

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A PARTNERSHIP AGREEMENT WITH DAN ROSE OF THE FLYING SQUIRREL RESTAURANT, PROJECT NO. S-11-004-801, JOHNSON STREET ROADWAY AND GREEN INFRASTRUCTURE PROJECT, WITH THE RESTAURANT TO PROVIDE AN IN KIND DONATION IN THE AMOUNT OF SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS (\$17,500.00).

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, it is hereby authorizing the Administrator of the Department of Public Works to enter into a Partnership Agreement with Dan Rose of The Flying Squirrel Restaurant, Project No. S-11-004-801, Johnson Street Roadway and Green Infrastructure Project, with the restaurant to provide an in kind donation in the amount of \$17,500.00.

This agreement establishes responsibilities and covenants pertaining to the reconstruction of Johnson Street utilizing Green Infrastructure Designs and the acceptance of previous interlocking concrete payment materials.

ADOPTED: \_\_\_\_\_, 2013.

/mms

# City of Chattanooga



## Resolution/Ordinance Request Form

Date Prepared: 1/3/13

Preparer: Dennis Malone

Department: Public Works

Brief Description of Purpose for Resolution/Ordinance: \_\_\_\_\_ Res./Ord. # \_\_\_\_\_ Council District # 8

A Council Action is requested for the Administrator of the Department of Public Works to enter into a Partnership Agreement with Dan Rose, of The Flying Squirrel Resturant, relative to Project No. S-11-004-801, Johnson Street Roadway and Green Infrastructure Project, said agreement establishes responsibilities and covenants pertaining to the reconstruction of Johnson Street utilizing Green Infrastructure Designs, and the acceptance of pervious interlocking concrete pavement materials as in kind donations.

Name of Vendor/Contractor/Grant, etc.	<u>Dan Rose</u>	New Contract/Project? (Yes or No)	<u>No</u>
Total project cost \$	<u>N/A</u>	Funds Budgeted? (YES or NO)	<u>Yes</u>
Total City of Chattanooga Portion \$	<u>N/A</u>	Provide Fund	<u>N/A</u>
City Amount Funded \$	<u>N/A</u>	Provide Cost Center	<u>N/A</u>
New City Funding Required \$	<u>0</u>	Proposed Funding Source if not budgeted	_____
City's Match Percentage %	_____	Grant Period (if applicable)	<u>FY13</u>

**List all other funding sources and amount for each contributor.**

Amount(s)	Grantor(s)
<u>\$17,500.00</u> + / - (In Kind Match)	<u>Dan Rose - 14,100 SF Interlocking Pavers</u>
_____	_____
_____	_____

Agency Grant Number \_\_\_\_\_

CFDA Number if known \_\_\_\_\_

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by: [Signature]  
DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

Please submit completed form to @budget, City Attorney and City Finance Officer

Revised: 1/26/09



**City of Chattanooga**  
DEPARTMENT OF PUBLIC WORKS  
DEVELOPMENT RESOURCE CENTER  
ENGINEERING DIVISION  
1250 MARKET STREET, SUITE 2100  
Chattanooga, Tennessee 37402-2713

December 19, 2012

DAN ROSE, Owner  
Flying Squirrel Restaurant  
55 Johnson Street  
Chattanooga, TN 37402

Re: Project # S-11-004  
(Passenger Street Roadway and Green Infrastructure Pilot Project)

Dear Mr. ROSE

The City welcomes the opportunity to be able to partner with you on the Flying Squirrel Restaurant Project on Johnson Street. This project will enhance the area, provide better pedestrian access along Johnson & Passenger Streets and provide needed stormwater relief within the City's combined sewer area.

In this partnership agreement the City and the Restaurant will work together to design and construct the improvements that will rebuild Johnson & Passenger Streets and provide subsurface storage of stormwater runoff from the adjacent parcels. This will be a team effort to accomplish the desired outcome of an improved streetscape, greater accessibility, and improved stormwater quality.

Please find attached the Partnership agreement, please have it executed and returned to my attention so that we can move forward with the authorization to proceed.

Sincerely,

Dennis Malone  
Assistant City Engineer  
Attachments

Cc: Steve Leach, Administrator Public Works  
Bill Payne, City Engineer  
Mark Heinzer, Project Engineer  
Central File

Engineering Division  
(423)643-6190  
Fax: (423)643-6008

Water Quality Program  
(423)643-5877  
FAX: (423)643-5862

Technical Information Center  
(423)643-6033  
FAX: (423)643-6027

**PARTNERSHIP AGREEMENT**

The City and the Restaurant agree that each party has certain responsibilities to make this project succeed. The following responsibilities of each party are as follows:

**The Restaurant's Responsibilities:**

1. The Flying Squirrel Restaurant shall provide a donation of 14,100 sq.ft. (\$17,500+/-) of pervious interlocking concrete pavement materials by Belgard, Inc. to be used as the surface treatment for the reconstruction of Johnson & Passenger Streets.
2. The interlocking concrete pavement material shall be provided on a schedule as requested by the General Contractor selected to build the project. Any costs incurred due to delay of material availability shall be the responsibility of the Flying Squirrel Restaurant.
3. The Restaurant shall enter into a maintenance agreement with the City for the long term operation of the portion of the stormwater facility that borders their property along Johnson Street.

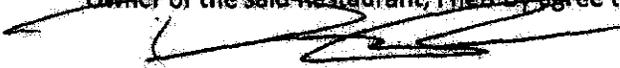
**City Responsibilities:**

1. The City shall design the proposed improvements and let the project out for bid in accordance with standard City policies and procedures.
2. The City shall allocate 1,750 c.f. of stormwater detention capacity within the public right of way for the benefit of the Flying Squirrel Restaurant.

The City and the Restaurant are in agreement to the above terms as they pertain to the improvements on Johnson & Passenger Streets and by the execution of signatures below enter into a Partnership Agreement.

**PARTNERSHIP AGREEMENT**

The terms as described above are agreeable to the Flying Squirrel Restaurant, and as an Owner of the said Restaurant, I hereby agree to the terms as described.

  
DAN ROSE Owner - Flying Squirrel Restaurant

12.24.12  
Date

The terms as described above are agreeable to the City of Chattanooga, and as the Administrator of Public Works, I hereby agree to the terms as described.

Steve Leach, Public Works Administrator

Date

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