50%

The Garland Company, Inc.
3800 E 91st Street

44105 Cleveland
OH
Phone :
Fax :
EU VAT no. :



since 1895

ORDER ACKNOWLEDGEMENT

Order no. : **SO2002143**

Date : 3/9/2020

Customer code : 407240

Customer order ref : PW-1925

CITY OF BRENTWOOD
Po Box 788

37024-0788 BRENTWOOD
TN

United States of America

Brentwood City Commission Agenda

Meeting Date: 03/23/2020

Ordinance 2020-05 - Amending Section 22-4 of the Brentwood Municipal Code Relative to an Electronic Citation Fee

Submitted by: Jeff Hughes, Police

Department: Police

Information

Subject

Ordinance 2020-05 - Amending Section 22-4 of the Brentwood Municipal Code Relative to an Electronic Citation Fee

Background

Staff recommends that the Commission adopt an ordinance allowing for an additional \$5.00 court fee that can only be spent as described herein. The language in state law under TCA 55-10-207 allows for the following:

(e)(1) Each court clerk shall charge and collect an electronic traffic citation fee of five dollars (\$5.00) for each traffic citation resulting in a conviction. Such fee shall be assessable as court costs and paid by the defendant for any offense cited in a traffic citation delivered that results in a plea of guilty or nolo contendere, or a judgment of guilty. This fee shall be in addition to all other fees, taxes and charges. One dollar (\$1.00) of such fee shall be retained by the court clerk. The remaining four dollars (\$4.00) of the fee shall be transmitted monthly by the court clerk to the law enforcement agency that prepared the traffic citation that resulted in a plea of guilty or nolo contendere, or a judgment of guilty.

(2) All funds derived from the electronic traffic citation fee that are transmitted to the law enforcement agency that prepared the traffic citation pursuant to subdivision (e)(1) shall be accounted for in a special revenue fund of such law enforcement agency and may only be used for the following purposes:

(A) Electronic citation system and program related expenditures; and

(B) Related expenditures by such local law enforcement agency for technology, equipment, repairs, replacement and training to maintain electronic citation programs.

(3) All funds derived from the electronic citation fee set aside for court clerks pursuant to subdivision (e)(1) shall be used for computer hardware purchases, usual and necessary computer related expenses, or replacement. Such funds shall be preserved for those purposes and shall not revert to the general fund at the end of a budget year if unexpended.

(4) The local legislative body of any county or municipality may, by majority vote, adopt a resolution or ordinance to authorize a county or municipal court clerk to charge and collect electronic traffic citation fees pursuant to this subsection (e). Any electronic traffic citation fee imposed pursuant to an ordinance or resolution under this subdivision (e)(4) shall terminate five (5) years from the date on which the ordinance or resolution is adopted.

The Finance Department will set up a special revenue fund for \$4.00 of the total \$5.00 fee, similar to the Drug Fund. The remaining \$1.00 will go to a restricted fund balance in the general fund to be carried over year to year.

The purpose of this legislation is to provide financial assistance to court and law enforcement agencies in implementing/processing electronic citations, a process that is much more efficient than writing paper tickets and hand entering data into court software. The Brentwood Police Department currently utilizes electronic citations, but will continue to incur costs associated with replacing hardware, software maintenance, etc. The collection of this fee will help offset those costs.

The projected revenue for the 5-year period allowed to collect this additional fee is approximately \$30,000, to be used to implement and sustain the electronic citation process.

As noted, there is a five-year sunset clause in this legislation. Staff recommends that the collection of the additional fee begin July 1, 2020, coinciding with the beginning of FY 2020-2021 for accounting purposes. For those cases where this new fee would be applied, the assessed court costs will increase from \$75 to \$80. Note that court costs are separate from the actual fine for a ticket, which is capped at \$50.

Please direct additional questions to the Chief of Police or City Attorney.

Staff Recommendation

Staff recommends the adoption of an ordinance that would allow for the collection of this additional fee. The proposed ordinance is attached.

Fiscal Impact

Amount :

Source of Funds:

Account Number:

Fiscal Impact:

The projected revenue for the 5-year period is approximately \$30,000.

Attachments

ORDINANCE 2020-05

AN ORDINANCE OF THE CITY OF BRENTWOOD, TENNESSEE, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF BRENTWOOD BE AMENDED BY MODIFYING SECTION 22-4, REGARDING COURT COSTS

WHEREAS, Section 22-4 of the Code of Ordinances of the City of Brentwood establishes costs to be collected from persons who violate provisions of the Code of Ordinances; and

WHEREAS, Tennessee Code Annotated § 55-10-207 authorizes the issuance of traffic citations by electronic means, along with a fee for the recovery of costs associated with the issuance and processing of such citations, provided that any electronic traffic citation fee so imposed shall terminate after five years.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF BRENTWOOD, TENNESSEE, AS FOLLOWS:

SECTION 1: That section 22-4 of the Code of Ordinances of the City of Brentwood is hereby amended by adding a new subsection (c), to read as follows:

(c) An electronic citation fee of \$5.00 shall be charged as court costs and paid by the defendant for any offense cited in a traffic citation that results in a plea of guilty or nolo contendere, or a judgment of guilty. The electronic citation fee shall be in addition to all other fees, taxes and charges. All funds derived from the electronic citation fee are to be accounted for and used as provided in T.C.A. § 55-10-207. The electronic citation fee shall terminate five years from the date this subsection becomes effective, unless the authority to collect the fee is extended by action of the Tennessee General Assembly.

SECTION 2. In case of conflict between this ordinance or any part hereof, and the whole or part of any existing ordinance of the City, the provision that establishes the higher standard shall prevail.

SECTION 3. If any section, subsection, clause, provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, subsection, clause, provision or portion of this ordinance.

SECTION 4. That this ordinance shall take effect on July 1, 2020, or upon publication of notice of final passage, whichever occurs later, the general welfare of the City of Brentwood, Williamson County, Tennessee, requiring it.

PASSED:	1st reading	_____	PLANNING COMMISSION	_____ n/a
	2nd reading	_____	NOTICE OF PASSAGE	
			Notice published in:	_____
PUBLIC HEARING			Date of publication:	_____
Notice published in:	_____ n/a			
Date of publication:	_____			
Date of hearing:	_____	EFFECTIVE DATE	_____	

MAYOR Rhea E. Little, III

RECORDER Holly Earls

Approved as to form:

CITY ATTORNEY Kristen L. Corn