

**CARLTON GERRELL, MAYOR
KIM FOSTER, CITY MANAGER
FRED MCLEAN, ATTORNEY**



**JACKIE JONES, VICE MAYOR
GAYLE GRIFFITH, COMMISSIONER
SAM THARPE, COMMISSIONER
JOHN ETHERIDGE, COMMISSIONER**

**BOARD OF COMMISSIONERS MEETING MINUTES
CITY OF PARIS, TENNESSEE
February 10, 2022
4:30 P.M.**

Board of Commissioners of the City of Paris, Tennessee held a Regular Meeting at 4:30 p.m. on Thursday, February 10, 2022, in the Paris City Hall Courtroom.

The meeting was called to order by Mayor Carlton Gerrell with the following roll call:

- Present:** Mayor Carlton Gerrell
Vice Mayor Jackie Jones
Commissioner Sam Tharpe
Commissioner John Etheridge
Commissioner Gayle Griffith
- Also Present:** City Attorney Fred McLean
City Manager Kim Foster
Community Development Director Jennifer Morris
Administrative Assistant Jessica Crouch
Finance Director Traci Shannon
Building Inspector / Codes Lowell Schrader
- Absent:** None
- Media:** Ken Walker, Paris Post Intelligencer
Shannon McFarlin, WENK/WTPR

Vice Mayor Jackie Jones led the meeting with the Pledge of Allegiance followed by a prayer led by Mayor Carlton Gerrell.

APPROVAL OF MINUTES: January 13, 2022, Regular Meeting Minutes

DISCUSSION: None

ACTION: Vice Mayor Jackie Jones made a motion, seconded by Commissioner John Etheridge to approve the minutes as presented.

VOTE: Unanimous

COMMENTS FROM CITIZENS: None

COMMENTS FROM THE COMMISSION: Mayor Carlton Gerrell had a special recognition of the "Protector of People" for their service with the City of Paris. On behalf of Black History Month, Mayor Gerrell recognized the first Black Police Officer (Jimmy Rowe), City Commissioner (Billy Byars), and Fireman (James Palmer) and their families. Mayor Gerrell also recognized former Police Chief Tommy Cooper, who was present, who worked with Jimmy Rowe.

SERVICE RESOLUTIONS AND PROCLAMATIONS: None

OLD BUSINESS:

No Old Business

NEW BUSINESS:

**NEW BUSINESS
AGENDA ITEM NO.1
Financial Update**

Narrative to December 2021 Operating Statement

Our retail sales tax revenue for the month of November was up 12.98% compared to last November and we are ahead 9.02% for our fiscal year-to-date.

Revenues were slightly above expenditures for the month of December; however, we are still behind fiscal year-to-date. A couple of our larger expenses included \$32K for asphalt/material for street repair and \$84K for patrol cars. Also, the month of December was a three pay-period month which occurs twice yearly.

Other Business:

Personnel changes in December:

New Employees (9): One full time (Police Officer), Eight part-time (PHCBL)

We issued four business licenses in December:

New Business (3): Rosemary Road, JTG LLC, Jerry & Co Market Place

Minimal License Renewal (1): I Felt That

CITY OF PARIS, TENNESSEE							
RETAIL SALES TAX REVENUE							
	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	% Incr(Decr)
JULY	\$748,999	\$791,918	\$787,901	\$802,267	\$898,979	\$951,793	5.87%
AUGUST	\$738,171	\$775,581	\$790,533	\$799,378	\$843,541	\$895,516	6.16%
SEPTEMBER	\$791,866	\$812,873	\$774,425	\$797,992	\$888,921	\$965,256	8.59%
OCTOBER	\$732,345	\$777,777	\$761,812	\$761,453	\$873,733	\$974,047	11.48%
NOVEMBER	\$770,351	\$821,637	\$809,116	\$807,105	\$874,641	\$988,199	12.98%
DECEMBER	\$999,663	\$927,868	\$960,027	\$957,286	\$1,097,412		
JANUARY	\$674,764	\$689,391	\$665,013	\$713,906	\$844,826		
FEBRUARY	\$684,426	\$697,202	\$704,313	\$727,380	\$719,938		
MARCH	\$840,859	\$840,412	\$877,659	\$840,175	\$1,101,592		
APRIL	\$792,642	\$774,320	\$849,875	\$865,360	\$1,040,359		
MAY	\$796,500	\$840,600	\$863,697	\$949,140	\$1,005,346		
JUNE	\$871,656	\$849,365	\$873,145	\$966,861	\$1,013,926		
TOTAL	\$9,442,243	\$9,598,946	\$9,717,515	\$9,988,303	\$11,203,215	\$4,774,810	
Previous YTD % Increase/Decrease	2.52%	1.66%	1.24%	2.79%	12.16%	9.02%	

MONTHLY OPERATING STATEMENT
December 2021

REVENUES	<u>Annual Budget</u>	<u>Current Month</u>	<u>Yr to Date</u>	<u>Percent Realized</u>
Property Taxes	1,702,000	297,056	680,199	39.96%
Local Option Sales Tax	5,135,950	476,819	2,854,444	55.58%
Wholesale Liquor / Beer	800,000	72,350	477,988	59.75%
Business Tax	375,000	1,782	36,279	9.67%
Fees & Licenses	163,500	10,279	85,327	52.19%
In Lieu Payments	880,250	0	360,287	40.93%
Grants	2,231,600	7,283	138,176	6.19%
State Shared taxes	1,529,500	129,612	839,720	54.90%
All Other	1,699,850	104,511	924,400	54.38%
Total General Fund Revenue	14,517,650	1,099,691	6,396,820	44.06%
Solid Waste Collection - BPU	1,225,000	104,351	626,589	51.15%
Solid Waste Disposal - Transfer	350,000	51,787	224,411	64.12%
Other Revenue	400	11	30,432	7608.03%
Total Sanitation	1,575,400	156,148	881,432	55.95%
Gate Receipts - Brush & Debris	130,000	12,117	80,875	62.21%
County Share Operating Exp	35,000	0	0	0.00%
Gate Receipts - Tires	5,000	379	4,289	85.79%
Other Revenue	30,500	136	31,462	103.15%
Total Landfill	200,500	12,632	116,626	58.17%
Total Drug Fund	60,050	1,045	16,722	27.85%
TOTAL REVENUES	16,353,600	1,269,517	7,411,601	45.32%

EXPENDITURES	<u>Annual Budget</u>	<u>Current Month</u>	<u>Yr to Date</u>	<u>Percent Realized</u>
Grants & Donations	261,622	51,935	105,893	40.48%
General Administration	390,037	41,615	220,191	56.45%
Economic Development	159,592	18,147	79,569	49.86%
Elections	0	0	0	#DIV/0!
Financial Administration	323,659	36,097	176,932	54.67%
City Hall Building	99,718	8,627	53,664	53.82%
Police Department	2,187,535	287,996	1,113,477	50.90%
Emergency Communications	722,210	81,752	364,452	50.46%
Fire Department	1,884,160	180,780	1,057,151	56.11%
Building Inspection	112,714	7,766	44,823	39.77%
Street Maintenance	1,821,352	129,981	923,086	50.68%
State Street Aid	700,000	13,167	652,890	93.27%
Storm Water Management	74,270	6,511	20,586	27.72%
Street Lighting	95,800	5,920	42,162	44.01%
City Garage	320,183	27,811	144,557	45.15%
Cemetery Maintenance	66,800	900	39,000	58.38%
Health & Animal Control	177,219	15,943	86,611	48.87%
Civic Center	676,021	56,573	321,629	47.58%
Parks & Recreation	1,082,648	86,206	653,172	60.33%
Library	171,487	0	85,743	50.00%
Community Development	2,725,100	21,480	204,671	7.51%
Debt Service	803,295	12,873	179,595	22.36%
General Fund Expenditures	14,855,422	1,092,080	6,569,853	44.23%
Sanitation Collection	1,356,706	74,439	490,535	36.16%
Contractual Services	630,000	46,569	348,832	55.37%
Total Sanitation	1,986,706	121,008	839,367	42.25%
Total Landfill	201,078	8,654	182,566	90.79%
Total Drug Fund	92,500	14,272	59,458	64.28%
TOTAL EXPENDITURES	17,135,706	1,236,014	7,651,243	44.65%

<u>REVENUES OVER / (UNDER) EXPENDITURES</u>	<u>Current Month</u>	<u>Yr to Date</u>
General Fund	7,612	(173,033)
Sanitation	35,140	42,066
Landfill	3,978	(65,939)
Drug Fund	(13,227)	(42,736)

NEW BUSINESS
AGENDA ITEM NO. 2
Appointments to Boards

<u>BOARD</u>	<u>CURRENT MEMBER</u>	<u>PROPOSED MEMBER</u>	<u>TERM EXPIRATION</u>	<u>NEW EXPIRATION</u>
Paris Housing Authority 5 Year Term (Mayoral Appointment)	Charlie Atkinson	Willie Ruth Pearson	July 7, 2023	July 7, 2023

DISCUSSION: None

ACTION: Motion made by Commissioner Gayle Griffith seconded by Commissioner John Etheridge to approve the appointment to boards for the Paris Housing Authority.

VOTE: None

NEW BUSINESS
AGENDA ITEM NO. 3
Audit Presentations

DISCUSSION: Matt Wood, CPA, Alexander, Thompson, Arnold presented an audit presentation for fiscal year 2020-2021 for the City of Paris. Mr. Wood explained that the City of Paris is in "good standing" with a clean audit. Mr. Wood highlighted that the City of Paris had \$164,000 in Federal Grants this year. He also stated that the City of Paris had \$173,000 in State Grants. He highlighted page 8 in the financials with a discussion of comparison of 2020 to 2021. He stated that this is the first year that Paris Utility Authority (PUA) is not presented in the financial statement as a fund of the City of Paris. He highlighted the assets of each year and the net income increase. Mr. Wood then highlighted page 12 in the financial statement of the statement of net position. This is the first time that PUA is shown as a component unit. He then highlighted page 15 that shows the general fund activity for the current year. The General Fund balance is \$5.67 million of that \$5.63 million is considered unassigned. Mr. Wood stated that a healthy city plans to have in reserves 25% of their operating budget but the City of Paris has 45.23% which is a great number according to Mr. Wood. He stated that this allows the City to budget better. Mr. Wood spoke on the Landfill fund that represents accrued post closure. That accrual number increased to \$1.25 million and greatly effected the fund.

Mr. Wood stated that there were no internal control findings, and no management letter comments, and the City of Paris appears healthy from an auditor standpoint.

Commissioner John Etheridge spoke regarding the TCRS system and funds. Mr. Wood stated that TCRS makes the City of Paris contribute 7%. Kim Foster, City Manager, explained that the City of Paris contributes 8% in the past 2-3 years.

Commissioner Sam Tharpe praised the TCRS system. He also asked the surplus of the general fund balance. Mr. Wood stated that the General Fund balance was \$5.67 million. Commissioner Tharpe reminded the Commissioners of the raising taxes. He stated that during strategic planning he would be presenting a plan regarding property taxes.

ACTION: None

VOTE: None

NEW BUSINESS
AGENDA ITEM NO. 4
Adoption of TDOT Consultant Procurement Procedures

DISCUSSION: Kim Foster, City Manager, explained that TDOT now requires formal adoption of Consultant Procurement Procedures. This procedure is a guideline for Federal Highway Administration funds that must be followed.

ACTION: Motion made by Commissioner John Etheridge seconded by Vice Mayor Jackie Jones to adopt the TDOT Consultant Procurement Procedures.

VOTE: Unanimous

CITY OF PARIS
**Consultant Selection Policy for Projects Funded in Whole or in Part with Funds
Provided by the Federal Highway Administration or the Tennessee Department of
Transportation**

AUTHORITY: T.C.A. § 12-4-107. If any portion of this policy conflicts with applicable state or federal laws or regulations, that portion shall be considered void. The remainder of this policy shall not be affected thereby and shall remain in full force and effect.

PURPOSE: To prescribe the policy of the CITY OF PARIS, hereinafter referred to as the Agency, applicable to the procurement, management and administration of consultant services for architectural, engineering, and right-of-way services for projects.

APPLICATION:

A. Engineering and Design Related Services

This policy is to include all engineering and design related services described in T.C.A. §12-4-107, 40 U.S.C. Chapter 11, 23 U.S.C. §112 (b)(2), 23 CFR Part 172, and 2 CFR 200.317.

B. Right-of-Way Acquisition Services

This policy also includes right-of-way acquisition services for required projects. These services include contracts for appraisal, acquisition, or relocation services related to the acquisition of land entered into by the Agency for the purpose of acquiring right-of-way. Since compensation for these services is not paid pursuant to federal regulation, the terms of this policy regarding methodology of compensation are not applicable.

DEFINITIONS:

A. *Competitive Negotiation* means a qualifications-based selection procurement procedure complying with 40 U.S.C. §§1101–1104, commonly referred to as the Brooks Act.

B. *Engineering and Design Related Services* means –

1. Program management, construction management, feasibility studies, preliminary engineering, design engineering, surveying, mapping, or architectural related services with respect to a highway construction project or projects; and
2. Professional services of an architectural or engineering nature, as defined by Tennessee law, including T.C.A. §12-4-107, which are required to or may logically or justifiably be performed or approved by a person licensed, registered, or certified to provide architectural or engineering services.

Examples of services within the scope of this policy include, without limitation, project planning, environmental studies, context sensitive solution/design services, cultural resources studies, geotechnical studies, historic studies, archeological studies, socio-economic and environmental justice analyses, drainage studies, inspection services, intelligent transportation system design and development, traffic control systems design and development, roadway design services, including surveying and mapping, structural design services, materials inspection and testing, value engineering, utility relocation/coordination, and utility analysis/design services with respect to a highway construction project or projects.

- C. *Fixed fee* means a dollar amount established to cover the consultant's profit and other business expenses not allowable or otherwise included as a direct or indirect cost.
- D. *One-year applicable accounting period* means the annual accounting period for which financial statements are regularly prepared by the consultant.
- E. *Scope of work* means all services, work activities, and actions required of the consultant by the obligations of the contract.
- F. *Technical Services* means specialized testing or other paraprofessional services that provide test results, data, or information in support of engineering services, including such services as laboratory testing, core borings, and material sampling.

PROCUREMENT METHODS:

- A. *Competitive Negotiation* - Competitive negotiation is the preferred method of procurement for engineering related services. These contracts use qualifications-based selection procedures in the manner of a contract for architectural and engineering services under the "Brooks Act" provisions contained in Title 40 U.S.C. Chapter 11. The proposal solicitation process is by public announcement and provides qualified in-state and out-of-state consultants a fair opportunity to be considered for award of the contract. Price is not used as a factor in the evaluation and selection phases.
- B. *Small Purchases* - Small purchase procedures are relatively simple and informal procurement methods where an adequate number of qualified sources are reviewed and the total contract costs do not exceed the simplified acquisition threshold as defined in 48 CFR §2.101 (currently \$150,000). Competitive negotiation in the manner of a "Brooks Act" qualifications-based selection procedure is not required.

- C. *Noncompetitive Negotiation* – Noncompetitive negotiation is used to procure engineering and design related services when it is not feasible to award the contract using competitive negotiation or small purchase procedures. Circumstances which may justify a noncompetitive negotiation include when the service is available only from a single source, there is an emergency which will not permit the time necessary to conduct competitive negotiations, or after solicitation of a number of sources competition is determined to be inadequate.

TYPES OF CONTRACTS:

- A. *Project Specific Contract* – A project specific contract provides for all the work associated with a specific project or projects that is to be performed by the consultant firm and requires a detailed scope of services. These contracts may provide for all work to be placed under contract at the same time depending on availability of funds. A project specific contract is the traditional type of consultant contract between the Agency and a consultant for the performance of a fixed scope of work related to a specific project or projects.
- B. *Multiphase Contract* – A multiphase contract is similar to a project-specific contract except that the work is divided into phases such as survey, environmental or design. The consultant contract is based on a general scope of work with a maximum contract ceiling. Individual phases are negotiated and the work authorized while future phases may wait until later in the contract period before completing negotiation and authorization. Multiphase contracts are helpful for complex projects where the scope of a future phase is not well defined. Multiphase contracts may be terminated at the end of a phase. A multiphase contract incorporates the work order concept for a specific project.
- C. *General Engineering Related Contract* – General engineering related contracts are for engineering and design related services related to transportation planning, design, or program management for use on multiple projects. Examples include the development of design standards and technical manuals, and the development of comprehensive transportation program management manuals. These services may be performed on a project specific or on-call basis.

POLICY:

I. CONSULTANT EVALUATION COMMITTEE

- A. Establishment of a Consultant Evaluation Committee: The Agency's legally designated selection authority shall designate the members of the Consultant Evaluation Committee (CEC), which shall at a minimum be composed of professional employees of the Agency capable of providing a review of the technical qualifications of the consultant to perform the job(s) in question. The

Agency's legally designated selection authority must approve any substitutions. The CEC membership may vary depending on the type of service being procured.

- B. **Role:** The CEC shall have the responsibility of submitting to the Agency's legally designated selection authority a recommended list of at least three of the most highly qualified firms if one firm is to be selected. If more than one firm is to be selected from a single solicitation, the CEC's recommended list of the most highly qualified firms shall include at least two more firms than the number of selections to be made.
- C. **Record of Proceedings:** The CEC shall designate either a member or staff person to create and maintain a record of proceedings before the CEC, which shall include information submitted to the CEC for consideration, summary minutes of meetings, findings and/or recommendations to the Agency's legally designated selection authority.

II. PREQUALIFICATION OF CONSULTANTS

- A. All firms, including any public or private universities, shall have a current prequalification status which can be found on the Tennessee Department of Transportation's website.
- B. Firms and their employees must comply with the applicable state licensing law requirements including but not limited to Tennessee Code Annotated Title 62, Chapter 2 (Architects, Engineers, and Landscape Architects), Title 62, Chapter 39 (Real Estate Appraisers), Title 62, Chapter 18 (Land Surveyors), and Title 62, Chapter 36 (Geologists).
- C. Firms prequalified by the Tennessee Department of Transportation for engineering and design related services shall have either an "Unlimited" or "Limited" prequalification status as described below:
 - 1. **Unlimited Prequalification:** This level of prequalification allows consulting firms to compete for any projects for which they are professionally and financially pre-qualified with the Tennessee Department of Transportation. Continued prequalification at this level requires submittal of the prequalification form every three years.
 - 2. **Limited Prequalification:** This level of prequalification allows firms seeking prequalification for engineering and design related services to:
 - a) Compete for projects with fees estimated to be less than the "Small Purchase Maximum Contract Value" per contract (see Section VI), or
 - b) Work as a sub-consultant or as contract labor with fees estimated to be less than the "Small Purchase Maximum Contract Value" per contract.

- c) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.
- d) When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity

B. Solicitation

The Agency shall seek Letters of Interest from pre-qualified firms by public announcement through its internet website and by any other means of advertisement that may be required by law. Solicitations shall be reviewed and approved by the Local Programs Development Office before publishing.

1. For **all** contract types, the solicitation shall address:
 - a) Contact information at the Agency for project specific questions;
 - b) The specific location where the Letters of Interest should be mailed or e-mailed;
 - c) The deadline for submittals of Letter of Interest (not less than 14 days from the date of the solicitation);
 - d) A statement that all firms must be pre-qualified or have a completed prequalification form filed with the Tennessee Department of Transportation by the deadline for the Letters of Interest; and
 - e) Disadvantaged Business Enterprise (DBE) and Small Business encouragements.
2. The solicitation shall provide at a minimum, the following:
 - a) A detailed scope of work, including:
 - i. The purpose and description of the project;
 - ii. The services to be performed;
 - iii. The deliverables to be provided;
 - iv. The estimated schedule for performance of the work; and
 - b) The technical requirements of consultants required including the applicable standards, specifications, and policies;
 - c) The qualifications of consultants needed for the services to be rendered;
 - d) Any requirements for interviews or other types of discussions that may be conducted with the most highly qualified firms in Phase II of the selection of process;

- e) The evaluation criteria to be used in Phases I and II of the selection process, including the relative weight of importance of the factors to be considered in evaluating the interested firms that submit proposals in Phase II of the selection process;
 - f) Any approved non-qualifications based evaluation criteria to be considered in Phase II of the evaluation process;
 - g) The contract type and method of payment; and
 - h) Any special provisions or contract requirements associated with the solicited services.
3. For mid-range and large size projects, the CEI consultant shall not be associated with any other aspect of the project as described in Attachment A. The Agency must advertise separately for design and CEI services for mid-range and large projects, OR the Agency must separate the project into phases on one advertisement and require the consultant to indicate to which phase they are responding.

C. Consultant Evaluation Criteria

1. The qualifications-based selection criteria used for evaluation, ranking, and selection of consultants to perform engineering and design related services may include, but are not limited to, technical approach (e.g., project understanding, innovative concepts or alternatives, quality control procedures), work experience, specialized expertise, professional licensure, staff capabilities, workload capacity, and past performance.
- a) For Phase I evaluation, the qualifications-based evaluation criteria may include, but are not limited to, the following:
 - i. Work experience in the required disciplines with TDOT, the Agency, and/or other clients;
 - ii. Specialized expertise;
 - iii. Professional licensure;
 - iv. Staff capabilities of prime consultant;
 - v. Size of project and limited or unlimited prequalification status; and,
 - b) For firms submitting proposals during Phase II evaluation, the following additional evaluation criteria may also be included:
 - i. Workload capacity; including amount of work under contract with the Agency, if applicable

- ii. Past performance on Agency Projects;
 - iii. Technical approach (e.g., project understanding, innovative concepts or alternatives, quality control procedures);
 - iv. Other factors including interviews and demonstrations, as approved by the Agency; and
 - v. Any approved non-qualifications based evaluation criteria, as provided in paragraph C.2. below.
2. If approved by the Agency's legally designated selection authority and the Department's Local Programs Office, the following non-qualifications based criteria are permitted, provided the combined total of these factors does not exceed a nominal value of ten percent (10%) of the total evaluation criteria:
- a) For contracts with Federal-aid funding, participation of qualified and certified Disadvantaged Business Enterprise (DBE) sub-consultants; and/or
 - b) For any contracts a local presence may be used as a nominal evaluation factor where appropriate; provided, that this factor shall not be based on political or jurisdictional boundaries, and provided further that this factor may be applied only on a project-by-project basis for contracts where:
 - i. A need has been established for a consultant to provide a local presence;
 - ii. A local presence will add value to the quality and efficiency of the project; and
 - iii. Application of this factor leaves an appropriate number of qualified consultants, given the nature and size of the project.
 - iv. If a consultant from outside of the locality area indicates as part of a proposal that it will satisfy the criteria in some manner, such as establishing a local project office, that commitment shall be considered to have satisfied the local presence criteria.
3. For contracts or projects with Federal-aid funding, the Agency may set DBE goals, in which case the selected consultant must either meet the goal or show good faith efforts to meet the goal, consistent with the DBE program regulations at 49 CFR Part 26, to be considered for selection.

D. Evaluation, Ranking and Selection

1. Phase I Evaluation

- a) Using the evaluation criteria identified in the public solicitation, the Agency advertising for engineering related services shall evaluate current

statements of qualification and performance data from those firms submitting Letters of Interest.

- b) Unless specifically stated otherwise in the solicitation, the evaluation of a firm's qualification during Phase I evaluation shall be limited to the prime consulting firm only.
- c) Evaluations shall be presented to the CEC for review. The CEC shall choose at least three of the most highly qualified consultants who would make viable candidates and who will be invited to submit a proposal.
- d) The Agency shall issue a list of firms chosen to submit proposals and notify the firms that were not selected. The firms selected in Phase I shall be requested to submit a proposal for the work. Proposal format requirements, delivery address and deadlines shall be included in the notification sent to the selected firms. Electronic delivery and receipt of the proposal may be permitted.

2. Phase II Evaluation

- a) The Agency shall evaluate the proposals of firms selected in Phase I using the Phase II evaluation criteria identified in the public solicitation.
- b) A consultant firm that has been short-listed for a project and asked to submit a proposal shall specifically identify any sub-consultant(s) required to complete the project team. Identified sub-consultants will be evaluated using the criteria identified in the public solicitation. All sub-consultants identified on the submittal must be pre-qualified by the Tennessee Department of Transportation to perform the required tasks or have an application pending prior to submittal of the proposal. It shall be the responsibility of the prime consultant to include a signed statement from each sub-consultant on their own letterhead confirming that they have the staff available and agree to provide the necessary services for the specific item/project listed in the prime consultant's proposal. Failure to meet these requirements will void the submittal.
- c) Separate formal interviews, if approved as an evaluation criteria, shall be structured and conducted with a specified time limit. Competing consultants may be asked to bring additional information or examples of their work to the interviews if such information will contribute to the evaluation process. Specific questions may be asked of each consultant to clarify qualifications, written proposals, or oral presentations.
- d) The Agency shall present the evaluation of proposals received from firms selected in Phase I to the CEC for review. The CEC shall rank the firms based on the established and published criteria, or the CEC shall submit to the legally designated selection authority a list of the firms deemed most

highly qualified to provide the services required. The list shall contain no fewer than three firms. In instances where only two qualified consultants respond with proposals, the Agency may proceed with evaluation and selection if it is determined that the solicitation did not contain conditions or requirements that arbitrarily limited competition.

3. Phase III Evaluation, Ranking, Selection and Notification

- a) If the CEC does not make the final ranking of the most highly qualified firms, the Agency's legally designated selection authority shall rank the firms in order of preference.
- b) Notification must be provided to responding consultants of the final ranking of the three most highly qualified consultants.
- c) The Agency will negotiate with the three consultant firm(s) deemed to be most highly qualified in rank order.

E. Negotiation of Contract

The following shall apply to all negotiations of scope and cost for contracts, work orders, and supplemental agreements.

1. **Determination of Contract Amount:** The Agency shall prepare a detailed independent estimate with an appropriate breakdown of the work or labor hours, types or classifications of labor required, other direct costs, and consultant's fixed fee for the defined scope of work. The independent estimate, which shall serve as the basis for negotiation, will be based on the following:
 - a) Relative difficulty of the proposed assignment or project, size of project, details required, and the period of performance; and,
 - b) A comparison with the experience record for similar work performed both by Agency personnel and previously negotiated consultant contracts.

This estimate shall be done independently, prior to negotiation, and shall remain confidential to the extent allowed by applicable law.

2. **Scope of Work Meeting with Selected Firm:** The Agency will negotiate with the selected firm and may arrange a conference with the prospective consultant where the parties must come to a mutual understanding of the scope of work and all technical and administrative requirements of the proposed undertaking. In lieu of a conference, this may be done by phone or correspondence. The prospective consulting firm may be represented as it wishes; however, a project manager and accounting representative are recommended.
3. **Cost Proposal:** The prospective consulting firm will be invited to submit a cost proposal for the project. This cost proposal is to be broken down by the various

items of work as requested and supported by estimated labor requirements. Instructions shall be given regarding the method of compensation and the documentation needed to justify the proposed compensation.

In evaluating the consultant's cost proposal(s), the Agency shall judge the reasonableness of the proposed compensation and anticipated labor and equipment requirements by the following and other appropriate considerations:

- a) The proposed compensation should be comparable to that of other projects of similar nature and complexity, including as applicable salaries and man-hours to accomplish the work, and allocation of labor within the man-hour estimates.
 - b) The Agency will assess the fairness of the proposed fixed fee based on the scope, complexity, contract duration, degree of risk borne by the consultant, amount of subcontracting, and professional nature of the services as well as the size and type of contract. Fixed fee is calculated using the following formula: $\text{Fixed Fee} = 2.35 \times \text{Direct Salary} \times \text{Allowed Fixed Fee Rate}$. Unless a higher fixed fee rate is expressly approved by the Agency, the maximum allowable fixed fee rate is 13% (See Appendix 1 for fixed fee rate determination).
 - c) The proposed compensation shall be studied for reasonableness and to assure sufficient compensation to cover the professional quality of the work items desired.
4. **Contract Negotiations:** If the consultant's first cost proposal is rejected by the Agency, the negotiating parties shall hold a second conference to discuss those points of the cost proposal which are considered unsatisfactory. The consultant shall submit a second cost proposal based upon this second conference. If the Agency rejects the consultant's second cost proposal, negotiations shall be formally terminated and commence with the second most qualified firm. If like negotiations are unsuccessful with the second most qualified firm, the Agency will undertake negotiations with the third most qualified firm and any others on the selected list in sequential order. With the concurrence of the legally designated selection authority, the Agency may, at any time, in lieu of continuing negotiations, elect to redefine the scope of the project and resolicit proposals pursuant to "POLICY", Section III, B, "Solicitation".
 5. The Agency shall maintain a record of the negotiations and all required approvals and shall retain these records for 36 months following final payment in accordance with Item A.3. of this section and as provided in 23 CFR § 172.7 and 2 CFR § 200.333.

F. Contract Development and Execution

1. In the event the parties reach agreement, the legally designated selection authority shall approve the preparation of a contract.
2. The contract will include a clause requiring the consultant to perform such additional work as may be necessary to correct errors in the work required under the contract without undue delays and without additional cost to Agency.
3. The contract shall contain a clause whereby the consultant must report at least quarterly all amounts paid to any DBE sub-consultants and to any Minority Business Enterprise (MBE) and/or Woman Owned Business Enterprise (WBE) sub-consultants.
4. Method of Payment: The method of payment to the consultant shall be set forth in the original solicitation, contract, and in any contract modification thereto. The methods of payment shall be: Lump sum, cost plus fixed fee, cost per unit of work, or specific rates of compensation. A single contract may contain different payment methods as appropriate for compensation of different elements of work.
5. Suspension and Debarment: Prior to contract execution, the Agency shall verify suspension and debarment actions and eligibility status of consultants and sub-consultants in accordance with 2 CFR Part 1200 and 2 CFR Part 180.
6. The Agency shall maintain a record of the negotiations and all required approvals.
7. Prior to approval of the contract, the Agency must have on file a contract specific Certificate of Insurance for the consultant. It shall confirm that the firm has professional liability insurance for errors and omissions in the amount of \$1,000,000, as a minimum, and the policy shall be maintained for the life of the contract. Consultants responsible for the disbursement of Agency funds shall be required to provide evidence of a Fidelity Bond in the amount of \$250,000 maintained for the life of the contract.

G. Contract Administration

1. Once a contract has been awarded, the consultant may negotiate directly with sub-consultants. A change in sub-consultants must be approved by the Agency. A written request must be submitted to the Agency to initiate the change. This request must include an explanation of the need to change sub-consultants and the impact on the project schedule and financial elements of the contract. The substitute sub-consultant must be pre-qualified at the appropriate level (unlimited or limited) by the Department of Transportation to perform the required tasks. After consideration of all factors of the request, the Agency will respond to the request in writing.
2. After the contract has been approved, a work order issued, and productive work on the consultant's assignment has begun, the Agency shall periodically review

and document the consultant's progress. Said monitoring reviews shall be directed toward assurance that the consultant's assignment is being performed as specified in the agreement, that an adequate staff has been assigned to the work, that project development is commensurate with project billings, and that work does not deviate from the contracted assignment.

Should conditions warrant, these reviews may consist only of an appropriate exchange of correspondence. These reviews shall determine, among other matters, if any changes or supplemental agreements are required for the completion of the consultant's work.

3. A full-time employee of the Agency shall be responsible for each contract or project. Annually and/or at project close, the assigned employee will prepare a performance evaluation report covering such items as timely completion of work, conformance with contract cost, quality of work, and whether the consultant performed the work efficiently. A copy of this report will be furnished to the firm for its review and comments.

H. Contract Modifications

1. A contract modification, in the form of an executed supplemental agreement or amendment, is required whenever there is a change in the terms of the existing contract, including a change in the cost of the contract; a significant change in the character, scope, complexity, or duration of the work; or a significant change in the conditions under which the work is required to be performed. Contract modifications shall be negotiated using the same procedures as the negotiation of the original contract. The executed supplemental agreement or amendment shall clearly define and document the changes made in the contract and establish the method of payment for any adjustment in contract costs.
2. No contract may be supplemented to add work outside the scope of the project or the general scope of services the consultant was initially evaluated to perform. For example, a roadway design contract may be supplemented to add work related to additional phases of project design (e.g. preliminary engineering with related technical services such as survey or geotechnical work, preparation of right-of-way plans, or preparation of final construction plans); however, a project specific or multiphase contract for roadway design shall not be supplemented to add a new project or to add a different type of service, such as construction engineering and inspection, beyond the type of services solicited in the original solicitation.
3. Overruns in the costs of the work shall not automatically warrant an increase in the fixed fee portion of a cost plus fixed fee reimbursed contract. Permitted changes to the scope of work or duration may warrant consideration for adjustment of the fixed fee portion of cost plus fixed fee or lump sum reimbursed contracts.

I. Contract Accounting Policies

1. Indirect Cost Rate – Basic Agreement or Contract

- a) **Federally funded projects:** The indirect cost rate, effective for contracts advertised on or after December 1, 2005, shall be the actual rate as determined in compliance with Federal Acquisition Regulation Standards and approved by the cognizant agency as defined by 23 CFR § 172.3. The cognizant agency is the home state transportation department, a federal agency, or TDOT in the absence of any of the other. A Certified Public Accountant (CPA) may perform the audit, but the audit work papers may be reviewed by the governmental agency. Further;
 - i. The indirect cost rate for firms with multiple offices shall be a combined rate for all offices.
 - ii. The approved rate shall be utilized for the purposes of contract estimation, negotiation, administration, reporting, and contract payment for a twelve month period beginning the seventh month after the firm's Fiscal Year End.
 - iii. If the indirect cost rate expires during the contract period an extension may be considered on a case-by-case basis in accordance with 23 CFR § 172.11(b)(1)(vi). In any event, no new contracts will be considered for any firm without an approved indirect cost rate.
- b) **State funded projects:** Pursuant to T.C.A. § 54-1-130, the indirect cost rate cannot exceed a maximum of 145%.

- 2. **Travel:** Travel and subsistence charges shall be in conformance with the State of Tennessee Comprehensive Travel regulations. Air travel shall be pre-approved by the Agency. Actual expenses, not to exceed the commercial rate, for the use of company owned airplanes are allowable as a direct charge.

3. Fixed Fee Payment:

- a) For cost plus fixed fee contracts, payments of fixed fee shall be based on the actual labor costs not to exceed the total approved fixed fee.
- b) The fixed fee for each progress billing shall be determined using the consultant's actual direct labor for the specific billing period multiplied by 2.35 times the negotiated fixed fee percent.
- c) With the exception of Construction Engineering and Inspection Contracts, the firm may invoice for the balance of any unbilled fixed fee upon successful completion of the contract.

4. **Contract and Project Closing:** The Agency is responsible for keeping up with contract costs and knowing when a contract is complete. The Agency is also responsible for closing the contract in a timely manner. By letter to the consultant, the Agency shall affirm that the contract or work order has been satisfactorily completed. In the event that additional services are required within the original scope of the project, the contract or work order may be re-opened. All terms and conditions of the contract shall remain the same.
5. Retainage shall not be required for new Engineering and Technical Services Contracts.
6. **Audit Requirements:**
 - a) Pre-award audits consist of a review of a proposed indirect cost rate based upon historical data, review of the consultant's job cost accounting system, and review of project man-day or unit price proposals.
 - b) Awarded contracts are subject to interim and final audits. The audits consist of determining the accuracy of invoice charges by reviewing time sheets, payroll registers, travel documents, etc. Charges that cannot be supported will be billed back to the consultant. Firms will be selected for contract compliance audits using a risk analysis utilizing primarily the firm's total contract exposure with the Agency and the time elapsed since the last compliance audit.
 - c) Annual approval of the indirect cost rate for non-fixed indirect cost rate contracts will be required and adjustments to the invoiced billing rate may be necessary based on audit results. The determination of whether to perform a desk review or full field audit of the indirect cost schedule is made utilizing a risk analysis created in accordance with the guidelines proscribed in the AASHTO Uniform Audit & Accounting Guide.
7. **Computer Aided Drafting and Design (CADD) Expenditures:** All CADD equipment and software expenditures are to be treated as part of indirect cost. CADD expense will not be allowed as a direct expenditure based on an allocation rate.
8. **Facilities Capital Cost of Money (FCCM) Rate:** FCCM referenced in 48 CFR § 31.205-10 shall be allowed as part of indirect cost and applied to direct labor.
9. **Direct Costs**
 - a) Include job related expenses that are required directly in the performance of project services such as travel, subsistence, long distance telephone, reproduction, printing, etc. These should be itemized as to quantities and unit costs in arriving at the total cost for the expense.

- b) The proposed direct cost shall not exceed the Tennessee Department of Transportation's maximum allowable rate when a rate for such cost is specified. All direct costs must show supporting documentation for auditing purposes. Documentation for proposed rates should show how they were developed including historical in-house cost data or names and phone numbers of vendors that supplied price quotes along with receipts, invoices, etc., if available.
- c) Electronic equipment, such as personal computers, cameras, and cellular phones, shall be included in the consultant's indirect cost.
- d) The cost of the use of the consultant's vehicle(s) to the Agency's project shall be paid for according to Attachment B, Schedule of Vehicle Reimbursements.

10. Collection of Funds Due as Result of Contract Audit: Once an audit is completed and the consultant is found to owe the Agency, the Auditor will notify the Agency's Finance Director in writing, with a copy to the Department's Local Programs Office. The Agency will contact the consultant in writing about the indebtedness and request payment within 30 days from the date of the letter. If after 30 days payment is not received, the consultant will then be notified that any funds owed to the consultant under other agreements will be used to satisfy the indebtedness. If funds or payables to the consultant in the Agency's possession are in excess of the indebtedness, anything owed the consultant will be remitted under normal payment procedures. If the funds in the Agency's possession are not sufficient to satisfy the indebtedness, the Agency will take appropriate action.

J. Geotechnical Contracts

Contracts for geotechnical services are considered separately because they may involve a mixture of two types of services, i.e., geotechnical studies (engineering services) and subsurface exploration/drilling and/or laboratory testing (technical services). Additionally, some firms offer one or the other of these services, others offer both, and others offer some combination as well as other services, e.g., design. Firms offering both services must, for accounting purposes, separate the two operations. Cost of equipment, supplies, etc., used in technical services may not be applied towards indirect cost computations for engineering services.

Geotechnical Studies and/or Subsurface Exploration/Drilling and/or Laboratory Testing services shall be procured as noted in "POLICY", Section III, Competitive Negotiation Procurement Procedure. The technical services costs shall be negotiated by the Agency based on usual industry standards.

K. Sub-consultants for Engineering Services

1. Geotechnical Studies and/or Subsurface Exploration/Drilling and/or Laboratory Testing within another Engineering Services Firm: These services may be procured as part of the larger contract, e.g., roadway design. Payment for subsurface exploration/drilling shall be invoiced as a direct cost. Geotechnical studies shall be invoiced as other engineering services.
2. Geotechnical Studies Firms as Sub-Consultants
 - a) Geotechnical Studies Only: The services of these firms may be procured by negotiation with the prime consultant as described previously herein.
 - b) Geotechnical Studies and/or Subsurface Exploration/Drilling and/or Laboratory Testing Firms as Sub-Consultants: The services of these firms shall be procured by negotiation with the prime consultant. However, costs associated with subsurface exploration/drilling and/or laboratory testing shall be negotiated by the Agency.

L. Sub-consultants Not Covered Under Engineering Services

In the event a sub-consultant is required whose hiring process, as a prime, would not be governed by Competitive Negotiation under this Policy, that sub-consultant shall be retained by the same method as the Agency would use to procure the same type of services under the Agency's local law or other applicable state law.

1. Example: Design consultants are occasionally asked to provide laboratory testing services under their design contract. The design consultant shall use, and document, the applicable procedures identified by the Agency.
2. The Agency should monitor the hiring and documentation of sub-consultants by the prime. Documentation should detail the method used and should be satisfactory for a final project audit.

IV. NONCOMPETITIVE NEGOTIATION PROCUREMENT PROCEDURE

The following procedures shall be used by the Agency, subject to the Tennessee Department of Transportation's prior approval, in those circumstances where there exists only one viable source for the desired services, when competition among available sources is determined to be inadequate after solicitation of a number of sources, or in emergencies when adherence to normal competitive negotiation procedures will entail undue delays for projects requiring urgent completion.

Upon determination of a need for this type of procurement, the Agency shall request an estimate from the qualified firm for the accomplishment of the desired assignment. The request for an estimate shall define the full scope of the desired services, together with minimum performance specifications and standards, the date materials and services are to be provided by the consultant to the Agency, and the required

assignment completion schedule. Response to the request for an estimate shall be evaluated, giving due consideration to such matters as a firm's professional integrity, compliance with public policies, records or past performances, financial and technical resources, and requested compensation for the assignment. Before using this form of contracting, the Agency shall submit justification to and obtain approval from the Department; provided, however, that for Federal-aid contracts, the Department shall also submit the request to FHWA for approval in accordance with 23 CFR § 172.7(a)(3)(ii).

V. SMALL PURCHASE PROCUREMENT PROCEDURE

When the contract cost of the services does not exceed the simplified acquisition threshold as defined in 48 CFR § 2.101 of the Federal Acquisition Regulations (FAR), which is currently \$150,000, small purchase procedures may be used. The scope of work, project phases and contract requirements shall not be broken down into smaller components merely to permit the use of small purchase procedures. Further, a contract obtained under small purchase procedures shall not be modified to exceed the simplified acquisition threshold.

Proposals will be obtained from an adequate number of qualified sources with a minimum of three. In instances where only two qualified consultants respond to the solicitation, the Agency may proceed with evaluation, ranking and selection if it is determined that the solicitation did not contain conditions or requirements which arbitrarily limited competition. Awards will be made to the responsible firm whose proposal is most advantageous to the program.

VI. TECHNICAL SERVICE PROCUREMENT PROCEDURE

The Agency shall use the procurement process it would use for the same type of service under applicable state or local law; provided, that on Federal-aid projects the procurement process shall be consistent with competitive procurement requirements under 2 CFR Part 200.

ATTACHMENT A – Consultant Selection for Locally Managed Projects

Size of Project	Type of Project	Procurement Requirements
<p>SMALL projects</p> <ul style="list-style-type: none"> • Must have a full-time employee on staff with experience managing transportation projects. • Must hire consultants for all phases of the project from TDOT’s approved list if the Local Government has not been approved by TDOT to use their own forces. The consultants must be qualified in the required area of expertise. 	<ul style="list-style-type: none"> • Transportation Alternatives • intersection improvements without significant ROW (under one acre of disturbance) • Safe Routes to School • resurfacing • striping • signing • guardrail installation • signalization • some bridge replacement projects (under one acre of disturbance) • non-construction/service contracts (as listed in Chapter 10 of the LGG) • low-risk and exempt ITS 	<ul style="list-style-type: none"> • Local Government can use the same consultant for the entire project (planning, preliminary engineering and CEI)
<p>MID-RANGE projects</p> <ul style="list-style-type: none"> • Must have a qualified, full-time professional engineer on staff. • Must hire consultants for all phases of the project from TDOT’s approved list. The consultants must be qualified in the required area of expertise. 	<ul style="list-style-type: none"> • roadway widening • realignment of existing roadway • signalization projects with the addition of turn lanes • intersection improvements with significant ROW (over one acre of disturbance) • bridge replacement projects requiring significant land acquisition (over one acre of disturbance) • projects with environmental requirements greater than a categorical exclusion but lesser than an EIS • high-risk ITS 	<ul style="list-style-type: none"> • The selected CEI consultant shall not be associated with any other aspect of the project.
<p>LARGE projects</p> <ul style="list-style-type: none"> • Must have a qualified, full-time professional engineer on staff with extensive experience working with federally-funded transportation projects. • Must hire consultants for all phases of the project from TDOT’s approved list. The consultants must be qualified in the required area of expertise. 	<ul style="list-style-type: none"> • construction of new facilities • widening of existing roadways • realignment of existing roadways that require significant land acquisition (over 10 acres) • environmental clearances that require an EIS 	<ul style="list-style-type: none"> • The selected CEI consultant shall not be associated with any other aspect of the project.

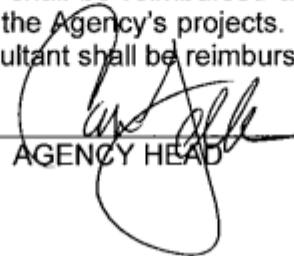
ATTACHMENT B – Policy for Standard Procurement of Engineering and Technical Services

Vehicle Reimbursement Schedule

For all projects except Construction Engineering and Inspection (CEI), the consultant shall be reimbursed at the rate specified in the State of Tennessee Comprehensive Travel Regulations in effect at the time the cost was incurred.

For CEI projects, the consultant shall be reimbursed at the rate of \$27.00 per day for compact pick-up trucks used on the Agency's projects. For full size pick-up trucks used on the Agency projects, the consultant shall be reimbursed at the rate of \$30.25 per day

Rate changes are approved:



AGENCY HEAD

2-10-22

DATE

NEW BUSINESS

AGENDA ITEM NO. 5

Request to Acquire Small Portion of the End of Jean Street

DISCUSSION: Jamie Orr has submitted a request to acquire a small portion of the end of Jean Street. Mr. Orr outlined his desire for this approximately 1,000 s.f. of property in his letter of request. Ms. Foster explained that the main concern was the alley behind Wingin It exits onto Jean St. at the dead end and room is needed for the City's sanitation truck to safely exit. Public Works Sanitation along with Ms. Foster, Ms. Morris, and the contractor have already made sure that the sanitation truck would not have any issues regarding the turn where this small portion meets Jean Street.

ACTION: Motion made by Commissioner Sam Tharpe, seconded by Commissioner Gayle Griffith to refer this request to the Planning Commission for their recommendation.

VOTE: Unanimous

January 25, 2022

To the City of Paris Board of Commissioners:

I have acquired the property adjacent to East Wood Clinic and previously submitted a site plan to the Planning Commission for development of this tract. Since that time, I am now in the process of acquiring the property to the east that fronts on Fairgrounds Road (current location of Wing N It).

Some time ago the City quitclaimed the abandoned portion of Jean Street between these two properties to the adjoining property owners. My request to you is the opportunity to acquire a somewhat triangular shaped property (1,000 sq. ft.) at the end of the abandoned Jean Street and at the entrance to the alley that runs from Jean Street east and along the rear of the properties that front Jean Street south to Jane Street.

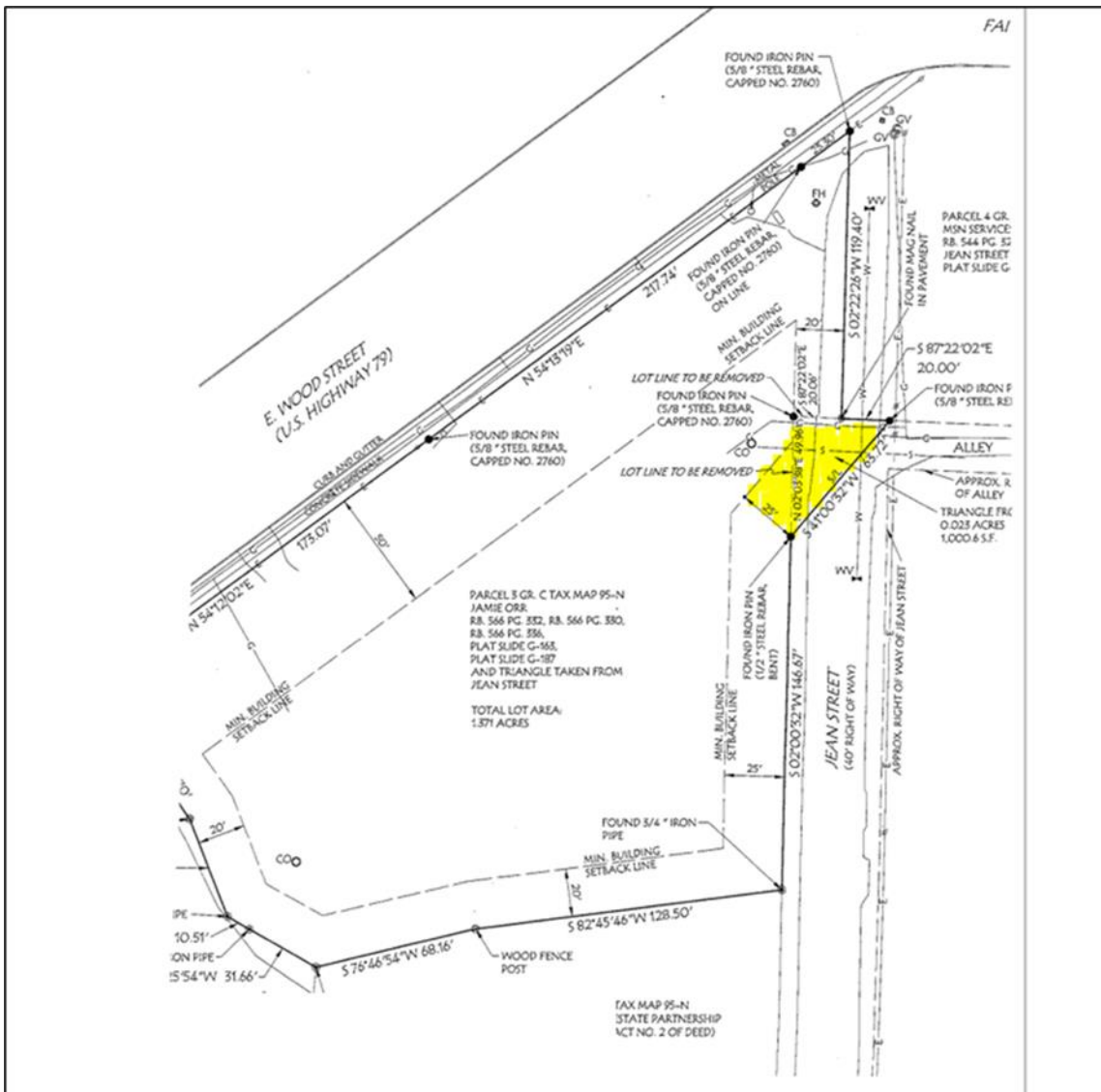
In meeting with the City Manager and staff it was determined that the City's sanitation truck can in fact still access this alley without this small triangular parcel.

My reason for this request is that I have plans for additional retail (restaurant) development. With the shape of these properties, it is difficult to meet all setbacks and still have adequate room for buildings and parking. In acquiring this small tract, it would add almost 40 ft. of depth to the development, allowing for a much more desirable layout for the entire development from Eastwood Clinic to the intersection and down Fairgrounds Road.

I very much appreciate your consideration of my request.

Sincerely,

Jamie Orr





NEW BUSINESS

AGENDA ITEM NO. 6

Resolution in Support of Restoring Historic Revenue Sharing

DISCUSSION: Tennessee Municipal League (TML) has as a priority this legislative session to generate support for a couple bills aimed at restoring the historic relationship of the State sharing its sales tax collections with cities. This resolution shows support and explains the relationship and the goal of the bills.

Vice Mayor Jackie Jones stated that she was in support of this. Ms. Jones stated that this was a way that would reduce a burden of raising taxes. She also stated that this is much better than a lump sum of money being given. Ms. Foster states that if this had been in place in FY 2021 year then the City of Paris would have received a little over \$132,000. Ms. Foster also stated that by bringing back the 2.75% portion that it would help the county.

ACTION: Motion made by Commissioner Sam Tharpe, seconded by Vice Mayor Jackie Jones to approve the Resolution in Support of Restoring Historic Revenue Sharing.

VOTE: Unanimous

A RESOLUTION TO SUPPORT RESTORING THE HISTORIC REVENUE SHARING RELATIONSHIP BETWEEN THE STATE OF TENNESSEE AND ITS LOCAL GOVERNMENTS AND TO RETURN THE LOCAL SHARE OF THE SINGLE ARTICLE CAP TO LOCAL GOVERNMENTS

WHEREAS, Tennessee's municipal communities are the economic engine of the state and today 92% of the state's total sales tax collections are generated within municipal boundaries; and,

WHEREAS, in 1947, the state began sharing 4.6% of each year's total state sales tax collections with cities for the purposes of recognizing the collective contribution of cities as the state's economic engine; thereby acknowledging that city residents incur a local tax burden that is directly attributable to financing, developing, and maintaining an economic environment that continues to generate a healthy portion of the sales tax revenue accruing to the state; and,

WHEREAS, when confronting serious fiscal challenges in 2002, the state of Tennessee increased the state sales tax rate from 6% to 7%; and,

WHEREAS, the state chose not to share a portion of the sales tax revenues generated by the increase from 6% to 7% with Tennessee municipalities; and,

WHEREAS, as a result of this change the state broke a 55-year relationship of sharing 4.6% of all sales tax revenue designated for the state's general fund with municipalities; and,

WHEREAS, because of this altered sharing relationship, the City of Paris was denied an estimated \$162,555 in shared sales tax revenue in fiscal year 2021, and cities across Tennessee have been denied approximately \$835 million in shared sales tax revenues since its adoption; and,

WHEREAS, at the same time in 2002, the state also doubled from \$1,600 to \$3,200 the amount of the purchase price of any single item that is subject to a combined state and local option sales tax of 9.75%; and

WHEREAS, in addition to the single article cap increase from \$1,600 to \$3,200, the state also captured and continues to capture 100% of the state's 7% levy as well as the 2.75% portion of the sales tax levy that is customarily reserved for local government on the added sale of items with a purchase price above \$1,600; and

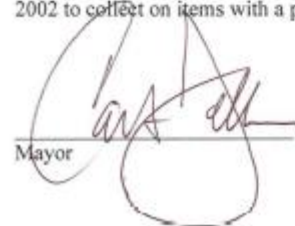
WHEREAS, since the adoption of the single-article cap increase in 2002, the state has received more than \$951 million in sales tax collections that would have benefitted cities, counties and school systems where these purchases occurred; and

WHEREAS, the returned revenue to cities, including Paris, would (1) provide relief to local taxpayers and assist local governments in meeting the increasing demand for services, (2) provide an environment that has enabled existing businesses and industries to succeed, (3) promote further economic expansion, and (4) afford residents a high quality of life that has allowed the state of Tennessee to prosper.

WHEREAS, in the 20 years since these provisions took effect, Tennessee's state leaders have managed the budget with great care and a strong fiscally conservative approach to create a dynamic and growing economy with eight consecutive years of surplus revenues; and,

WHEREAS, correcting the provisions which took effect in 2002 will help to offset fiscal pressures and provide relief to local taxpayers shouldering the burden of meeting this demand which is associated with generating the sales tax revenues accruing to the state;

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the City of Paris, on behalf of its residents, formally supports the restoration of the historic revenue sharing relationship of recurring state shared sales taxes in order for cities to once again receive 4.6% of all state general fund sales tax revenue. The Board of Commissioners also formally supports the state allowing local governments to receive the local share of sales tax revenues realized by increasing the single article cap in 2002 to collect on items with a purchase price between \$1,600 and \$3,200.


Mayor


Finance Director

NEW BUSINESS

AGENDA ITEM NO. 7

Certificate of Compliance for Mineral Wells Package Store

DISCUSSION: Matthew Michael has purchased Mineral Wells Package Store. Part of his application with the State is to have a Certificate of Compliance completed by the City. The proper background investigation has been completed by the Paris Police Department and nothing was found to prohibit issuance of the signed certificate.

ACTION: Motion made by Commissioner John Etheridge, seconded by Commissioner Sam Tharpe to approve the Certificate of Compliance for Mineral Wells Package Store for Matthew Michael.

VOTE: Unanimous

CERTIFICATE OF COMPLIANCE
RETAIL PACKAGE STORE

Pursuant to Tennessee Code Annotated, §57-3-208, this is to certify that:

Name of Applicant: Matthew Michael

Home Address: 904 Dunlap St.

City: Paris State: TN Zip Code: 38242

Date of Birth: 4-21-82 Social Security #: 

has made application for a Certificate of Compliance to sell retail alcoholic beverages in the County of Henry, State of Tennessee, at 908 Mineal Wells Ave and that an investigation has been undertaken of the applicant's criminal record and of the compliance of said business with local law, ordinances or resolutions, and from said investigation the undersigned certifies:

1. That the applicant or applicants who are to be in actual charge of said business have not been convicted of a felony within a ten year period, immediately preceding the date of the application and, if a corporation, that the executive officers or those in control have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further, that it is the undersigned's opinion that the applicant will not violate any provisions of Tennessee Code Annotated, Title 57, Chapter 3;
2. That the applicant has secured a location which complies with all restrictions of the laws, ordinances and resolutions;
3. That the issuance of this license will not exceed the numerical limit.

This 10th day of February, 20 22




Mayor or Other Official Head of Municipality

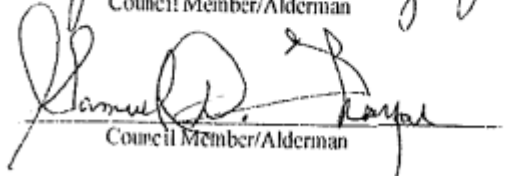
MAJORITY OF CITY COUNCIL, OR COMMISSION MEMBERS



Council Member/Alderman



Council Member/Alderman



Council Member/Alderman



Council Member/Alderman

**Status of Various Projects
February 2022**

	PRIMARY STAFF	TARGET COMPLETION DATE(S)	
HOME Grant	Morris/Foster	2023	Environmental information on the first four homes has been submitted to THDA for approval. One of the four has been disqualified, the applicant never provided income info. Once approval has been received initial home inspections will be scheduled and budgets prepared.
Back Alley Paris	Foster/Morris/ Ray (DPA)	June 2022	Dan Knowles is now working on the design which will commemorate the first 100 years of our community history. Stephanie Tayloe is assisting with the research.
TA Grant for Sidewalks along Wilson & Patriot	Foster/Morris	Fall 2022	The Bid Concurrence Package naming Martin Paving as the contractor has been approved by TDOT and a pre-construction conference has been scheduled for Feb. 10.
2018 STBG Project for Signalization & Safety Upgrades at 3 Intersections Downtown	Foster/Morris	Fall 2022	TDOT has issued us a NTP with the FUNDED PE-Final Design! A plan has been developed for the corner of Wood & Brewer which will make it ADA compliant. TLM is still working on a similar plan for Wood & Poplar. A meeting regarding signal timing/phasing to be scheduled.
Rison St Bridge Replacement	Foster/Morris	Summer 2023	TDOT has issued us a NTP with the FUNDED PE-Final Design! A2H is now working on the final design.
2020 Multimodal Access Grant for 4 Downtown Intersections	Foster/ Morris	Fall 2022	We have received responses from all agencies except TWRA, USFWS and Historic. Historic anticipated having their signed response ready in mid-December, but they have still not responded. TLM and signal designer working on adjustments of pole and pedestal placement. They will revise the budget once signal adjustments are complete. Meeting regarding signal timing/phasing to be scheduled with us once project is out of NEPA phase. Work on preliminary plans continues.
2021 Multimodal Access Grant for Tyson/M.W. Intersection Upgrades & Sidewalks	Foster/Morris	Summer 2024	We were notified by TDOT in January that we have been selected for funding in the amount of \$900,000!! The project has been initiated in TDOT's grant system and we are waiting now for TDOT to issue us a contract. Kudos to our Street Dept. for the successful construction of the sidewalk along Dale St. which contributed to our being chosen for funding!
2021 TA Grant for Sidewalk Project along Fairgrounds & Royal Oak	Foster	Winter of 2024 (if awarded)	We submitted our application. Award announcements are expected in the summer.
ARPA Funds	Foster/Morris/ Shannon	December 2026	Our "Spend Plan" has been completed and submitted to the State's consultants for review. For clarification, this "plan" is simply how we intend to <i>qualify</i> the ARPA money based on the acceptable ways to do so. Once the money is qualified, we can determine exactly how it will be spent. A work session to discuss specific uses is being planned for March.
Downtown Improvement Grant	Morris/Crouch/Foster	Spring 2024	Bids were opened on all projects projected to cost over \$10,000 last Friday. Not all projects received a bid. We have been contacting project owners this week to determine how to proceed with all projects and to get contracts signed.

Ms. Foster discussed the following updates regarding Status of Various Projects:

The first item of discussion was regarding that the City of Paris has been granted the Multimodal Access Grant for Tyson/M.W. Intersection upgrades and sidewalks.

The second item of discussion was regarding the pre-construction meeting for the sidewalk project for Patriot and Wilson. An agreed start date is March 2022 and should have a sidewalk within 180 days.

The third item of discussion was regarding the drainage study. Ms. Foster stated that a TDEC requirement is submittal by December 2022. She stated that there is a plan, and the City of Paris is continuing forward with the City-Wide Drainage Study.

Notes/Updates from the City Manager

Health Insurance – Because of our desire to give our employees the best possible opportunity for affordable and desirable health insurance coverage we are evaluating the pros and cons of joining the State's Partners for Health insurance plan. There are so many options to consider in any plan that it can be very time consuming and somewhat overwhelming, but we are determined to make the best possible decision for the upcoming fiscal year. More information will be provided during the budget work session this spring.

Strategic Planning – Monday, February 28th has been set as the date for our Strategic Planning session with MTAS Consultant Pat Hardy. I am working on the details (time, place, food, etc.) but for now please mark your calendars to spend the majority of that day in session. Friday, March 11 has been set as the date for an ARPA Funds work session. This session will be held in the City Hall meeting room and will begin at 8:30 a.m. I anticipate it will not last more than 2 hours and may be significantly shorter.

April Commission Meeting – The TCMA spring conference is scheduled for the first week of April and will coincide with our regular Commission meeting. As we have done in the past, I am requesting that our April meeting be moved to the second Thursday of April (14th), and that we begin at 4:30. Since the time of the Planning Commission meeting has been changed to 5:30, beginning the regular Commission meeting at 5:00 that night might not allow enough time to finish before the P.C. meeting time.

Motion to Adjourn: Commissioner Sam Tharpe made a motion, seconded by Commissioner John Etheridge to adjourn at 5:13 p.m.

Mayor

Finance Director