

**CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
JULY 7, 2005
SAVANNAH, GEORGIA**

The regular meeting of Council was held this date at 2:00 P.M. in the Council Chambers of the City Hall. Mayor Johnson asked that we reflect in a moment of silent meditation, followed by the Pledge of Allegiance to the Flag. The minutes from the meeting of June 23, 2005 were approved upon motion of Alderman Sadler, seconded by Alderman Felser and carried.

PRESENT: Mayor Otis S. Johnson, Presiding
Mayor Pro-Tem Edna B. Jackson
Alderman Tony Thomas, Chairman of Council
Alderman Van Johnson, II, Vice-Chairman of Council, Aldermen Ellis Cook, Clifton Jones, Jeff Felser, Mary Osborne and Kenneth Sadler

City Manager Michael B. Brown
City Attorney James B. Blackburn
Asst. City Attorneys William W. Shearouse and Lester B. Johnson, III

City Council held an Executive Session this morning for the purpose of discussing personnel matters and litigation. Upon motion of Alderman Johnson, seconded by Alderman Osborne and carried, Mayor Johnson was authorized to sign the affidavits. (**SEE "RESOLUTIONS"**)

PRESENTATIONS

In January, 2005, City Council asked City Manager Brown to assist them and the City to become a Certified City of Ethics. This program is sponsored by the Georgia Municipal Association (GMA). Presently, more than 100 cities are certified. The process was to have City Council pass a resolution committing itself to a code of ethics created by the GMA. An ordinance had to be crafted and passed indicating that we would be governed by this code. The City Manager and staff took this task on within a short timeframe to have us ready to receive our designation at the June convention. Mayor Johnson commended the City Manager and staff along with City Attorney Blackburn for getting this job done. He thanked the members of City Council for agreeing to this because the resolution and ordinance required a unanimous vote. On June 28, 2005, we were designated a "City of Ethics" and received our plaque. City Manager Brown explained that this is quite an accomplishment for the City of Savannah. During the onset, he was not quite sure we could meet the deadline because it was an absolute one to get the resolution and ordinance submitted by May, 2005 in time to be evaluated by GMA who has a special panel that reviews each application. Mr. Brown said the credit goes to the Mayor and Aldermen because this applies to them. We already have ethical requirements in our personnel rules. City Manager Brown

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will take the necessary steps to have the plaque framed and displayed in Council Chambers so we can be acknowledged as a Certified City of Ethics. Mr. Brown thanked the Mayor and Council for their support in getting this accomplished.

Mayor Johnson asked the members of the police delegation to come forward. We hear a lot of negative things about the police department and when they do things above and beyond the call of duty, they should be recognized. We had an incident in our community a couple of weeks ago where a television fell on a young child. For all practical purposes, this child might have died without the proper response, thoughtfulness and caring that our officers showed. Mayor Johnson said he thought it would be appropriate for these officers to come today along with Police Chief Dan Flynn and be recognized. Chief Flynn introduced the two officers involved in this incident. They were Corporal Patrick Goodberry and Patrolman Brian Krutch of the Savannah-Chatham Metropolitan Police Department. They received a call on June 21, 2005 for 2301 Countryside Drive of an injured person. These officers arrived very quickly and found an infant lying on the floor. A television had been knocked off a stand and hit the infant. The baby was barely breathing with blood coming out his mouth. The officer turned the child over and cleared the airway passage and the child began breathing. For a couple of hours it was a touch and go situation, but the child made it. Due to the fact that the child's life was saved can be directly attributed to these two officers and we are proud of them. Corporal Goodberry thanked Council for the recognition. They do a hard job everyday and it is nice to be recognized. Mayor Williams said Officer Krutch is a new officer and thanked Corporal Goodberry for training him. Mayor Johnson said he knew that this young person will be indebted to these officers for the rest of his life because they probably saved his life.

Assistant City Manager Israel Small is on the board of the International City/Council Management Association and recently received a stellar designation as being a credential manager. Mayor Johnson said Assistant City Manager Small has the operations of the City that touches the public more often than anybody else, other than the Police Department. Council wanted to let Mr. Small know that they are proud of him for this accomplishment and wanted to take this opportunity to thank him for all he does for this city. Mayor Johnson asked Assistant City Manager Small to tell us how he got this designation and what it means in his profession. Mr. Small reported that City Manager Brown, Assistant City Manager Morrill and he are members of ICMA-CM. Mr. Small thanked Council for the recognition. City Manager Brown and Assistant City Manager Small are among 800 individuals internationally who have received the designation as credential city managers. In addition to the amount of education and training one has in this profession, it is a commitment to lifelong learning. Mr. Small said it must be proven that you have gotten 40 hours of educational training each year. This means that they are committed to a very stringent code of ethics. They want to be sure that individuals who hold this credential are dedicated to the highest standards and

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morals in city government. He was pleased to receive this credential. Assistant City Manager Small believed that the City of Savannah is one of the few cities in the country and internationally who have two credential managers. Alderman Osborne commended Assistant City Manager Small on achieving the credential. City Manager Brown congratulated Mr. Small. This is not just experience and training. You don't receive this designation at just one time. You go through an evaluation process and the hard part is every year, the plan has to be updated and submitted to ICMA for review. Every year, Mr. Small will have to document 40 hours of training and show how the training relates to City Council's priorities and show what is going on in the City.

Mayor Johnson reminded the public that a curfew ordinance is being enforced. On Sunday thru Thursday the curfew is for young people under the age of 16 to be off the streets unless accompanied by an adult at 11:00 p.m.; on Friday and Saturday evenings, the young people are to be off the street at 12:00 o'clock unless accompanied by an adult. They are very serious about enforcing the curfew ordinance because youth crime is a major issue in our community. We want to make sure that children who may be enticed to do things that they should not are out of harms way. They will be deal with the ones who have decided that they will not do right. Mayor Johnson said he just wanted to reemphasize this ordinance. City Council and the City employees need to emphasize this ordinance as often as possible to the public that Council is serious about this and want the parents to be in control of their children. If unaccompanied by an adult, the child will be picked up and taken to the Parkside Out-Reach Center at 11 West Park Avenue. If the parent can not be contacted, the child will remain at Parkside until an adult comes to get the child. He wanted to be sure that no one is caught off guard and say, I did not know. Mayor Johnson said "I did not know" will not be used as an excuse.

REPORTS

Trevor H. Wells - Petition #10352, requesting to encroach on the City right-of-way at 116 E. Taylor Street (PIN 2-0032-14-018) for the construction of steps. The petitioner purchased the abutting vacant lot on the north side of Taylor Street between Drayton and Abercorn Streets from the Historic Savannah Foundation and plans to construct a 3-story single family townhouse. The preliminary drawings call for 5'6" deep and 8'8" wide cast stone entrance steps with wrought iron handrails. The existing brick pavers will be reworked to transition between the existing sidewalk and new construction.

Sanitation, Water and Sewer, Facilities Maintenance do not object to the encroachment, which is consistent with other development in the neighborhood. The brick sidewalk will be reworked and a planter installed between the existing sidewalk and the front wall of the proposed building. The remaining sidewalk width will be at least five feet and will conform to the maximum width of the existing sidewalk within the block.

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City Manager Brown recommended advising the petitioner that the sidewalk must meet the minimum City standards and allow enough width for handicapped access, and that the encroachment grants no ownership rights to the right-of-way and, if required by the City, must be removed at the petitioner's expense.

Donald Amerson - Petition #10302, requesting the City to quit-claim the unopened portion of Speedwell Drive adjacent to his property at 7208-7216 Skidaway Road (PIN 2-0429-02-006). The petitioner has constructed commercial buildings on his property and proposes to erect a masonry fence within the right-of-way to buffer the adjoining residential parcels. The additional space provided by the right-of-way will also allow construction of a 7' wide detent to replace a drainage ditch within the construction area.

Facilities Maintenance, Water and Sewer, Sanitation and Engineering have no objections to the petition. The right-of-way is not utilized for refuse collection and there are no water or sewer mains or storm water drains present. There are overhead power lines within the right-of-way, but the petitioner has met with representatives of Savannah Electric who report that deeding over the right-of-way will not affect access to their equipment. Both of the adjoining land owners have waived in writing any interest in the right-of-way and the petitioner's purchase of the property.

City Manager Brown recommended approval to quit-claim the unopened portion of Speedwell Drive between Skidaway Road and Central Avenue to the petitioner for fair market value.

BE IT RESOLVED AND IT IS HEREBY RESOLVED that the Mayor and Aldermen of the City of Savannah in regular meeting of Council assembled, that the foregoing recommendations are hereby approved upon motion of Alderman Cook, seconded by Alderman Clifton Jones and carried.

LEGISLATIVE REPORTS

As advertised, the following alcoholic license petition was heard. No one appeared in objection to the issuance of the license and upon motion of Alderman Osborne seconded by Alderman Felser and carried, it was approved:

Pedro Sarinana t/a Juarez Mexican Restaurant #3, requesting to transfer a liquor, beer and wine (drink w/Sunday sales) license from J & T's Warehouse d/b/a Pepper's Cantina t/a Pepper's Cantina at 108 Mall Boulevard.

As advertised, hearing continued on the petition of **Nikki Yaworsky t/a Bazil Eurocafe**, requesting a wine (drink) license at 2430 Habersham Street.

City Manager Brown recommended approval of this request. The Zoning Board of Appeals granted use approval to allow

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wine sales in conjunction with a restaurant at this location in a TC-1 (Traditional Commercial-Neighborhood) district on June 28, 2005. Upon motion of Alderman Osborne, seconded by Alderman Felser and carried, the request was approved.

As advertised, hearing was held on the petition of **Karim Ladha t/a Samal, Inc., d/b/a Smart Stop**, requesting to transfer a beer (package) license from Arafat Afaneh t/a Afaneh Food Mart at 1114 Abercorn Street.

City Manager Brown reported that the attorney for Arafat Afaneh, the current owner/license holder, has requested a two-week continuance due to a property transfer at this location. Upon motion of Alderman Osborne, seconded by Alderman Felser and carried, this hearing was continued for two weeks. **(Continued to the meeting of July 21, 2005).**

As advertised, hearing was held on the petition of **Chad Mabry t/a DC2 Design**, requesting a liquor, beer and wine (drink) license at 104 W. Broughton Street.

City Manager Brown recommended that the applicant appear and clarify his application, which states that he will operate a retail furniture business with a lounge for clients and customers. As this a furniture outlet, more information is needed concerning the operation of the establishment. Issues have been raised about the use and whether restrooms are available. We need to know how this will be operated at this location.

Alderman Johnson stated that this location is in his district and he did not understand how this was to be operated at the furniture store. He did not understand the need to serve wine and alcohol if someone is shopping for furniture. Mr. Chad Mabry came forward and stated presently the store is being built. This is taken from a model of stores that they have previously looked at in Los Angeles and New York where retail stores are combined with a lounge area. The intent is not to have a bar in this location. The operation hours will be from 10:00 a.m. to 10:00 p.m. The focus is desserts and after dinner drinks. They will not serve beer or cocktails; this will be somewhat a hang-out place, but will not be a bar or club and they will not play loud music. There will be no dancing. There will be retail space where desserts could be enjoyed and where they could also meet with clients, sit down and have a glass of wine; look over architectural plans and designs. Alderman Johnson asked Mr. Mabry if he has met with the residents in this area. City Council has instituted a practice of asking applicants to meet with the neighborhood residents prior to submitting an alcoholic application. Mr. Mabry answered no. He currently has a store four doors from this location and has spoken with other store owners about what he plans to do. They are excited about this as well as his current clients. Alderman Johnson stated that these persons do not live here. He asked Mr. Mabry if he would be willing to take the time and meet with the residents. Maybe they do this in Los Angeles, but we have people who live here and they

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need to be aware of what is being proposed. City Attorney Blackburn explained that under the ordinances, the application has to be noticed and there is a five day notice. This is on the agenda because it meets this requirement. The staff has said that they did not have enough information on this request. Mr. Blackburn suggested that the hearing be continued for two weeks and in the meantime, he will send the applicant a notice of the areas he needs to respond to and can have his evidence to do so. City Attorney Blackburn cautioned Mr. Mabry that we have ordinances that he would have to comply with such as is he going to say that no minors would be allowed in the store. There are some legal questions that Mr. Mabry will have to answer. He will outline what the burden is in a letter to Mr. Mabry so he could make a proper decision. Alderman Sadler moved for continuance of this hearing for two weeks. This was seconded by Alderman Jackson and carried. **(Continued to the meeting of July 21, 2005).**

ORDINANCES

Second Readings

Rezoning - 209 E. 40th Street (Z-040921-32471-2).

An ordinance to rezone 209 E. 40th Street from TN-2 (Traditional Neighborhood-2) to TC-1 (Traditional Commercial-Neighborhood) in conjunction with a General Development Plan in accordance with Section 8-3031(D)(1)(a).

City Manager Brown explained that this is the second reading of the rezoning petition for 209 East 40th Street. The public hearing and first reading were previously held. This is to rezone the property from its TN-2 designation to a TC-1 designation. This is in accordance with the general development plan adopted during the time the area was rezoned. An issue was raised about whether or not the other uses that might be allowed in the TC-1 property would also be allowed at this site. City Manager Brown said the only uses allowed at this site would be as stated on the site plan which is the use of a take-out restaurant. They are restricted to this use. Because of this reason, City Manager Brown recommended approval of the second reading for this rezoning.

Mayor Johnson said this is not a public hearing, but assumed that the persons who approached the podium wanted to speak. He said he would allow the persons to make short statement and then City Council would vote on this matter.

Mr. George Flathmann stated that he has been the property owner of 204 East 40th Street since his parents died and was raised in this house. The change in this rezoning request has just come to his attention and as an owner he was not notified of any changes nor asked his opinion of this. This block has gone from five (5) residential areas to two (2) if this is allowed. If this is approved, three spaces would be taken for commercial purposes. This will be taken to the third level and directly affects their property value at 204 East 40th Street and the rest of the homes in this neighborhood. **Ms. Virginia Huber** stated that she is

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part owner of 204 East 40th Street with George. Her family has lived at this property more than 70 years. Her brother was born here and she was born around the corner in an apartment upstairs. Ms. Huber said her aunt and uncle have lived here and have kept this property even through all the things that have come and gone in this neighborhood. She believed it would be detrimental to their property values if the rezoning request is approved. They have been doing some repairs to 204 East 40th Street. The house is made out of old pine, which is kindling wood. She trembled to think what would happen if 209 East 40th is used as a kitchen where fish and other foods would be prepared. If a fire started, the block would be lost. Not only this, but the people who live next door would be subject to the smell of grease and fried foods all day. Ms. Huber attended the MPC meetings and thought everything had been taken care of and they were protected under the new plan of zoning. She said, however, she was shocked and dismayed to find that this had come up and was approved. She asked if there was any possibility of not allowing this rezoning. Mr. Russo has many areas in this block where he could put up a take-out facility adjacent to his present building. Ms Huber asked Council to reconsider this matter. **Ms. Cindy Etz** came forward and stated she lives in this neighborhood. She questioned if this property is zoned to TC-1, would it remain this rezoning. City Manager Brown stated that it would be TC-1, but the question is what uses would be allowed in this location. The City Attorney and he have concurred that it would be limited to the site plan that is approved, which limits it to a food take-out establishment. This could not become anything else without going back through the rezoning and site plan process. Ms. Etz asked if they would have to worry about alcohol and rooming houses. She asked what would happen if Mr. Russo sold this property. City Manager answered that it would be limited by the same restrictions; they would have to come back through the same process in order to get another use. Ms. Etz said they understood that Council made a promise and the neighborhood hoped that this would be the end of this. They neighborhood wants the area to be residential. Ms. McQueen believed when she sold the property it would remain residential. But, she will now have to pay for her trusting nature with more traffic and the smells from a commercial restaurant. Ms. Etz believed that Council has made their decisions, but the neighborhood was requesting that their area remain residential.

Mayor Johnson stated that City Attorney Blackburn gave him a document that states the subject property shall only be used as a take-out restaurant; an eight (8) foot fence shall be erected along the east and south property lines. The fence must be set back at least five (5) feet from the property lines. Therefore, there are restrictions into what will be done and how it will be buffered from the other existing properties. As Council stated in their heated discussion at the last meeting, this City Council stands on its word and they will support the zoning that they passed. Council agreed that this will be the last exception and until something changes or this Council changes, this will be their position.

Ordinance read for the first time in Council, June 9, 2005, read a second time, July 7, 2005, placed upon its passage,

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adopted and approved July 7, 2005 upon motion of Alderman Osborne, seconded by Alderman Felser and carried with only Alderman Clifton Jones opposing.

AN ORDINANCE TO REZONE CERTAIN PROPERTY FROM ITS PRESENT TN-2 ZONING CLASSIFICATION TO A TC-1 ZONING CLASSIFICATION; TO APPROVE A GENERAL DEVELOPMENT PLAN IN ACCORDANCE WITH SECTION 8-3031 (D)(1)(a) OF THE CODE; TO REPEAL OTHER ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES:

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in a regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: The following described property be rezoned from its present TN-2 zoning classification to TC-1 zoning classification:

LEGAL DESCRIPTION

Beginning at a point located on the centerline of 40th Street approximately 168 feet east of its intersection with the centerline of Abercorn Street, thence proceeding easterly along the centerline of 40th Street a distance of approximately 45 feet to a point, thence in a southerly direction along a line South 16 degrees 39 minutes West a distance of approximately 138 feet to a point, thence westerly along a line parallel to the centerline of 40th Street a distance of approximately 45 feet to a point, thence northerly along a line North 16 degrees 39 minutes East back to the point of beginning.

The property is further identified by Property Identification Number as follows:

P.I.N.: 2-0075-08-003

SECTION 2: That the General Plan in conjunction with the rezoning of the subject property pursuant to Section 8-3031(D)(1)(a) be approved with variances, but in full conformance to all requirements of the Ordinances in such cases made and provided and with the following site conditions being made a part of the General Plan:

1. The subject property shall only be used as a take-out restaurant.
2. An eight foot wood fence shall be erected along the east and south property lines. The fence must be set back at least five feet from the property lines.
3. A building elevation plan must be submitted.
4. A lighting plan must be submitted.
5. A signage plan must be submitted with designated sign locations.

SECTION 3: That the requirements of Section 8-3182(f)(2) of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning

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amendment, said notice being published in the Savannah Morning News on the 30th day of April, 2005, a copy of said notice being attached hereto and made a part hereof.

SECTION 4: Upon the effective date of the ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

EFFECTIVE DATE: In that there has been a "Finding of Unusual or Extraordinary Conditions" which affect the above described property site, this ordinance shall be effective upon compliance with all the requirements of Section 8-3031(D)(1)(a) of the Code and the conditions herein, and upon filing the approved plat with the Clerk of Council with such conditions noted thereon.

ADOPTED AND APPROVED: July 7, 2005

MPC FILE No.: Z-40921-32472-2

First Readings

Text Amendment - Subdivision Regulations (Z-041130-33062-2). An ordinance to amend sections of the Subdivision Regulations to provide consistency in terminology, add definitions, correct typographical errors, increase the minimum street centerline elevation from 7.5 to 9.5 feet mean sea level (MSL) with a provision to allow an elevation between 7.5 and 9.5 feet MSL if the engineer can demonstrate that the new street will not flood during a 50-year 24-hour storm event, require all new subdivisions and all expansions of existing subdivisions to comply with the Tree Ordinance, provide standards for requesting a waiver of providing an Environmental Site Assessment for minor subdivisions, and clarify submittal requirements and the approval process.

City Manager Brown explained that this is the first reading on a set of subdivision regulations modifications to improve the standards and still allow good development. This is on first reading and in two weeks, the second reading will be held.

ORDINANCE PLACED ON FIRST READING ONLY:

AN ORDINANCE TO AMEND SECTIONS 8-2001 THROUGH 8-2091 PERTAINING TO THE SUBDIVISION REGULATIONS OF SAVANNAH, GEORGIA TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HERWITH AND FOR OTHER PURPOSES. (Ordinance shown in caption form, only. Second Reading will be held on July 21, 2005).

RESOLUTIONS

Fee Simple Deed - Matthew J. Stephens.

City Manager Brown explained that the request is for a fee simple deed for Matthew J. Stephens for property previously and currently owned by the City at 446 Price Street. Because of a revitalization process, Mr. Brown believed that the City ended up owning these lots. They are now

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ready to be sold and developed for housing. On February 17, 2005, Council accepted the \$95,000.00 qualifying bid from David Simons and Robert Paddy d/b/a Gold Bar, Inc. The property, legally described as the southern portion of the middle 60.2 feet of Lot 37 and the middle 60.2 feet of the western 33.86 feet of Lot 38, Davis Ward, is located between Gaston and Gordon Streets in the Beach Institute neighborhood. The City acquired the property via a Foreclosure Deed in 1994 and offered it for sale via a Request for Proposal last July. David Simon's bid was one of two high bids received and was accepted by Council after the other bid was withdrawn. Mr. Simons and Mr. Paddy established a new limited liability corporation, Storico, LLC, to refurbish the property. Matthew Stephens is also a partner and will hold the mortgage. Mr. Simons is requesting that the property be deeded to Matthew Stephens. After closing, the property will be quit claimed to the new company. Matthew Stephens has submitted a check on behalf of Storico, LLC in the amount of \$95,541.56 to cover the accepted bid amount and advertising costs. City Manager Brown recommended approval of accepting the \$95,541.56 in order to sell the property as requested. City Attorney Blackburn clarified that the property is already developed. It is a row property that the City has title to. The property was foreclosed, declared surplus and has been offered for-sale. This is the best bidder.

A RESOLUTION TO AUTHORIZE GRANTING A DEED TO MATTHEW J. STEPHENS FOR PROPERTY LOCATED AT 446 PRICE STREET IN CONSIDERATION OF THE HIGHEST AND BEST BID OF \$95,000.00 IN RESPONSE TO RFP #04.216

WHEREAS, the within described property was declared surplus to the City's needs on November 6, 1997; and

WHEREAS, pursuant to O.C.G.A. §36-37-6 said property was offered for sale by a Request for Proposals No.04.216 through and advertisement in the Savannah Morning News, the legal organ in and for said County; and

WHEREAS, David Simons and Robert Paddy, d/b/a Gold Bar, Inc. were one of the two bidders who offered the highest and best bid in the amount of \$95,000.00 as provided in the conditions of the proposed sale as advertised; and

WHEREAS, the other high bidder has withdrawn his bid and offer to purchase; and

WHEREAS, the Mayor and Aldermen of the City of Savannah accepted said proposal and approved the conveyance of said property to David Simons, Robert Paddy, and/or Gold Bar, Inc., on February 17, 2005; and

WHEREAS, David Simons and Robert Paddy have established Storico, LLC, a limited liability company, to refurbish the property located at 446 Price Street; and

WHEREAS, Matthew J. Stephens is also a partner in Storico, LLC, and will hold the mortgage to the property located at 446 Price Street; and

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WHEREAS, David Simons has avowed his relationship to Storico, LLC, and to Mr. Stephens and has requested that the property be assigned and deeded to Matthew J. Stephens.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah in a regular meeting of Council assembled, that the City Manager be authorized and directed to execute and deliver a Deed to the said Matthew J. Stephens, and the Clerk of Council to attest said Deed and affix the City's seal.

All those certain portions of lots, tracts or parcels of land situate, lying and being in the City of Savannah, County of Chatham and State of Georgia, and known and designated upon the map or plan of said City as the Southern Portion of the Middle 60.2 feet of Lot 37 and the Middle 60.2 feet of the Western 33.86 feet of Lot 38, Davis Ward. Said portions of said lots having a frontage of 18.3 feet on the East side of Price Street with a rectangular depth Eastwardly of 93.86 feet and as a whole being bounded as follows: On the North by parts of Lots 37 and 38, Davis Ward; on the East by a portion of Lot 38, Davis Ward; on the South by parts of Lots 37 and 38, Davis Ward, and on the West by Price Street. Said property hereby conveyed containing improvements thereon according to the present system of numbering houses in Savannah, Georgia as 446 Price Street; all as shown upon a plat by Barrett Land Surveying, Inc. dated March 21, 1986, and recorded in the Office of the Clerk of Superior Court of Chatham County, Georgia, in Plat Record Book 8-P, Page 32, which plat is expressly made a part of this description, and being further identified at PIN 2-0033-03-010C.

ADOPTED AND APPROVED THIS 7TH DAY OF JULY, 2005 UPON MOTION OF ALDERMAN COOK, SECONDED BY ALDERMAN JACKSON AND CARRIED WITH ALDERMEN THOMAS, FELSER AND SADLER ASBTAINING.

Quit Claim Deed - North Point Industrial, LLC

City Manager Brown explained that this item deals with one of three items having to do with a development which borders both Savannah and Port Wentworth. This is a request for a quit claim deed to North Point Industrial, LLC. Approximately 40 acres of the complex will be in Savannah; the balance will be in Port Wentworth. The complex will encompass the old Godley Road right-of-way between the CSX railroad and Highway 21. No future use of the right-of-way for street purposes is anticipated. North Point Industrial now owns the surrounding property and requests that the right-of-way be vacated and quit claimed for fair market value. In 1976, Port Wentworth annexed property to the southern boundary line of Godley Road. In 1994, the County obtained right-of-way to widen the road and install drainage structures south of the existing right-of-way line. Effective 1996, Savannah annexed property to the southern boundary line of Old Godley Road including portions of the right-of-way obtained by the County. As a result, the Port Wentworth/Savannah boundary line divides the right-of-way. In 1996, the County turned

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over maintenance of the widened road to Port Wentworth but never deeded the right-of-way to either city. The County is willing to deed its interest upon the sale of the property by Port Wentworth and Savannah. North Point Industrial has offered to pay the two municipalities \$34,642.00 per acre. Although 3.814 acres of the vacated right-of-way lie within Savannah, Port Wentworth has maintained the entire roadway since 1996. It is proposed that Savannah agree to reimburse Port Wentworth \$81,370.00 from the sale proceeds for Port Wentworth's cost of maintaining the portion of the road in Savannah from 1996 through 2004. Total revenue to Savannah, after reimbursement, will be \$50,755.00.

City manager Brown said we will have the water and sewer agreement for this area because it can be most efficiently served by Savannah. Port Wentworth has agreed that they will petition the County to include this area in the Chatham Area Transit district. He spoke today with County Manager Russ Abolt who confirmed that it is his intent to put the item on their next agenda in order to get the modification made in the boundaries of the transit district. City Manager Brown recommended approval of the quit claim deed and payment of this section of Godley Road. Mayor Johnson reported that Port Wentworth has agreed to now enter the transit special service district for this area which will allow people from the City to get to this development. Hopefully some of the citizens will be able to obtain employment here. This will enable them a way to get to this area. Mayor Johnson thanked Port Wentworth for doing this and commended them on lending this particular economic development venture.

A RESOLUTION TO AUTHORIZE VACATING A PORTION OF THE GODLEY ROAD RIGHT-OF-WAY AND GRANTING A QUIT CLAIM DEED FOR SAID RIGHT-OF-WAY TO NORTH POINT INDUSTRIAL, LLC.

WHEREAS, the within described portion of Godley Road right-of-way has been determined to have no anticipated future use for street purposes; and

WHEREAS, the municipal boundary line between Port Wentworth and Savannah divides the right-of-way; and

WHEREAS, Chatham County obtained right-of-way deeds for improvements and has never deeded said right-of-way to either municipality; and

WHEREAS, Chatham County and Port Wentworth have approved the closing and vacating of the 4.495 acre portion of old Godley Road described within; and

WHEREAS, North Point Industrial, LLC, is the owner of the property adjacent on all sides of the within described Godley Road right-of-way and desires to purchase said right-of-way; and

WHEREAS, 3.814 acres of said right-of-way lies within the city limits of Savannah, but has been maintained by the City of Port Wentworth since 1996; and

WHEREAS, the City of Savannah agrees to reimburse the City of Port Wentworth for the maintenance of that portion of

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the right-of-way lying within the Savannah city limits from the proceeds of the sale of said right-of-way;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah in regular meeting of Council assembled, that the City of Savannah approves the closing and vacating of said portion of Godley Road; and

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute a Quit Claim Deed to North Point Industrial, LLC, to the property described herein, and the Clerk of Council to attest said Deed and affix the City's seal.

All that certain tract of land situate, lying and being in the 8th G. M. District of the City of Port Wentworth, Chatham County, Georgia. Being a 4.495 acre portion of Godley Road right-of-way, being more particularly described as follows:

COMMENCING at the point of intersection of the west margin of the right-of-way of a public road (unnamed) and the north margin of the right-of-way of Jimmy Deloach Parkway, thence N04 39'25"E a distance of 481.09' along the west margin of the right-of-way of the public road (unnamed) to a point, and being the point of beginning; thence N85 20'36"W a distance of 2,422.13' to an iron pipe on the east margin of the right-of-way of CSX Transportation Railroad; thence N27 27'41"W a distance of 94.46' along the right-of-way of CSX Transportation Railroad to a point; thence S85 20'36"E a distance of 123.81 to a point at the intersection of the north margin of the right-of-way of Pinder Point Road; thence S85 20'36"E a distance of 137.20' to a point at the intersection of the south margin of right-of-way of Pinder Point Road; thence S85 20'36"E a distance of 2,211.35' to a point; thence crossing the right-of-way of Godley Road S04 39'24"W a distance of 80.00' to the point of beginning. Said property contains 4.495 acres and is shown and depicted as Godley Road in that certain map or plat of survey entitled "A Right-of-way Plat of a Portion of Godley Road Improvements, Chatham County Project No. Godley Road, 8th G.M. District, City of Port Wentworth, Chatham County, Georgia," prepared by Terry Mack Coleman, Georgia Registered Land Surveyor, dated December 20, 2004 and Recorded in plat record book ____, page ____, records of the Clerk of Superior Court of Chatham County, Georgia, to which map or plat surveyor in record thereof references are made for all purposes in aid of description.

ADOPTED AND APPROVED THIS 7TH DAY OF JULY, 2005 UPON MOTION OF ALDERMAN COOK, SECONDED BY ALDERMAN OSBORNE AND CARRIED.

RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH

BE IT RESOLVED, by the Mayor and Aldermen of the City of Savannah as follows;

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At the meeting held on the 7th day of July, 2005 the Council entered into a closed session for the purpose of discussing personnel matters and litigation.

At the close of the discussions upon this subject, the Council reentered into open session and herewith takes the following action in open session:

1. The actions of Council and the discussions of the same regarding the matter set forth for the closed session purposes are hereby ratified;
2. Each member of this body does hereby confirm that to the best of his or her knowledge, the subject matter of the closed session was devoted to matters within the specific relevant exception(s) as set forth above;
3. The presiding officer is hereby authorized and directed to execute an affidavit, with full support of the Council in order to comply with O.C.G.A. §50-14-4(b);
4. The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

ADOPTED AND APPROVED THIS 7TH DAY OF JULY, 2005 UPON MOTION OF ALDERMAN JOHNSON, SECONDED BY ALDERMAN OSBORNE AND CARRIED.

TRAFFIC ENGINEERING REPORTS

Truck Traffic Prohibition - Ogeecheeton Community.

The Police Department has received complaints regarding truck traffic on Carson Avenue, Dempsey Street, Julia Law Street, Pate Street and Ryals Street.

Residents have complained that trucks are using these local small residential streets, possibly to turn around, but are unable to safely maneuver and are causing damage to property. Therefore it is recommended that a "no truck" restriction be implemented for all of these streets.

Upon motion of Alderman Johnson, seconded by Alderman Felser and carried, approved that truck traffic be prohibited on Carson Avenue from Ryals Street to Julia Law Street, on Dempsey Street from Ryals Street to Julia Law Street, on Julia Law Street from Ogeechee Road to the end, on Pate Street from Julia Law Street to the end, and on Ryals Street from Dempsey Street to the end. **(ORDINANCE TO COVER WILL BE DRAWN UP FOR PRESENTATION AT THE NEXT MEETING OF COUNCIL).**

Mall Boulevard Speed Limit - Waters Avenue to Hodgson Memorial Drive.

Residents of the Shadows and Park Place have reported excessive speed and increased accidents along Mall Boulevard.

Mall Boulevard is a four-lane (no median) major collector route from Abercorn Street to Waters Avenue and is

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currently posted 40 MPH. Traffic studies conducted in the segment between Waters Avenue and Hodgson Memorial Drive indicated that the 85th percentile speed was 42 MPH and the 10 MPH pace of the majority of traffic (71.8% of the sample size) was 33 to 42 MPH. The highest recorded speed during the study period was 49 MPH.

This segment carries approximately 16,500 vehicles per day and experienced 15 mid-block accidents in 2004, of which six were left turn collisions, seven were rear end collisions, and two were sideswipe collisions involving lane changes. Most of these accidents took place near Applebee's restaurant.

Due to roadway geometrics (an "S" curve just west of Waters and a gradual curve just east of Hodgson Memorial Drive) the posted speed limit should be reduced to 35 MPH, with curve advisory speeds of 30 MPH.

Upon motion of Alderman Johnson, seconded by Alderman Felser and carried, approved that the speed limit on Mall Boulevard from Waters Avenue to Hodgson Memorial Drive be reduced from 40 to 35 MPH and that the Georgia Department of Transportation be requested to include this change in the next update to the City radar permit. **(ORDINANCE TO COVER WILL BE DRAWN UP FOR PRESENTATION AT THE NEXT MEETING OF COUNCIL).**

Multi-Way Stop - Rio Road at Shawnee Street. As part of the review of the high accident location list, the Traffic Engineering Department has reviewed the intersection of Rio Road and Shawnee Street.

The intersection of Rio Road and Shawnee Street is located near Savannah Mall and is currently controlled by stop signs for Shawnee Street. Intersection approach volumes exceed 500 vehicles per hour for only two hours of a typical weekday, but vehicular volumes for northbound Rio Road and westbound Shawnee Street are equal, and the approach volumes meet the 70% warrant as set forth in the Manual of Uniform Traffic Control Devices for multi-way stop sign control for seven hours of a typical weekday. Furthermore, there were ten accidents in 2004, out of which seven are correctible by traffic control.

Upon motion of Alderman Johnson, seconded by Alderman Felser and carried, approved that multi-way stop signs be installed at the intersection of Shawnee Street and Rio Road. **(ORDINANCE TO COVER WILL BE DRAWN UP FOR PRESENTATION AT THE NEXT MEETING OF COUNCIL).**

MISCELLANEOUS ITEMS

Acknowledge Receipt of Annexation Petition. The City received an annexation petition for an approximately 48.9 acre tract located on Hutchinson Island immediately west of the Route 17 Bridge. The owners of the tract are Joel Spivey and Ronnie Spivey. Their land is contiguous to existing City territory, and therefore can be annexed by ordinance adopted by City Council. As required by state

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law the County has been informed of receipt of this petition.

The owners are seeking annexation to gain access to the municipal services provided by the City. The City is the only provider of water and sewer service in the area with adequate capacity, and to gain access to this utility service on in-city terms, the owners desire annexation. They anticipate residential development with 500 to 700 units, and possibly one or two hotels.

City Manager Brown explained that this item requires no action by Council at this time other than acknowledging receipt of the petition. The other governments and jurisdictions in Chatham County have been notified of this matter. This is not a legal requirement, but we do let our neighbors know our annexation steps.

Mayor Johnson requested that the staff calculate the square miles of the City. City Manager Brown believed the square miles are 100. Mayor Johnson said the last calculation he saw was 65 miles, but we have annexed areas into the City since that time. Mr. Brown said it is approximately 100 miles, but he will get the accurate count within two weeks. **Ordinances to annex the territory and to adopt the existing County zoning districts will be on the agenda for the August 4, 2005 meeting.**

Surplus Property - 2414 E. 39th Street. The City acquired 2414 E. 39th Street (PIN 2-0080-06-019) via a Deed in Lieu of Foreclosure dated May 10, 2005, after the previous owners defaulted on a loan financed through the Housing Department. The property, legally described as Lots 275 and 276, Eastwood Park Subdivision, Murphy Ward, is a 1,004 square foot detached single-family residence east of Skidaway Road in the Victory Heights neighborhood.

The loan has an outstanding balance of approximately \$52,000.00. Additional funds have been expended for insurance, property taxes, locksmith services, appraisal, board-up, and weed cutting. Minor repairs and cleaning are needed but the plumbing, electrical, and HVAC (heating, ventilation and air conditioning) systems have been upgraded and are in good condition. The property was recently appraised at \$77,000.00.

City Manager Brown recommended declaring the property surplus and offering it for sale to the public via a Request for Proposal. The sale would allow the City to recoup the foreclosure balance, return the property to the tax rolls, and enhance the overall appearance and safety of the neighborhood. Alderman Jackson moved for approval of the City Manager's recommendation. This was seconded by Alderman Johnson and carried.

McKelvey-Powell Building. The historic McKelvey-Powell Building is an anchor to the southwest corner of the Historic District. It was built in 1927 and is believed to be the first commercial building designed and built for a black owner in Savannah. The building housed many black businesses and organizations, including Atlanta Life

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Insurance, a USO, and the West Broad Street YMCA. A decade ago, it was vacant and dilapidated. Connor's Temple, through its nonprofit "Con-Ed" group, has sought and obtained various funds for the stabilization and restoration of a portion of the building. The work done to-date has been good quality, at a reasonable price.

Con-Ed restored the first floor and exterior and is now requesting additional funds from the City and others so as to complete the second and third floors. These floors are "framed out" but do not have walls, restrooms, lighting, and other features needed to make them useable. We have reviewed the proposed build-out plan and budget, and find it to be reasonable.

Special Purpose Local Option Sales Tax (SPLOST) funds were set aside for improvements to the Martin Luther King, Jr. Boulevard corridor and for City infrastructure projects. City Manager Brown recommended that the City contribute \$200,000 from these SPLOST funds toward the \$800,000 cost for completing the second and third floors on the conditions that the City review and approve any draw-downs, that Con-Ed fulfill its pledges to make the building into a Resource Center for the community, and in the event the City needs space within the building, we will be able to lease this space at a discount in consideration of the funds that have been dedicated to the project.

Alderman Jackson moved for approval of the City Manager's recommendation. This was seconded by Alderman Johnson. Alderman Clifton Jones stated that during the Pre-Meeting, he said he recalled the previous City Council rejecting this request. He does not believe that anything has changed. He questions the amount of public money that has gone into this project. The City Manager read some numbers that he thought would provide answers, but if the \$200,000 is given to this project and public monies coming from all other areas, it would amount to more than \$1 million. He did not believe that this Council or any other Council has been in the business of supporting this type of project to this extent. In addition, the contribution requested from the SPLOST fund, the City Manager attempted to explain how this would work and they also asked the City Attorney for clarification as to whether this is legal. But, in his opinion, past SPLOST allocations were designated to certain projects. He did not believe that there is a designation in this SPLOST allocation that includes \$200,000. Therefore, they would need to go back to a previous SPLOT allocation. However, City Attorney Blackburn is to give Council an answer to this question. He believed for them to continue to put money into a private organization as a public body is not doing justice to the citizens that put up the funds for the various concerns to be addressed with SPLOST funding and not for other purposes. He knew that there is consensus now to pass this, but he just wanted to express himself and will vote against this. Alderman Thomas reminded Alderman Jones that public monies went to the Lucas Theatre. The difference with this project is it involves very deeply into the MLK revitalization. As it was stated in their earlier meeting, this building has historical significance as one of the first commercial buildings built and designed by African-Americans in Savannah. This is integral to the revitalization of MLK.

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In addition, the City is not giving a lump sum of money. This money is being put up so they can draw a loan on it for the completion of the work. At that point, the City will also be able to use the facility at a discounted rate. Alderman Johnson believed they need to be extremely clear about what they are trying to do. Council realizes that they do not have all the means to do all the work that needs to be done. He believed that their resolve to put this money into a public/private partnership helps to make it public. It has been said since the beginning that this project is to help assist the individuals who live in this area. This building anchors probably one of the most significant intersections in his district, which is Martin Luther King Jr. Boulevard and Gwinnett Street. If they do not do this, then the question is they have to be able to provide services somewhere for the individuals who live there, which includes two housing developments. He would prefer to help this entity and at the same time help the individuals who live in this area. The issue about SPLOST is not a problem because the funds are for the MLK corridor improvements. This will help the corridor because otherwise they would not have a dilapidated building. If SPLOST funding is a problem, he believed the resolve is they can use the general funds. They are a Certified City of Ethics and want to do the right thing. Alderman Felser stated that he joins his colleagues, Aldermen Thomas and Johnson, and respectfully disagree with Alderman Clifton Jones. He believed that the ConEd Center will be a family resource building. When they all became a part of this Council, they agreed their priorities would include improving neighbors, historical significances, poverty reduction and helping families. These are their priorities and with the best intentions of Rev. Mitchell, Dr. Archie Colbert, the other members of the ConEd board and kudos to Pat Mathis and her construction workers, Alderman Felser believed they have done a fine job. This building needs to be completed. Family resources are extremely needed in this area of the city. If this is not for a public/private partnership, what else could there be? This is the time and place for them to make improvements to the city. They have the opportunity and need to stop delaying it and make it happen. Alderman Osborne added her support to what has been said. They enjoy the Family Resource Center on the east side. She was delighted that something similar is being considered for the west side. They have to service the people of the community. This is a community project regardless of what name is put to it. When they service the people, they are serving the community. Alderman Jackson said she will call this the old "West Broad Street," which was the life of the African-American community. This was the hub of the community. She believed they must think outside of the box with the Con-Ed center. They need to be visionary and give their support. Under the old Council, they talked about the kind of services that were going to be a part of this center. Alderman Jackson knew that they are making the right decision when they are addressing activities for youth, a senior citizens' center, a child care center and medical help to assist area residents. One of the most important things that they have always addressed in order to reduce crime is a workforce training center. For these reasons, she sees that they can bring life back into this old building that served as the mecca for many of us when they

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talk about having great activities. She attended many functions here and many civil rights decisions were made in this building. Alderman Jackson was in agreement that Council should approve the funds whether they come from SPLOST or the General Fund. Alderman Sadler disclosed that he owns property next door to this building.

Alderman Clifton Jones stated that he wanted to reply to some of the comments. Several comments were made and he did not know if they addressed the situation. He knew that the consensus is to approve this, but he wanted them to know that when this is done, this will still be a private project. Not one of them can dictate to the Con-Ed board. Alderman Jones told the Council members they might not recognize that in this same area, there is a YMCA and if they were so concerned about putting forth activities for senior citizens, children and training, this could be ongoing at this facility. He did not want to insult any of them, but he is here to represent the people just as they and he believed that there is not a taxpayer in this city that would agree with this because they do not pay taxes for this type of project. Mayor Johnson said they would have a vote as those who sit on City Council are taxpayers. Therefore, this is an inaccurate statement. Alderman Jones said he attempted to clarify this initially. SPLOST funds are dedicated funds to certain projects and the people know this when they vote for them. This was not one of the things that was in the SPLOST allocations and this is why the City Attorney is going to check this. He knew also that this does not have anything to do with the MLK corridor; this is the Con-Ed building. Mayor Johnson asked where the building is located. Alderman Jones answered this is a private building. Mayor Johnson stated they can debate where the \$200,000 comes from at another time. Alderman Johnson asked that the motion be amended for approval of the \$200,000 allocation from the most appropriate funding source. Alderman Jackson accepted the amendment. The motion carried to approve the \$200,000 to Con-Ed to assist them in the completion of their building with only Alderman Clifton Jones opposing.

Upon motion of Alderman Johnson, seconded by Alderman Felser and carried, the following **bids, contracts and agreements** were approved:

Savannah African American Economic Empowerment Collaborative. Savannah's economy is diverse and growing, yet we have pervasive poverty and an under representation of African-American businesses. Therefore, the Mayor and Aldermen have set a goal of increasing the number and share of African-American and minority business enterprises.

Three major African-American business groups in Savannah -- Silver Summit, Savannah Business League, and African-American Chamber of Commerce - have formed the Savannah African American Economic Empowerment Collaborative (SAAEEC) and submitted a proposal to expand services for new and on-going African-American businesses. The services would include:

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- Create, in coordination with the City's Minority and Women Business Enterprise (MWBE) program, Small Business Assistance Corporation (SBAC), Savannah Entrepreneurial Center (SEC) and other agencies, a Business-to-Business Mentor/Protégé program.
- Prepare a report on key barriers affecting the success of MWBEs including recommendations to overcome these barriers.
- Assist the City's MWBE program in planning and implementing workshops to assist MWBEs with securing and sustaining government and private sector contracts.
- Establish a program to provide from non-City sources grant and loan funds to assist MWBEs with working capital, bonding, and collateral required for loans.
- Serve as a facilitator for creating agreements and/or collaborations among vendors that allow MWBEs an opportunity to bid on large projects.
- Identify at least one investment and/or development project especially along priority corridors that can be undertaken collectively and facilitate the partnerships to implement the project.
- Establish and facilitate at least one collaboration to train and employ at least 20 low income individuals in the building/construction trades.
- Serve as an advocate for small block development by promoting priority corridors to businesses seeking to locate, re-locate or expand.
- Design, implement and maintain a website service specifically for the purpose of marketing, advertising and providing contracting/networking opportunities, information and referrals.

City Manager Brown reported that they did not complete this discussion. He recapped what was proposed. One of Council's chief priorities for the community was in the area of economic development. A part of this is to increase the minority business participation, especially African-American businesses within the community. They have put together a plan to move this to the next step. Some things are being done now, but they believe that these recommended steps will get them closer to the objectives. They want to be sure that all the construction contracts have participation. Even today, they are making some major awards that include significant minority participation. Mr. Brown explained that the question then becomes how the local minority and African-American businesses get this work. The proposal they made is to have three services in place; two of these are already present and a third is being recommended. The first step is to get individuals in the community who wants to be entrepreneurs and help them become ready. This happens at The Savannah Entrepreneurial Center located on East Gwinnett Street. At the Entrepreneurial Center the individuals learn how to prepare business plans, how to get themselves ready to obtain financing and how to be technically proficient in

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the operation of the business. The Good Services, LLC operates the Center under the City's direction under a contract and a performance based set of requirements. This contract will be a model for what is being recommended for the Savannah African American Economic Empowerment Collaborative (SAAEEC). City Manager Brown said the second step, which he intends to bring back at the next meeting, is the recommendation with strong stipulations that we continue our loan administration relationship with the Small Business Assistance Center. The issue here is not to just make loans and administer them well, but also we must be cautious about what type of entities to make loans to. Such that if the person can get a loan from a bank, then they should go to the bank as we need to be lending money to small and minority firms who are almost bankable but not quite. The third step today is based on a proposal that the Mayor received more than 12 months ago in its initial form and the final form was received a few months ago. This service component would be to assist those companies already in existence to build their capacity to serve and get business. This is to specifically increase their borrowing capacity, bonding capacity and partnerships so they can get greater quantities of the work that we have in our contracts. Mr. Brown said this could be concrete, masonry, hauling, electrical and mechanical or floor coverings. If we look around Savannah, the sheetrock is very extensive that is going into all the many buildings. Our goal is to identify the firms that are here and then be very straightforward and diligent in trying to see what these firms can do to get larger, partner and grow. These tasks will be assigned under this contract with a partnership. As he stated, the proposal was submitted to the Mayor and they took the proposal and worked on it extensively under the leadership of Rev. Thurmond Tillman. Rev. Tillman is the board chair of this agency, which is made up of the Silver Summit, Savannah Business League and the African-American Chamber of Commerce. We will be contracted with this entity under a performance base contract. Within this contract, we will stipulate the services to be provided, the outcome measures for those services and will approve the organization and staffing of this organization. This is not to say that we would stipulate every aspect of this as the organization has to have the latitude for itself to organize and actually carryout the work.

City Manager Brown recommended that the city contract with the SAAEEC for a 12 month period for a cost of \$160,000 to carryout the services enumerated in the agenda. He believed that it is possible within four (4) to six (6) months or thereafter that if the agency is well organized and doing good work, at this point he will comeback to Council as a part of our budget process or some time in 2006 we could say that it is now time to add some additional services. Mr. Brown thanked Assistant City Manager Small and staff for their work on this as they did a lot of work to get this before City Council. They believe this is a good concept. He wanted it to be realistic, this is a new venture and every detail has nit been worked out. But what is presented to Council shows that a lot of thought has gone into this and we will have to forge some new relationships with this organization. This organization will have to step up to the plate and we will have to help

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them. City Manager Brown said, however, he believed that the proposal the Mayor received was good and in addition to looking at the three agencies' approach, we should begin to even incorporate our broader economic development agendas so that all of these agencies are dedicated to the central mission.

Alderman Felser asked City Manager Brown to reiterate some of the facts that he gave them in the Pre-Meeting for the benefit of the records with regards to monitoring, performance reviews and specifically with the hiring of the employees, approval of the executive director and how the employees will be paid.

City Manager Brown explained that when the contract is setup, they will stipulate the outcomes and how the work is to be performed. They will submit the information to us about this and Assistant City Manager Small and his staff will monitor this. We will look at their slate of candidates and look at how they will organize the office. When we give them payments, they will be based on draw-downs for expenses that we will monitor. A critical issue will be who are the clients and their backgrounds. Mr. Brown believed that we would end up meeting the federal test on this such as eligibility. We will have a set of recordkeeping requirements and exercise monitoring and detail powers over the operation to be sure that they are consistent with what has been stipulated within the contract. Alderman Felser asked if this would be to the extent of the hiring of employees as well as the financial outlays from the city's expenditures. City Manager Brown said he believed we would expect that the employees are qualified, have satisfactory work and background records. He said beyond that, he would hesitate to say that we like this person versus another, but he believed that standards would be set for the operation of the office, which would include qualified persons running the programs. Alderman Felser asked if Council would be given a quarterly update or progress report. Mr. Brown believed a report would be given every six months, but given that it is a new program, they probably should take a look on a quarterly basis. Alderman Felser asked that prior to signing the agreement, if the SAAEEC would actually have the corporation in place. City Manager Brown answered that Rev. Tillman was present and maybe he could answer this question. He knew that they wanted to get this program up and running and Rev. Tillman could answer where they are exactly in gaining the legal entity status for the group.

Alderman Thomas said he was in favor and supportive of this project. He was trying to be sure that the details have been thoroughly covered and put on the records. Rev. Thurmond Tillman thanked Mayor Johnson and Council for the opportunity. From the onset, Mayor Johnson gave them a task and at one time, they thought it might have been impossible. He wanted it to be known that the Savannah Silver Summit, Savannah Business League and the African American Chamber of Commerce came together to do a work that is actually on the heart of our mayor and he knew it is on the heart of Council to be able to make our city a better place in which to live. We look at so many statistics about what is going wrong. But, this is something that can go right and actually give us an

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opportunity to help those businesses exist, especially those businesses existing in the African American community to rise to a higher level. He heard a couple of questions that he wanted to answer. They submitted an application and from the onset he signed on to actually help pull the collaborative together. They were able to do this with the urging and direction of Mayor Johnson and others who gave support. The Mayor was very firm about what he would and would not do and told them that if they pulled it together in such a way that they would be able to have an outcome that is measurable and be able to help the businesses and community, he would work with them. Rev. Tillman said this is the fruition of that day and he was happy to see it come. In the beginning, they thought they were pulling together and no longer needed to have the collaborative to do so. The Mayor constantly said no to this, but it was a dream that he had. Now, that the collaborative is here, they have agreed to stay together and are inviting other businesses to join them and be a part. They are not a selective group, but a group that is inviting others to be a part of the African American Chamber of Commerce, Savannah Silver Summit and the Savannah Business League. They have submitted an application to the Secretary of State of Georgia on June 9, 2005 and sent the monies necessary for them to incorporate as a separate organization in Savannah. They are waiting on the document to be returned so they can file with the Internal Revenue Service for their federal exemption. In the meantime, they do not want to wait on this to begin the work they have to do. Therefore, the Savannah Business League has agreed to lend its 501 (C)(3) in order for SAAEEC to move forward now. Upon getting all their documentation completed, they will remove the 501 (C)(3) to the Savannah Business League. Alderman Thomas asked Rev. Tillman if he is the president of the SAAEEC. Rev. Tillman answered yes; Mr. Roy Jackson is the vice-president, Joseph Sheppard is the treasurer and Pat Gunn serves as the secretary. Alderman Thomas believed this is needed in order to raise the percentages of participation amongst the community. He believed further that some entity has to be involved to make sure that this is getting done and that awareness is in the community so that folks will know how to go about doing this. He received the contract today. He noticed that on page 5 subtitle D under fundraising states that "all fundraising activities conducted on behalf of the City of Savannah must be approved by the City contact person." Alderman Thomas asked what kind of fundraising is envisioned. He believed they would walk a tight line dealing with fundraising and things that can potentially affect the bid process. City Manager Brown answered that we are ones who stipulated this. It is very common in a nonprofit of this sort to have what is called, "development activities" as a part of their mission. Funds are out there; whether they are federal, state or economic development funds. Because of the fact that they actually have a collaboration like this, it might be seen more positively by the US Department of Economic Development. We would ask them to prepare a development fundraising program and then we would simply look at it and approve it. This is not to be intrusive, but we just want to be sure that we know it is being done. There is no sense in just using city money if there are other outside sources. We expect them to do it and simply want to know where they are going to be looking. This is

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normal in a nonprofit organization to look for outside funding. The fact that it is an alliance that will have city's sponsorship and based within the African-American community are the things that foundations might be interested in. We will help them identify places that they could get money and we just want to know where it is. Alderman Thomas guessed the confusion he had with this is that these activities are conducted on behalf of the city. It appears to him that the activities should be conducted on behalf of SAAEEC with support from the city. City Manager Brown said the terminology could be changed. This is on behalf of the initiative, which we are sponsoring, but they most likely will be getting the grants in their name. Mayor Johnson asked that this change be made in the agreement. The wording is on "behalf of the collaborative and must be approved by the City." Alderman Jackson pointed out that the subtitle D. Fundraising should be changed to "E" as there is already a subtitle D. Alderman Johnson believed this is a wonderful program. He remembered when Mayor Johnson challenged the group to work together. Essentially, we had three different groups all engaged in different activities trying to achieve the same goal. This is the fruition of everybody working together and doing the same thing to achieve one goal. This goes back to what they, as a Council, have been trying to do. Alderman Johnson believed that the effects of this partnership will dwell throughout the community. It will be seen in housing, employment and the poverty reduction plan. He thanked Rev. Tillman, City Manager Brown, Assistant City Manager Small, and Mayor Johnson for their leadership in this program.

Alderman Cook said he brought this up during their Pre-Meeting, but in their budget this year, they only funded the Small Business Assistance Corporation (SBAC) for six months. He wanted assurances that SBAC would be fully funded for the second six months of this year and be a part of this agreement. Mayor Johnson stated that is a separate agreement and had nothing to do with this agreement. These are two separate issues. Alderman Cook said SBAC is a part of this agreement as they are a part of the three prone approach. City Manager Brown explained that today, they are recommending approval of this contract with the empowerment collaborative. This is what is on the agenda and is what is being asked for approval. He said in the comprehensive report with Assistant City Manager, recommended the three prone approach. Part I is Readiness to be provided by the Entrepreneurial Center, Part II Loans which is a technical task having to do with collateral and credit. Mr. Brown wanted Council to know so they will be empowered to do this that Assistant City Manager Small and he will be meeting with the agency so that they can get the clear understanding for the performance-based contract to show what we would expect. The biggest thing he would say publicly is that when people get turned down for financing, which is universal, none of us like it; this is an unpleasant experience even when you get the loan. But, when someone gets turned down, we need to have a method by which those persons who do not get financing have some pathway of understanding as to why they did not get the loan and what they need to do in order to get their credit readiness. City Manager Brown said he would comeback in the next meeting or perhaps in the next two meetings with a

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recommendation on a performance-based contract. He will recommend SBAC provided they agree with the performance measures that they will recommend.

Mayor Johnson said the City Manager and he discussed this and SBAC cannot continue to do business as it has been doing for a long time. When they came in office, they said that there are no sacred cows in terms of the funding support that this city provides. There must be performance and must be a genuine effort to expand minorities and women participation in this effort. SBAC was funded for six months, put on notice that they had to examine the way they do business and they need to agree to do business differently. The City Manager has explained how we expect them to do business differently and if they agree to this, we will continue to fund them. If not, City Council would have to make a decision on whether this is a sacred cow and beyond what they said everybody else would have to do. Mayor Johnson wanted this to be clear because when these issues come up, they come up for a purpose. He believed they need full disclosure as to what is motivating the decisions around the six (6) months funding. They have been lobbying and campaigning and rightly so if this is what they want to do, but Council is saying that they cannot continue to do business as usual. They have said this to every entity that is doing business the city. This includes the City staff as they started with the staff. Alderman Cook said he believed that SBAC can show that they have loaned a lot of money to minority enterprises. He believed it is unfair to say that they are turning away the majority. Mayor Johnson wanted to know who said this. Alderman Cook answered that Mayor Johnson said SBAC was not doing business as usual. Mayor Johnson explained that he said Council does not expect them to do business as usual with their support. Alderman Cook stated he believed SBAC has a good track record. Mayor Johnson said Council will vote on this when it comes before them.

Approved to contract with the SAAEEC for services in the amount of \$160,000 per year. This contract, like the one with SEC and SBAC, will be performance based to ensure that the continuum of support will be in place for firms to start up, get financing and then expand.

Second Amendment to Port Wentworth Water Service

Agreement. In its role as a regional water provider, Savannah entered into a wholesale water supply agreement with the City of Port Wentworth in 2001. This agreement has terms similar to wholesale water agreements that Savannah has with Pooler, Effingham County and Bryan County. The 2001 Port Wentworth agreement provides that Savannah will make up to 1 million gallons of potable water per day available at a delivery point near the intersection of Route 21 and the DeLoach Parkway. The Port Wentworth agreement was amended in 2002 to provide a second water delivery point in the Meinhard Road area in order to serve a new planned development. However, the limitation of 1 million gallons per day applied to the sum of the two water delivery points.

The City of Port Wentworth has now asked that the Water Agreement be amended again to provide for a third water

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delivery point. The proposed new water delivery point will be in the DeLoach Parkway area within the Crossroads Business Center and is intended to serve a new warehouse development planned in the area around Godley Road partially in Savannah but mostly in Port Wentworth. The developer of this warehouse development is North Point Industrial, LLC. Under a draft water agreement amendment, all costs for establishing the new delivery point, and installing a master meter, will be paid by the developer or Port Wentworth, and the limitation of 1 million gallons per day will be applied to the sum of all three water delivery points.

Port Wentworth has requested that the County Commissions expand the boundaries of the Chatham Area Transit (CAT) special service district to include this new warehouse development. Thus, taxable property within the development will be subject to the CAT tax and be eligible for CAT service.

City Manager Brown was authorized to execute the amendment to the Port Wentworth Water Service Agreement. **APPROVED.**

Intergovernmental Agreement with Port Wentworth.

The warehouse development described in the previous item is located partially within Savannah and partially within Port Wentworth. Of the approximately 400 acres in the development, approximately 360 are in Port Wentworth and 40 are in Savannah. Most of the warehouse square footage will be in Port Wentworth. It is desirable for a single municipality to take the lead in development approval and enforcement of building codes. Since most of the project is in Port Wentworth, an intergovernmental agreement has been prepared under which Savannah contracts with Port Wentworth to provide permitting, code inspection, and issuance of certificate of occupancy services for the project for those portions within Savannah. The agreement also provides that property tax revenue for property that straddles the boundary will be allocated pro-rata between the two cities based on the pro-rata portion of the total property located within the respective municipal boundaries.

City Manager Brown was authorized to execute the intergovernmental agreement with Port Wentworth. **APPROVED.**

Georgetown Water Quality Control Plant Upgrade (SW-922-96) - Engineering Agreement Amendment No. 2.

On June 28, 2000, the City entered into an engineering agreement in the amount of \$136,650.00 with Hussey, Gay, Bell & DeYoung, Inc. The agreement provided for the evaluation of specified sludge handling options and the electrical control systems.

Amendment No. 1 was approved in the amount of \$127,795.00 on May 1, 2003 for design and construction overview services to upgrade the electrical and control systems. Amendment No. 2 in the amount of \$15,396.00 provides for additional inspection services needed during upgrades to the sludge handling process. **APPROVED.**

Dumpster Rental for Summer Programs - One Time Purchase - Bid No. 05.183. Approved to procure dumpster rental from Waste Management (Primary) and Republic Waste (Secondary) in the amount of \$21,960.00. The dumpsters are needed for the Youth Volunteer program which will perform repairs on approximately 70 homes.

Bids were received June 28, 2005.

Wilshire North Branch Drainage Improvements (CIP #DR503) - Bid No. 05.136. Approved to award a construction contract for the Wilshire North Drainage Improvements projects to TIC - The Industrial Group in the amount of \$7,530,814.25. The improvements will eliminate structural flooding and greatly reduce street flooding during 100 year storm events.

The project consists of 9,500 linear feet of canal widening and realignment; demolition and removal of nine undersized culverts of various sizes; installation of four box culverts and other miscellaneous items.

The Minority Women Business Enterprise (MWBE) goal for the project of 30% was met by the low bidder with 22% Minority Business Enterprise (MBE) and 8% Women Business Enterprise (WBE) participation.

Alderman Thomas commended the City Manager and staff for working diligently with this project. He knew that the citizens would not be reading this in the newspaper, but this is a major accomplishment and will go along way in accomplishing drainage relief in Wilshire. Alderman Thomas believed that the City Manager has said that the improvements will eliminate structural flooding and greatly reduce street flooding during the 100 year storm events. He believed this is a bold statement because a lot of water has been in this area. When they look at the project and the amount of money that is going to be spent to resolve this, he believed this is one of the best things they could do for this area. He was pleased that this is in his district. City Manager Brown gave the facts on this drainage improvement project. In 1970 to 1980 annexation of the south side hopefully was a good movement in the long run, but when we annexed these areas some of them had undersized and inadequate infrastructural and drainage was no exception. We have made significant improvements in this area south of Tibet Avenue. This work will begin at the Elks Club and a modification will be done in the access and culvert. Several places will have enlarged passageways. In many cases now, there may be just three foot (3') diameter concrete pipe. Much of the problem is that the culverts and canals are undersized. This will literally go from the Willis Drive area pass San Anton Drive, paralleling Largo, go past the neighborhood which includes Montclair, San Marco and then come back to the connection point at Wilshire near Abercorn. From this point, the canal is enlarged. City Manager Brown said within the next couple of weeks he would like to arrange a groundbreaking ceremony. He suggested at this meeting, they could do a drainage briefing update. They probably would want to do this at the Wastewater Treatment Facility off of Largo. They could do this either in the building or

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use a tent. This will allow them to present to the neighborhood and City Council where we stand on the drainage projects in general. Mr. Brown said this is a substantial design and implementation of a big project. But, they are looking forward to getting this started. Alderman Jackson wanted assurances that they monitor the minority and women participation in this project. This is a \$7.5 million project. In the past, they have had some companies who said they would have the 30%, but did not do so. Hopefully, this project will be monitored very closely to ensure that they have women and minorities involvement. Mayor Johnson said that he and Alderman Jackson were on the same page because he just calculated the 30% and it is \$2.26 million that has the possibility of going into minority and women businesses. This is a substantial move in the direction that this Council wants to move. Mayor Johnson applauded the City Manager for setting this goal and having the successful bidder commit to it. The real thing is to monitor this to ensure that the minorities get this. Alderman Jackson injected that the minorities not be bought out at a lesser amount. Alderman Osborne stated that some of the senior Council members pointed out during some of their earlier sessions that when they were dealing with this particular company, they experienced a lot of change orders. Although this company is the lower bidder if they come in with a lot of change orders, they could end up spending more money. Alderman Osborne felt this needs to be watched carefully if this is the case. Mayor Johnson said this is good news on all fronts. The south side will get relief in the near future with the flooding problems and this moves their minority and women agenda forward.
APPROVED.

Expansion of Savannah Impact Program Building - RFP

No. 05.185. Approved to procure design services for the expansion of the Savannah Impact Building from Barnard Architects in the amount of \$15,000.00. The design will connect the two existing buildings, which will allow added office space and a squad room.

Proposals were received June 7, 2005.

Enterprise Resource Planning (ERP) Needs Assessment - One Time Purchase.

Awarded a contract for consulting services to the Government Financial Officers Association (GFOA) in the amount of \$76,720.00 for System Needs Assessment and ERP Advisory Services. The City is considering purchase of an integrated financial revenue applications software package commonly known as ERP software. GFOA has extensive experience with local governments in conducting comprehensive analysis along with providing planning and procurement assistance for public sector enterprise systems. We have asked GFOA to assist us in evaluating our 12 year old Financial, Revenue and Human Resources Systems. We want to insure that benefits for our customers and staff outweigh the cost and effort associated with the selection and implementation of an ERP System. The engagement and recommendations will be completed by year end.

The proposal was received June 30, 2005.

Walk-in Cooler for Civic Center - One Time Purchase - Bid No. 05.194. Approved to procure a walk-in cooler from York International Corporation in the amount of \$11,231.00. The walk-in cooler will be installed in the Civic Center second floor kitchen to provide refrigeration.

Although several solicitations were made, only one bid was received on June 14, 2005.

Portable and Mobile Radios - One Time Purchase - Requisition No. 158984. Approved to procure five portable radios and one mobile radio from Motorola in the amount of \$25,917.00. The portable and mobile radios are needed for the Fire Department for radio communications.

The reason why a sole source vendor is required is that Motorola radios must be compatible with the existing 800 trunking radio system.

Upgrade for Remotec Robot - One Time Purchase - Requisition No. 167046. Approved to procure an upgrade for a Remotec robot from Remotec, Inc. in the amount of \$72,805.50. The robot is used by the Savannah-Chatham Metropolitan Police Department bomb squad for remote handling of suspicious packages.

The reason for the sole source is that Remotec, Inc. is the manufacturer and only known company qualified to upgrade the existing robot.

Coliform Reagent - Annual Contract Renewal - Bid No. 05.230. Renewed an annual contract to procure coliform reagent from IDEXX Laboratories in the amount of \$25,000.00. The coliform reagent is used to monitor drinking water quality at the I & D Water Treatment Plant.

The reason why a sole source vendor is required is that IDEXX is the only known supplier of this specialized material and is used by the State Environmental Protection Division.

Wetland Impact Mitigation Credits - One Time Purchase - Sole Source. Approved to procure 22.5 wetland impact mitigation credits from Ogeechee River Mitigation Bank in the amount of \$51,750.00. The mitigation credits are needed to satisfy permit regulations in connection with the construction of the Crossroads Water Quality Control Plan and the associated Travis Field Water Quality Control Plant flow diversion project.

The City applied for a wetland impact permit from the U.S. Army Corps of Engineers to construct the access road to the new Crossroads Wastewater Treatment Plant. The project is designed to minimize wetland impacts, but will have unavoidable impacts to 0.99 acres of freshwater wetland habitat. While the impacts are minor, Corps regulations require that even minor wetland impacts be offset by compensatory mitigation. The City applied for a separate wetland impact permit to construct the Travis Field Water Quality Control Plant flow diversion force main. This

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portion of the project will have unavoidable impacts to 2.4 acres of freshwater wetland habitat.

Purchasing wetland mitigation credits is the cheapest and most efficient way to meet the federal requirements. Prices were received April 21, 2005 from four independent mitigation banks that were applicable to this region and approved by the Corps.

Alderman Cook asked City Manager Brown to explain how this program works. City Manager Brown explained that when major facilities are built of any type and if an area has wetlands on the site in the old days they would just be filled. This is not permitted today. It is possible to take a site with wetlands provided "it is mitigated." How this is to be achieved is preferably on the site itself. For example, you have a 100 acre site and ten acres is wetland. Maybe you could recreate wetlands. This is not possible here; this is a good site for the wastewater treatment plant. The process is to put out a bid for the wastewater treatment facility for the west side to replace Travis Field and to accommodate the new growth. This site, however, has some wetlands. What we will be doing is moving offsite and going through a process to actual buy credits. We will take areas that could have been filled and will create wetlands or preserve wetlands in exchange for us to be able to do this on our site. This is a good concept and is being used. Mr. Brown believed that Chatham County actual has a big wetland mitigation site near the Bamboo Farm. He did not believe that we are buying from them. There is another bank that we are buying from and this will allow us to get on with our site plan, get bids and get the facility built. He explained further that you take the wetlands on your site and then find a bank; buy whatever the required equivalent number for acreage so that there is no net loss of wetlands in the area. Alderman Cook asked if there are several different groups that own these wetlands. City Manager Brown said there are other banks, he did not recall the name of the bank we are buying from, but this is the Ogeechee River mitigation bank. Someone owns this bank and they are able to sell. They are forfeiting some of their rights to fill the wetlands and they are going to give us that right in which we are transferring monetarily. **APPROVED.**

Janitorial Services for Leisure Services - Annual Contract - Bid No. 05.086. Approved to terminate the janitorial services contract with Clean Image Services and award these locations to Randall Green's Professional Cleaning in the amount of \$34,200.00. The janitorial services are needed to clean various Leisure Services buildings on a weekly basis.

This contract was originally approved by Council on April 28, 2005. Clean Image has been unable to provide quality services.

Bids were received March 22, 2005.

Ground Maintenance for Bonaventure Cemetery - Annual Contract - Bid No. 04.234. Approved to terminate the contract with Leon's Landscaping and award

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ground maintenance for Bonaventure Cemetery to Landcare South, Inc. in the amount of \$58,370.00. The ground maintenance services are needed to keep the grounds mowed, bushes pruned and debris picked up. The contract was originally awarded to Leon's Landscaping on September 9, 2004, however the company has been unable to perform satisfactorily.

The reason for not selecting the low bidder is that Spit Shine did not have commercial experience.

Bids were received August 24, 2004.

Janitorial Services - Annual Contract Renewal - Bid No. 05.223. Renewed an annual contract to procure janitorial services from American Janitorial in the amount of \$33,600.00, My Cleaning in the amount of \$23,825.00, Randall Green's Professional Services in the amount of \$17,400.00, and P C Business Services in the amount of \$9,960.00. The janitorial services are needed for the Police Department, Coastal Workforce, City Lot and the Fire Department.

Bids were originally received May 27, 2003.

Uniforms and Related Items for Savannah-Chatham Metropolitan Police Department - Annual Contract - Bid No. 05.160. Awarded an annual contract to procure uniforms and related items from Red Dot Uniform & Supply Company in the amount of \$102,458.25. The uniforms and related items are needed for the Police Department.

Bids were received June 21, 2005.

Laboratory Furniture for Water Quality Control Plant - RFP No. 05.116. Approved to procure laboratory furniture for the Water Quality Control Plant from VWR International in the amount of \$56,661.08. The laboratory casework furniture will be used to furnish the new laboratory at the Water Quality Control Plant and replace some existing casework furniture.

Proposals were received April 26, 2005.

Employee Background Verification Services - RFP No. 05.163. Approved to procure employee background verification services from Laborchex Companies in the estimated amount of \$15,000.00. The services are needed by Human Resources to provide employment verification, motor vehicle reports, criminal histories, credit checks and other optional services for City of Savannah job applicants. The services will reduce the time and associated costs for employee background verifications.

Fourteen proposals were received on May 17, 2005. The financial evaluation was based on the cost of a typical employee background check which consists of three employment verifications, one state criminal history and one motor vehicle report.

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Pickup Truck - ½-Ton for Water & Sewer - One Time Purchase - Requisition No. 162896. Approved to procure one ½-ton pickup truck from Coastal Chevrolet in the amount of \$14,100.00. The truck will be a fleet addition to be used by the Water & Sewer Director.

This bid was previously awarded by Council in January 2005. Coastal Chevrolet has offered to hold the bid price for this additional purchase.

Bids were received November 19, 2004.

Office Furniture for Fire Stations 2, 4, 7, 10 and 11 - One Time Purchase - Quotation No. 05.065.

Approved to procure office furniture from Sofa Connection in the amount of \$14,597.00. The furniture will be used for the new Fire Prevention office located at #7 Martin Luther King, Jr. Boulevard and to replace furniture in fire stations 2 (Skyline Drive), 4 (Augusta Avenue), 7 (Sallie Mood Drive), 10 (Coffee Bluff Road) and 11 (Mohawk Road).

The reason for not selecting the low bidder is that Jesup Furniture Outlet, Inc. did not meet specifications.

Bids were received May 12, 2005.

Tractor for Leisure Services - One Time Purchase - Bid No. 05.188.

Approved to procure one tractor from Hendrix Machinery, Inc. in the amount of \$15,449.00. The tractor will be used by Athletics to replace unit 6607 which is no longer economical to repair or operate.

Bids were received June 7, 2005.

Resurface Ledges on Broughton Municipal Building - Bid No. 05.209.

Approved to procure repair services from Miller Painting Company in the amount of \$21,400.00. The services will be used by Building and Electrical Maintenance to resurface the ledges on the Broughton Municipal Building.

Bids were received June 21, 2005.

Bay Street Crosswalks (SP718) Contract Modification #1 - Bid No. 04.016.

Approved a contract modification in the amount of \$302,057.40 with Spirit Construction. Additional concrete defects were discovered during construction that would result in failures in the near future if left unaddressed.

Bay Street is one of the most heavily traveled streets in the city. Traffic volume is 25,000 vehicles per day, with 11% of that volume being truck traffic. During the crosswalk work, subsurface evaluation of the adjacent slabs identified voids, inconsistent slab thickness, poor sub-grade compaction, slab failure, poor joint formations and damaged tie bars.

A delay in making the repairs would have allowed time for further deterioration which could have resulted in accidents. Also, the work was less costly to perform while

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the contractor was on site. The cost is based on the unit prices in the original contract for concrete work.

Lead Encapsulation and Painting of Buildings at Laurel Grove North Cemetery - Bid No. 05.210.

Recommend approval to procure lead encapsulation and painting services from Miller Painting Company in the amount of \$63,700.00. The services will be used by Building and Electrical Maintenance to encapsulate existing lead based paint and repair the administration building, crew building and gazebo at Laurel Grove North Cemetery.

Bids were received June 28, 2005.

Chipper for Park & Tree - One Time Purchase - Bid No. 05.187.

Approved to procure a brush chipper from Southeastern Equipment in the amount of \$24,417.00. The chipper will be used by Park & Tree to replace unit 6229 which is no longer economical to repair or operate.

The drum chipper, item 2, will be awarded at a later date.

Bids were received June 7, 2005.

Combination Cleaner Truck for Water Quality Control - One Time Purchase - Bid No. 05.182.

Approved to procure a combination cleaner truck from Adams Equipment Company, Inc. in the amount of \$242,000.00. The truck is a fleet addition to be used by the Water Quality Control Plant.

The reason for not selecting the low bidder is that Super Products Corporation did not meet specifications in regards to engine and transmission requirements. The reason for not selecting the second low bidder is that Pat's Pump & Blower offered a boom that did not detach from the debris body as specified and could not provide the specified direct drive hose reel.

Bids were received June 14, 2005.

Bacon Park Tennis Complex (CIP PB730) - Bid No. 05.208.

Awarded a construction contract for renovation of the Bacon Park Tennis Courts from Astra Group, Inc. in the amount of \$594,988.00. The project consists of demolition of existing asphalt, subgrade, fencing and electrical outlets and grading, asphalt and fencing for new courts.

The Minority Women Business Enterprise (MWBE) goal for the project was 16%, 10% Minority Business Enterprise and 6% Women Business Enterprise participation. The low bidder exceeded the goal with 25% MWBE participation, 10% Minority Business Enterprise (MBE) and 15% Women Business Enterprise (WBE).

Bids were received July 5, 2005.

Water and Sewer Agreement - River Pointe Townhomes Phase 2.

Cicra Properties, Inc. has requested a water and sewer agreement for River Pointe Townhomes Phase 2. The water and sewer systems have adequate capacity to serve

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this 20-equivalent residential unit development on Wilmington Island. The agreement is consistent with policy directives given by the Mayor and Aldermen and has been reviewed and approved by the City Attorney for legal format.

Lease - Police Internal Affairs - 5313 Paulsen Street. Recommend approval of a lease between A. Joseph Edwards III, Michael J. Jackson and Carmela Pettigrew and the City for property located at 5313 Paulsen Street for the Police Internal Affairs Department.

The initial term is three years with a 3% annual increase commencing on August 1, 2005 and ending on July 31, 2008 at the rental rate of \$3,300.00 per month for 2,310 rental square feet. Recommend approval.

Alderman Cook wanted to know if an extension could not be negotiated on the present contract. City Manager Brown stated that they are trying to go short on these contracts. As they know, we have systematically looked at all our operations that are permanent having an internal affair which is in a separate location. We just wanted to renew this, but are in the process of where we can find favorable purchases, is to do so. In this case, he believed it is prudent to do a shorter term renewal. Alderman Cook stated that this is not renewal, but is a new contract. City Manager Brown stated it is a new contract, but believed the staff told him that we can get out of this contract on an annual basis. Alderman Cook said he was not criticizing this, but wondered why they are moving from one building to another. City Manager Brown answered that he believed we had a situation where the rent was being raised and was not a favorable deal. City Manager Brown said he would pull this item from the agenda and bring it back in two weeks. This fits into the program we have had over the last four or five years to fix our cost and lower them by buying rather than leasing indefinitely. **(DEFERRED TO THE MEETING OF JULY 21, 2005).**

City Manager Brown reported that the Council has received a report and memorandum about recommending a final millage rate for 2005. As Council knows, we readopt our budget in December of each year. We have to set a projected or prospective millage rate because we do not know the exact value of the digest. The value of the digest is based on property in the City as of January 1. We may or may not like it, but the state has a stipulated process for us to set our millage. They require us to identify the growth in our tax digest and rollback the millage having to do with higher valuations. The good news for this City is that the overall digest driven in excess of 12% is roughly half of this is due to higher valuations and about half to new growth. A part of which has been discussed today with things such as Hutchinson Island and so forth. Mr. Brown recommended that City Council adopt a final millage rate of 12.9 mills which is lower than the 13.1 mills that was recommended with the budget. This is possible because our revenue estimates are up somewhat now. He also recommended that Council gives consideration to some projects that will further their priorities for this year and hopefully this will get us into a little better shape for 2006. We still

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have to be cautious because we face the same economic environment that the other jurisdictions face. The reason he brought this up to day is because between now and the next Council meeting, we will publish the recommended rate that does not bind Council in anyway, but we do have to run the ad. At the next meeting they will have the first reading of this. Then a second reading will held at nighttime. City Manager Brown, therefore, recommended that we have a 6:00 p.m. meeting on July 28, 2005 and asked Council to let him know if this date is a problem. The final reading will be on August 4, 2005. He did not want to brag too much, but this is the lowest tax rate that has been in the City of Savannah since 1988. Alderman Felser commended the City Manager as he definitely is deserving of the commendation due to his outstanding fiscal management in the past decade. Council is happy to be in a position to receive the notification that we could possibly have a reduction of .2 mills of the tax rate. Clearly, as was pointed out earlier, the expertise of City Manager Brown and Assistant City Manager Small is appreciated. Alderman Felser commended City Manager Brown for a job well done.

City Manager Brown said a public safety initiative was presented to Council entitled, "Safe Street - Safe Kids." The package contained several items and one was the curfew that Mayor Johnson mentioned. The other item is to bring forward to Council the modification on underage drinking in bars to disallow youth under the age of 21 to be in bars. They discussed this so they will be completely above board to have some sort of public meeting so that they could hear comments on this. He asked that sometime in the next 7 to 14 days perhaps they could setup a meeting time. He recommended the meeting be held from 6:30 p.m. to 8:30 p.m. and let people give them written comments. City Manager Brown recommended also that they begin with why they made the recommendation and then let the people make their comments. Council will then be in a position to have the ordinance presented to them hopefully within the next month.

Alderman Cook reported that since their last Council meeting, one of their fine community leaders, Mr. Bill Reese, passed away. Mr. Reese was the president of the Pine Gardens neighborhood association for a number of years. He was very instrumental in annual community conventions that are held every year at the Civic Center. Mr. Reese will be solely missed by all the neighborhoods and not just Pine Gardens. Council acknowledged the passing of this fine citizen and regrets the loss to the community.

Alderman Osborne reported that Rev. Tillman asked her to make an announcement about an upcoming meeting. He went downstairs to get the flyer, but has not returned. She asked the public to be on the look out for the announcement about the meeting regarding the prisoners that are being released.

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Alderman Thomas asked City Manager Brown and staff to provide City Council with a report on St. Patrick's Day with the Savannah Waterfront Association. He understood that they have some good news. Alderman Thomas asked that Council be given the report by the next Council session.

Upon motion of Alderman Johnson, seconded by Alderman Jackson and carried, Council entered into an Executive Session to discuss land acquisition. Upon completion of the Executive Session, Mayor Johnson declared this meeting of Council adjourned.

Dyanne C. Reese
Clerk of Council